

RESOLUTION #1-2013

**A RESOLUTION AUTHORIZING THE PROBATIONARY RELEASE OF
TWO POLICE DEPARTMENT EMPLOYEES**

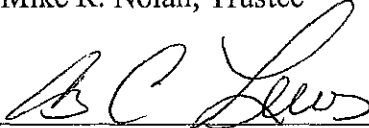
Whereas, on September 11, 2012 Officer Jason M. Lay and Officer Mick Blankenship were appointed as Miami Township Police Officers effective September 17, 2012 and placed in a probationary status for a period of one year; and

Whereas, the Chief of Police has made a recommendation to the Miami Township Board of Trustees to give "Probationary Releases" to both of these officers; and


Therefore Be It Resolved, the Miami Township Board of Trustees concur with the recommendation of the Chief of Police and approve the Probationary Release of Officer Jason M. Lay and Officer Mick S. Blankenship effective at the close of business on December 29, 2012.



Mike R. Nolan, Trustee

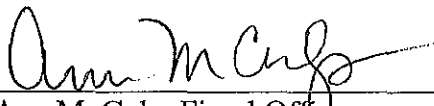


Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mmm

RESOLUTION #2-2013

RESOLUTION TO RETAIN NEWHOUSE, PROPHATER, LETCHER & MOOTS, LLC AS LEGAL COUNSEL TO ADVISE & REPRESENT MIAMI TOWNSHIP, IN ANNEXATION MATTERS


Whereas, Miami Township Board of Trustees met in regular session on January 8, 2013; and

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


Therefore Be It Resolved, the Miami Township Board of Trustees hires the firm of Newhouse, Prophater, Letcher & Moots, LLC, to be retained as Legal Counsel to advise and represent Miami Township on legal matters relating to annexation for 2013. Representation will be paid for as follows: \$220.00 per hour senior attorney time, \$175.00 per hour associate attorney time, and \$75.00 per hour law clerk or legal assistant time. Rate is fixed for six months but subject to increase thereafter, with a maximum increase of 6% every six months; time spent on travel and telephone calls is considered billable time. Court costs and expenses will be paid by the Township. Fees will be paid monthly upon receipt of the bill. The Board of Trustees will execute a Retainer Agreement reciting these terms.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:seb

RESOLUTION #3-2013


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

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, January 8, 2013; and

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

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

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan under Zoning Case #222-88 and UPHOLDS the Zoning Commission recommendation.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mmm

RESOLUTION #4-2013

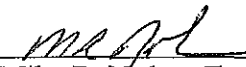
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
AUSTIN LANDING – AREA 7 – SOUTHEAST OUT LOTS – PHASE I
UNDER ZONING CASE #222-88, FOR LANDS ZONED “PD-5”, PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, January 8, 2013; and


Whereas, Zoning Case #222-88, filed by Innovation Pointe I, LTD, proposes adoption of a final development plan for Austin Landing – Area 7 – Southeast Out Lots – Phase I and for lands zoned “PD-5”, Planned Mixed-Use; and

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

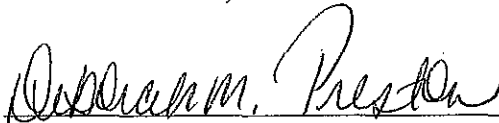
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVE ^{w/ 7 STRAIGHT} the Final Development Plan under Zoning Case #222-88 and UPHOLDS the Zoning Commission recommendation.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

RESOLUTION #5-2013

RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

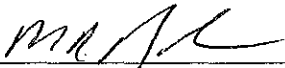
Whereas, Ohio's Cooperative Purchasing Act provides the opportunity for townships to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and materials; and

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

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

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

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



Mike R. Nolan, Trustee

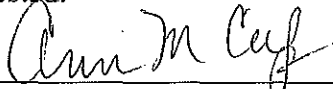


Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

RESOLUTION #6-2013

**RESOLUTION TO AUTHORIZE PARTICIPATION IN THE ODOT
COOPERATIVE PURCHASING PROGRAM**

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

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

Section 1. The Public Works Director hereby requests authority, in the name of the Miami Township Board of Trustees, to participate in ODOT contracts for the purchase of machinery, materials, supplies or other articles the Department has entered into, pursuant to ORC Section 5513.01 (B).

Section 2. The Public Works Director is hereby authorized to agree in the name of the Miami Township Board of Trustees to be bound by all terms and conditions as the Director of Transportation prescribes.

Section 3. The Public Works Director is hereby authorized to agree, in the name of the Miami Township Board of Trustees, to directly pay vendors, under each such contract of ODOT in which Miami Township participates, for items it receives pursuant to the contract.

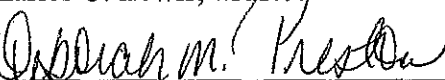
Section 4. The Miami Township Board of Trustees agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract, pursuant to ORC Section 5513.01(B).



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013


GSR:mrm

RESOLUTION #7-2013

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A SNOW REMOVAL CONTRACT**

- Whereas,** there is a need to provide snow removal services within Austin Landing; and
- Whereas,** Miami Township, through a request for proposals process publicly bid the project; and
- Whereas,** Joe's Landscaping Inc. of Beaver creek was the sole bidder for the project; and
- Whereas,** the Montgomery County Prosecutor has reviewed the Joe's Landscaping Inc. of Beaver creek proposal and approved it as to form and content; and

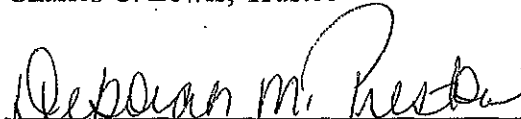
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator, or his designee, to take the necessary steps to execute and assign a one (1) - year snow removal contract with Joe's Landscaping Inc. of Beaver creek.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

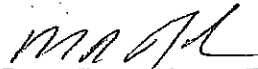
GSR:kah

RESOLUTION #8-2013

**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 3.50 MILL RENEWAL LEVY FOR THE FIRE
DEPARTMENT**

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective fire and EMS service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to renew the existing tax levy in excess of the ten mill limitation in the amount of 3.50 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 3.50 mill renewal levy would generate for the Fire Department, as provided for under ORC 5705.19 (I), if approved in the May 2013 primary election to renew the existing 3.50 mill fire levy tax year December 31, 2012.



Mike R. Nolan, Trustee

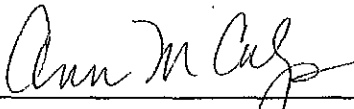


Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

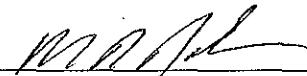
GSR:mrm

RESOLUTION #9-2013


**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 3.55 MILL REPLACEMENT LEVY FOR THE
FIRE DEPARTMENT**

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective fire and EMS service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 3.55 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

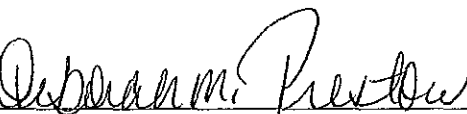
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 3.55 mill replacement levy would generate for the Fire Department, as provided for under ORC 5705.19 (I), if approved in the May 2013 primary election to replace the existing 3.50 mill fire levy expiring tax year December 31, 2012.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

RESOLUTION #10-2013

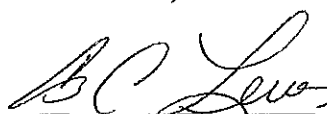
**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 3.75 MILL REPLACEMENT LEVY FOR THE
FIRE DEPARTMENT**

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective fire and EMS service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy is necessary to replace the existing tax levy in excess of the ten mill limitation in the amount of 3.75 mills as provided for in the ORC 5705.19 (I); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

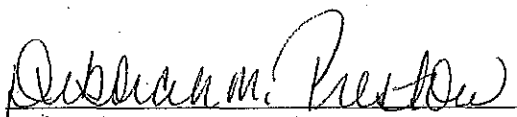
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a 3.75 mill replacement levy would generate for the Fire Department, as provided for under ORC 5705.19 (I), if approved in the May 2013 primary election to replace the existing 3.50 mill fire levy expiring tax year December 31, 2012.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

RESOLUTION #11-2013

**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 5.00 MILL LEVY FOR THE POLICE
DEPARTMENT**

Whereas, the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and

Whereas, the residents wish to continue this service; and

Whereas, this tax levy in excess of the ten mill limitation in the amount of 5.00 mills is necessary to provide for the purpose in ORC 5705.19.(J); and

Whereas, the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

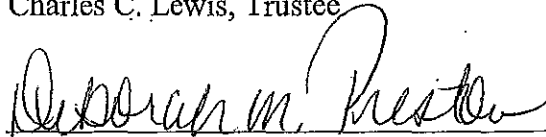
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with the Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a five (5) year 5.00 mill levy would generate for the Police Department, as provided for under ORC 5705.19 (J), if approved in the May 2013 primary election.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

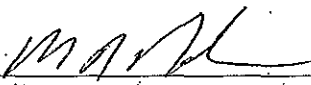
GSR:mrm

RESOLUTION #12-2013


**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 5.25 MILL LEVY FOR THE POLICE
DEPARTMENT**

- Whereas,** the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and
- Whereas,** the residents wish to continue this service; and
- Whereas,** this tax levy in excess of the ten mill limitation in the amount of 5.25 mills is necessary to provide for the purpose in ORC 5705.19 (J); and
- Whereas,** the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

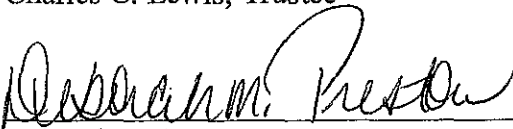
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with the Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a five (5) year 5.25 mill levy would generate for the Police Department, as provided for under ORC 5705.19 (J), if approved in the May 2013 primary election.



Mike R. Nolan, Trustee

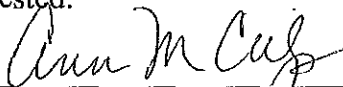


Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: January 8, 2013
GSR:mrm

RESOLUTION #13-2013

**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 5.50 MILL LEVY FOR THE POLICE
DEPARTMENT**

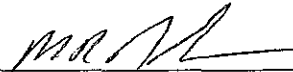
Whereas, the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and

Whereas, the residents wish to continue this service; and

Whereas, this tax levy in excess of the ten mill limitation in the amount of 5.50 mills is necessary to provide for the purpose in ORC 5705.19 (J); and

Whereas, the ORC 5705.03 (B); requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

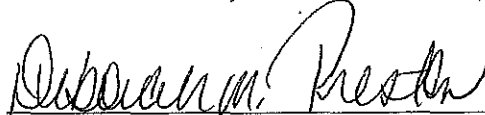
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with the Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a five (5) year 5.50 mill levy would generate for the Police Department, as provided for under ORC 5705.19 (J), if approved in the May 2013 primary election.



Mike R. Nolan, Trustee



Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

RESOLUTION #14-2013

**RESOLUTION TO REQUEST THE MONTGOMERY COUNTY AUDITOR
TO CERTIFY THE TOTAL CURRENT TAX VALUATION IN
ANTICIPATION OF A 5.75 MILL LEVY FOR THE POLICE
DEPARTMENT**

Whereas, the Miami Township Board of Trustees provides an efficient and effective police service to the residents paid for through a tax levy; and

Whereas, the residents wish to continue this service; and

Whereas, this tax levy in excess of the ten mill limitation in the amount of 5.75 mills is necessary to provide for the purpose in ORC 5705.19 (J); and

Whereas, the ORC 5705.03 (B), requires the Township to request the County Auditor to certify a total current tax valuation of the subdivision and the revenue generated by a specified number of mills; and

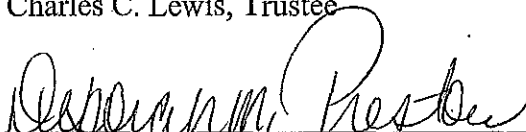
Therefore Be It Resolved, the Miami Township Board of Trustees, in compliance with the Ohio Revised Code 5705.03 (B), requests the Montgomery County Auditor to certify the current total tax valuation of the unincorporated portion of Miami Township and the total revenue a five (5) year 5.75 mill levy would generate for the Police Department, as provided for under ORC 5705.19 (J), if approved in the May 2013 primary election.



Mike R. Nolan, Trustee

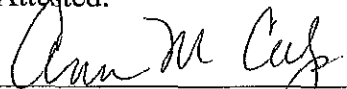


Charles C. Lewis, Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 8, 2013

GSR:mrm

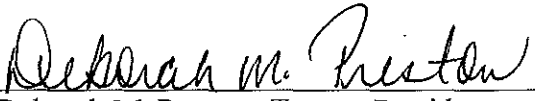
RESOLUTION #15-2013

**RESOLUTION TO ACCEPT RESIGNATION OF A PLANNING AND
ZONING EMPLOYEE**

Whereas, Christie Lamb has been a full-time Planning and Zoning Administrative Assistant since April 18, 2011; and

Whereas, Christie has decided to resign her position with the township; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Christie Lamb, and termination of her employment is effective February 1, 2013 at 5:00 p.m.



Deborah M. Preston, Trustee President

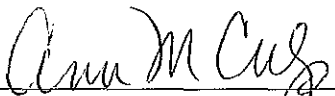


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



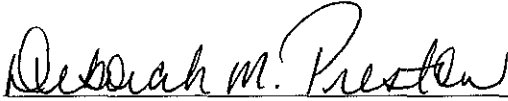
Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
LRD:seb

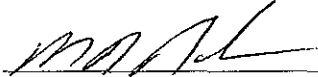
RESOLUTION #16-2013

**RESOLUTION TO APPOINT AUSTIN CENTER
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #100-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Austin Center Joint Economic Development District; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Greg Hanahan was appointed on June 11, 2009 to represent Miami Township on the Austin Center Board; and
- Whereas,** it is the recommendation of the Austin Center Board of Trustees to replace Greg Hanahan with the appointment of Greg Rogers to serve the balance of the unexpired term through August 31, 2015; and


Therefore Be It Resolved, the Miami Township Board of Trustees appoints Greg Rogers, to represent Miami Township on the Austin Center JEDD Board, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
LRD:sld

RESOLUTION #17-2013

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

- Whereas,** the Miami Township Police Department is desirous of entering into a maintenance agreement with P & R Communications for maintenance of police department communication equipment; and
- Whereas,** Miami Township is authorized by the Ohio Revised Code to secure a maintenance agreement if the amount is under the statutory bidding requirement; and
- Whereas,** the Chief of Police is satisfied that the maintenance services provided by P & R Communications will meet the needs of the police department and that P & R Communications will be able to provide any needed parts and repair in a timely manner since they are a sole source provider; and


Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary agreement to secure a maintenance agreement for communication equipment from P & R Communications from January 1, 2013 through December 31, 2013 at a cost not to exceed \$13,833.90.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:

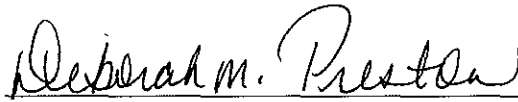

Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
CK:mrm

RESOLUTION #18-2013

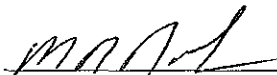
**RESOLUTION TO AUTHORIZE THE HUMAN RESOURCES DIRECTOR
TO EXECUTE THE NECESSARY DOCUMENTS TO SECURE A GSA-
FEDERAL SUPPLY SCHEDULE PURCHASE ORDER**

- Whereas,** Miami Township is desirous of continuing the services of Verizon Wireless for cell phone usage; and
- Whereas,** Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and
- Whereas,** Miami Township is satisfied with said services and the Human Resources Director is recommending the signing of a purchase order for payment of services provided by Verizon Wireless; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Human Resource Director to execute the necessary documents to secure a GSA-Federal Supply Schedule Purchase Order with Verizon Wireless.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 22, 2013

LRD:mmm

RESOLUTION #19-2013

**RESOLUTION TO APPOINT A REPRESENTATIVE TO THE
HILLGROVE UNION CEMETERY BOARD OF TRUSTEES**

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

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


Whereas, the City Council and Miami Township Trustees each agree to appoint Gary Pascoe as the citizen representative for the Hillgrove Union Cemetery Board of Trustees; and

Whereas, Gary Pascoe has agreed to serve on the Hillgrove Union Cemetery Board of Trustees; and

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

Section 1. This Board hereby appoints Gary Pascoe to serve on the Hillgrove Union Cemetery Board of Trustees for a term of one year ending on December 31, 2013.


Section 2. This resolution shall take effect and be in force from and after its passage.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

Absent
Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
GSR:mrm

RESOLUTION #20-2013

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN ED/GE PROGRAM PROJECT AGREEMENT WITH MONTGOMERY COUNTY FOR UTILIZATION OF ED/GE FUNDING

Whereas, the Board of County Commissioners of Montgomery County has established the Montgomery County Economic Development/Government Equity, "ED/GE" Program, to enhance the local area's ability to compete successfully in a global economic marketplace by providing a significant fund of grant dollars to attract and retain jobs and tax base; and

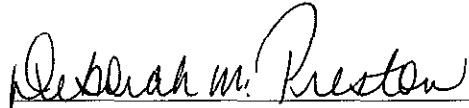
Whereas, Megix, LLC intends to refurbish an existing manufacturing facility at 8821 Washington Church Road to attract a new tenant, M Digital, LLC and to retain an existing tenant JD Services, LLC; and

Whereas, the refurbishment of the facility by Megix provides the opportunity to create 25 full time jobs that are new to Montgomery County and to retain 2 existing jobs; and

Whereas, Miami Township has been awarded \$100,000 or 5% of the total project cost through the ED/GE program, to support the refurbishment of the Washington Church Manufacturing Facility at 8821 Washington Church Road; and

Whereas, the ED/GE funding requires execution of a Program Project Agreement between the member jurisdiction (Miami Township) and Montgomery County; and


Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute an agreement with Montgomery County in support of the 2012 Washington Church Manufacturing Facility ED/GE project.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:

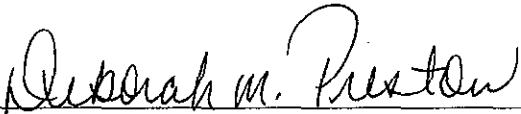

Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
CS:seb

RESOLUTION #21-2013

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH MEGIX, LLC FOR UTILIZATION OF ED/GE FUNDING

- Whereas,** the Board of County Commissioners of Montgomery County has established the Montgomery County Economic Development/Government Equity, "ED/GE" Program, to enhance the local area's ability to compete successfully in a global economic marketplace by providing a significant fund of grant dollars to attract and retain jobs and tax base; and
- Whereas,** Megix, LLC intends to refurbish an existing manufacturing facility at 8821 Washington Church Road to attract a new tenant, M Digital, LLC and to retain an existing tenant JDL Services, LLC; and
- Whereas,** the refurbishment of the facility by Megix provides the opportunity to create 25 full time jobs that are new to Montgomery County and to retain 2 existing jobs; and
- Whereas,** Miami Township has been awarded \$100,000 or 5% of the total project cost through the ED/GE program, to support the refurbishment of the Washington Church Manufacturing Facility at 8821 Washington Church Road; and
- Whereas,** the ED/GE funding requires commitments to adhere to project job creation and retention goals and payment of prevailing wage; and
- Whereas,** Megix is willing to undertake the project and make such commitments as are required by the ED/GE Program Project Agreement between Miami Township and Montgomery County; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Township Administrator to execute an agreement with Megix, LLC to affirm the obligations of Megix, M Digital and JDL Services to create and maintain, per the terms of the ED/GE Contract, the required number of new full time jobs and such other commitments as are required by the ED/GE Contract and Miami Township.

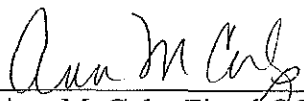
SIGNATURE PAGE FOR RESOLUTION #21-2013 ONLY


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: January 22, 2013
CS:seb

RESOLUTION #22-2013

RESOLUTION TO ACCEPT RESIGNATION OF AN ADMINISTRATIVE ASSISTANT

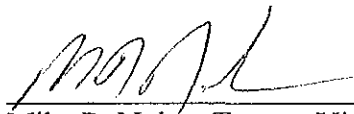
Whereas, Stacy Bondy has been a part-time Administrative Assistant since February 17, 2010; and

Whereas, Stacy has decided to resign her position with the township; and

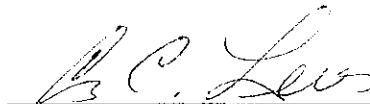
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Stacy Bondy, and termination of her employment is effective February 13, 2013 at 5:00 p.m.



Deborah M. Preston, Trustee President

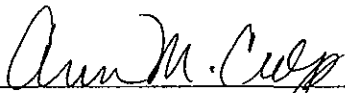


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: February 12, 2013

LRD:seb

RESOLUTION #23-2013

RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE POLICE DEPARTMENT

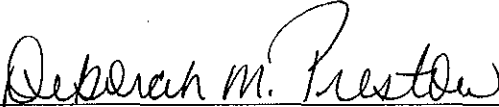
Whereas, the amount of taxes which may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Miami Township, Montgomery County, Ohio; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, two thirds of all members elected thereto concurring, that it is necessary to levy an additional tax in excess of the ten (10) mill limitation for the benefit of the unincorporated area of Miami Township, for the purpose of paragraph (J) Section 5705.19 ORC, "providing and maintaining motor vehicles, communications, and other equipment used directly in the operation of the Police Department, or the payment of salaries of permanent police personnel, or the payment of costs incurred by the Township as a result of contracts made with other political subdivisions in order to obtain police protection", at a rate not exceeding 5.25 mills for each one dollar of valuation, which amounts to \$0.525 for each one hundred dollars of valuation for five (5) years commencing collection year 2014; and

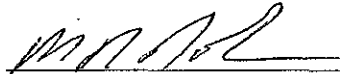
Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2014, if a majority of the electors voting thereon vote in favor thereof; and

Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than ninety (90) days before the election upon which it will be voted, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

SIGNATURE PAGE FOR RESOLUTION #23-2013 ONLY



Deborah M. Preston, Trustee President

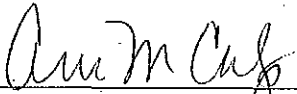


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 22, 2013

LRD:mrm

RESOLUTION #24-2013

A RESOLUTION APPROVING, AND AUTHORIZING THE EXECUTION AND DELIVERY OF, ENGAGEMENT LETTERS WITH FROST BROWN TODD, LLC TO PROVIDE LEGAL SERVICES

Whereas, Miami Township (Montgomery County), Ohio (the "Township") requires the services of nationally recognized bond counsel from time to time in connection with the issuance of obligations and in connection with township activities; and

Whereas, Frost Brown Todd, LLC is a nationally recognized bond counsel firm and has extensive experience with private-public and economic projects and developments and township activities; and

Whereas, this Board desires to retain Frost Brown Todd, LLC to provide legal services with respect to providing assistance to economic projects and township activities; and

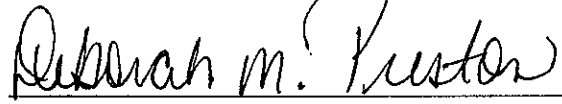
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the following:

Section 1. It is in the best interests of the Township to retain Frost Brown Todd, LLC to provide legal services in connection with the terms and conditions set forth in the engagement letters now on file with this Board.

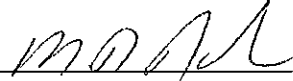
Section 2. The engagement letters dated January 24, 2013 and now on file with this Board are approved and the president of the Miami Township Board of Trustees is authorized to sign and deliver, in the name and on behalf of the Township, the acceptance of that engagement letters substantially in the form now on file with this Board with such changes that are not materially adverse to the interests of the Township. The signing and delivery of the acceptance of the engagement letter by the Township Board, or its designee, shall be conclusive evidence that any changes therein are not materially adverse to the Township and have been approved by the Board.

Section 3. All formal actions of this Board concerning and relating to the adoption of this resolution, and all deliberations of this Board or any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 4. This resolution shall be in full force and effect immediately upon its adoption.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

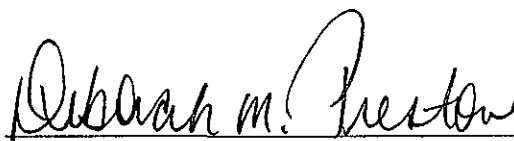
Passed: February 12, 2013

LRD:mrm

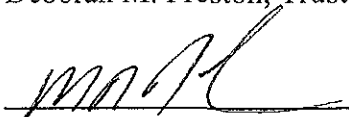
RESOLUTION #25-2013

**RESOLUTION TO APPOINT A
BOARD OF ZONING APPEALS MEMBER**

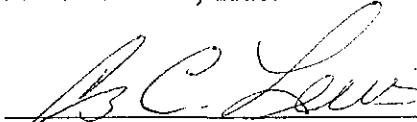
- Whereas,** the Board of Zoning Appeals is made up of five members and one alternate; and
- Whereas,** the Board currently has a vacancy for a full member; and
- Whereas,** Gregory B. Clatterbuck has expressed an interest to serve the Board as a full member; and
- Whereas,** the Planner has made a recommendation to the Board of Trustees; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Gregory B. Clatterbuck to the position of full member of the Board of Zoning Appeals, with a term ending December 31, 2017, effective February 12, 2013.



Deborah M. Preston, Trustee President

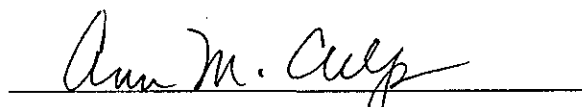


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: February 12, 2013

KAH:seb

RESOLUTION #26-2013

RESOLUTION TO DECLARE IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE FIRE DEPARTMENT

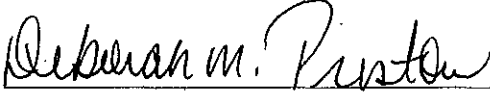
Whereas, the amount of taxes which may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Miami Township, Montgomery County, Ohio; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, two thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten (10) mill limitation for the benefit of the unincorporated area of Miami Township, for the purpose of paragraph (I) Section 5705.19 ORC, "providing and maintaining motor vehicles, communications, and other equipment used directly in the operation of the Fire Department, or the payment of salaries of permanent fire personnel, or the payment of costs incurred by the Township as a result of contracts made with other political subdivisions in order to obtain fire protection", at a rate not exceeding 3.50 mills for each one dollar of valuation, which amounts to \$0.350 for each one hundred dollars of valuation for five (5) years, and which is a renewal of an existing levy of 3.50 mills commencing collection year 2014; and

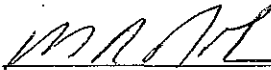
Therefore Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2014, if a majority of the electors voting thereon vote in favor thereof; and

Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than ninety (90) days before the election upon which it will be voted, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

SIGNATURE PAGE FOR RESOLUTION #26-2013 ONLY



Deborah M. Preston, Trustee President

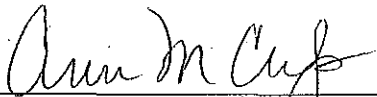


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 22, 2013

LRD:mrm

RESOLUTION #27-2013

**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT FOR RIGHT-OF-WAY
ACQUISITION SERVICES FOR THE OPWC WOOD ROAD
IMPROVEMENTS PROJECT**

Whereas, Miami Township has entered into an agreement with the Ohio Public Works Commission for the Wood Road Improvements Project; and

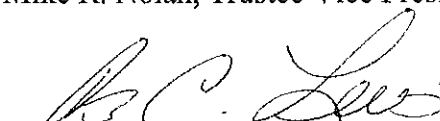
Whereas, the Public Works Department has a need to utilize professional right-of-way acquisition services to obtain property to complete the necessary roadway improvements to Wood Road; and

Whereas, the Public Works Director has obtained and reviewed three proposals for right-of-way acquisition services and is giving a recommendation; and

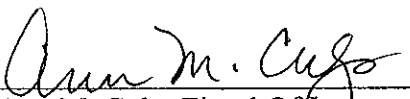
Therefore be it Resolved, the Board of Trustees authorizes the Township Administrator or an approved designee to execute an agreement with OPC of Ohio, LLC, 5535 Far Hills Ave, Suite 225, Dayton, Ohio, 45429, to serve as right-of-way consultants for the Wood Road Improvements Project at an estimated cost of \$8,075.00.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: February 12, 2013
LRD:seb

RESOLUTION #28-2013

**A RESOLUTION TERMINATING THE EMPLOYMENT
OF JOHN DIPIETRO**

- Whereas,** John DiPietro has been an employee of Miami Township Police Department since February 26, 1989, and
- Whereas,** on July 12, 2012, Major John DiPietro was involved in an incident that required an Administrative Investigation into his conduct and behavior; and
- Whereas,** John DiPietro was placed on Administrative Leave on October 19, 2012 and said leave was superseded by FMLA leave based upon John DiPietro's attorney's request; and
- Whereas,** the Miami Township Board of Trustees have provided John DiPietro and his legal counsel the opportunity to present a defense in four separate hearings; and
- Whereas,** John DiPietro was charged six violations that are listed within; and
- Whereas,** after careful consideration the Board of Trustees find the following:

I. Chapter 4-Professional Conduct and Personal Bearing, Rule 4.1

In accordance with the provisions of the Rules of Conduct, Miami Township Personnel Policies, Police Department General Orders, Labor Contracts, and all other written directives; whenever an employee's dereliction of duty is detrimental to the proper performance of function of the department, it is cause for disciplinary action. The following subsections constitute dereliction of duty.

- C. Failure to deliver to the Property Room any property and/or evidence found by, confiscated by, or relinquished to an officer of this Department before his/her tour of duty is ended.

The Board of Trustees finds you not guilty of this charge.

II. Chapter 4-Professional Conduct and Personal Bearing, Rule 4.3

No member shall at any time, either directly or indirectly, ridicule, mock, harass, deride, or gossip about or belittle any person.

- A. No member shall purposely or recklessly, directly or indirectly, embarrass, humiliate, or shame any person, nor do anything that might incite any person to violence.

The Board of Trustees finds you guilty of this charge.

III. Chapter 5-Responsibilities and General Conduct, Rule 5.20

Members of the Police Department shall maintain sufficient competency to properly perform their duties and assume the responsibility of their positions. Unsatisfactory performance may be demonstrated by lack of knowledge of the application of the laws to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards for the employee's rank or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition, deserving police attention; or absence without leave in addition to other indicators of unsatisfactory performance; reported poor evaluations or a written record of reported infractions of rules, regulations, policies, procedures, orders or written directives of the department.

The Board of Trustees finds you guilty of this charge.

IV. Chapter 5-Responsibilities and General Conduct, 5.24

Members of the Department shall submit all necessary reports on time and in accordance with established departmental written directives. Members of the Police Department shall not divulge information concerning any investigations or information of a confidential nature to persons not otherwise entitled to such information.

The Board of Trustees finds you not guilty of this charge.

V. Chapter 6-Protection of Prisoners, Their Rights and Their Property, Rule 6.4

No officer shall willfully mistreat or give inhumane treatment to any person held in custody.

The Board of Trustees finds you guilty of this charge.

VI. Chapter 9-Disciplinary Action or Dismissal Action, Rule 9.2

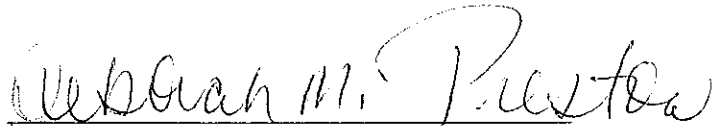
A. Conduct unbecoming an employee in the public service.

The Board of Trustees finds you guilty of this charge based on violation of Rules 4.3, 5.20 and 6.4.

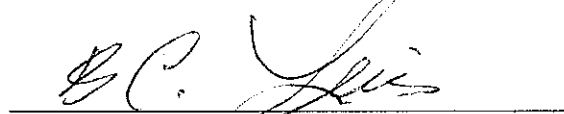
B. Incompetence, inefficiency, or neglect of duty.

The Board of Trustees finds you guilty of this charge based on violation of Rules 4.3, 5.20, and 6.4.

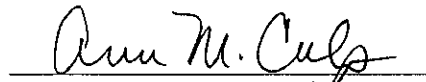
Therefore Be It Resolved, the Miami Township Board of Trustees have unanimously determined that based upon the guilty charges as outlined above, John DiPietro is terminated for cause from employment effective February 13, 2013;


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:

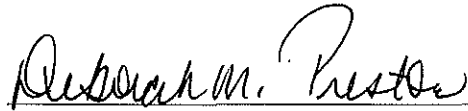

Ann M. Culp, Fiscal Officer
Passed: February 13, 2013
DMP:lrdg

RESOLUTION #29-2013

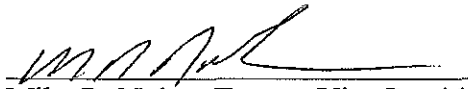
**A RESOLUTION AUTHORIZING THE BIDDING AND ADVERTISEMENT
OF REFUSE AND RECYCLING SERVICES**

- Whereas,** Miami Township has a need for refuse and recycling services; and
- Whereas,** Miami Township's current contract with Waste Management for refuse and recycling services will expire on March 31, 2013; and
- Whereas,** Miami Township desires to bid out refuse and recycling services to the lowest and best bidder; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator, or his designee to release and advertise a Bid Specifications packet for the purposes of receiving bids for refuse collection and disposal services.



Deborah M. Preston, Trustee President

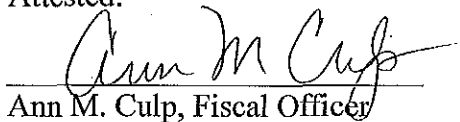


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: January 22, 2013

GSR:kah

RESOLUTION #30-2013

**RESOLUTION TERMINATING THE CONTRACT
WITH GREG HANAHAN**

Whereas, the Board of Trustees, via Resolution #30-2012, entered into a Contract with Greg Hanahan to perform the duties of Miami Township Administrator; and

Whereas, the terms of the contract period were to be from January 1, 2012, through December 31, 2013; and

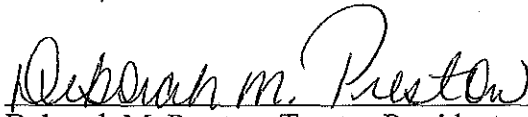
Whereas, the Board of Trustees and Greg Hanahan mutually desire to terminate the contract under the conditions of the contract at this time; and

Whereas, Miami Townships financial obligations per the contract will be paid to Greg Hanahan following the termination of the Contract; and

Therefore Be It Resolved, the Miami Township Board of Trustees terminates and severs the contractual relationship and obligations of Miami Township to Greg Hanahan, as outlined above; and

Further Be It Resolved, the Miami Township Board of Trustees authorizes the Finance Director to meet Miami Township's financial obligations and compensate Greg Hanahan per the terms of the contract; and

Lastly Be It Resolved, the Contract will terminate effective immediately upon the signing of this resolution on February 20, 2013.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: February 20, 2013

GSR:lrdg

RESOLUTION #31-2013

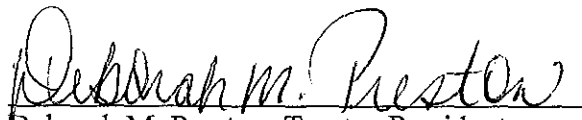
**RESOLUTION HIRING TRACY WILLIAMS AS
INTERIM TOWNSHIP ADMINSTRATOR**

Whereas, Miami Township is in need of an Interim Administrator to serve while the Township conducts a search for a full-time Administrator; and

Whereas, the Board of Trustees desire to enter into a contract with Tracy Williams to serve as Interim Administrator; and

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

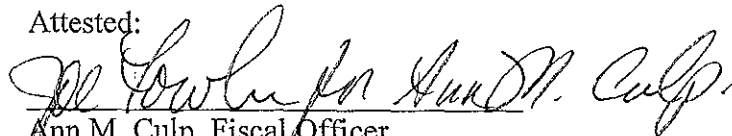
1. Tracy Williams is hereby appointed to serve as Interim Administrator; and
2. This resolution is conditioned upon Tracy Williams and the Township agreeing to a contract specifying the terms and conditions of employment; and
3. The period of employment shall commence Wednesday, February 20, 2013, and shall be on a month-to-month basis, or until a full-time Administrator is appointed, whichever occurs sooner.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: February 20, 2013

GSR:mm

RESOLUTION #32-2013

RESOLUTION TO CONTRACT FOR PROFESSIONAL SERVICES

Whereas, Miami Township Board of Trustees has a need for professional services relating to the development of Miami Township; and

Whereas, Strategic Public Partners, LLC provides the services that Miami Township Board of Trustees desires; and

Whereas, Strategic Public Partners, LLC has submitted an agreement to assist Miami Township and said agreement is attached; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes its designee to enter into a contract with Strategic Public Partners, LLC for professional services for the development of Miami Township and this resolution is effective immediately upon signing.



Deborah M. Preston, Trustee President

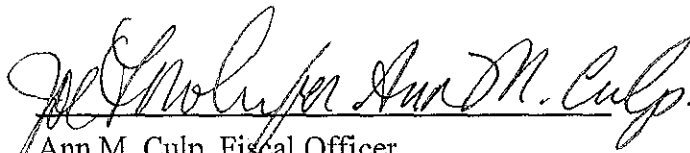


Mike R. Nolan, Trustee Vice President

absent

Charlie C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Ann M. Culp, Fiscal Officer

Passed: February 20, 2013

GSR:lrdg

RESOLUTION #33-2013

**RESOLUTION TO ACCEPT A LETTER OF ENGAGEMENT FOR
PROFESSIONAL SERVICES**

Whereas, Miami Township Board of Trustees has a need for professional services relating to Miami Township contracts and finances; and

Whereas, Mr. Mukesh K. Singh, Master of Laws in Business and Tax, MBA, provides the services that Miami Township Board of Trustees desires; and

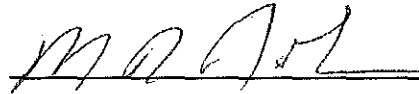
Whereas, Mr. Mukesh K. Singh has submitted a Letter of Engagement, which is attached; and

Whereas, the Miami Township Board of Trustees desires to accept Mr. Singh's Letter of Engagement, and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes its designee to enter into the terms of the Letter of Engagement with Mr. Mukesh K. Singh for professional services and this resolution is effective immediately upon signing.



Deborah M. Preston, Trustee President

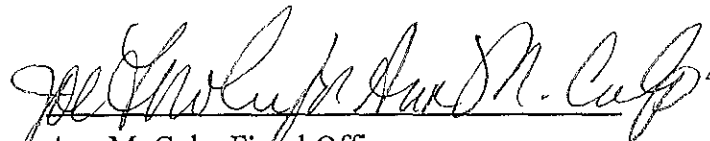


Mike R. Nolan, Trustee Vice President

absent

Charlie C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: February 20, 2013

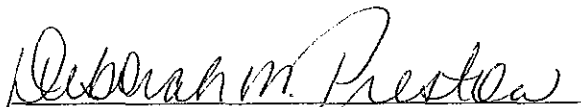
GSR:lrdg

RESOLUTION #34-2013

**RESOLUTION TO APPOINT MIAMI TOWNSHIP-DAYTON MALL
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #094-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Mall Joint Economic Development District; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Greg Hanahan was appointed on June 11, 2009 to represent Miami Township on the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** it is the recommendation of the Miami Township-Dayton Mall JEDD Board of Directors to replace Greg Hanahan with the appointment of Christopher Snyder to serve the balance of the unexpired term through August 13, 2015; and

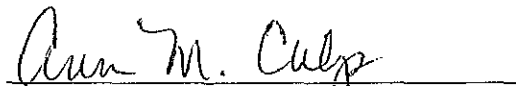
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Christopher Snyder, to represent Miami Township on the Miami Township-Dayton Mall JEDD Board, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: February 26, 2013

GSR:sld

RESOLUTION #35-2013

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

Whereas, Wesley Wade has successfully served one year as Street Supervisor for the Public Works Department; and

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

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


Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a pay increase for Wesley Wade, Pay Grade E, to an annual rate of pay of \$58,448.00, effective March 5, 2013.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GSR:mrm

RESOLUTION #36-2013

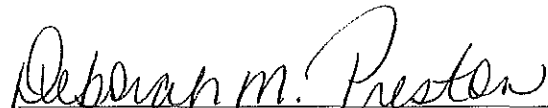
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
AUSTIN LANDING – AREA 7 – SOUTHEAST OUT LOTS – PHASE III
UNDER ZONING CASE #222-88, FOR LANDS ZONED “PD-5”,
PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, February 26, 2013; and

Whereas, Zoning Case #222-88, filed by BJ’s Restaurants, Inc., proposes adoption of a final development plan for Austin Landing – Area 7 – Southeast Out Lots – Phase III and for lands zoned “PD-5”, Planned Mixed-Use; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees _____
the Final Development Plan under Zoning Case #222-88 and
_____ the Zoning Commission recommendation.



Deborah M. Preston, Trustee President

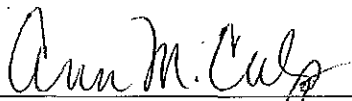


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GSR:mrm

RESOLUTION #37-2013

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

- Whereas,** Miami Township is desirous of retaining the services of Montgomery County Records Commission & Microfilming Board for microfilming certain documents and storage of certain microfilms; and
- Whereas,** Miami Township is authorized by the Ohio Revised Code to secure an agreement, if the amount is under the statutory bidding requirement; and
- Whereas,** Miami Township is satisfied with said services and the Assistant Planning Director is recommending the signing of an agreement with Montgomery County Records Commission & Microfilming Board; and

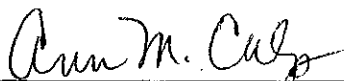
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute the necessary documents to secure an agreement with Montgomery County Records Commission & Microfilming Board, in the amount of \$2,500, from January 1, 2013 through December 31, 2013.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GSR:mmm

RESOLUTION #38-2013

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$1,325,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING A PEDESTRIAN AND BIKE TRAIL BETWEEN THE INTERSTATE HIGHWAY 75 AND AUSTIN BOULEVARD INTERCHANGE AND THE GREAT MIAMI RIVER, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RETIRING AND CAPITALIZING THE INTERST ON NOTES ISSUED PREVIOUSLY FOR SUCH PURPOSE; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

Whereas, pursuant to Resolution No. 152-2011, adopted by this Board on November 8, 2011, as amended by Resolution No. 39-2012, adopted by this Board on March 5, 2012, the Township issued the Outstanding Note (as defined in Section 1); and

Whereas, the Board finds and determines that the Township should retire the Outstanding Note with the proceeds of the Note described in Section 3 and other funds available to the Township; and

Whereas, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 30 years, and the maximum maturity of the Notes is 20 years; and

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“Administrator” means the Administrator of the Township.

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

“Board” means the Board of Township Trustees of the Township.

“Bonds” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

“*Book entry form*” or “*book entry system*” means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“*Certificate of Award*” means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

“*Clerk*” means the Clerk of the Board.

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

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

“*County Auditor*” means the County Auditor of the County of Montgomery, Ohio.

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

“*Improvements*” means the acquisition and construction of a pedestrian and bike trail between the Interstate Highway 75 and Austin Boulevard interchange and the Great Miami River, including acquiring related interest in real property, together with all necessary appurtenances.

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

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

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

“*Note Registrar Agreement*” means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

“*Notes*” means the Notes authorized in Section 3.

“*Original Purchaser*” means the purchaser of the Notes specified in the Certificate of Award.

“*Outstanding Notes*” means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$1,260,000 dated March 29, 2012 to mature on March 28, 2013.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

“*Township*” means Miami Township, Montgomery County, Ohio.

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

Section 2.

Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$1,325,000 for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately March 1, 2014, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total

principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2014.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the best interest of the Township to issue notes of this Township in an aggregate principal amount of \$1,325,000 to retire the Outstanding Notes previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$1,325,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Recreational Trail Acquisition and Improvement Notes, Series 2013 (Tax-Exempt)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Notes shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Note at maturity. A portion of the proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Note shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Combined Notes. It is determined that, for the purposes of issuance and sale, it is in the best interest of the Township, if determined by the Fiscal Officer, to combine the sale and delivery of the Notes with other unlimited tax notes of the Township, authorized by another resolution of this Board passed on the date hereof. The Notes and such other notes shall be jointly referred to herein as the "Combined Notes" or as the "Notes." The Combined Notes shall be designated "Various Purpose Notes, Series 2013 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, and such Combined Notes may be issued in one or more series.

Section 5. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.
- (b) Redemption Provisions.
- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.

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

Section 6. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the

Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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

Section 7. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of

the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 8. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be

prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

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

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 10. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

Section 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the

Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 12. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Code, or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of the proceeds of the Notes and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be

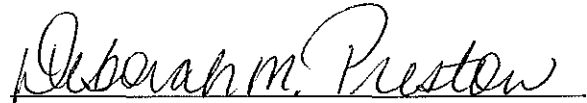
appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 13. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 14. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 15. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

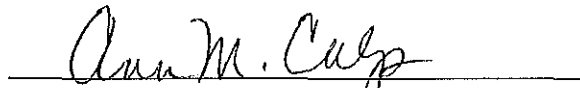
Section 16. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

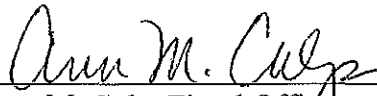
Attested:


Ann M. Culp, Fiscal Officer
Passed: February 26, 2013

GSR/mm

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on February 20, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.



Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on February 20, 2013, providing for the issuance of general obligation bond anticipation notes designated "Recreational Trail Acquisition and Improvement Notes, Series 2013 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$1,325,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$1,325,000 of bonds for the purpose of paying part of the costs of the acquisition and construction of a pedestrian and bike trail between the Interstate Highway 75 and Austin Boulevard interchange and the Great Miami River, including acquiring related interest in real property, together with all necessary appurtenances (the "Project"), together with all necessary appurtenances is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the Project, is thirty (30) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is March 29, 2032, which is twenty (20) years from the date of the original note issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this ___ day of _____, 2013.



Ann M. Culp, Fiscal Officer

RESOLUTION #39-2013

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$2,125,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF PREPAYING PRIOR TO MATURITY CERTIFICATES OF PARTICIPATION ORIGINALLY ISSUED TO PAY COSTS OF ACQUIRING CERTAIN REAL PROPERTY, FOR THE PURPOSE OF SERVING AS A SITE FOR A REGIONAL STORM WATER RETENTION AREA; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

- Whereas,** the Township has previously issued its Outstanding COPs (as defined in Section 1); and
- Whereas,** the Board finds and determines that the Township should retire the Outstanding COPs with the proceeds of the Note described in Section 3 and other funds available to the Township; and
- Whereas,** the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 30 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“*Administrator*” means the Administrator of the Township.

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

“*Board*” means the Board of Township Trustees of the Township.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

“*Book entry form*” or “*book entry system*” means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note

certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes "immobilized" in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"*Certificate of Award*" means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

"*Clerk*" means the Clerk of the Board.

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

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

"*County Auditor*" means the County Auditor of the County of Montgomery, Ohio

"*Depository*" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"*Fiscal Officer*" means the Fiscal Officer of the Township.

"*Improvements*" means the acquisition of certain real property for the purpose of serving as a site for a regional storm water retention area.

"*Note Proceedings*" means, collectively, this Resolution, the Certificate of Award, the Note Purchase Agreement, the Note Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

"*Note Register*" means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

"Note Registrar" means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, note registrar, transfer agent and paying agent for the Notes under the Note Registrar Agreement until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, "Note Registrar" shall mean the successor Note Registrar.

"Note Registrar Agreement" means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

"Notes" means the Notes authorized in Section 3.

"Original Purchaser" means the purchaser of the Notes specified in the Certificate of Award.

"Outstanding COPs" means the certificates of participation of the Township in the amount of \$2,225,000 dated July 29, 2010 payable at maturity on December 1, 2013.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

"Township" means Miami Township, Montgomery County, Ohio.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$2,125,000 for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately March 1, 2014, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2014.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the best interest of the Township to issue notes of this Township in an aggregate principal amount of \$2,125,000 to retire the Outstanding COPs previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$2,125,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Water Retention Area Notes, Series 2013 (Tax-Exempt)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Note shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding COPs at maturity. A portion of the proceeds from the sale of the Note shall be deposited in an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Note shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Combined Notes. It is determined that, for the purposes of issuance and sale, it is in the best interest of the Township, if determined by the Fiscal Officer, to combine the sale and delivery of the Notes with other unlimited tax notes of the Township, authorized by another resolution of this Board passed on the date hereof. The Notes and such other notes shall be jointly referred to herein as the "Combined Notes" or as the "Notes." The Combined Notes shall be designated "Various Purpose Notes, Series 2013 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, and such Combined Notes may be issued in one or more series.

Section 5. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the

designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(b) Redemption Provisions.

- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.
- (iv) *Payment of Redeemed Notes.* In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or

prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of all of the redeemable Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Notes and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Note Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Notes and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Note Registrar for the redemption of particular Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes.

Section 6. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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

Section 7. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may

require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 8. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is

approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

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

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy,

except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 10. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

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

thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 12. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Code, or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of the proceeds of the Notes and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Notes is

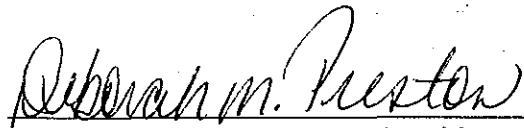
specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 13. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 14. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 15. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 16. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.



Deborah M. Preston, Trustee President

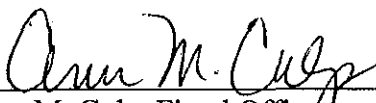


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

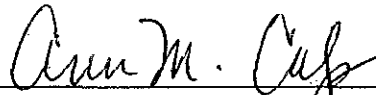
Attested:



Ann M. Culp, Fiscal Officer
Passed: February 20, 2013
GSR:mrm

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on February 20, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.



Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on February 20, 2013, providing for the issuance of general obligation bond anticipation notes designated "Water Retention Area Notes, Series 2013 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$2,125,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

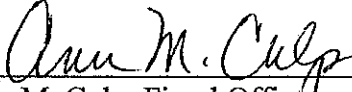
The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$2,125,000 of bonds for the purpose of paying part of the costs of acquiring certain real property for the purpose of serving as a site for a regional storm water retention area is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the acquisition of real property, is thirty (30) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is July 29, 2030, which is twenty (20) years from the date of the original certificates of participation issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this ___ day of _____, 2013.



Ann M. Culp, Fiscal Officer

RESOLUTION #40-2013

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$5,840,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING AND CONSTRUCTING PARK IMPROVEMENTS AND EQUIPMENT, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND RETIRING AND CAPITALIZING THE INTERST ON NOTES ISSUED PREVIOUSLY FOR SUCH PURPOSE; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

Whereas, pursuant to Resolution No. 151-2011, adopted by this Board on November 8, 2011, as amended by Resolution No. 38-2012, adopted by this Board on March 5, 2012, the Township issued the Outstanding Note (as defined in Section 1); and

Whereas, the Board finds and determines that the Township should retire the Outstanding Note with the proceeds of the Note described in Section 3 and other funds available to the Township; and

Whereas, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 25 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“*Administrator*” means the Administrator of the Township.

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

“*Board*” means the Board of Township Trustees of the Township.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

“*Book entry form*” or “*book entry system*” means a form or system under which

(i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes "immobilized" in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"*Certificate of Award*" means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

"*Clerk*" means the Clerk of the Board.

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

"*Continuing Disclosure Agreement*" means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

"*County Auditor*" means the County Auditor of the County of Montgomery, Ohio

"*Depository*" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"*Fiscal Officer*" means the Fiscal Officer of the Township.

"*Improvements*" means the acquisition and construction of park improvements and equipment, including acquiring related interest in real property, together with all necessary appurtenances.

"*Note Proceedings*" means, collectively, this Resolution, the Certificate of Award, the Note Purchase Agreement, the Note Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

"*Note Register*" means all books and records necessary for the registration,

exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

"Note Registrar" means a bank or trust company authorized to do business in the State of Ohio and designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, note registrar, transfer agent and paying agent for the Notes under the Note Registrar Agreement until a successor Note Registrar shall have become such pursuant to the provisions of the Note Registrar Agreement and, thereafter, "Note Registrar" shall mean the successor Note Registrar.

"Note Registrar Agreement" means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

"Notes" means the Notes authorized in Section 3.

"Original Purchaser" means the purchaser of the Notes specified in the Certificate of Award.

"Outstanding Notes" means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$5,705,000 dated March 29, 2012 to mature on March 28, 2013.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

"Township" means Miami Township, Montgomery County, Ohio.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$5,840,000 (the "Bonds") for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately March 27, 2014, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal

is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2014.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the Township's best interest to issue notes of this Township in an aggregate principal amount of \$5,840,000 to retire the Outstanding Notes previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$5,840,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Park Acquisition and Improvement Notes, Series 2013 (Federally Taxable)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Notes shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Note at maturity. A portion of the proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Note shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.
- (b) Redemption Provisions.

- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.
- (iv) *Payment of Redeemed Notes.* In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of all of the redeemable Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places

specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Notes and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Note Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Notes and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Note Registrar for the redemption of particular Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes.

Section 5. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Note proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note proceedings. The certificate of authentication may be signed by any authorized officer or employee

of the Note Registrar, or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Notes.

Section 6. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award

that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 7. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as

appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 8. Official Statement, Rating, Note Insurance and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and

beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 9. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

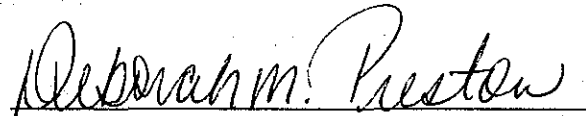
Section 10. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 11. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 10) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

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

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



Deborah M. Preston, Trustee President




Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

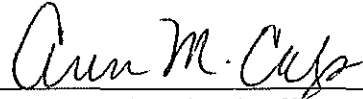
Attested:



Ann M. Culp, Fiscal Officer
Passed: February 20, 2013
GSR:mrm

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on February 20, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.



Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on February 20, 2013, providing for the issuance of general obligation bond anticipation notes designated "Park Acquisition and Improvement Notes, Series 2013 (Federally Taxable)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$5,840,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

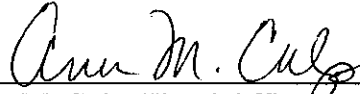
The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$5,840,000 of bonds for the purpose of paying part of the costs of the acquisition and construction of park improvements and equipment, including acquiring related interest in real property (the "Project"), together with all necessary appurtenances is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the Project, is twenty-five (25) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is March 29, 2032, which is twenty (20) years from the date of the original note issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this ___ day of _____, 2013.



Ann M. Culp, Fiscal Officer

RESOLUTION #41-2013

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A NOTE IN A MAXIMUM PRINCIPAL AMOUNT OF \$11,600,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, OF CONSTRUCTING TRANSPORTATION IMPROVEMENT PROJECTS, INCLUDING BUT NOT LIMITED TO A PARKING GARAGE AND SURFACE STREETS, BY CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, CONSTRUCTING SIDEWALKS, INSTALLING TRAFFIC SIGNALIZATION AND SIGNAGE, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; AUTHORIZING THE PREPARATION AND USE OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A NOTE REGISTRAR AGREEMENT.

- Whereas,** pursuant to the 2011 Projects Agreement and the Austin Landing Phase II Project Management and Financing Agreement (each as defined in Section 1), Miami Township (Montgomery County), Ohio (the "*Township*") agreed to work cooperatively with Montgomery County Transportation Improvement District (the "*District*") to construct the Project (as defined in Section 1); and
- Whereas,** pursuant to Resolution No. 150-2011, adopted by this Board on November 8, 2011, as amended by Resolution No. 37-2012, adopted by this Board on March 5, 2012, the Township issued the Outstanding Note (as defined in Section 1) which was sold to the District; and
- Whereas,** the Board finds and determines that the Township should retire the Outstanding Note with the proceeds of the Note described in Section 3 and other funds available to the Township and sell the Note to the District; and
- Whereas,** the Fiscal Officer, as fiscal officer of the Township, has certified to this Board that the estimated life or period of usefulness of the Project is at least five years, the estimated maturity of the Bonds (as defined in Section 1) is 20 years, and the maximum maturity of the Notes is March 29, 2032; and

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“*Act*” means, collectively, Ohio Revised Code Chapter 133 and Section 755.20.

“*Administrator*” means the Administrator of the Township.

“*Authorized Denomination*” means the aggregate principal amount of the Note.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Note is issued.

“*Certificate of Award*” means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

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

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

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement authorized by this Resolution and made by for the benefit of the owners and beneficial owners of the District Notes in accordance with the Rule.

“*District*” means the Montgomery County Transportation Improvement District.

“*District Note Resolution*” means the resolution adopted by the Board of Trustees of the Township authorizing the District Notes.

“*District Notes*” means the Notes issued in anticipation of bonds of the District for the purpose of purchasing the Note and paying costs of the Project.

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

"Maturity Date" means the date identified in the Certificate of Award and which date shall be determined by the Fiscal Officer to be necessary or advisable to the sale of the Note; provided that such date shall not be more than one year following the Closing Date.

"Note" means the Note authorized in Section 3.

"Note Proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Note Purchase Agreement and such other proceedings of the Township, including the Note, that provide collectively for, among other things, the rights of the owner of the Note.

"Note Purchase Agreement" means the Note Purchase Agreement among the District, the Township and the Original Purchaser authorized by this Resolution.

"Note Register" means all books and records necessary for the registration, exchange and transfer of Note as provided in this Resolution and the Note Registrar Agreement.

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

"Note Registrar Agreement" means the Note Registrar Agreement among the Township, the District and the Note Registrar authorized by this Resolution.

"Original Purchaser" means the original purchaser of the District Notes.

"Outstanding Note" means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$11,265,000 dated March 29, 2012 to mature on March 28, 2013.

"Project" means the construction of transportation improvement projects, including but not limited to a parking garage and surface streets, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, constructing sidewalks, installing traffic signalization and signage, and acquiring, related interests in real property, together with all necessary appurtenances thereto.

"Project Management and Financing Agreement" means the Austin Landing Phase II Project Management and Financing Agreement between the Township and the District dated March 9, 2012.

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

“Section 755.20” means Section 755.20 of Am. Sub. H.B. 153 of the 129th General Assembly.

“Township” means Miami Township, Montgomery County, Ohio.

“2011 Projects Agreement” means the 2011 Projects Agreement dated December 30, 2011 between the Township and the District.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds in a maximum principal amount of \$11,600,000 for the purpose of paying the costs of the Project.

The Bonds shall be dated approximately March 27, 2014, shall bear interest at the now estimated rate of six percent (6%) per year, payable semi-annually until the principal amount is paid, and are estimated to mature in twenty (20) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2014.

Section 3. Authorization of the Note; Principal Amount and Purpose; Application of Proceeds. It is necessary to issue and this Board determines that a note in a maximum principal amount of \$11,600,000 shall be issued by the Township in anticipation of the issuance of the Bonds for the purpose paying costs of the Project and paying any financing costs. The principal amount of Note to be issued (not to exceed \$11,600,000) shall be determined by the Fiscal Officer in the Certificate of Award as the amount which is necessary to retire the Outstanding Note and to pay any financing costs. The Note shall be designated “Transportation Improvements Note, Series 2013 (Austin Landing Phase II Project).” The Note shall be issued pursuant to the Act, this Resolution and the Certificate of Award.

A portion of the proceeds from the sale of the Note shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Note at maturity. A portion of the proceeds from the sale of the Note shall be deposited in an appropriate fund in accordance with the 2011 Projects Agreement and the Project Management and Financing Agreement used to pay financing costs of the Note. Any remaining proceeds from the sale of the Note shall be deposited into

the Bond Retirement Fund and be used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from proceeds of the sale of the Note (including any interest on such interest) shall be credited to that fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All the proceeds from the sale of the Note are hereby appropriated for the purposes set forth above.

Section 4. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Note shall be issued in one lot and only as a single fully registered note, in the Authorized Denomination. The Note shall be dated as provided in the Certificate of Award, provided that its dated date shall not be later than March 28, 2013.

- (a) Interest Rate and Payment. The Note shall bear the rate of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award; provided, however, the Note shall bear the same rate of interest as the District Notes. The net interest rate per year for the Note determined by taking into account the principal amount of the Note and term to maturity shall not exceed six percent (6%). Interest on the Note shall be payable at maturity and until the principal amount is paid or payment is provided for.
- (b) Principal Payment. The Note shall mature, and the principal thereon shall be payable, on the Maturity Date.
- (c) Payment of Principal of and Interest on the Note. The principal of and interest and any premium on the Note shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Note shall be payable when due upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar.
- (d) Redemption Provisions. The Note may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.

Any notice of the call for redemption of Note shall identify (i) by designation, letters, numbers or other distinguishing marks, the Note, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of the Note at the registered owner's address shown on the Note Register maintained by the Note Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding the Note, however, shall not affect the validity of the proceedings for the redemption of the Note.

In the event that notice of redemption shall have been given by the Note Registrar to the registered owner as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of the Note. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Note shall become due and payable on the redemption date, and, subject to the provisions of Section 6, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of the Note, together with accrued interest thereon to the redemption date, are held by the Note Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date the Note shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, the Note shall continue to bear interest, until it is paid, at the same rate as it would have borne had it not been called for redemption. All moneys held by the Note Registrar for the redemption of the Note shall be held in trust for the account of the registered owner thereof and shall be paid to the registered owner, respectively, upon presentation and surrender of the Note, provided that any interest earned on the moneys so held by the Note Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the redeemed Note.

- (e) Note Provisions to be Consistent with District Notes. The provisions of the Note, including, but not limited to, the aggregate principal amount, the interest rate, the dates of delivery and maturity, and the related redemption provisions, shall be the same as the District Notes; provided, however, (i) the District Notes shall be special obligations of the District and the Note shall be a general obligation of the Township, and (ii) the District Notes may be issued in denominations other than the Authorized Denomination.

Section 5. Execution and Authentication of Note: Appointment of Note Registrar. The Note shall be signed by at least two members of this Board and the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Note shall be issued in the Authorized Denomination, shall be numbered as determined by the Fiscal Officer in order to distinguish each Note from any other Note and shall express upon it face the purpose, in summary terms, for which it is issued and that it is issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Registrar Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse

to the Township and are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Note Registrar Agreement by the Fiscal Officer.

The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement, from the proceeds of the Note to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

The Note shall not be valid or obligatory for any purpose or shall not be entitled to any security or benefit under the Note Proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on each Note.

Section 6. Registration; Transfer and Exchange.

- (a) Note Register. So long as any of the Notes remains outstanding, the Township will cause the Note Registrar to maintain and keep the Note Register at its designated corporate trust office. The person in whose name the Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note Proceedings. Payment of or on account of the principal of and interest on the Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. The Note may be exchanged for a Note in the Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note in the Authorized Denomination and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of a Note only after the new Note is signed by the authorized officers of the Township. In all cases of a Note exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver a Note in accordance with the provisions of the Note Proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. A Note issued and authenticated upon any exchange or transfer shall be a valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note Proceedings as the Note surrendered upon that exchange or transfer. Neither the Township nor the Note Registrar shall be required to make any exchange or transfer of the Note if it has been called for redemption.

Section 7. Sale of the Note to the District. It is determined to be in the best interest of the Township that the Note shall be sold at private sale to the District at a purchase price not less than 98% of the aggregate principal amount thereof as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest (if any) on the Note from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law and the provisions of this Resolution.

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

The Note Purchase Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Purchase Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Note Purchase Agreement by the Fiscal Officer.

Members of this Board, the Administrator, the Fiscal Officer and any other Township officials, or any of them, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 8. Provisions for Tax Levy. There shall be levied on all the taxable property in the Township. in addition to all other taxes, a direct tax annually during the period the

Note is outstanding in an amount sufficient to pay the principal of and interest on the Note when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Note when and as the same fall due.

Section 9. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of the proceeds of the Note in such manner and to such extent as may be necessary so that (a) the Note will not (i) constitute private activity bonds or arbitrage bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds, the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Note to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Note to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Note is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Note as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Note or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be

appropriate to assure the exclusion of interest from gross income and the intended tax status of the Note, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Note, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Note, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Note. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Note is specifically authorized to designate the Note as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 10. Official Statement, Rating and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. If the District determines it is necessary or appropriate to prepare disclosure documents in connection with the sale of the District Notes, members of this Board, the Administrator and the Fiscal Officer are authorized and directed, on behalf of the Township and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the District Notes; (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule; (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the District Notes; and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.
- (b) Application for Ratings or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Note or the District Notes by one or more nationally recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of the principal and interest on the Note or the District Notes, the Fiscal Officer is authorized to prepare and submit such applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Note Purchase Agreement, from the proceeds of the Note to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the District Notes, the Township agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the Township, in substantially the form as is now on file with this Board. The Continuing Disclosure Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Continuing Disclosure Agreement with such any changes that are not inconsistent with this Resolution, are not substantially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 11. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

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

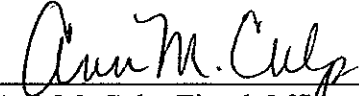
Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

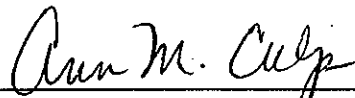
Attested:


Ann M. Culp, Fiscal Officer
Passed: February 26, 2013

GSR/mm

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on February 20, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.



Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on February 20, 2013, providing for the issuance of general obligation bond anticipation notes designated "Transportation Improvements Note, Series 2013 (Austin Landing Phase II Project)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$1,325,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$11,600,000 of bonds for the purpose of paying part of the costs of the construction of transportation improvement projects, including but not limited to a parking garage and surface streets, by constructing, reconstructing, improving, widening, grading, draining, landscaping, curbing, paving, lighting, constructing sidewalks, installing traffic signalization and signage, and acquiring, related interests in real property, together with all necessary appurtenances thereto (the "Project"), together with all necessary appurtenances is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the Project, is [thirty (30)] years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is March 29, 2032, which is twenty (20) years from the date of the original note issued for the Project (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this ___ day of _____, 2013.



Ann M. Culp, Fiscal Officer

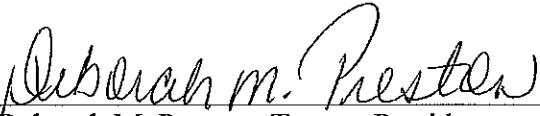
RESOLUTION #42-2013

**RESOLUTION TO ACCEPT RESIGNATION OF AN
ADMINISTRATION EMPLOYEE**

Whereas, Mona Maust has been a part-time Administrative Assistant in the Administration Department since December 17, 2009; and

Whereas, Mona has decided to resign her position with the township; and


Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Mona Maust, and termination of her employment is effective April 5, 2013 at 5:00 p.m.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR:lap

RESOLUTION #43-2013

RESOLUTION TO AMEND RESOLUTION #26-2013 AND TO DECLARE IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN (10) MILL LIMITATION FOR THE FIRE DEPARTMENT

Whereas, the Board of Trustees of Miami Township, Montgomery County, Ohio approved Resolution #26-2013 in a public meeting held on January 22, 2013, two thirds of all members elected thereto, concurring that it is necessary to levy a tax in excess of the (10) mill limitation for the benefit of the unincorporated area of Miami Township, for the purpose of paragraph (I) Section 5705.19 ORC, "providing and maintaining motor vehicles, communications, and other equipment used directly in the operation of the Fire Department, or the payment of salaries of permanent fire personnel, or the payment of costs incurred by the Township as a result of contracts made with other political subdivisions in order to obtain fire protection", and filed such resolution with the Montgomery County Board of Elections on January 24, 2013; and

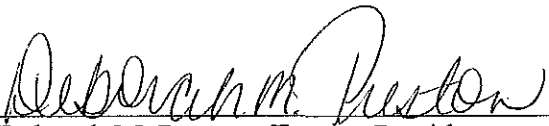
Whereas, the Board of Trustees of Miami Township, Montgomery County, Ohio desires to amend the resolution to read as follows; and

Whereas, the amount of taxes which may be raised within the ten (10) mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Miami Township, Montgomery County, Ohio; and

Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, two thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten (10) mill limitation for the benefit of the unincorporated area of Miami Township, for the purpose of paragraph (I) Section 5705.19 ORC, "providing and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, or the purchase of ambulance equipment, or the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, at a rate not exceeding 3.50 mills for each one dollar of valuation, which amounts to \$0.350 for each one hundred dollars of valuation for five (5) years, and which is a renewal of an existing levy of 3.50 mills commencing collection year 2014; and

Be It Further Resolved, said levy be placed upon the tax list to be collected in the calendar year of 2014, if a majority of the electors voting thereon vote in favor thereof; and

Be It Further Resolved, the Fiscal Officer of this Board of Trustees be and is hereby directed to certify a copy of this Resolution to the Board of Elections, Montgomery County, not less than ninety (90) days before the election upon which it will be voted, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.



Deborah M. Preston, Trustee President

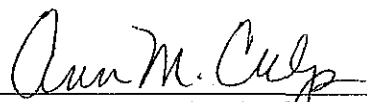


Mike R. Nolan, Trustee Vice President

absent

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GSR:mrm

RESOLUTION #44-2013

A RESOLUTION APPROVING, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ENGAGEMENT LETTER WITH FROST BROWN TODD, LLC

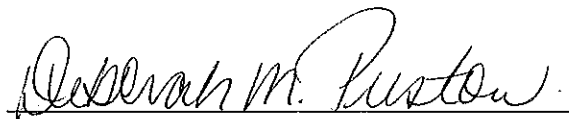
- Whereas,** Miami Township (Montgomery County), Ohio (the "Township") requires the services of nationally recognized bond counsel from time to time in connection with the issuance of obligations and in connection with Township new economic development activities; and
- Whereas,** Frost Brown Todd, LLC is a nationally recognized bond counsel firm and has extensive experience with private-public and economic projects and developments and Township activities; and
- Whereas,** this Board desires to retain Frost Brown Todd, LLC to provide legal services with respect to providing assistance to Township new economic development activities; and

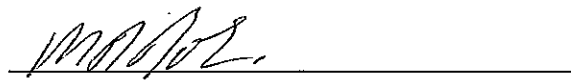
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the following:

- Section 1. It is in the best interests of the Township to retain Frost Brown Todd, LLC to provide legal services in connection with the terms and conditions set forth in the engagement letter now on file with this Board.
- Section 2. The engagement letter dated February 13, 2013 and now on file with this Board are approved and the president of the Miami Township Board of Trustees is authorized to sign and deliver, in the name and on behalf of the Township, the acceptance of that engagement letter substantially in the form now on file with this Board with such changes that are not materially adverse to the interests of the Township. The signing and delivery of the acceptance of the engagement letter by the Township Board, or its designee, shall be conclusive evidence that any changes therein are not materially adverse to the Township and have been approved by the Board.
- Section 3. All formal actions of this Board concerning and relating to the adoption of this resolution, and all deliberations of this Board or any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

SIGNATURE PAGE TO RESOLUTION #44-2013


Section 4. This resolution shall be in full force and effect immediately upon its adoption.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President

absent
Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GTW:mm

RESOLUTION #45-2013


**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE A TWO (2) MONTH EXTENSION OF A TRASH
COLLECTION SERVICES CONTRACT**

- Whereas,** there is a need to continue trash, recycling, yard waste, and large item pickup services for the residential community; and
- Whereas,** Miami Township is under a three (3) – month extension of an original one (1) year contract with Waste Management of Ohio which will expire on March 31, 2013; and
- Whereas,** Miami Township would like to extend the original year plus three months of the contract for an additional two (2) months ending May 31, 2013; and
- Whereas,** Waste Management of Ohio is the current provider and is in agreement to an additional two (2) months of service at the same rate and service level; and

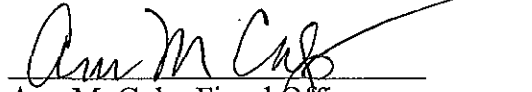
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to take the necessary steps to execute a two (2) month contract beginning April 1, 2013 and ending May 31, 2013 with Waste Management of Ohio.


Deborah M. Preston, Trustee President


Mike R. Nolan Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: February 26, 2013
GSR:kah

RESOLUTION #46-2013

**RESOLUTION TO APPOINT MIAMI TOWNSHIP
TAX INCENTIVE REVIEW COUNCIL MEMBER**

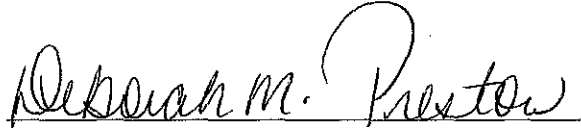
Whereas, the Tax Incentive Review Council (TIRC) was created to annually monitor compliance with the terms of Enterprise Zone statutes, pursuant to ORC Section 5709.61(A); and

Whereas, the TIRC must have two members representing the township, pursuant to ORC Section 5709.85(A)(2); and


Whereas, Greg Hanahan was appointed to represent Miami Township on the TIRC; and

Whereas, it is the recommendation of the TIRC to replace Greg Hanahan with the appointment of Interim Administrator G. Tracy Williams; and

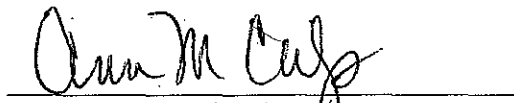
Therefore Be It Resolved, the Miami Township Board of Trustees appoints G. Tracy Williams to represent Miami Township on the TIRC, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR:lap


RESOLUTION #47-2013

**RESOLUTION HIRING A TEMPORARY PART-TIME
ADMINISTRATIVE ASSISTANT**

- Whereas,** Miami Township is in need of a temporary part-time Administrative Assistant to assist with administrative clerical duties; and
- Whereas,** the Board of Trustees desires to hire a part-time Administrative Assistant; and
- Whereas,** the Human Resources Director is recommending Julie Hunn to fill this position at a starting rate of \$10.00 per hour; and

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


1. The hiring of Julie Hunn as a temporary and part-time Administrative Assistant; and
2. The starting wage shall be \$10.00 per hour; and
3. The period of employment shall commence retroactively to Monday, March 11, 2013.



Deborah M. Preston, Trustee President

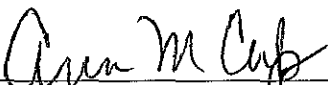


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR: lap

RESOLUTION #48-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.871 of the Ohio Revised Code, to provide for the abatement, control or removal of junk motor vehicle(s) from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5071 Crains Run Rd., Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance, storage and keeping of the junk motor vehicle(s) at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within fourteen (14) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within fourteen (14) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within fourteen (14) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

Address

Parcel ID #K45 02611 0081
James A. and Delores M. Kelhoffer
5071 Crains Run Rd.
Miamisburg, OH 45342

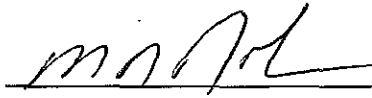
Mortgage Company

JPMorgan Chase Bank Natl Assoc
800 Brooksedge Bl.
Westerville, OH 43081

SIGNATURE PAGE FOR RESOLUTION #48-2013 ONLY



Deborah M. Preston, Trustee President

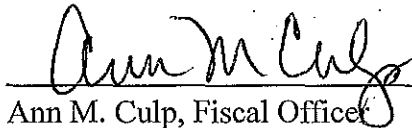


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:mrm

RESOLUTION #49-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.871 of the Ohio Revised Code, to provide for the abatement, control or removal of junk motor vehicle(s) from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 4968 Lamme Rd., Dayton, Ohio 45439-3240 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance, storage and keeping of the junk motor vehicle(s) at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within fourteen (14) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within fourteen (14) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within fourteen (14) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:


Address

Parcel ID #K47 22903 0058
Michael A. Williams and Cari Presnal
4968 Lamme Rd.
Dayton, OH 45439-3240

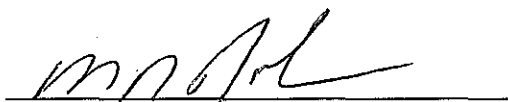
Mortgage Company

N/A

SIGNATURE PAGE FOR RESOLUTION #49-2013 ONLY



Deborah M. Preston, Trustee President




Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR:mmm

RESOLUTION #50-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 4968 Lamme Rd., Dayton, Ohio 45439-3240 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013 beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

4968 Lamme

Parcel ID #K47 22903 0058

Michael A. Williams and Cari Presnal

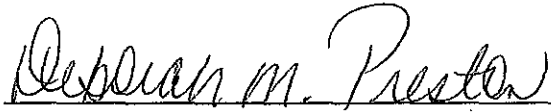
4968 Lamme Rd.

Dayton, OH. 45439-3240

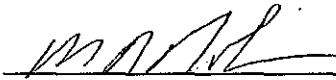
Lien Holder

N/A

SIGNATURE PAGE FOR RESOLUTION #50-2013 ONLY



Deborah M. Preston, Trustee President

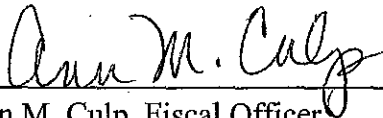


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:mrm

RESOLUTION #51-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 7781 Lois Cir., Dayton, Ohio 45459 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013 beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

7781 Lois Cir

Parcel ID #K45 18411 0009

Roy C. Grant

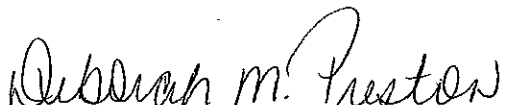
7781 Lois Cir.

Dayton, OH. 45459

Lien Holder

N/A

SIGNATURE PAGE FOR RESOLUTION #51-2013 ONLY



Deborah M. Preston, Trustee President




Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR:mrm

RESOLUTION #52-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.871 of the Ohio Revised Code, to provide for the abatement, control or removal of junk motor vehicle(s) from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 7781 Lois Cir., Dayton, Ohio 45459 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013, beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance, storage and keeping of the junk motor vehicle(s) at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within fourteen (14) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within fourteen (14) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within fourteen (14) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

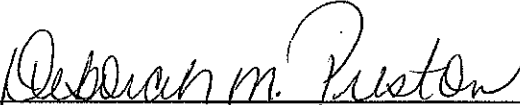
Address

Parcel ID #K45 18411 0009
Roy C. Grant
7781 Lois Cir.
Dayton, OH 45459

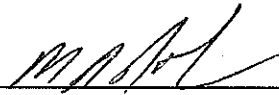
Mortgage Company

N/A


SIGNATURE PAGE FOR RESOLUTION #52-2013 ONLY



Deborah M. Preston, Trustee President

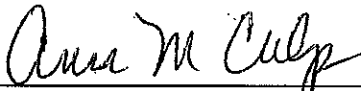


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:mrm

RESOLUTION #53-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 9174 South River Rd., Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on March 12, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on March 12, 2013 beginning at 7:00 p.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

9174 South River Rd.

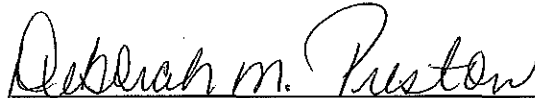
Parcel ID #K45 02614A0069

Timothy A. White

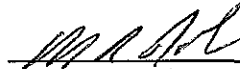
9174 South River Rd.

Miamisburg, OH. 45342

SIGNATURE PAGE FOR RESOLUTION #53-2013 ONLY



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:mrm

RESOLUTION #54-2013

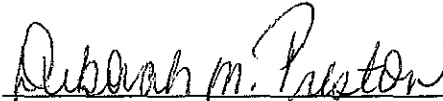
**RESOLUTION TO ACCEPT THE SERVICE PENSION RETIREMENT OF
A POLICE DEPARTMENT EMPLOYEE**

Whereas, Record Section Supervisor Lynn M. Schultz has been an employee of the Miami Township Police Department since July 28, 1991; and

Whereas, Record Section Supervisor Lynn M. Schultz on March 5, 2013 submitted written notice of her intent to retire on a service pension on May 31, 2013; and

Whereas, the Chief of Police accepted her letter of intent to retire on a service pension on March 7, 2013.

Therefore Be It Resolved, the Miami Township Board of Trustees accept the letter of intent to retire on a service pension from Record Supervisor Lynn M. Schultz and termination of her employment with Miami Township effective at the close of business on May 31, 2013.



Deborah M. Preston, Trustee President

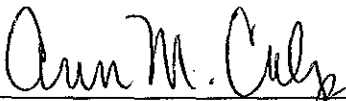


Mike R. Nolan, Trustee Vice-President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GTW: lap

RESOLUTION #55-2013

**RESOLUTION TO CHANGE A ZONING DISTRICT, ADOPT A
PRELIMINARY & FINAL DEVELOPMENT PLAN FOR ZONING
CASE #413-13**


Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, March 12, 2013; and

Whereas, Zoning Case #413-13, filed by Legacy Ministries International proposes a change of zoning district from the "O-2" General Office District to the "PD-5" Planned Mixed-Use District and adoption of a preliminary and final development plan and development standards; and


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

Whereas, the Trustees have made certain Findings of Fact based upon the evidence presented; and

Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES WITH MODIFICATIONS as shown on **Exhibit A** of Zoning Case #413-13 and the Rezoning, Preliminary, and Final Development Plan and development standards and MODIFIES the Zoning Commission recommendation for Zoning Case #413-13.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:lap

RESOLUTION #56-2013

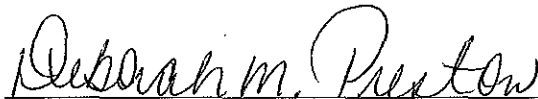
RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR THE CONVEYANCE OF CERTAIN REAL ESTATE FOR THE OPWC WOOD ROAD IMPROVEMENTS PROJECT

- Whereas,** the Miamisburg City School District Board of Education (the "Board") is the owner of real estate located in the State of Ohio, County of Montgomery, and Township of Miami, designated as tax parcel numbers K45-02608 and K45-02608-0013, located along Wood Road (the "Parent Parcels"); and
- Whereas,** the Board has previously closed on the sale of an approximately 22.4 tract of land adjacent to the Parent Parcels to the Board of Township Trustees of Miami Township (the "Township") on the terms and conditions set forth in the parties' Real Estate Purchase Contract executed on or around December 29, 2010 (the "Contract"); and
- Whereas,** among other post-closing obligations of the Township under the Contract, the Township is obligated to extend the sidewalk along Wood Road in a southerly direction to the site of the new fire station constructed by the Township on the property it acquired from the Board; and
- Whereas,** the Township has secured funding for the improvement and widening of Wood Road between Crains Run Road and the County line from the Ohio Public Works Commission which includes improving the existing two lane road to two widened drive lanes with a center turn lane with combination curb/gutter, storm water collection system, and concrete walks which will address roadway deficiencies and increase motorist and school traffic safety; and
- Whereas,** to facilitate the improvement and widening of Wood Road, the Board has agreed to convey a *Perpetual Easement For Highway Purposes* to the Township in, over, and across certain tracts of land along Wood Road, containing 0.3320 acres, 0.1002 acres, and 1.2424 acres of land; and
- Whereas,** to facilitate the construction of the improvements to Wood Road, the Board has agreed to convey a *Temporary Easement For The Purpose Of Performing The Work Necessary To Complete Minor Grading*, to the Township in, over and across certain tracts of land along Wood Road, containing 0.1350 acres, 0.6840 acres and 0.0107 acres of land; and

Whereas, to facilitate the construction and maintenance of a storm sewer on Wood Road that is being constructed as part of the improvements to Wood Road, the Board has agreed to convey a *Perpetual Easement To Construct And Maintain A Sewer*, to the Township in, over, and across a tract of land along Wood Road, containing 0.0133 acres of land; and

Therefore be it Resolved, the Miami Township Board of Trustees approves the conveyance of the *Perpetual Easement For Highway Purposes, Temporary Easements For The Purpose Of Performing The Work Necessary To Complete Minor Grading And A Perpetual Easement To Construct And Maintain A Sewer* in, over and across land along Wood on the terms and conditions set forth in the agreement attached in "Exhibit B"; and

Be it Further Resolved, the Miami Township Board of Trustees authorizes the Township Administrator or an approved designee to execute the attached Exhibit B agreement with the Board of Education of the Miamisburg City School District, 540 E. Park Avenue, Miamisburg, Ohio, 45342, for the conveyance of certain real estate for the OPWC Wood Road Improvements project.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR:lap

RESOLUTION #57-2013

**RESOLUTION LAYING OFF FULL-TIME
ROAD WORKER EMPLOYEES**

- Whereas,** Miami Township, due to economic circumstances, finds it necessary to eliminate two full-time Road Worker positions; and
- Whereas,** the elimination of full-time positions first necessitates the laying off of employees filling the positions to be eliminated; and
- Whereas,** the Interim Township Administrator has elected to waive Section 7.4.b of the Employee Manual, specifically subsections "i." through "iii.," and layoff "Full-time employees in authorized positions;" and
- Whereas,** the Interim Township Administrator's recommendation to eliminate two of the authorized full-time Road Worker positions has been supported by conversation with the Miami Township Board of Trustees; and
- Whereas,** the Board of Trustees deems the following two employees to be the last two full-time employees hired within the Public Works Department who meet and perform the essential functions of the positions of Road Workers:

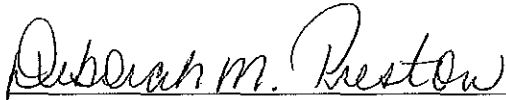
First Layoff: Mike Dalton, hire date of June 29, 2009; and

Second Layoff: Junior Cope, hire date of April 30, 2007; and


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

1. Mike Dalton, full-time Road Worker, be laid off from employment first; and
2. Junior Cope, full-time Road Worker, be laid off from employment second; and

Lastly Be It Resolved, the Board of Trustees authorizes the retroactive effective date of lay off to be 3:30 PM, March 11, 2013.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

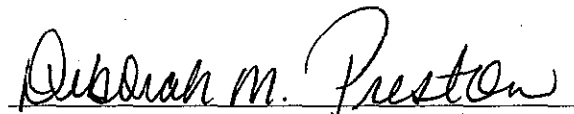
GSR: lap

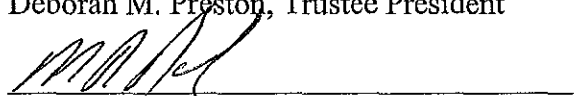
RESOLUTION #58-2013

**RESOLUTION LAYING OFF A FULL-TIME
ADMINISTRATIVE ASSISTANT EMPLOYEE**

- Whereas,** Miami Township, due to economic circumstances, finds it necessary to eliminate one full-time Administrative Assistant position; and
- Whereas,** the elimination of a full-time position first necessitates the laying off of an employee filling the position to be eliminated; and
- Whereas,** the Township Administrator has elected to waive Section 7.4.b of the Employee Manual, specifically subsections "i." through "iii.," and layoff "Full-time employees in authorized positions;" and
- Whereas,** the Township Administrator's recommendation to eliminate the authorized full-time Administrative Assistant position in the Finance Department has been supported by conversation with the Miami Township Board of Trustees; and
- Whereas,** the Board of Trustees deems Melanie Dickson, hire date of March 11, 2002, to be the last full-time employee hired within the Finance Department who meets and performs the essential functions of the position of Administrative Assistant:


Therefore Be It Resolved, the Board of Trustees authorizes that Melanie Dickson be laid off from employment effective 5:00 PM, March 11, 2013.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: March 12, 2013
GSR: lap

RESOLUTION #59-2013

**RESOLUTION ELIMINATING TWO FULL-TIME
ROAD WORKER POSITIONS**

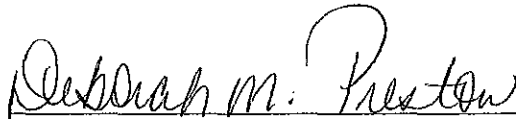
Whereas, there is an economic necessity to eliminate two full-time Road Worker positions in the Public Works Department; and

Whereas, the Interim Township Administrator has made the recommendation to eliminate the full-time Road Worker positions in alignment with direction from the Board of Trustees; and


Whereas, the elimination of the two positions is effective at 5:00 PM on March 12, 2013; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Miami Township staff to take the necessary actions to eliminate two full-time Road Worker positions as outlined within this resolution; and

Lastly Be It Resolved, this action shall reduce the Public Works Department's authorized full-time work force by two.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR: lap

RESOLUTION #60-2013

**RESOLUTION ELIMINATING ONE FULL-TIME
ADMINISTRATION SUPPORT POSITION**

Whereas, there is an economic necessity to eliminate one full-time Administrative Assistant positions in the Finance Department; and

Whereas, the Interim Township Administrator has made the recommendation to eliminate the full-time Administrative Assistant position in alignment with direction from the Board of Trustees; and

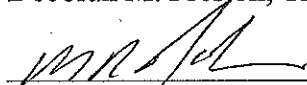
Whereas, the elimination of the position is effective at 5:00 PM on March 12, 2013; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes Miami Township staff to take the necessary actions to eliminate one full-time Administrative Assistant position as outlined within this resolution; and

Lastly Be It Resolved, this action shall reduce the Finance Department's authorized full-time work force by one.



Deborah M. Preston, Trustee President

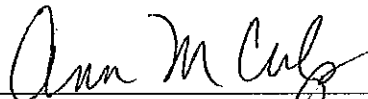


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 12, 2013

GSR: lap

RESOLUTION #61-2013

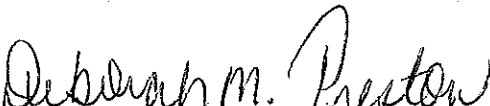
**RESOLUTION TO ACCEPT THE SERVICE PENSION RETIREMENT
OF A FINANCE DIRECTOR**

Whereas, Joe Fowler has been an employee with the Finance Department since September 1, 2000; and

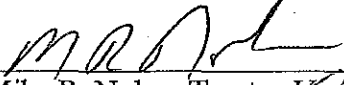
Whereas, Joe Fowler, after 12 plus years of dedicated service to Miami Township, has made known his intent to retire on a service pension; and

Whereas, Joe Fowler's last day of employment will be at the end of the work day on Saturday, March 30, 2013; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts Joe Fowler's intent to retire on a service pension from Miami Township effective March 30, 2013.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

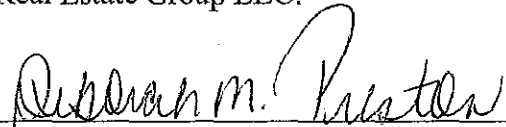
GSR: lap

RESOLUTION #62-2013

**RESOLUTION TO SUPPORT THE CONTINUATION OF TAX
ABATEMENT WITHIN THE ENTERPRISE ZONE FOR
BRIXEY & MEYER, INC./EAGLES REAL ESTATE GROUP LLC,
2991 NEWMARK DRIVE**

- Whereas,** Miami Township and Montgomery County have encouraged the development of real property and the acquisition of personal property, located in the area designated as an Enterprise Zone; and
- Whereas,** Brixey & Meyer, Inc./Eagles Real Estate Group LLC constructed a new 12,000 square foot multi-tenant office/warehouse building to create employment opportunities, provided that the appropriate incentives were available to support the economic viability of said project; and
- Whereas,** Miami Township and Montgomery County have the appropriate authority to allow incentives, as provided for in the Ohio Revised Code, as approved by the local school taxing authorities; and
- Whereas,** the Miami Township Tax Incentive Review Council (TIRC) met on March 15, 2013 and determined Brixey & Meyer, Inc./Eagles Real Estate Group LLC has exceeded its promised investment in the community, and the TIRC recommends continuation of the tax abatement; and

Therefore Be It Resolved, the Miami Township Board of Trustees approves the continuation of the Ohio Enterprise Zone Agreement, approved by Resolution #152-2010, with all the terms and conditions as stated therein with Montgomery County and Brixey & Meyer, Inc./Eagles Real Estate Group LLC, and to continue the agreement with Brixey & Meyer, Inc./Eagles Real Estate Group LLC.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GTW:lap

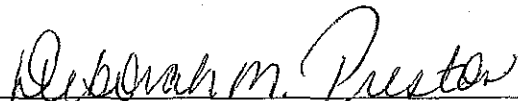
RESOLUTION #63-2013

RESOLUTION HIRING A PART-TIME ADMINISTRATIVE ASSISTANT

- Whereas,** Miami Township has two vacancies for the positions of part-time Administrative Assistant to assist with administration support staff duties; and
- Whereas,** the Board of Trustees desires to hire two part-time Administrative Assistants; and
- Whereas,** the Human Resources Director is recommending Carrie Edmondson to fill one of these positions at a starting rate of \$10.00 per hour; and

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

1. The hiring of Carrie Edmondson as a part-time Administrative Assistant; and
2. The starting wage shall be \$10.00 per hour; and
3. The period of employment shall commence under the direction of the Township Administrator.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GSR: lap

RESOLUTION #64-2013

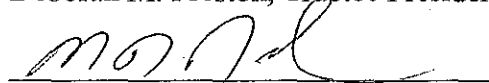
RESOLUTION HIRING A PART-TIME ADMINISTRATIVE ASSISTANT

- Whereas,** Miami Township has two vacancies for the positions of part-time Administrative Assistant to assist with administration support staff duties; and
- Whereas,** the Board of Trustees desires to hire two part-time Administrative Assistants; and
- Whereas,** the Human Resources Director is recommending Rachel Palcic to fill one of these positions at a starting rate of \$10.00 per hour; and

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

1. The hiring of Rachel Palcic as a part-time Administrative Assistant; and
2. The starting wage shall be \$10.00 per hour; and
3. The period of employment shall commence under the direction of the Township Administrator.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GSR: lap

RESOLUTION #65-2013

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

Whereas, the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #135-2005; and

Whereas, under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Joint Economic Development District; and

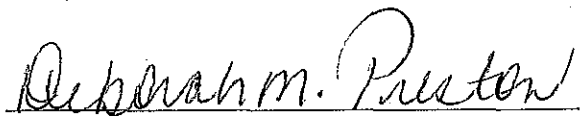
Whereas, the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and

Whereas, Joseph Fowler was appointed on September 13, 2011 to represent Miami Township on the Miami Township-Dayton JEDD Board; and

Whereas, Joseph Fowler is retiring from Miami Township effective March 31, 2013; and

Whereas, it is the recommendation of the Miami Township-Dayton JEDD Board to replace Joseph Fowler with the appointment of Christopher Snyder to serve the balance of the unexpired term through September 13, 2015; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Christopher Snyder, to represent Miami Township on the Miami Township-Dayton JEDD Board, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GSR:sld

RESOLUTION #66-2013

RESOLUTION TO APPROVE A MAJOR MODIFICATION TO A FINAL DEVELOPMENT PLAN FOR ZONING CASE #292-96

Whereas, the Miami Township Board of Trustees met in a regular session on Tuesday, March 26, 2013; and

Whereas, Zoning Case #292-96, filed by South Dayton Motel Investment, Ltd., proposes a major modification to the final development plan and adoption of development standards; and

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

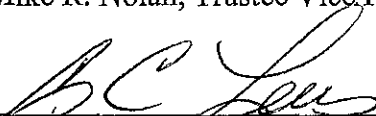
Therefore Be It Resolved, the Miami Township Board of Trustees Approves the Major Modification to the Final Development Plan under Zoning Case #292-96 and _____ the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

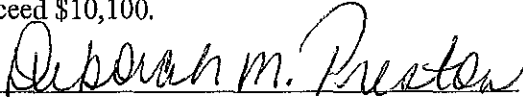
GTW: lap

RESOLUTION #68-2013

RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE MIAMI TOWNSHIP POLICE DEPARTMENT AND THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES FOR THE PURPOSE OF BECOMING AN ACCREDITED LAW ENFORCEMENT AGENCY

- Whereas,** the Chief of Police contacted the Commission on Accreditation for Law Enforcement Agencies and registered as an agency participant for the purpose of becoming an accredited law enforcement agency; and
- Whereas,** the Chief of Police and the Miami Township Board of Trustees are desirous of the Miami Township Police Department becoming an accredited law enforcement agency through the Commission on Accreditation for Law enforcement Agencies; and
- Whereas,** participation in the accreditation process requires the Miami Township Police Department to enter into a thirty-six (36) month performance agreement with the Commission on Accreditation for Law Enforcement Agencies, and
- Whereas,** based upon the size of the agency, the Miami Township Police Department is required to pay a one time accreditation fee of \$10,100 that covers all contractual requirements stated in the Agreement between the Miami Township Police Department and the Commission on Accreditation for Law Enforcement Agencies during the thirty-six months the Agreement is in effect; and
- Whereas,** the Agreement becomes effective upon the date the Executive Director for the Commission on Accreditation for Law Enforcement Agencies signs the Agreement after verifying the eligibility for participation; and

Therefore It Be Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a thirty-six (36) month Agreement with the Commission on Accreditation for Law Enforcement Agencies for the purpose of getting the Miami Township Police Department accredited at a cost not to exceed \$10,100.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

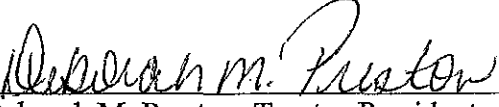
GTW:lap

RESOLUTION #69-2013

**RESOLUTION TO AWARD A BID FOR THE
2013 TURF AND LANDSCAPE MAINTENANCE PROGRAM**

- Whereas,** there is a need for a mowing and landscape services for township owned lands and rights-of-way for the 2013 growing season; and
- Whereas,** a competitive bid process was conducted to solicit sealed bids for a turf and landscape maintenance services contract; and
- Whereas,** the bid proposal included options for submitting a bid separately on the Base Project or the Alternate Project or submitting a combined bid for both projects; and
- Whereas,** MAW Specialized Lawn Care Services, Inc., was the lowest and best bidder for the Base Project portion of the bid; and
- Whereas,** references have been checked for the vendor with all recommendations being favorable; and


Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with MAW Specialized Lawn Care Services, Inc., 227 S. Pioneer Boulevard, Springboro, Ohio, 45066, for turf and landscape maintenance services at a total estimated cost of \$50,715.00, and to execute all the necessary documents to secure these services.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GTW:lap

RESOLUTION #70-2013

**RESOLUTION TO AWARD A BID FOR THE
2013 TURF AND LANDSCAPE MAINTENANCE PROGRAM**

Whereas, there is a need for a mowing and landscape services for township owned lands and rights-of-way for the 2013 growing season; and

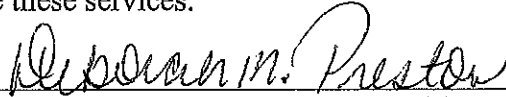
Whereas, a competitive bid process was conducted to solicit sealed bids for a turf and landscape maintenance services contract; and

Whereas, the bid proposal included options for submitting a bid separately on the Base Project or the Alternate Project or submitting a combined bid for both projects; and

Whereas, Ohio Irrigation Lawn Sprinkler Systems Inc., dba Oheil Irrigation, Buckeye Lawn & Landscaping, Oheil Site Solutions, was the lowest and best bidder for the Alternate Project portion of the bid; and

Whereas, references have been checked for the vendor with all recommendations being favorable; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to enter into a contract with Ohio Irrigation Lawn Sprinkler Systems Inc., dba Oheil Irrigation, Buckeye Lawn & Landscaping, Oheil Site Solutions, 2109 E. Social Row Road, Dayton, Ohio, 45458, for turf and landscape maintenance services at a total estimated cost of \$15,775.00, and to execute all the necessary documents to secure these services.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: March 26, 2013

GTW:lap

RESOLUTION #71-2013

**RESOLUTION TO AUTHORIZE THE INTERIM TOWNSHIP
ADMINISTRATOR TO EXECUTE A TRASH COLLECTION
SERVICES CONTRACT**

Whereas, there is a need to continue trash, recycling, yard waste, and large item pickup services for the residential community; and

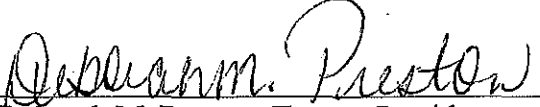
Whereas, Miami Township is under a two (2) – month extension contract with Waste Management of Ohio, of which will expire on May 31, 2013; and

Whereas, Miami Township has accepted bids for a new contract, which expires December 31, 2013, with two (2) additional option years; and

Whereas, Waste Management of Ohio has bid for single day trash and recycling service under the title Bid Alternate 1 which meets the bid requirements; and

Whereas, Waste Management of Ohio was accepted as the lowest and best bid; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Interim Township Administrator to take the necessary steps to execute a new trash collection contract with Waste Management of Ohio for Bid Alternate 1.



Deborah M. Preston, Trustee President

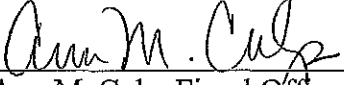


Mike R. Nolan, Trustee Vice President

NO VOTE

Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: April 8, 2013
GTW:mrm

RESOLUTION #72-2013

**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
AUSTIN LANDING – AREA 7 – SOUTHEAST OUT LOTS – PHASE II
UNDER ZONING CASE #222-88, FOR LANDS ZONED “PD-5”, PLANNED
MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Monday, April 22, 2013; and

Whereas, Zoning Case #222-88, filed by RG Properties, Inc., proposes adoption of a final development plan for Austin Landing – Area 7 – Southeast Out Lots – Phase II and for lands zoned “PD-5”, Planned Mixed-Use; and

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


Therefore Be It Resolved, the Miami Township Board of Trustees approve the Final Development Plan under Zoning Case #222-88 and accept the Zoning Commission recommendation.



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: April 22, 2013

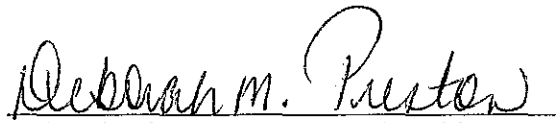
GTW:cde

RESOLUTION #73-2013

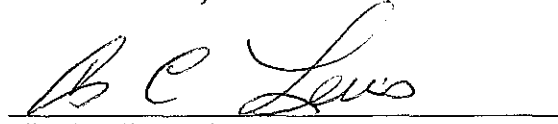
**RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR
TO EXECUTE AN AGREEMENT FOR CONSTRUCTION INSPECTION
SERVICES FOR THE SOUTHLAND PLACE CONSTRUCTION
PROJECT**

- Whereas,** Miami Township has completed the project bidding phase of the Southland Place project and is ready to begin construction; and
- Whereas,** the Street Department has a need to utilize professional construction inspection services necessary for the project; and
- Whereas,** the Montgomery County Engineer's Office has submitted an agreement to provide construction inspection services for the Southland Place project; and
- Whereas,** the Public Works Director is giving his recommendation to accept the conditions of the proposed agreement; and

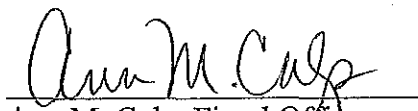
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute an agreement with the Board of County Commissioners for the County Engineer's Office to provide construction inspection services for the Southland Place construction project at a cost not to exceed 2% of the actual construction costs.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: April 8, 2013
GTW:lap

RESOLUTION #74-2013

RESOLUTION TO AUTHORIZE THE TOWNSHIP ADMINISTRATOR TO APPROVE RIGHT-OF-WAY ACQUISITIONS FOR THE OPWC WOOD ROAD IMPROVEMENTS PROJECT

- Whereas,** Miami Township has entered into an agreement with the Ohio Public Works Commission (OPWC) for the Wood Road Improvements Project; and
- Whereas,** there are several parcels of property needed for right-of-way acquisition and/or a temporary work easement to complete the roadway improvements; and
- Whereas,** Miami Township has contracted with OPC of Ohio, LLC, to serve as the right-of-way acquisition firm for negotiations on behalf of Miami Township; and
- Whereas,** OPC of Ohio, LLC, requires Township authorization to begin negotiations with parcel owners for compensation of right-of-way including temporary work easements needed to complete the Wood Road improvements; and

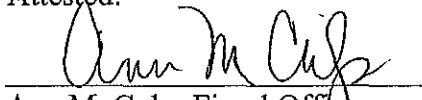
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Township Administrator to execute any and all documents necessary to facilitate the property transactions arising from the aforementioned negotiations.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: April 8, 2013

GTW:lap

RESOLUTION #75-2013

RESOLUTION TO AUTHORIZE THE DEDICATION OF CERTAIN TOWNSHIP REAL ESTATE FOR THE OPWC WOOD ROAD IMPROVEMENTS PROJECT

Whereas, the Miami Township Board of Trustees (the "Board") is the owner of real estate located in the State of Ohio, County of Montgomery, and Township of Miami, designated as tax parcel number K45-02608-0085, located along Wood Road; and

Whereas, the Township has secured funding for the improvement and widening of Wood Road (MOT-TR-157-0.00) between Crains Run Road and the County line from the Ohio Public Works Commission which includes improving the existing two lane road to two widened drive lanes with a center turn lane with combination curb/gutter, storm water collection system, and concrete walks which will address roadway deficiencies and increase motorist and school traffic safety; and

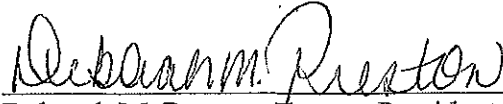
Whereas, to facilitate the improvement and widening of Wood Road, the Board has agreed to dedicate as if a *Warranty Deed For Highway Purposes* in, over, and across certain tracts of land along Wood Road, containing 0.5609 acres of land; and

Whereas, to facilitate the construction of the improvements to Wood Road, the Board has agreed to grant as if a *Temporary Easement For The Purpose Of Performing Work Necessary To Complete Minor Grading*, in, over and across certain tracts of land along Wood Road, containing 0.1429 acres and 0.0566 acres of land; and

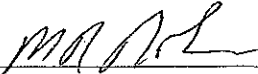
Therefore Be It Resolved, the Board approves the dedication of the *Warranty Deed For Highway Purposes* and grants the *Temporary Easements For The Purpose Of Performing Work Necessary To Complete Minor Grading* in, over and across certain tracts of land along Wood Road on the terms and conditions set forth in the attached "Exhibit A"; and

Be It Further Resolved, the Board authorizes the Township Administrator to execute any and all documents necessary to facilitate the property transactions arising from the aforementioned dedication of Township land.

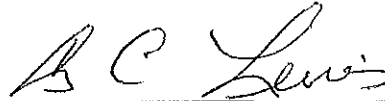
SIGNATURE PAGE FOR RESOLUTION #75-2013 ONLY



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: April 8, 2013

GTW:cde

RESOLUTION #76-2013

**RESOLUTION TO DECLARE CERTAIN PARKS DEPARTMENT
EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE THE SALE
OR DISPOSAL OF SAID PROPERTY**

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


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

Whereas, the Parks Department has attached a list of equipment that is no longer necessary, damaged and/or beyond a useful purpose; and

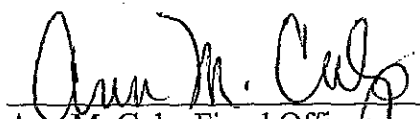
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10, the Miami Township Board of Trustees declares these pieces of equipment as surplus property to be disposed of, sold, or traded-in and removed from the Parks Department inventory.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: April 22, 2013

GTW:cde

RESOLUTION #77-2013

**RESOLUTION TO AWARD A BID FOR THE
2013 PAVEMENT MAINTENANCE PROGRAM**

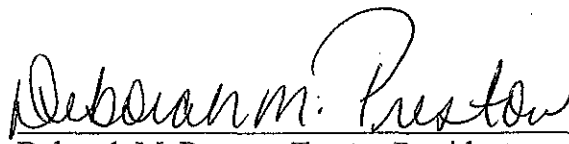
Whereas, there is a need for pavement maintenance services to designated Township roadways; and

Whereas, a competitive bid process was conducted to solicit sealed bids for pavement maintenance services; and

Whereas, American Pavements, Inc., was the lowest and best bidder for the pavement maintenance services contract; and

Whereas, references have been checked for American Pavements, Inc., with all recommendations being favorable; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Interim Township Administrator to enter into a contract with American Pavements, Inc., 7475 Montgomery Drive, Plain City, Ohio, 43064, for Slurry Seal Type II, at a cost of \$2.29 per square yard, and to execute all the necessary documents to secure pavement maintenance services.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: April 22, 2013

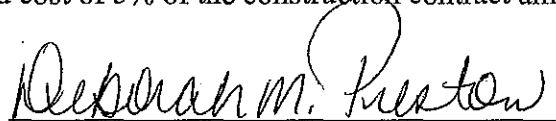
GTW:cde

RESOLUTION #78-2013


**RESOLUTION TO AUTHORIZE THE TOWNSHIP
ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR
CONSTRUCTION INSPECTION SERVICES FOR THE OPWC
WOOD ROAD IMPROVEMENTS PROJECT**

- Whereas,** Miami Township is ready to commence with the bidding phase of the OPWC Wood Road Improvements project; and
- Whereas,** the Street Department has a need to utilize professional construction inspection and material testing services necessary for the project; and
- Whereas,** the Montgomery County Engineer's Office has submitted an agreement to provide construction inspection and material testing services for the Wood Road Improvements project; and
- Whereas,** the Public Works Director is giving a recommendation to accept the conditions of the proposed agreement; and

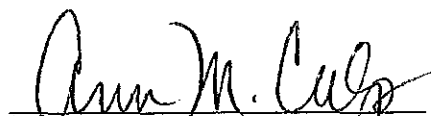
Therefore be it Resolved, the Board of Trustees authorizes the Interim Township Administrator to execute an agreement with the Board of County Commissioners for the County Engineer's Office to provide construction inspection and material testing services for the Wood Road Improvements project at an estimated cost of 5% of the construction contract amount.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: April 22, 2013

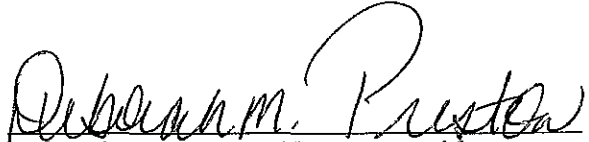
GTW:cde

RESOLUTION #79-2013


**RESOLUTION TO APPOINT AUSTIN CENTER
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #100-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Austin Center JEDD Board; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Greg Rogers was appointed on January 22, 2013 to represent Miami Township on the Austin Center JEDD Board; and
- Whereas,** Greg Rogers has been on paid leave since March 13, 2013 and is unable to perform duties of office for the Austin Center JEDD Board; and
- Whereas,** it is the recommendation of the Austin Center JEDD Board to replace Greg Rogers with the appointment of Tracy Williams to serve the balance of the unexpired term through August 31, 2015; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Tracy Williams, to represent Miami Township on the Austin Center JEDD Board, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: May 14, 2013

GTW:sld

RESOLUTION #80-2013

**RESOLUTION TO AWARD A CONSTRUCTION BID FOR THE OPWC
WOOD ROAD IMPROVEMENTS PROJECT**

- Whereas,** Miami Township has entered into an agreement with the Ohio Public Works Commission for the Wood Road Improvements project; and
- Whereas,** the Montgomery County Engineer's Office utilized Barge Waggoner, Sumner & Cannon, Inc. (BWSC), for professional bidding services to prepare bidding documents and associated administrative functions necessary for the Wood Road Improvements project; and
- Whereas,** the request for bids, through the proper media sources, has been made by and according to O.R.C. 5575.01; and
- Whereas,** three (3) bids were submitted and have been reviewed by BWSC, and a recommendation has been made to accept the low bidder; and

Therefore Be It Resolved, the Board of Trustees authorizes the Township Administrator to enter into a contract with Barrett Paving Materials, Inc., 3751 Commerce Drive, Middletown, Ohio, 45005, to provide construction services for the Wood Road Improvements project at a cost of \$1,249,436.96 and to execute all the necessary documents to secure construction services.

abstain
Deborah M. Preston, Trustee President

M R Nolan
Mike R. Nolan, Trustee Vice President

Charles C Lewis
Charles C. Lewis, Trustee

Attested:

Ann M. Culp
Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:cde

RESOLUTION #81-2013

**RESOLUTION TO COMMIT THE TOWNSHIP TO THE
MONTGOMERY COUNTY ENGINEER'S ASPHALT AND
ROAD STRIPING PROGRAM**

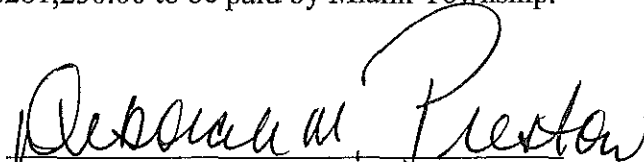
Whereas, Miami Township requests the Board of County Commissioners approve assistance through the Partnership Pool Program for improving and maintaining township roadways; and

Whereas, the Township authorizes the County Engineer and/or his agents to come upon township roadways for the purposes herein stated and upon completion of this purpose to bill the township all costs incurred; and


Whereas, Miami Township is to receive \$8,750.00 of township aid this year from the Montgomery County Engineer's Office; and

Whereas, the Public Works Director has made the request that this aid be designated to Miami Township's 2013 Asphalt & Road Striping Program, at an estimated cost of \$290,000.00; and

Therefore Be It Resolved, the \$8,750.00 in County aid is applied to the program expenditures, leaving an estimated cost of \$281,250.00 to be paid by Miami Township.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #82-2013


**RESOLUTION TO APPOINT MIAMI TOWNSHIP-DAYTON MALL
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #94-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Greg Rogers was appointed on August 13, 2012 to represent Miami Township on the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** Greg Rogers has been on paid leave since March 13, 2013 and is unable to perform duties of office for the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** it is the recommendation of the Miami Township-Dayton Mall JEDD Board to replace Greg Rogers with the appointment of Tracy Williams to serve the balance of the unexpired term through August 13, 2016; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Tracy Williams, to represent Miami Township on the Miami Township-Dayton Mall JEDD Board, as required by contract, effective immediately.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:sld

RESOLUTION #83-2013

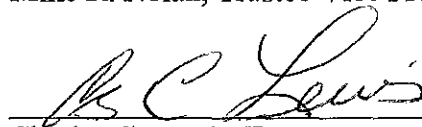
**RESOLUTION TO CANCEL THE PROPERTY TAX FOR WASTE
COLLECTION FOR 2014**

- Whereas,** the voters of Miami Township have previously approved a 1.2 mil levy for waste collection that is scheduled to expire on December 31, 2014; and
- Whereas,** Effective June 1, 2013 a private company will provide waste collection service and property owners will be billed directly by them; and
- Whereas,** the Miami Township Board of Trustees has decided to not collect the 1.2 mil levy for 2014; and

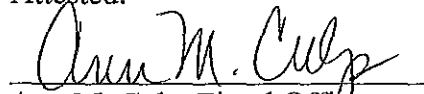
Therefore Be It Resolved, the Miami Township Board of Trustees hereby request that the Montgomery County Budget Commission cancel the 1.2 mil levy for 2014. This levy was scheduled to expire on December 31, 2014; however, due to the change noted above, we request that this 1.2 mil levy be ended on December 31, 2013.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

RESOLUTION # 84-2013

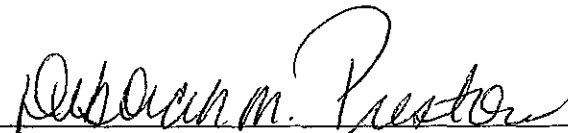
**RESOLUTION TO ADOPT A FINAL DEVELOPMENT PLAN FOR
CEA PROPERTIES, LLC - PHASE II UNDER ZONING CASE #160-85,
FOR LANDS ZONED "PD-5", PLANNED MIXED-USE**

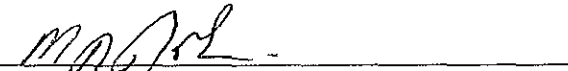
Whereas, the Miami Township Board of Trustees met in a regular session on Monday, May 28, 2013; and

Whereas, Zoning Case #160-85, filed by CEA Properties, LLC, proposes adoption of a final development plan for CEA Properties, LLC – Phase II and for lands zoned "PD-5", Planned Mixed-Use; and

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


Therefore Be It Resolved, the Miami Township Board of Trustees Approves
the Final Development Plan under Zoning Case #160-85 and
Upholds the Zoning Commission recommendation.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

RESOLUTION #85-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2175 Bushwick Dr., Dayton, Ohio 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:


2175 Bushwick Dr.
Parcel ID #K47 22904 0038
Don T. Zimmerman
2175 Bushwick Dr.
Dayton, OH 45439

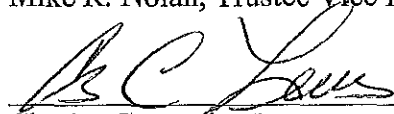
LIEN info
Ohio Dept. of Taxation
4485 Northland Ridge Bl.
Columbus, OH 43229

Don T. Zimmerman
6505 Thomas Dr. #602
Panama City, Fl. 32408-6157

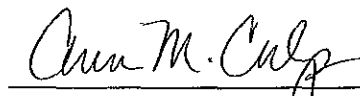
SIGNATURE PAGE FOR RESOLUTION #85-2013 ONLY


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

RESOLUTION #86-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance; and

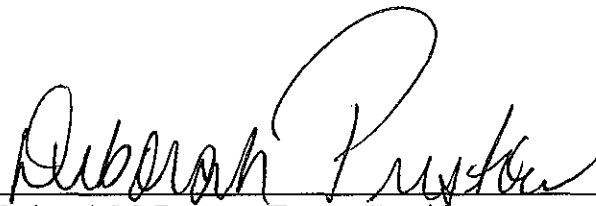
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6060 Fifth Ave.
Parcel ID #K50 18421 0135
Susan J. Carpenter
7499 Martz-Paulin Road
Franklin, OH 45005

Mortgage Company
N/A

SIGNATURE PAGE FOR RESOLUTION #86-2013 ONLY



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #87-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6070 Fourth Avenue, Miamisburg, Ohio 45342 in Miami Township, Ohio that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

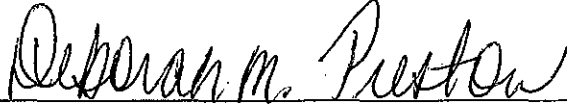
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6070 Fourth Ave.
Parcel ID #K50 18421 0024
Daniel and Misty Johnson
11 Waterstone Dr..
Franklin, OH 45005

Mortgage Company
N/A

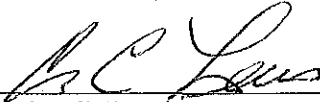
SIGNATURE PAGE FOR RESOLUTION #87-2013 ONLY



Deborah M. Preston, Trustee President

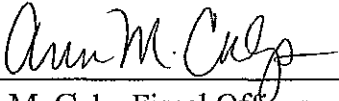


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #88-2013

**RESOLUTION TO ACCEPT LETTER OF INTENT TO RETIRE SERVICE
OF THE CHIEF OF POLICE**

- Whereas,** Chief of Police John C. Krug has been an employee of the Miami Township Police Department since November 18, 1996; and
- Whereas,** Chief of Police John C. Krug on June 5, 2013 submitted written notice of his intent to retire on a service pension on June 28, 2013; and
- Whereas,** the Interim Township Administrator accepted the Chief of Police's letter of intent to retire on a service pension; and


Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of intent to retire on a service pension from Chief of Police, John C. Krug and the ending of his employment with Miami Township effective at the close of business on June 28, 2013.



Mike R. Nolan, Trustee President

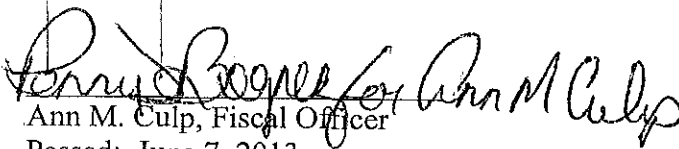


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: June 7, 2013
GTW:cde

RESOLUTION #89-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 4796 Lamme Rd., Dayton, Ohio 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

4796 Lamme

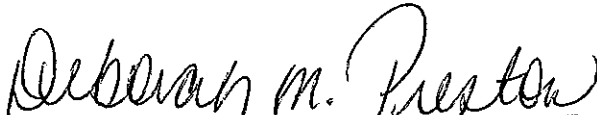
Parcel ID #K47 22901 0004

Forest and Mary Tomlinson-Deceased

4796 Lamme Rd.

Dayton, OH 45439

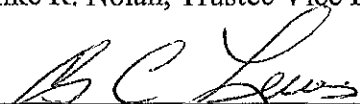
SIGNATURE PAGE FOR RESOLUTION #89-2013 ONLY



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #91-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6034 Second Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

6034 Second Ave.

Parcel ID #K50 18421 0013

Wells Fargo Bank, N.A.

c/o Litton Loan Servicing, LM-PM


4828 Loop Central Dr.

Houston, TX 77081-2226

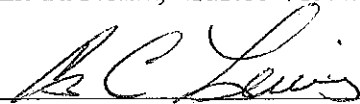
SIGNATURE PAGE FOR RESOLUTION #91-2013 ONLY



Deborah M. Preston, Trustee President

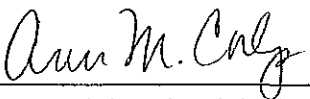


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

1

RESOLUTION #92-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6047 Second Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6047 Second Ave. (Vacant Lot)

Parcel ID #K50 18421 0106

Marcia Alexander

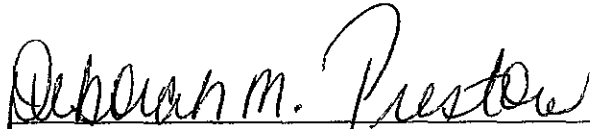
1090 Ware Farms Rd.

Spring City, TN 37381

Mortgage Company

None Known

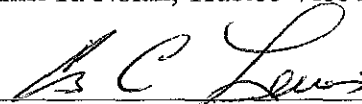
SIGNATURE PAGE FOR RESOLUTION #92-2013 ONLY



Deborah M. Preston, Trustee President



Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #93-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6032 Sixth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6032 Sixth Ave.

Parcel ID #K50 18421 0145

Carlo H. and Kathleen J. Wynne

6032 Sixth Avenue

Miamisburg, OH 45342

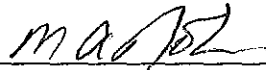
Mortgage Company

N/A

SIGNATURE PAGE FOR RESOLUTION #93-2013 ONLY



Deborah M. Preston, Trustee President

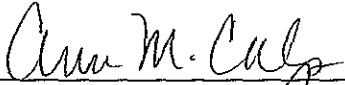


Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: May 28, 2013

GTW:rdp

RESOLUTION #94-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5410 S. Union Rd., Miamisburg, Ohio, 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5410 South Union Road

Parcel ID #K45 02511 0080

Thomas E. Thygerson (deceased)

5410 South Union Road

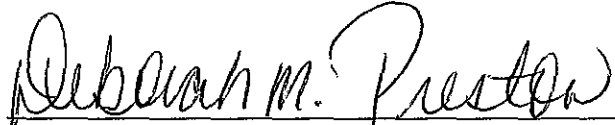
Miamisburg, OH 45342

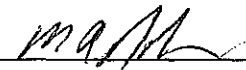
Mortgage Company

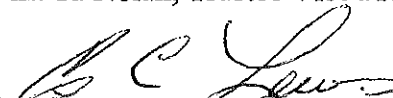
N/A

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

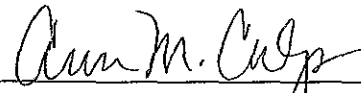
SIGNATURE PAGE FOR RESOLUTION #94-2013 ONLY


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

RESOLUTION #95-2013

**RESOLUTION TO AUTHORIZE EXECUTION OF A ROADWAY
SIGNAGE UPGRADE GRANT PROGRAM AGREEMENT**

- Whereas,** the National Transportation Act has made available certain Federal funding for use by local public agencies; and
- Whereas,** the Federal Highway Administration designated ODOT as the agency in Ohio to administer the Federal funding programs; and
- Whereas,** the Township received notification of eligibility and applied for grant funds to assist in upgrading roadway directional signage; and
- Whereas,** ODOT, through the Federal Signage Upgrade Project Grant Program has awarded Miami Township \$6,211.59, in grant funds for the purchase of roadway signage and materials; and


Therefore be it Resolved, the Miami Township Board of Trustees authorizes the Interim Township Administrator to execute all necessary documents to secure funds awarded through the Federal Signage Upgrade Project Grant Program.



Mike R. Nolan, Trustee President

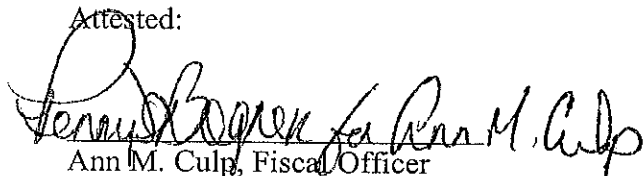


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 7, 2013

GTW:cde

RESOLUTION #96-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6029 Tenth Ave., Miamisburg, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on May 28, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on May 28, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

6029 Tenth Ave.

Parcel ID #K50 18422 0059
Alex/Susan Luken
6029 Tenth Ave.
Miamisburg, OH 45342


LIEN info

US Bank NA, Tr.
300 E Delaware Ave. 8th Fl
Wilmington, DE 19809


SIGNATURE PAGE FOR RESOLUTION #96-2013 ONLY



Deborah M. Preston, Trustee President




Mike R. Nolan, Trustee Vice President



Charles C. Lewis, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: May 28, 2013
GTW:rdp

RESOLUTION #97-2013

RESOLUTION TO ENTER INTO A CONTRACT FOR HEALTH INSURANCE

Whereas, the Board of Trustees, has given consideration to the health insurance renewal information presented to them at the last Board of Trustee's meeting; and

Whereas, due to the townships experience and the health insurance environment as a whole, the Human Resources Director is making the recommendation to accept Anthem's "no shop" rate for a healthcare plan with an 11.6% renewal rate; and

Whereas, non-union employee contribution rates will be 10% of the premium for this health plan year; and

Whereas, union employee contributions rates for premiums are based on union contracts; and

Whereas, Anthem's Lumenos HSA Option 51 Rx-9, annual premiums are:

Employee	\$5,997.00
Employee/Spouse	\$13,181.88
Employee/Child	\$10,123.44
Employee/Children	\$10,123.44
Family	\$18,513.48

Whereas, a renewal date of July 1, 2013, is the effective date; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the recommendation; and

Lastly Be It Resolved, the Miami Township Board of Trustees authorizes the Interim Township Administrator to enter into a contract with Anthem to institute the above insurance plan for the 7/1/2013 through 6/30/2014 plan year.


Deborah M. Preston, Trustee President


Mike R. Nolan, Trustee Vice President


Charles C. Lewis, Trustee

Attested:


Ann Culp, Fiscal Officer

Passed: May 28, 2013

GTW:cde

**BOARD OF TRUSTEES
MIAMI TOWNSHIP, MONTGOMERY COUNTY, OHIO**

RESOLUTION NO. 98.2013.

**RESOLUTION TO ABOLISH THE POSITION OF HUMAN RESOURCES DIRECTOR
AND TO IMPLEMENT A REDUCTION IN FORCE**

WHEREAS, the Board of Trustees of Miami Township, Montgomery County, Ohio, has established the position of Human Resources Director and has appointed Lisa deGuzman to this position;

WHEREAS, the Board of Trustees has determined that, due to changes in the operations of the Township, it is in the best interest of the Township to abolish the position of Human Resources Director.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Miami Township, Montgomery County, Ohio, that the position of Human Resources Director be eliminated effective May 28, 2013.

BE IT FURTHER RESOLVED that, due to the abolishment of the position of Human Resources Director, the employment of Lisa deGuzman be suspended effective immediately.

BE IT FURTHER RESOLVED that the Township Administrator is directed to take all action necessary to implement the reduction in force described in this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in these formal actions were in meetings open to the public and in compliance with the law.

Seconded by Mr. Charles Lewis.

Adopted this 28 day of May, 2013.

<u>Mike R. Nolan</u> Mike R. Nolan, President	<u>Yes</u> / No
<u>Charles C. Lewis</u> Charles C. Lewis, Vice President	<u>Yes</u> / No
<u>Deborah M. Preston</u> Deborah M. Preston, Trustee	<u>Yes</u> / No

ATTEST:

Ann M. Culp, Township Fiscal Officer

RESOLUTION #99-2013

RESOLUTION TO SELL PROPERTY TO A RETIRING EMPLOYEE

Whereas, Chief John C. Krug was approved for a service retirement by the Ohio Public Employee's Retirement System and the Miami Township Board of Trustees officially accepted Chief Krug's service retirement, and

Whereas, Chief John C. Krug has requested permission to purchase his Glock service weapon for \$100.00; and


Whereas, the Chief is specifically requesting to purchase a Glock Model 27, .40 Caliber, Serial #DZC949US; and

Whereas, the Board of Trustees has considered the Chief's request for the purchase of his service weapon for \$100.00; and

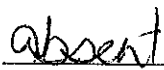
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the sale of a Glock service weapon with serial number DZC949US to Chief John C. Krug for the amount of \$100.00, and the sale is effective June 7, 2013.



Mike R. Nolan, Trustee President

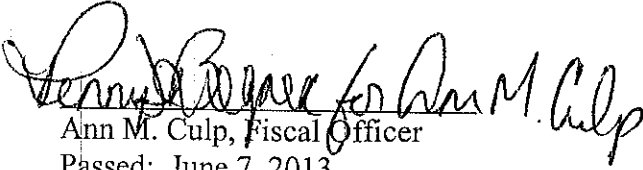


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: June 7, 2013
GTW:cde


RESOLUTION #100-2013

**RESOLUTION APPROVING AND AUTHORIZING THE EXTENSION OF
DEVELOPMENT AGREEMENT WITH CLIVUS DEVELOPMENT, LLC**

Whereas, the Miami Township Board of Trustees approved Resolution #90-2012 to authorize the execution and delivery of a Development Agreement by and between Miami Township (Montgomery County), Ohio and Clivus Development, LLC; and

Whereas, Clivus Development, LLC has requested to extend the agreement until December 31, 2013; and


Therefore, Be It Resolved, the Miami Township Board of Trustees extends for six (6) months the Development Agreement with Clivus Development, LLC as previously executed in Resolution #90-2012.



Mike R. Nolan, Trustee President

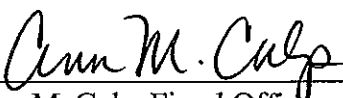


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: June 25, 2013
GSR:cde

RESOLUTION #101-2013

RESOLUTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR IT SERVICES

Whereas, Miami Township Police Department desires to enter into a Memorandum of Understanding for IT services; and

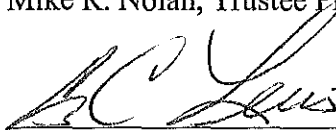
Whereas, those services include all IT maintenance and support; and

Whereas, The Miami Township Police Department has a received and reviewed a Memorandum of Understanding with Montgomery County Sheriff's Office IT Department to perform those services; and

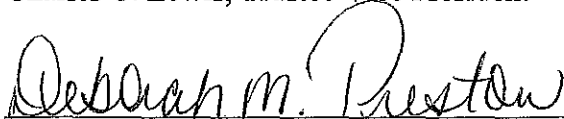
Now Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to execute the signed Memorandum of Understanding to secure IT services with Montgomery County Sheriff's Office IT Department.



Mike R. Nolan, Trustee President

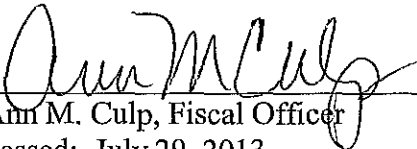


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:rdp

RESOLUTION #102-2013

**RESOLUTION TO DECLARE COMMUNICATION CENTER
FURNITURE AS SURPLUS PROPERTY AND AUTHORIZE THE SALE
OF SAID PROPERTY TO THE CITY OF BEAVERCREEK**

Whereas, the Ohio Revised Code Section 505.101 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles; and

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

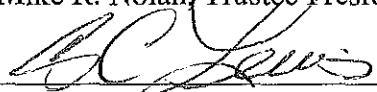
Whereas, Miami Township has a desire to sell its dispatch consoles which are no longer needed; and

Whereas, the City of Beavercreek wishes to purchase the dispatch consoles for a price of \$16,500.00; and


Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10 that the Miami Township Board of Trustees declares the dispatch consoles as surplus equipment and authorizes the dispatch consoles to be sold to the city of Beavercreek for \$16,500.00.



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:rdp

RESOLUTION #103-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 9533 COLEMAN RD., MIAMISBURG, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JUNE 25, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JUNE 25, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

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

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

9533 COLEMAN RD.
Parcel ID #K50 02508 0078
US BANK NA ND
205 W 4TH ST
CINCINNATI, OH 45202

Mortgage Company
SAME AS OWNER

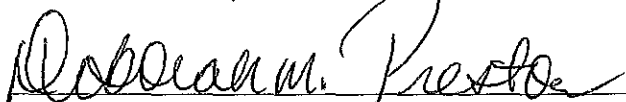
SIGNATURE PAGE FOR RESOLUTION #103-2013 ONLY



Mike R. Nolan, Trustee President

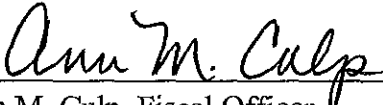


Charles C. Lewis, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION #104-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2147 KAJEAN AVE., DAYTON, OH 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JUNE 25, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JUNE 25, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

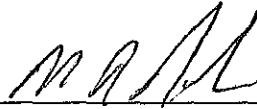
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within SEVEN (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within SEVEN (7) days of the date of the mailing of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

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

2147 KAJEAN AVE.
Parcel ID #K47 21210 0023
JO ANNE PINNEY
2147 KAJEAN AVE
DAYTON, OH 45439

Mortgage Company
NONE

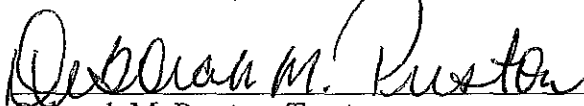
SIGNATURE PAGE FOR RESOLUTION #104-2013 ONLY



Mike R. Nolan, Trustee President

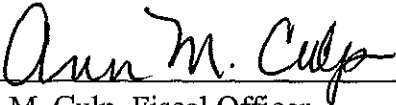


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION #105-2013

**RESOLUTION APPROVING THE PURCHASE OF ROAD
DE-ICING SALT FOR THE 2013-2014 WINTER SEASON**

Whereas, there is a need to purchase de-icing salt for the winter of 2013-2014; and


Whereas, requests for bids have been made through the Southwest Ohio Purchasers for Government (SWOP4G); and

Whereas, Miami Township has joined this bid for 3,000 tons of de-icing salt; and


Therefore Be It Resolved, the Miami Township Board of Trustees accepts the lowest and best bid from North American Salt Co. at \$51.94 per ton dumped at the Miami Township Public Works facility, 10891 Wood Road, Miami Township, Ohio 45342.



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:cde

RESOLUTION #106-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 9267 SAWGRASS DR., MIAMISBURG, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JUNE 25, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JUNE 25, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

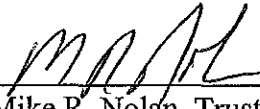
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within SEVEN (7) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within SEVEN (7) days of the date of the mailing of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

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

9267 SAWGRASS DR.
Parcel ID #K45 26625 0029
CITI MORTGAGE
1000 TECHNOLOGY DR
O'FALLON, MO 63368 MS 323

Mortgage Company
SAME AS OWNER

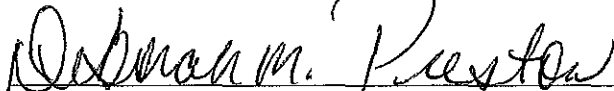
SIGNATURE PAGE FOR RESOLUTION #106-2013 ONLY



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION #107-2013

**RESOLUTION HIRING RONALD L. HESS AS
INTERIM CHIEF OF POLICE**

Whereas, Miami Township is in need of an Interim Chief of Police to serve while the Township conducts a search for a full-time Chief of Police; and

Whereas, the Board of Trustees desire to hire Ronald Hess to serve as Interim Chief of Police; and

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

1. Ronald Hess is hereby appointed to serve as Interim Chief of Police; and
2. Ronald Hess will be compensated at a rate of \$88,000 per year with all Township employee benefits; and
3. Ronald Hess will be required to pay the employee portion of OPERS at a rate of 10.1 percent; and
4. Ronald Hess will receive Township medical insurance at the non-union rate and HSA to be determined by the Board of Trustees; and
5. Ronald Hess will be provided a staff car; and
6. Ronald Hess will be provided standard Police Department uniform allowance; and
7. The period of employment shall commence June 26, 2013, and shall be on a month-to-month basis, or until a full-time Chief of Police is appointed, whichever occurs sooner.

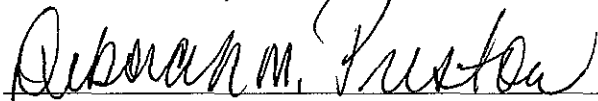
SIGNATURE PAGE FOR RESOLUTION #107-2013 ONLY



Mike R. Nolan, Trustee President

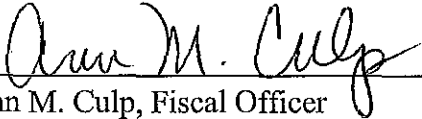


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GSR:cde

RESOLUTION #108-2013

**RESOLUTION TO ACCEPT THE DISABILITY RETIREMENT OF A
POLICE OFFICER**

- Whereas,** Officer Nancy J. Strobe has been an employee of the Miami Township Police Department since August 23, 2004; and
- Whereas,** Officer Nancy J. Strobe was approved for a disability retirement from the Ohio Public Employee's Retirement System on June 19, 2013; and
- Whereas,** Officer Nancy J. Strobe, was in a paid status when the Ohio Public Employee's Retirement System approved her disability retirement; and
- Whereas,** Officer Nancy J. Strobe is entitled to be paid for any unused leave she has accrued, according to the language of the current FOP Collective Bargaining Agreement, after returning all department owned equipment; and

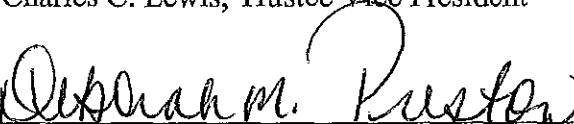
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the decision of the Ohio Public Employee's Retirement System and approves the disability retirement of Officer Nancy J. Strobe and the termination of her employment with Miami Township effective at the close of business on June 28, 2013.



Mike R. Nolan, Trustee President

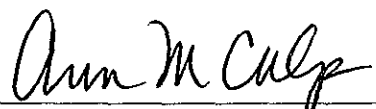


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: June 25, 2013
GTW:cde

RESOLUTION #109-2013

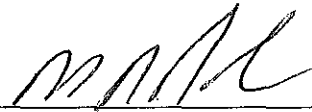
**RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE
ORDER FOR OFFICE TEAM FOR ADMININSTRATIVE SUPPORT
HELP**

Whereas, the Board of Trustees of Miami Township must, under O.R.C. 5705.41, execute a purchase order for the purchase of goods and/or services before said goods and/or services can be purchased for Miami Township; and

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

Whereas, the Miami Township Board of Trustees have authorized Office Team for administrative help during a transitional time in staffing; and

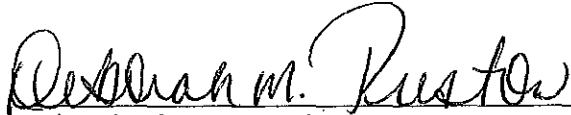
Therefore Be It Resolved, the Clerk/Treasurer of Miami Township certifies that both at the time of the making of the order, and the date of the execution of the order, the amount of \$527.00 to pay the order, has been appropriated for the purpose of this order.



Mike R. Nolan, Trustee President

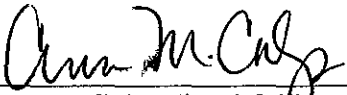


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION #110-2013

**RESOLUTION TO DECLARE AN AUTOMATED EXTERNAL
DEFIBRILLATOR AS SURPLUS AND AUTHORIZE THE DISPOSAL OF
SAID PROPERTY**

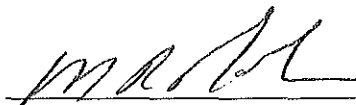
Whereas, the Ohio Revised Code Section 505.10 establishes procedures by which Miami Township can sell, trade-in, or dispose of Township-owned articles; and

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

Whereas, the Miami Township Police Department has a Powerheart automated external defibrillator, model #9200RD-001, serial #325000, MTPD #1902, that no longer works and is unable to be repaired; and

Whereas, the Chief of Police has recommended that the Powerheart automated external defibrillator be declared surplus and be disposed of and removed from the police department's inventory; and

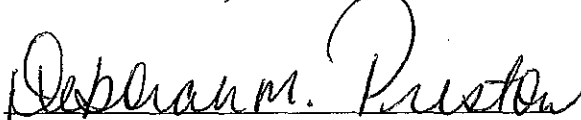
Therefore Be It Resolved, in accordance with the Ohio Revised Code Section 505.10 that the Miami Township Board of Trustees declares the automated external defibrillator as surplus property and approves of its disposal and removal from the police department's inventory.



Mike R. Nolan, Trustee President

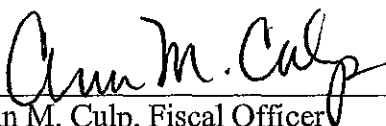


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION #111-2013

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

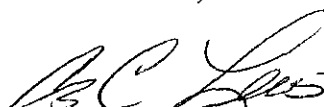
Whereas, the Board of Trustees has approved a high deductible health plan (HDHP) for the 2013/2014 plan year; and

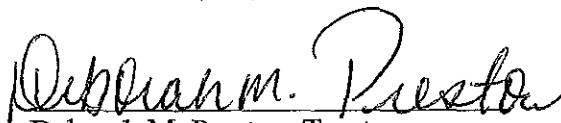
Whereas, the Board of Trustees, for this plan year, has agreed to contribute employer funded Health Savings Account (HSA) funds to non-union employees who are participating in the HDHP; and

Whereas, the Board of Trustees has agreed to contribute HSA funds to employees participating in the HDHP and who are covered by a collective bargaining agreement providing that the respective union representatives sign and thereby agree to a Memorandum of Understanding for the plan year; and


Therefore Be It Resolved, the Miami Township Board of Trustees agrees to sign the Memorandums of Understanding and authorize the Township Administrator to carry out those activities which will allow employees covered by FOP and OPBA collective bargaining agreements, providing the MOU's are agreed to by the respective union representatives, to earn and/or receive employer funded HSA funds for the 2013/2014 plan year.


Mike R. Nolan, Trustee President


Charles C. Lewis, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: June 25, 2013
GTW:rdp

RESOLUTION #112-2013

RESOLUTION TO AUTHORIZE THE FUNDING OF EMPLOYER HEALTH SAVINGS ACCOUNT (HSA) CONTRIBUTIONS

Whereas, the Miami Township Board of Trustees has, for the plan year of 07/01/2013 through 06/30/2014, agreed to fund HSA contributions for eligible employees and elected officials who participate in the Township's a high deductible health plan; and

Whereas, the Board of Trustees has agreed to fund employees and elected officials not covered by a collective bargaining agreement at a maximum contribution front load of \$2,000 for the Employee Only Plan Level and at \$4,000 for the following Plan Levels: Employee + Spouse, Employee Plus Child(ren), and Employee Plus Family; and

Whereas, the Board of Trustees has agreed that any employee (new or current), who joins the insurance within the plan year will receive a prorated front load portion for the plan they enroll in and that amount will be \$166.67 per remaining month for the Employee Only Plan Level and \$333.33 per remaining month for the following Plan Levels: Employee + Spouse, Employee Plus Child(ren), and Employee plus Family; and

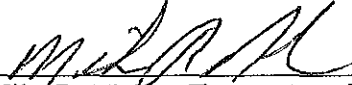
Whereas, the Board of Trustees has agreed to fund employees covered by a collective bargaining agreement as outlined for non-union employees and providing that the respective union agrees to and signs off on a Memorandum of Understanding; and

Whereas, the HSA Employer Contribution funds, up to the maximum allowed by the HSA calendar year, will be distributed by the end of the first full payroll following the health plan year effective date of 7/1/2013, (if the employee has reached his/her allowable maximum for 2013, the remainder of the HSA Employer Contribution will be deposited in the first full payroll following 1/1/2014); and

Whereas, the Employer HSA Contribution is not an entitlement of any eligible non-union or union employee or elected official, and is a benefit only for this plan year and the Township reserves the right to change whether or not it funds HSA dollars and how they may be deposited or earned; and

Therefore Be It Resolved, the Miami Township Board of Trustees has considered and supports the funding of HSA contributions as outlined above and directs the Finance Department, to proceed as necessary to ensure the HSA contributions are addressed appropriately.

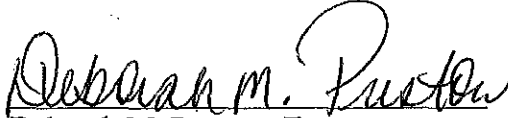
SIGNATURE PAGE ONLY FOR RESOLUTION #112-2013



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Trustee



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

PDB:rdp

RESOLUTION #113-2013

RESOLUTION HIRING A FINANCE DIRECTOR

Whereas, Miami Township has a vacancy for the position of Finance Director; and

Whereas, the Board of Trustees desires to hire a Finance Director; and

Whereas, Ann Culp, Fiscal Officer is recommending Harry Steger to fill this position; and

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

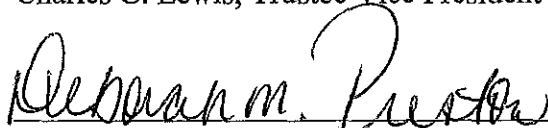
1. The hiring of Harry Steger as Finance Director; and
2. The starting annual salary shall be \$77,130.00; and
3. The period of employment shall commence under the direction of the Fiscal Officer.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

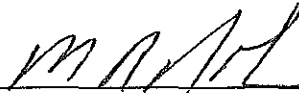
GTW:cde

RESOLUTION #114-2013

**A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR
TO ENTER INTO A CONTRACT FOR WEBSITE SERVICES**

- Whereas,** Miami Township has a need to provide web services to its residents; and
- Whereas,** Miami Township has a website at www.miamitownship.com that provides information and services to the residents and businesses of the Township; and
- Whereas,** Miami Township has a need to upgrade and improve the website services provided to the residents and businesses to supply consistent, easy, and quick dissemination of information; and
- Whereas,** CivicPlus, a web development firm that specializes in government websites throughout the United States, has provided a proposal and contract for consideration; and
- Whereas,** After careful review of multiple web service providers CivicPlus was determined to meet all requirements of the Township; and
- Whereas,** Miami Township would like to enter into a contract with CivicPlus to provide website services at a cost of \$11,372 per year for three (3) years; and
- Therefore Be It Resolved,** by the Board of Trustees of Miami Township, Montgomery County, Ohio that the Miami Township Board of Trustees authorizes the Township Administrator to take the necessary steps to execute a three (3) year contract beginning July 1, 2013 and ending June 30, 2016 with CivicPlus.

SIGNATURE PAGE FOR RESOLUTION #114-2013 ONLY



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: June 25, 2013

GTW:cde

RESOLUTION # 115-2013

**RESOLUTION TO CHANGE A ZONING DISTRICT AND ADOPT A
FINAL DEVELOPMENT PLAN FOR ZONING CASE #414-13**

Whereas, Zoning Case #414-13, filed by Flywheel, LLC proposes a change of zoning district from the "PD-5" Planned Mixed-Use District to the "PD-5" Planned Mixed-Use District and adoption of a final development plan and development standards; and

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

Whereas, the Trustees have made certain Findings of Fact based upon the evidence presented; and

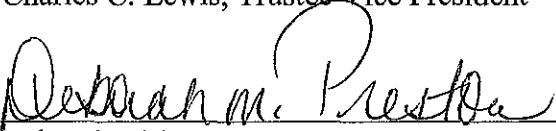
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES Zoning Case #414-13 and the Rezoning and Final Development Plan and development standards and UPHOLDS the Zoning Commission recommendation for Zoning Case #414-13.



Mike R. Nolan, Trustee President

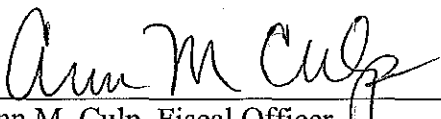


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:rdp

RESOLUTION #116-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2160 BLANTON DR., MIAMISBURG, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on July 29, 2013, beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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


2160 BLANTON DR.

Parcel ID #K45 18824 0010
STEVA D SHEPHERD
1515 N MAIN ST
Dayton, OH 45405


LIEN info

TAX EASE OHIO, LLC
14901 QUORUM DR #900
DALLAS, TX. 75254

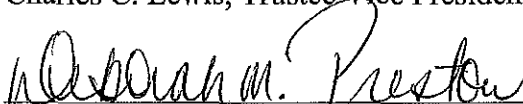
SIGNATURE PAGE FOR RESOLUTION #116-2013 ONLY



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:rdp

RESOLUTION #117-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2175 Bushwick Dr., Dayton, Ohio 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on July 29, 2013, beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

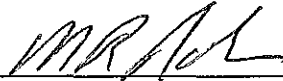
Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

2175 Bushwick Dr.
Parcel ID #K47 22904 0038
Don T. Zimmerman
1360 Courtyard Pl.
Dayton, OH 45458

LIEN info
I.R.S.
200 W. 2nd St.
Dayton, OH 45402

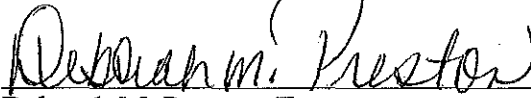
SIGNATURE PAGE FOR RESOLUTION #117-2013 ONLY



Mike R. Nolan, Trustee President

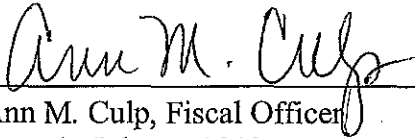


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:rdp

RESOLUTION #118-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 9174 South River Rd., Miamisburg, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JULY 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JULY 29, 2013 beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

9174 South River Rd.

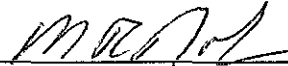
Parcel ID #K45 02614A0069

Timothy A. White

9174 South River Rd.

Miamisburg, OH. 45342

SIGNATURE PAGE FOR RESOLUTION #118-2013 ONLY



Mike R. Nolan, Trustee President

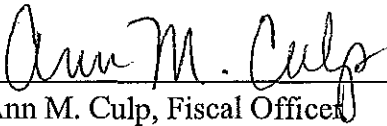


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:rdp

RESOLUTION #119-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6047 Second Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JULY 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JULY 29, 2013, beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6047 Second Ave. (Vacant Lot)

Parcel ID #K50 18421 0106

Marcia Alexander

1090 Ware Farms Rd.

Spring City, TN 37381

Mortgage Company

None Known

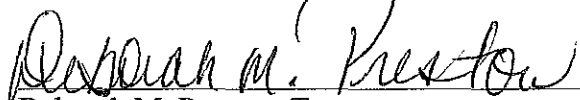
SIGNATURE PAGE FOR RESOLUTION #119-2013 ONLY



Mike R. Nolan, Trustee President

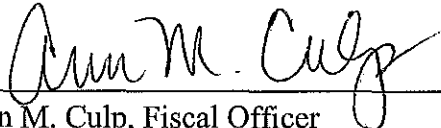


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:rdp

RESOLUTION #120-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

Whereas, the Miami Township Board of Trustees is authorized, by Section 505.871 of the Ohio Revised Code, to provide for the abatement, control or removal of junk motor vehicle(s) from land in the Township; and

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 9174 S RIVER RD., MIAMISBURG, Ohio 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JULY 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JULY 29, 2013, beginning at 9:00 A.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance, storage and keeping of the junk motor vehicle(s) at the above property constitutes a nuisance; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within fourteen (14) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within fourteen (14) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within fourteen (14) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

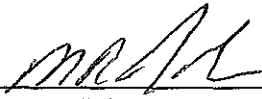
Address

Parcel ID #K45 02614A0069
Timothy A. White
9174 S. River Road
Miamisburg, OH 45342

Mortgage Company

N/A

SIGNATURE PAGE FOR RESOLUTION #120-2013 ONLY



Mike R. Nolan, Trustee President

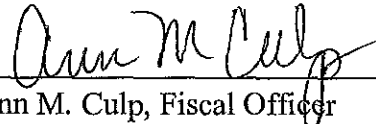


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:rdp

RESOLUTION #121-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 5410 S. Union Rd., Miamisburg, Ohio, 45342, in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on JULY 29, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on JULY 29, 2013, beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

5410 South Union Road

Parcel ID #K45 02511 0080

Thomas E. Thygerson (deceased)

5410 South Union Road

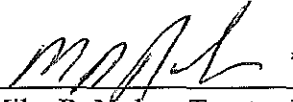
Miamisburg, OH 45342

Mortgage Company

N/A

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

SIGNATURE PAGE FOR RESOLUTION #121-2013 ONLY



Mike R. Nolan, Trustee President

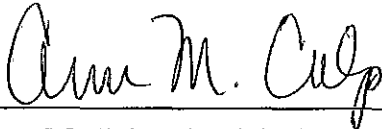


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:rdp

RESOLUTION #122-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

- Whereas,** the Miami Township Board of Trustees is authorized, by Section 505.87 of the Ohio Revised Code, to provide for the abatement, control or removal of vegetation, garbage, refuse, and other debris from land in the Township; and
- Whereas,** the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2460 WINDSOR VILLAGE DR., MIAMISBURG, OH 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on July 29, 2013; and
- Whereas,** the Miami Township Board of Trustees conducted said public hearing on July 29, 2013, beginning at 9:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and
- Whereas,** after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

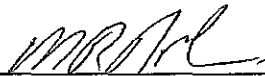
2460 WINDSOR VILLAGE DR.

Parcel ID #K45 28308 0018
ROBERT E STILL, JR
2460 WINDSOR VILLAGE DR
MIAMISBURG, OH 45342


LIEN info

MORTGAGE LENDERS NETWORK
132 WELSH RD #100
HORSHAM, PA 19044

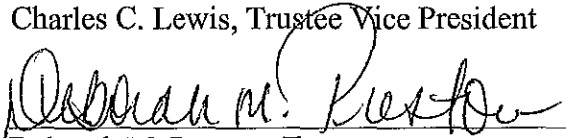
SIGNATURE PAGE FOR RESOLUTION #122-2013 ONLY



Mike R. Nolan, Trustee President

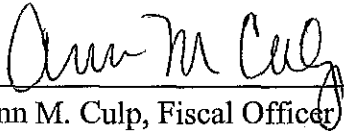


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:rdp

RESOLUTION #123-2013

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ENGAGEMENT LETTER WITH ROETZEL & ANDRESS

- Whereas,** Miami Township (Montgomery County), Ohio (the “Township”) requires the services of nationally recognized bond counsel from time to time in connection with the issuance of obligations and in connection with Township new economic development activities; and
- Whereas,** Roetzel & Andress is a nationally recognized bond counsel firm and has extensive experience with private-public and economic projects and developments and Township activities; and
- Whereas,** this Board desires to retain Roetzel & Andress to provide legal services with respect to providing assistance to Township new economic development activities; and

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

- Section 1. It is in the best interests of the Township to retain Roetzel & Andress to provide legal services in connection with the terms and conditions set forth in the engagement letter now on file with this Board.
- Section 2. All formal actions of this Board concerning and relating to the adoption of this resolution, and all deliberations of this Board or any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.
- Section 3. This resolution shall be in full force and effect immediately upon its adoption.

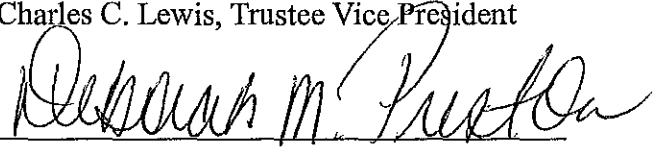
SIGNATURE PAGE ONLY TO RESOLUTION #123-2013



Mike R. Nolan, Trustee President

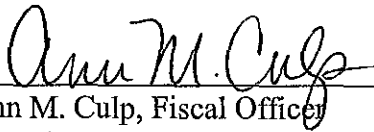


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: July 29, 2013

GSR:cde

RESOLUTION #124-2013

**RESOLUTION APPROVING AND AUTHORIZING THE EXTENSION OF
DEVELOPMENT AGREEMENT WITH CLIVUS DEVELOPMENT, LLC**


Whereas, the Miami Township Board of Trustees approved Resolution #90-2012 to authorize the execution and delivery of a Development Agreement by and between Miami Township (Montgomery County), Ohio and Clivus Development, LLC; and

Whereas, Clivus Development, LLC has requested to extend the agreement until June 30, 2014; and

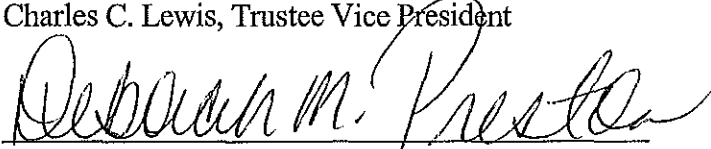
Therefore, Be It Resolved, the Miami Township Board of Trustees extends for twelve (12) months the Development Agreement with Clivus Development, LLC as previously executed in Resolution #90-2012.



Mike R. Nolan, Trustee President

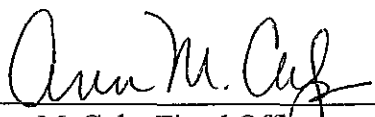


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:cde

RESOLUTION #125-2013

**A RESOLUTION ACCEPTING FOUR (4) STREETS IN THE EXCHANGE
SUBDIVISION, FOR TOWNSHIP MAINTENANCE AND POSTING A
SPEED LIMIT**

Whereas, four (4) streets in the Exchange subdivision have been operational and whereas the Miami Township Board of Trustees has given it's approval and has had several conversations with the owner's of the Exchange; and

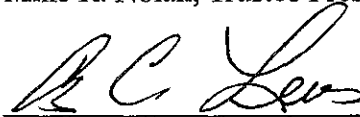
Therefore Be It Resolved, the Miami Township Board of Trustees accept the following streets and road improvements for township maintenance, and keep a current posted speed limit of 25 M.P.H.

1. Market Place Drive
2. Commerce Blvd.
3. Venture Loop
4. Exchange Place Blvd.


Approx. total of 4000 LF



Mike R. Nolan, Trustee President

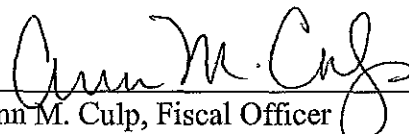


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: July 29, 2013
GSR:cde

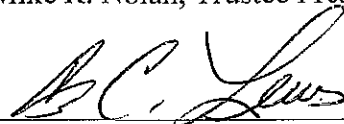
RESOLUTION #126-2013

**RESOLUTION TO APPOINT AUSTIN CENTER
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**

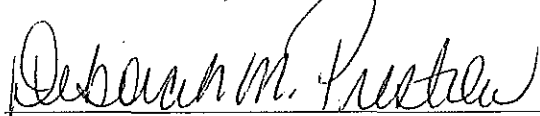
- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #100-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Austin Center JEDD Board; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Tracy Williams was appointed on May 14, 2013 to represent Miami Township on the Austin Center JEDD Board during Greg Rogers leave; and
- Whereas,** Greg Rogers has returned from leave and is able to perform duties of office for the Austin Center JEDD Board; and
- Whereas,** it is the recommendation of the Austin Center JEDD Board to replace Tracy Williams with the appointment of Greg Rogers to serve the balance of the unexpired term through August 31, 2015; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Greg Rogers to represent Miami Township on the Austin Center JEDD Board as required by contract effective immediately.



Mike R. Nolan, Trustee President

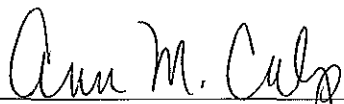


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:sld

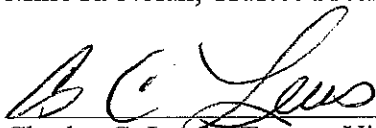
RESOLUTION #127-2013

**RESOLUTION TO APPOINT MIAMI TOWNSHIP-DAYTON MALL
JOINT ECONOMIC DEVELOPMENT DISTRICT BOARD MEMBER**


- Whereas,** the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #94-2009; and
- Whereas,** under the approved contract the Miami Township Board of Trustees is responsible for appointing a member to the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** the Joint Economic Development District must have one member representing the township, pursuant to ORC Section 715.78 (A); and
- Whereas,** Tracy Williams was appointed on May 28, 2013 to represent Miami Township on the Miami Township-Dayton Mall JEDD Board during Greg Rogers leave; and
- Whereas,** Greg Rogers has returned from leave and is able to perform duties of office for the Miami Township-Dayton Mall JEDD Board; and
- Whereas,** it is the recommendation of the Miami Township-Dayton Mall JEDD Board to replace Tracy Williams with the appointment of Greg Rogers to serve the balance of the unexpired term through August 13, 2016; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees appoints Greg Rogers to represent Miami Township on the Miami Township-Dayton Mall JEDD Board as required by contract effective immediately.



Mike R. Nolan, Trustee President

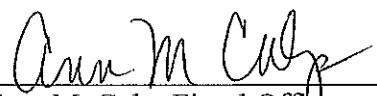


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:sld

RESOLUTION # 128-2013

**RESOLUTION TO AUTHORIZE THE COSTS AND EXPENSES OF A
LIGHTING DISTRICT TO BE ASSESSED AS PROVIDED FOR UNDER
THE OHIO REVISED CODE CHAPTER 515**

Whereas, The **Austin Landing Lighting District** consists of the following parcels:
K45 02606 0091, K45 02605 0065, K45 02605 0084, K45 02605 0083, K45
02605 0090, K45 02605 0091, K45 02605 0093, K45 02605 0094, K45 02605
0097, K45 02605 0098, K45 02605 0099, K45 02605 0100, K45 02605 0101,
K45 02605 0102, K45 02605 0103, K45 02605 0108, K45 02605 0109, K45
02605 0110, K45 02605 0111; and

Whereas, Light Source AL, Ltd., will be under contract to provide, infrastructure, power
and maintenance for the Austin Landing Lighting District; and

Whereas, the Austin Landing Lighting District will be contracted; and

Therefore Be It Resolved, the Miami Township Board of Trustees, Miami Township,
Montgomery County, State of Ohio:

“that in order to pay for the costs and expenses of furnishing and maintaining the
street lights for said unincorporated district under said contract, and the
proceedings in relation thereof, there is hereby levied and specially assessed on
benefit basis, against the following lots and each of them in said contract, the
amount as noted per parcel below:

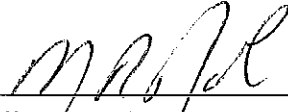
K45 02606 0091 \$242.83
K45 02605 0065 \$32,152.82
K45 02605 0084 \$2,255.63

K45 02605 0083 \$6,886.48
K45 02605 0090 \$3,350.42
K45 02605 0091 \$5,309.09
K45 02605 0093 \$2,088.41
K45 02605 0094 \$2,638.70
K45 02605 0097 \$3,952.33
K45 02605 0098 \$20,588.34
K45 02605 0099 \$613.09
K45 02605 0100 \$349.59
K45 02605 0101 \$7,507.58
K45 02605 0102 \$3,372.37
K45 02605 0103 \$10,007.32
K45 02605 0108 \$5,908.99
K45 02605 0109 \$2,452.75

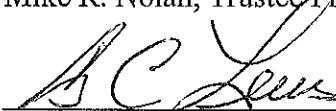
SIGNATURE PAGE FOR RESOLUTION #128-2013

K45 02605 0110 \$503.11
K45 02605 0111 \$400.06

, subject to contracted agreement.



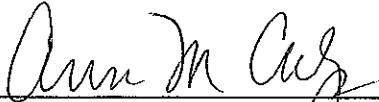
Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 10, 2013

GSR:rdp

RESOLUTION #129-2013

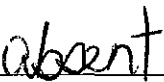
**RESOLUTION TO AUTHORIZE A CONTRACT FOR A
VOLUNTARY DENTAL PLAN**

- Whereas,** Miami Township provides an avenue for its employees to take advantage of dental coverage by administering a voluntary dental program; and
- Whereas,** the voluntary dental program premiums are paid for, in whole, by participating employees and Miami Township makes no financial contribution to the premiums; and
- Whereas,** Administrative staff and our agent from McGohan Brabender, have reviewed several quoted and proposed rates for the coming year and is making the recommendation to change providers to Dental Care Plus; and
- Whereas,** Dental Care Plus has offered a rate 2.91% less than our current provider, while offering the same available benefits; and

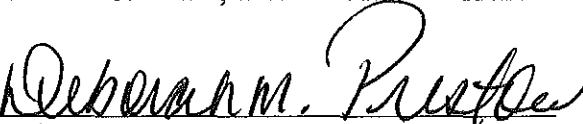
Therefore be it Resolved, the Miami Township Board of Trustees authorizes Assistant Township Administrator Greg Rogers to sign a contract providing voluntary dental insurance for the 2013/2014 plan year with Dental Care Plus.



Mike R. Nolan, Trustee President

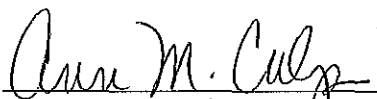


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 24, 2013
GSR:rdp


RESOLUTION #130-2013

**RESOLUTION TO ACCEPT RESIGNATION OF AN
ADMINISTRATIVE ASSISTANT**

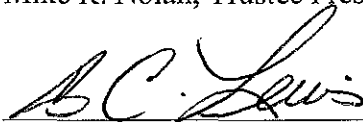
Whereas, Carrie Edmondson has been a part-time Administrative Assistant in the Administration Department since March 26, 2013; and

Whereas, Carrie has decided to resign her position with the township; and

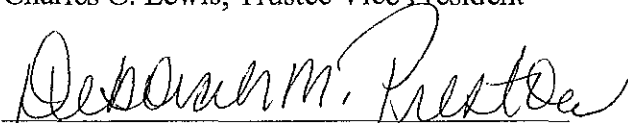
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Carrie Edmondson, and termination of her employment is effective August 30, 2013 at 5:00 p.m.



Mike R. Nolan, Trustee President

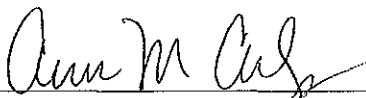


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 3, 2013

GSR:cde

RESOLUTION #131 -2013

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

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

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

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

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

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



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:sld

RESOLUTION #132-2013

RESOLUTION TO ACCEPT THE RESIGNATION OF A BOARD OF ZONING APPEALS MEMBER

Whereas, Michael Pothast has served on the Miami Township Board of Zoning Appeals since 2007 as regular member; and


Whereas, Michael Pothast has served Miami Township in good stead as a Board of Zoning Appeals member; and

Whereas, Michael Pothast has given notice that he will resign his position, effective immediately; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Michael Pothast, and termination of his appointment as a regular member is effective September 10, 2013.



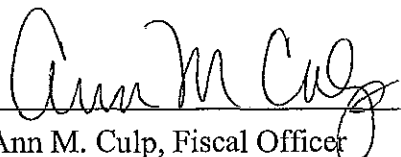
Michael R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 10, 2013
GSR:rdp

RESOLUTION #133-2013

**RESOLUTION TO APPOINT ROSS, SINCLAIRE & ASSOCIATES, LLC
TO CLIVIS PROJECT**

WHEREAS, the Board Of Trustees of Miami Township appoint Ross, Sinclair & Associates, LLC, Columbus, Ohio to the Clivis project; and

WHEREAS, the Board desires to retain Ross, Sinclair & Associate to provide Clivis services to the Township; and

SECTION 1. That Ross, Sinclair & Associates, LLC, is hereby retained to purchase and resell said bonds and notes, if any, issued in anticipation thereof on behalf of the Board of Trustees for a terms of rates, yields and price as agreed upon.


SECTION 2. That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Trustees; and that all deliberations of this Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

THEREFORE BE IT RESOLVED, the Miami Township Board of Trustees appoint Ross, Sinclair & Associates, LLC, to the Clivis project and authorizes the Assistant Township Administrator to execute the letter of engagement.

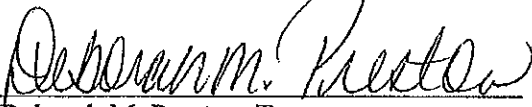
SIGNATURE PAGE FOR RESOLUTION #133-2013



Mike R. Nolan, Trustee President

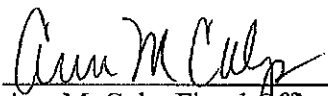


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:rdp

RESOLUTION #134-2013

RESOLUTION APPOINTING UNDERWRITER

WHEREAS, the Board of Trustees of Miami Township appoint Ross, Sinclair & Associates, LLC as sole underwriter and placement agent; and

WHEREAS, Ross, Sinclair & Associates As Underwriter/Placement Agent to the Issuer pursuant to this Letter Agreement, RSA will provide the services necessary to assist the Issuer with the above referenced Transaction. These services may include; and

1. Meeting with management of the Township, its Officers and employees, as necessary, to determine the scope and structure of the Notes and Bonds
2. Assisting the Issuer in preparation of an investment memorandum or offering document to be used in connection with the placement of any securities
3. Identifying and screening prospective investors
4. Contacting prospective investors
5. Arranging presentations to prospective investors
6. Working with the Issuer and other designated participants on the various details necessary to complete the Transaction
7. Providing such structuring advice and services as the Issuer may reasonably require
8. Assist in future tranche financings

WHEREAS, RSA's compensation for of acting as Underwriter/Placement Agent to the Issuer pursuant to this Letter Agreement shall initially be \$5,000.00 per month for the initial eight months for an aggregate total of \$40,000.00 ("Retainer Fee") for the initial services provided by RSA, involved in determining the scope and structure of the Transaction and conducting initial due diligence necessary to move forward with the Transaction ("Initial Services"). The monthly Retainer Fee amount of \$5,000.00 is due to RSA by the Issuer on the first day of each month. Upon a successful sale and placement of the Bonds or a successful completion of the Transaction RSA will be paid a transaction fee (the "Transaction Fee"), which will be paid from the proceeds of the Bonds. The Transaction Fee is equal to Two Percent (2.0%) of the gross, or par, amount of the Transaction. The Transaction Fee will be due and payable upon the closing of the Transaction concerning the Bonds, and prior to the disbursement of proceeds to the Issuer. The fees for the Initial Services may be taken into account as a credit against RSA's Transaction Fee.

WHEREAS, In addition, the Issuer shall reimburse RSA for all necessary and reasonable out-of-pocket expenses incurred in connection with the Transactions under this Letter

Agreement (including travel, lodging, data processing and communication charges, and all other necessary expenditures) (collectively, "Expenses") not to exceed \$8,000.00, payable at the closing of the Bonds.

WHEREAS, RSA has been retained under this Letter Agreement as an independent contractor with duties owed solely to the Issuer. The advice (written or oral) rendered by RSA pursuant to this Letter Agreement is intended solely for the benefit and use of the Issuer in considering the matters to which this Letter Agreement relates, and the Issuer agrees that such advice may not be relied upon by another person, used for any other purpose or reproduced, disseminated, quoted or referred to at any time, in any manner or for any purpose, nor shall any public references to RSA be made by the Issuer, without the prior written consent of RSA, which consent shall not be unreasonably withheld.

WHEREAS, The Issuer agrees to provide to RSA the necessary assistance and information and have management available to RSA as required to enable RSA to perform RSA's duties under this Letter Agreement. RSA will be entitled to rely on information provided by the Issuer and its directors, officers, employees, counsel, accountants and/or other designated participants and may assume the accuracy and completeness of such information, without any obligation to attempt to independently verify any of such information. The Issuer agrees that information provided to RSA and the contents of any disclosure documents used in connection with the Transaction will not intentionally contain any untrue or misleading statements of a material fact or intentionally omit to state a material fact required or necessary to make the information provided not misleading.

WHEREAS, The Issuer agrees to indemnify and hold RSA harmless in accordance with the terms set forth in Schedule I attached hereto.

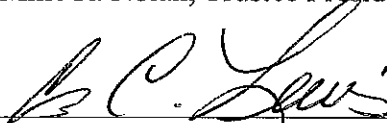
WHEREAS, This Letter Agreement shall be deemed made in Ohio and shall be governed by and construed in accordance with the laws of the State of Ohio, without giving effect to such state's rules concerning conflicts of laws.

THEREFORE BE IT RESOLVED, the Miami Township Board of Trustees appoints Ross, Sinclair & Associates, LLC as sole underwriter and placement agent effective immediately and authorizes the Assistant Township Administrator to execute the letter of engagement.

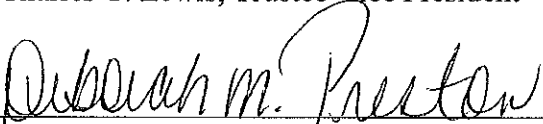
SIGNATURE PAGE FOR RESOLUTION #134-2013



Mike R. Nolan, Trustee President

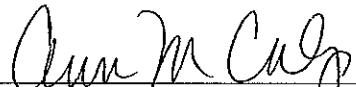


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:rdp

RESOLUTION #135-2013

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

Whereas, the Miami Township Board of Trustees approved a Joint Economic Development District (JEDD) with Resolution #135-2005; and

Whereas, under the approved contract the Miami Township Board of Trustees is responsible for appointing members to the Miami Township-Dayton Joint Economic Development District; and

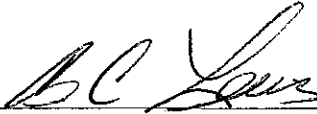
Whereas, Greg Rogers was appointed to represent persons working within the district on the JEDD Board pursuant to ORC Section 715.78 (A)(1)(d) and has served two (2) consecutive terms which will expire on September 9, 2013; and

Whereas, it is the recommendation of the Assistant Township Administrator to appoint Harry Steger to represent persons working within the district on the JEDD Board; and

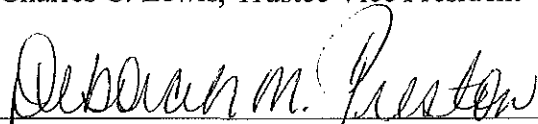
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Harry Steger, to represent persons working within the district on the Miami Township-Dayton JEDD Board, as required by contract, effective September 9, 2013.



Mike R. Nolan, Trustee President

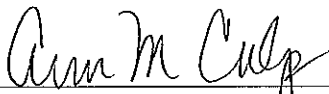


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 3, 2013

GSR:sld

RESOLUTION 136-2013

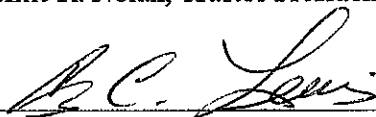
RESOLUTION TO PARTICIPATE IN THE BWC GROUP RATING PROGRAM FOR 2014 ADMINISTERED BY FRANK GATES

- Whereas,** Miami Township's Bureau of Workers' Compensation experience will allow the Township to participate in BWC Group Rating Program; and
- Whereas,** the Assistant Township Administrator has held meetings with Frank Gates representative to discuss claims experience, group participation, and the Group Rating Program; and
- Whereas,** the BWC requires a third party administrator to administer the Group Rating Program; and
- Whereas,** the Assistant Township Administrator and the Finance Director has recommended that the Township enroll in the BWC Group Rating Program; and

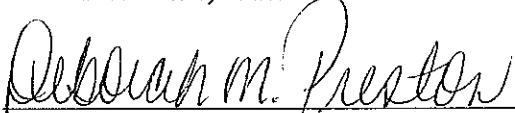
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to execute the necessary documents and distribute the necessary finances that will result in a contract with Frank Gates, for \$8,075.00 for administration of the Group Rating Program and secure these services for contract year 2014.



Mike R. Nolan, Trustee President

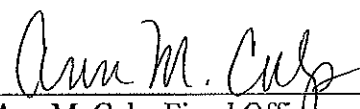


Charles C. Lewis, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:rdp

RESOLUTION # 137-2013

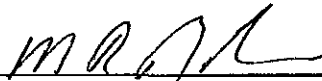
**RESOLUTION TO AUTHORIZE THE COSTS AND EXPENSES OF A
LIGHTING DISTRICT TO BE ASSESSED AS PROVIDED FOR UNDER THE
OHIO REVISED CODE CHAPTER 515**

Whereas, The Miami Valley Chautauqua Lighting District, established by Resolution #27-85, consists of the following subdivisions: Miami Valley Chautauqua, Wills, Kruse, and Gross Acres, plus an unplatted lot on parcel K50-25-9-37; and

Whereas, Duke Energy provides power and maintenance for the Miami Valley Chautauqua Lighting District; and

Therefore Be It Resolved, that the Miami Township Board of Trustees, Miami Township, Montgomery County, State of Ohio states:

“that in order to pay for the costs and expenses of furnishing and maintaining the street lights for said unincorporated district, and the proceedings in relation thereof, there is hereby levied an specially assessed on benefit basis, against the following lots, the amount of \$31.56 per lot. See attached documents: Duke Energy spreadsheet and parcel identifications for this lighting district.”



Michael R. Nolan, Trustee President

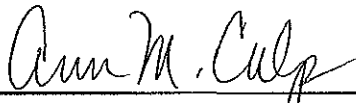


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 3, 2013
GSR:rdp

RESOLUTION #138-2013

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

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

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

Whereas, Michael Pothast is qualified and interested in becoming an alternate member;
and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints Michael Pothast to serve on the Zoning Commission as an alternate member, ending December 31, 2013, effective September 10, 2013.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 10, 2013

GSR:rdp

RESOLUTION #139-2013

**RESOLUTION TO APPOINT A
BOARD OF ZONING APPEALS MEMBER**

Whereas, the Board of Zoning Appeals is made up of five members and one alternate; and

Whereas, the Board currently has a vacancy for a full member; and

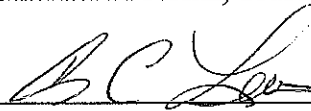
Whereas, John Broz has expressed an interest to serve the Board as a full member; and

Whereas, the Planner has made a recommendation to the Board of Trustees; and

Therefore Be It Resolved, the Miami Township Board of Trustees appoints John Broz to the position of full member of the Board of Zoning Appeals, with a term ending December 31, 2013 effective September 10, 2013.



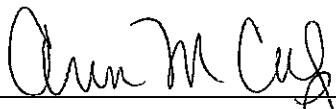
Michael R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President

Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 10, 2013
GSR:rdp

RESOLUTION #140-2013

**RESOLUTION TO ACCEPT RESIGNATION OF AN
ADMINISTRATIVE ASSISTANT**


Whereas, Rachel Palcic has been a part-time Administrative Assistant in the Administration Department since April, 2013; and

Whereas, Rachel has decided to resign from her position with the township; and

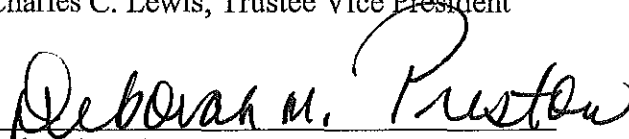
Therefore Be It Resolved, the Miami Township Board of Trustees accepts the letter of resignation from Rachel Palcic, and termination of her employment is effective October 3rd, at 5:00 p.m.



Mike R. Nolan, Trustee President

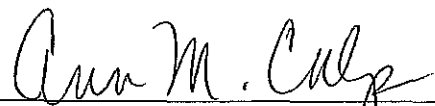


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 24, 2013
GSR:rdp

RESOLUTION #141-2013

**RESOLUTION TO ACCEPT THE RESIGNATION OF A ZONING
COMMISSION MEMBER**

Whereas, Kathleen Rosenberg has served on the Miami Township Zoning Commission since 2007 as a regular member; and

Whereas, Kathleen Rosenberg has served Miami Township in good stead as a Zoning Commission member; and

Whereas, Kathleen Rosenberg has given notice that she will resign her position, effective immediately; and

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the resignation of Kathleen Rosenberg, and termination of her appointment as a regular member is effective September 24, 2013.



Michael R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 24, 2013

GSR:rdp

RESOLUTION #143-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 2175 Bushwick Dr., Dayton, Ohio 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013; and

Whereas the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

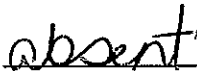
2175 Bushwick Dr.
Parcel ID #K47 22904 0038
Don T. Zimmerman
1360 Courtyard Pl.
Dayton, OH 45458

LIEN info
I.R.S.
200 W. 2nd St.
Dayton, OH 45402

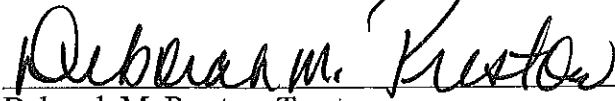
SIGNATURE PAGE FOR RESOLUTION #143-2013 ONLY



Mike R. Nolan, Trustee President

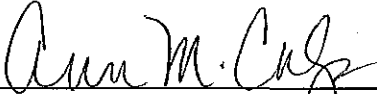


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: SEPTEMBER 24, 2013

GSR:rdp

RESOLUTION #144-2013

RESOLUTION TO ACCEPT THE AMOUNTS AND RATES, AS DETERMINED BY THE BUDGET COMMISSION, AND TO AUTHORIZE THE NECESSARY TAX LEVIES, AND TO CERTIFY THEM TO THE COUNTY AUDITOR

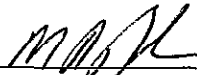
Whereas, the Board of Trustees of Miami Township, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2014; and

Whereas, the Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by the Board, and what part thereof is without, and what part within, the ten (10) mill tax limitation; and


Therefore Be It Resolved, by the Board of Trustees of Miami Township, Montgomery County, Ohio, the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and

Be It Further Resolved, there be and hereby is levied on the tax duplicate of said Township, the rate of each tax necessary to be levied within and without the ten (10) mill limitation, as listed on the attached documents; and

Be It Further Resolved, the Fiscal Officer of this Board be and hereby is directed to certify a copy of the Resolution to the County Auditor of Montgomery County.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: October 8, 2013

GSR:rdp

Tax Year 2013/2014

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(Board of Township Trustees)

Revised Code, Secs, 5705.34 - 5705.35

The Board of Trustees of _____ Township, Montgomery County, Ohio met in _____ session on the _____ day of _____ 2013, at the office of _____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Board of Trustees of _____ Township accordance with the provisions of law, has previously adopted Tax Rates for the next succeeding fiscal year commencing January 1st, 2014; and

WHEREAS, The Budget Commission of Montgomery County, Ohio, has certified its action thereon to this Board, together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Board of Trustees of _____ Township, Montgomery County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

Miami Township - Tax Year 2013/2014

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved By Budget Commission Inside 10 M. Limitation	Amount To Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate To Be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
Miami Township - Tax Year 2013/2014	Column I	Column II	III	IV
General Fund.....	178,141		0.18	
Road and Bridge.....	1,337,624		2.32	
Road and Bridge.....	1,378		1.65	
Road and Bridge.....	37		1.16	
Police Fund.....		5,341,216		9.25
Fire & EMS Fund.....		4,128,615		7.15
TOTAL	1,517,180	9,469,831		

Miami Township - Tax Year 2013/2014

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION

Carry to Sch A

FUND	Maximum Rate Authorized To Be Levied	County Auditor's Estimate Of Yield Of Levy (Carry To Sch A Column II)	
SPECIAL LEVIES:			
Police levy authorized by voters 05/04/10 not to exceed FIVE years.	4.00	2,309,715	
Police levy authorized by voters 05/07/13 not to exceed FIVE years	5.25	3,031,501	
Fire & EMS levy authorized by voters 11/08/11 not to exceed FIVE years	3.65	2,107,615	
Fire & EMS levy authorized by voters 05/07/13 not to exceed FIVE years	3.50	2,021,000	

Tax Year 2013/2014

and be it further

RESOLVED, That the Fiscal Officer this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Deborah Preston Ayl
Michael M. Ayl

Adopted the _____ day of _____, 2013.

Fiscal Officer of the Board of Township Trustees
_____ Township
Montgomery County, Ohio

Tax Year 2013/2014

CERTIFICATE OF COPY

Original On File

The State of Ohio, Montgomery County,

I, _____, Fiscal Officer of the Board of the Township Trustees
of _____ Township, in said County, and in whose
custody the Files and Records of said Board required by the laws of the State of Ohio to
be kept, do hereby certify that the foregoing is taken and copied from the original
minutes _____ now on file with said Board Trustees, that the
foregoing has been compared by me with said original document, and that the same is a
true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 2013.

Fiscal Officer of the Board of Township Trustees
_____ Township
Montgomery County, Ohio

Tax Year 2013/2014

No:

BOARD OF TOWNSHIP TRUSTEES

MONTGOMERY COUNTY, OHIO

RESOLUTION

ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
AUDITOR.

(Board of Township Trustees)

Adopted _____, 2013

Fiscal Officer

Filed _____, 2013

County Auditor

By _____
Deputy

RESOLUTION #145-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6060 Fifth Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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


Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6060 Fifth Ave.
Parcel ID #K50 18421 0135
Susan J. Carpenter
7499 Martz-Paulin Road
Franklin, OH 45005

Mortgage Company
N/A

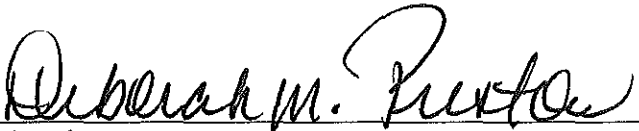
SIGNATURE PAGE FOR RESOLUTION #145-2013 ONLY



Mike R Nolan, Trustee President

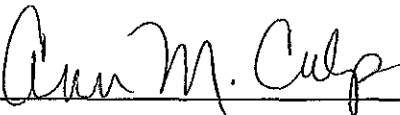
absent

Charles C Lewis, Trustee Vice President



Deborah M Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 24, 2013
GSR:rdp

RESOLUTION #146-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6070 Fourth Avenue, Miamisburg, Ohio 45342 in Miami Township, Ohio that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within four (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within four (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within four (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6070 Fourth Ave.
Parcel ID #K50 18421 0024
Daniel and Misty Johnson
11 Waterstone Dr.
Franklin, OH 45005

Mortgage Company
N/A

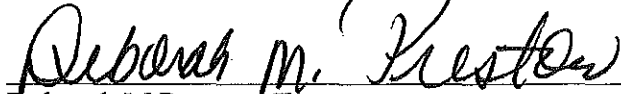
SIGNATURE PAGE FOR RESOLUTION #146-2013 ONLY



Mike R Nolan, Trustee President

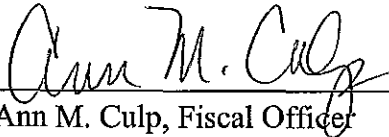


Charles C Lewis, Trustee Vice President



Deborah M Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 24, 2013

GSR:rdp

RESOLUTION #147-2013

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

- Whereas,** the City of Dayton and the Township of Miami, entered into a Joint Economic Development District (JEDD) contract on July 12, 2005; and
- Whereas,** the Joint Economic Development District Board is made up of five members; and
- Whereas,** Miami Township is required, by contract, to concur with appointees by the Dayton City Commission; and
- Whereas,** the Dayton City Commission appointed Terrence Slaybaugh to fill the unexpired term of Timothy Downs representing the businesses in the District of the Miami Township-Dayton JEDD Board with a term ending September 21, 2016; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees concurs with the Dayton City Commission's appointment of Terrence Slaybaugh to the Miami Township-Dayton Joint Economic Development District.



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: October 8, 2013
GSR:sld

RESOLUTION #148-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 4968 Lamme Rd., Dayton, Ohio 45439-3240 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013 beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

4968 Lamme

Parcel ID #K47 22903 0058

Michael A. Williams and Cari Presnal

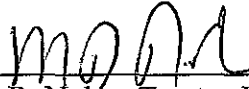
4968 Lamme Rd.

Dayton, OH. 45439-3240

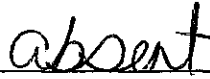
Lien Holder

N/A

SIGNATURE PAGE FOR RESOLUTION #148-2013 ONLY



Mike R. Nolan, Trustee President

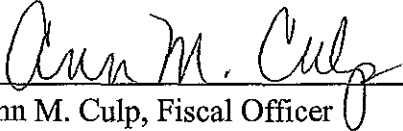


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 24, 2013

GSR:rdp

RESOLUTION #150-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 4912 Rexwood Dr., Dayton, Ohio 45439 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013 ; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

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

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

4912 Rexwood

Parcel ID #K47 22903 0027

FEDERAL HOME LOAN MORTGAGE CORP

8200 JONE BRANCH DR

MCLEAN, VA 22102

Mortgage Company

SAME

SIGNATURE PAGE FOR RESOLUTION #150-2013 ONLY

MARN

Mike R. Nolan, Trustee President

absent

Charles C. Lewis, Trustee Vice President

Deborah M. Preston

Deborah M. Preston, Trustee

Attested:

Ann M. Culp

Ann M. Culp, Fiscal Officer

Passed: SEPTEMBER 24, 2013

GSR:rdp

RESOLUTION #151-2013

RESOLUTION REGARDING A NUISANCE ABATEMENT

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

Whereas, the Miami Township Board of Trustees has given notice to all owners and lien holders of record of the property located at 6034 Second Avenue, Miamisburg, Ohio, 45342 in Miami Township, Ohio, that a nuisance is alleged to exist at the property and that a public hearing concerning said alleged nuisance would be conducted before the Board of Trustees on SEPTEMBER 24, 2013; and

Whereas, the Miami Township Board of Trustees conducted said public hearing on SEPTEMBER 24, 2013, beginning at 10:00 a.m., wherein the parties were given the opportunity to present evidence concerning the alleged nuisance; and

Whereas, after said public hearing, the Board of Trustees has determined that the owner's maintenance of vegetation, garbage, refuse or other debris at the above property constitutes a nuisance and said property has been declared a nuisance prior within the last twelve consecutive months; and

Therefore Be It Resolved, the Miami Township Board of Trustees orders the owners and/or lien holders to abate the nuisance within FOUR (4) days of the date of the mailing of this resolution or that the owner and/or lien holder of said property may, within FOUR (4) days of the date of the mailing of this resolution, enter into an agreement with the Board of Trustees providing for either the property owner, or the Board of Trustees, to abate said nuisance; and

Be It Further Resolved, if such nuisance is not abated within FOUR (4) days, the Miami Township Board of Trustees authorizes staff to contract the abatement of the nuisance and assess the costs to the property tax duplicate:

6034 Second Ave.

Parcel ID #K50 18421 0013

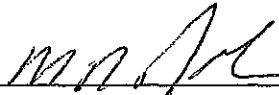
Wells Fargo Bank, N.A.

C/o Litton Loan Servicing, LM-PM

4828 Loop Central Dr.

Houston, TX. 77081-2226

SIGNATURE PAGE FOR RESOLUTION #151-2013 ONLY



Mike R. Nolan, Trustee President


absent

Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: September 24, 2013
GSR:rdp

RESOLUTION #152-2013
RESOLUTION TO APPROVE A PAY INCREASE FOR A
FINANCE DIRECTOR

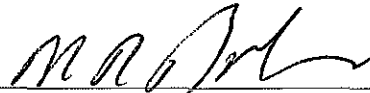
Whereas, Harry Steger has successfully served as Miami Township's Finance Director since July 1, 2013; and

Whereas, a three month performance evaluation has been conducted by the Township Fiscal Officer and his evaluation and recommendation have been completed; and

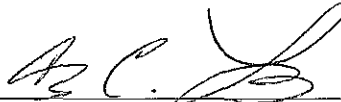
Whereas, the Miami Township Board of Trustees has reviewed the evaluation and the recommendation of the Township Fiscal Officer; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes a salary increase for Harry Steger, to an annual rate of pay of \$78,673.00, effective October 1, 2013;

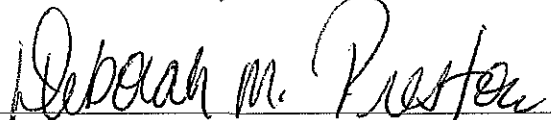
Further More Be It Resolved, the Miami Township Board of Trustees authorizes a salary increase of \$1,543 for Harry Steger, Finance Director.



Mike R. Nolan, Trustee President

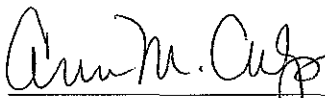


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: October 8, 2013

AMC

RESOLUTION #153-2013

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

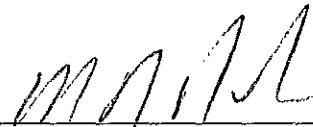
Whereas, the Zoning Commission is made up of five regular members and one alternate;
and

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

Whereas, Michael Pothast currently serves as the alternate member on the Zoning
Commission; and

Whereas, the Planner has made a recommendation to the Board of Trustees; and

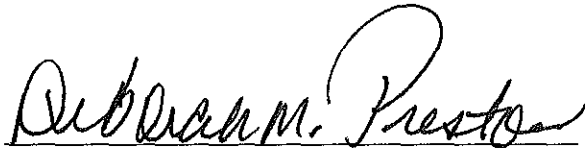
Therefore Be It Resolved, the Miami Township Board of Trustees appoints Michael Pothast
to serve on the Zoning Commission as a regular member, terminating his
appointment as an alternate member, for the remainder of Kathleen
Rosenberg's unexpired term of office, ending December 31, 2015, effective
September 24, 2013.



Mike R. Nolan, Trustee President

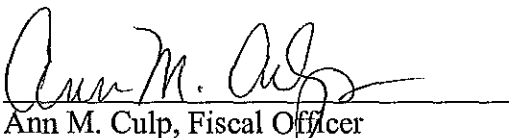


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: September 24, 2013

GSR:rdp

RESOLUTION #155-2013

RESOLUTION TO APPROVE SETTLEMENT AGREEMENT AND FULL AND FINAL RELEASE WITH JOHN M. DIPIETRO

Whereas, Miami Township, Montgomery County, Ohio is presently engaged in a dispute with John M. DiPietro regarding the termination of his employment with said Township. John M. DiPietro appealed the termination of his employment to the Common Pleas Court of Montgomery County, Ohio under Case No. 2013 CV 01059; and

Whereas, an offer of settlement of said dispute has been proposed; and

Whereas, the Board of Trustees of Miami Township has determined that the best interests of the Township are served by adopting a resolution to accept this settlement proposal and resolve the dispute with John M. DiPietro; and

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


Section 1. The Board of Trustees of Miami Township does hereby approve the Settlement Agreement and Full and Final Release of Claims ("Agreement") thereby resolving the dispute with John M. DiPietro referenced herein, which likewise forms the basis of his administrative appeal to the Common Pleas Court of Montgomery County, Ohio under Case No. 2013 CV 01059, a copy of which is attached hereto as Exhibit A.

Section 2. The Board of Trustees of Miami Township does hereby authorize the Finance Director to meet the Township's financial obligations and compensate John M. DiPietro in the amount of Fifty Thousand Dollars and no cents (\$50,000.00), minus applicable taxes and other withholding as required by law, pursuant to the terms of the Agreement. The remainder of the negotiated settlement amount set forth in the Agreement to be paid by the Ohio Township Association Risk Management Authority.

SIGNATURE PAGE ONLY FOR RESOLUTION #155-2013



Mike R. Nolan, Trustee President

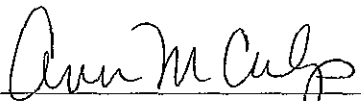


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: October 8, 2013
GSR:sld

EXHIBIT A

FOR IMMEDIATE RELEASE

**JOINT STATEMENT FROM MIAMI TOWNSHIP BOARD OF TRUSTEES
AND JOHN DIPIETRO**

The parties have reached a resolution; the matter is now behind us and no further comment will be made.

RESOLUTION #156-2013

RESOLUTION TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF DAYTON AND THE MIAMI TOWNSHIP BOARD OF TRUSTEES ALLOWING THE MIAMI TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE OVI COUNTYWIDE TASK FORCE FOR 2013/2014

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

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

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

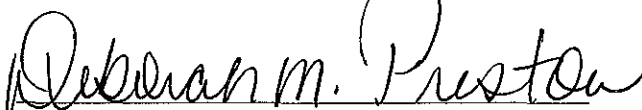
Therefore Be It Resolved, the Miami Township Board of Trustees approve entering into an agreement with the City of Dayton (Lead Agency) that will allow the Miami Township Police Department to participate in the OVI Countywide Task Force effective October 22, 2013 for 2013/2014 (Agreement attached.)



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: November 12, 2013

GSR:vlw

RESOLUTION #157-2013

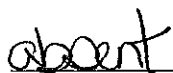
**RESOLUTION TO AWARD AGREEMENTS FOR
2013-14 EMERGENCY SNOW REMOVAL SERVICES**

- Whereas,** there may be a need for emergency snow removal services on township public roadways for the 2013-14 winter season; and
- Whereas,** a competitive bidding process is not required by law to secure independent contractor agreements for emergency snow removal services; and
- Whereas,** the Public Works Director has assembled a comprehensive specifications packet and has solicited proposals from local contractors; and
- Whereas,** the Montgomery County Prosecutor and Township insurance carrier has approved the emergency snow removal specifications; and
- Whereas,** all contractor proposals will be reviewed by Township representatives for completeness prior to emergency snow removal agreement awards; and


Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to enter into individual services agreements with all qualified and approved independent contractors for emergency snow removal services, and to execute all the necessary documents to secure these services.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: November 12, 2013

GSR:sld

RESOLUTION #158-2013

**RESOLUTION TO ACCEPT BYERS ROAD IMPROVEMENTS
FOR TOWNSHIP MAINTENANCE**

Whereas, Byers Road, at the Miamisburg Springboro Road intersection, received final inspection by Montgomery County and Miami Township staff; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the following street improvement for Township maintenance:

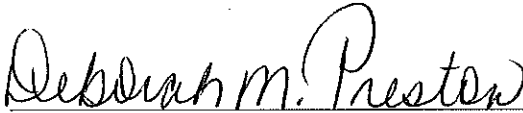
1. Byers Road Improvements Only (portion)



Mike R. Nolan, Trustee President




Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #159-2013

**RESOLUTION TO ACCEPT TWO STREETS IN
AUSTIN LANDING, SECTION 8, FOR TOWNSHIP MAINTENANCE**

Whereas, two (2) streets in Austin Landing, Section 8, have received final inspection by Montgomery County and Miami Township staff; and

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

Therefore Be It Resolved, the Miami Township Board of Trustees accepts the following streets in Austin Landing, Section 8.

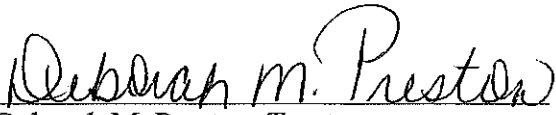
- | | |
|----------------|----------|
| 1. Abbey Road | 787 L.F. |
| 2. Landing Way | 319 L.F. |



Mike R. Nolah, Trustee President

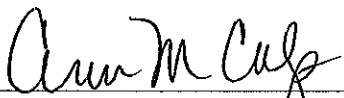


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #160-2013

**RESOLUTION TO DECLARE VEHICLES AS SURPLUS PROPERTY AND
AUTHORIZE THE SALE OF SAID PROPERTY**

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

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

Whereas, Miami Township Police Department has a 1999 Ford Crown Victoria, VIN 2FAFP71W1XX224543, which is no longer needed, broken and /or worn out and beyond useful purpose; and

Whereas, Miami Township Police Department has a 1999 Mitsubishi Montero, VIN JA4LS31H7XP022456, which is no longer needed, broken and /or worn out and beyond useful purpose; and

Whereas, Miami Township Police Department has a 1993 Cadillac DeVille, VIN 1G6CD53B6P4237285, which is no longer needed, broken and /or worn out and beyond useful purpose; and

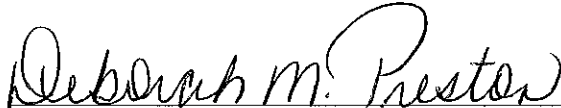
Therefore Be It Resolved, in accordance with the Ohio Revised Code, Section 505.10 the Miami Township Board of Trustees declares the above listed vehicles as surplus property to be disposed of, sold or traded-in and removed from the Police Department inventory.



Mike R. Nolan, Trustee President

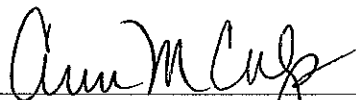


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 5, 2013

GRS:sld

RESOLUTION #161-2013

**RESOLUTION TO ADOPT A MAJOR MODIFICATION TO THE
FINAL DEVELOPMENT PLAN FOR THE EXCHANGE AT SPRING
VALLEY UNDER ZONING CASE #374-05, FOR LANDS ZONED "PD-
5", PLANNED MIXED-USE**

Whereas, the Miami Township Board of Trustees met in a regular session on Thursday, December 5, 2013; and


Whereas, Zoning Case #374-05, filed by 741 Developers, LTD, proposes adoption of a major modification to the final development plan under Phases 1A, 1B, 1C, 2, 3, 4, 5, 7, 9, and 10 for the Exchange at Spring Valley and for lands zoned "PD-5", Planned Mixed-Use; and

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

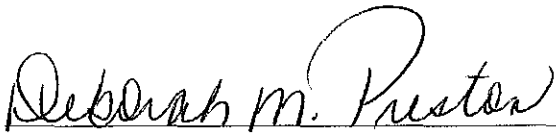
Therefore Be It Resolved, the Miami Township Board of Trustees APPROVES
the Major Modification to the Final Development Plan under Zoning Case
#374-05 and OVERTURNS the Zoning Commission recommendation.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 5, 2013

GSR:sld

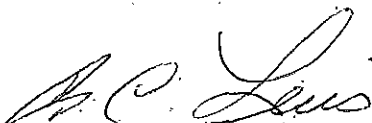
RESOLUTION #162-2013

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

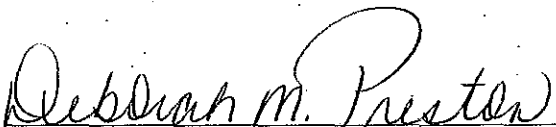
- Whereas,** the Miami Township Board of Trustees met in a regular session on Thursday, December 5, 2013; and
- Whereas,** Zoning Case #222-88, filed by R.G. Properties, Inc., proposes a major modification to the preliminary development plan and associated development text, for lands zoned "PD-5", Planned Mixed-Use; and
- Whereas,** the Trustees reviewed said Zoning Case in a Public Hearing; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees APPROVES the Major Modification to the Preliminary Development Plan under Zoning Case #222-88 and Upholds the Zoning Commission recommendation.



Mike R. Nolan, Trustee President

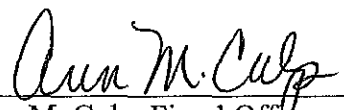


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #163-2013

**A RESOLUTION ACCEPTING THE PROPOSED FINAL BUDGET FOR
THE MIAMI VALLEY FIRE DISTRICT FOR FISCAL YEAR 2014**

Whereas, the City of Miamisburg, Ohio and Miami Township, Montgomery County, Ohio created the Miami Valley Fire District (the "District") consistent with Ohio Revised Code Section 505.371 via Joint Resolution, City Resolution No. 2786 and Township Resolution No. 121-2011; and

Whereas, the District has prepared a draft budget for fiscal year 2014 and the Operational Oversight Committee (OOC) has reviewed and approved the same; and

Whereas, Miami Township Board of Trustees is required to pass a resolution accepting or rejecting the proposed final budget for the District; and

Therefore Be It Resolved, the Miami Township Board of trustees approves the proposed final budget for fiscal year 2014.



Mike R. Nolan, Trustee President

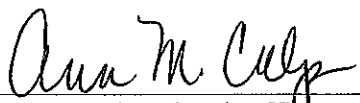


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #164-2013

**RESOLUTION TO AUTHORIZE THE ASSISTANT TOWNSHIP
ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO UPGRADE
OUR CURRENT SECURITY SYSTEM**

- Whereas,** there is a need to provide security to the Administration Building; and
- Whereas,** currently two software programs are used to provide security; and
- Whereas,** Miami Township wishes to upgrade both the Milestone and Kantech programs to continue to provide a secure environment for employees; and
- Whereas,** a scope of work and quote has been provided by Miles Ahead Technology to provide the upgrades and labor that is acceptable to Staff; and

Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to take the necessary steps to execute an agreement with Miles Ahead Technology for \$3,395.00 to provide the work necessary to upgrade the security system in the Administration Building.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 5, 2013

GSR:sld

RESOLUTION #165-2013

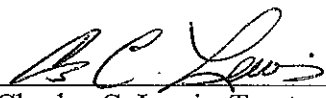
**RESOLUTION TO AUTHORIZE THE ASSISTANT TOWNSHIP
ADMINISTRATOR TO APPROVE AN EXPENSE FOR A NEW
WIRELESS NETWORK**

- Whereas,** the original wireless network in the Miami Township Administration Building was installed in 2006; and
- Whereas,** the wireless network has become an essential service that the Township provides to residents using the building, guests in the building, and Staff; and
- Whereas,** the wireless network is in need of replacement due to age, quality of service provided, and cost of maintenance; and
- Whereas,** Buckeye Business Solutions has provided a quote to replace the existing system with a commercial grade system that will provide this needed service; and

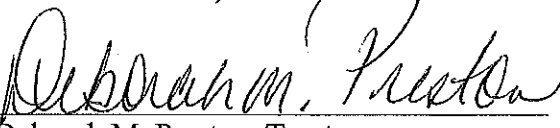
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to approve a one time \$6,014.40 expense for the purchase of materials and labor required to install a new wireless network in the Administration Building.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 5, 2013

GSR:sld

RESOLUTION #166-2013

RESOLUTION TO AUTHORIZE THE ASSISTANT TOWNSHIP ADMINISTRATOR TO EXECUTE THE FIRST OPTION YEAR FOR A TRASH COLLECTION SERVICES CONTRACT

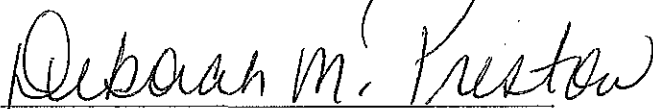
- Whereas,** there is a need to continue trash, recycling, yard waste, and large item pickup services for the residential community; and
- Whereas,** Miami Township is under a seven (7) month contract, which expires December 31, 2013, with two (2) additional option years; and
- Whereas,** Miami Township wishes to execute the first option year which will begin January 1, 2014 and end December 31, 2014 with one additional option year remaining; and
- Whereas,** the cost of trash service will be \$11.69 per unit per month plus a fuel surcharge that is determined by the average price of diesel fuel in the United States; and
- Whereas,** recycling service will be offered every other week with 96-gallon or 35-gallon carts offered to residents at no additional cost and no rental fees; and
- Whereas,** the Miami Township Board of Trustees are satisfied with the current services; and
- Therefore Be It Resolved,** the Miami Township Board of Trustees authorizes the Assistant Township Administrator to take the necessary steps to execute a one year trash collection contract with Waste Management of Ohio following the conditions set forth in Bid Alternate 1.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 5, 2013

GSR:sld

RESOLUTION #167-2013

**RESOLUTION TO REAPPOINT A
ZONING COMMISSION MEMBER**

Whereas, the Zoning Commission is made up of five members and one alternate; and


Whereas, Karen Kreusch's term of office expires December 31, 2013; and

Whereas, Ms. Kreusch has expressed a desire to continue to serve on the commission;
and


Therefore Be It Resolved, the Miami Township Board of Trustees reappoints Karen Kreusch to serve on the Zoning Commission for a term of five (5) years ending on December 31, 2018.



Mike R. Nolan, Trustee President

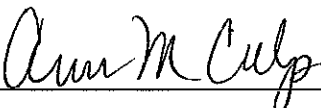


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #168-2013

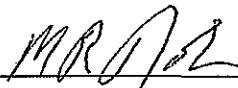
**RESOLUTION TO REAPPOINT A
BOARD OF ZONING APPEALS MEMBER**

Whereas, the Board of Zoning Appeals is made up of five members and one alternate;
and

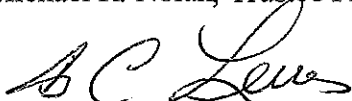
Whereas, John Broz's term expires on December 31, 2013; and

Whereas, Mr. Broz has expressed an interest to continue serving on the Board; and

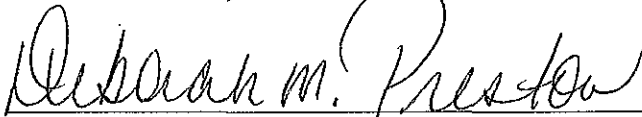
Therefore Be It Resolved, the Miami Township Board of Trustees reappoints John Broz to the Board of Zoning Appeals as a regular member, with a term ending December 31, 2018, effective January 1, 2014.



Michael R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 5, 2013
GSR:sld

RESOLUTION #142-2013

RESOLUTION TO APPROVE A "THEN AND NOW" PURCHASE ORDER FOR McINTOSH & McINTOSH, PLLC FOR FEDERAL MEDIATION AND CONCILIATION SERVICES

Whereas, the Board of Trustees of Miami Township must, under O.R.C. 5705.41, execute a purchase order for the purchase of goods and/or services before said goods and/or services can be purchased for Miami Township; and


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

Whereas, the Miami Township Board of Trustees have authorized McIntosh & McIntosh for Federal Mediation and Conciliation Services for an arbitration hearing; and

Therefore Be It Resolved, the Fiscal Officer of Miami Township certifies that both at the time of the making of the order, and the date of the execution of the order, the amount of \$1,468.59 to pay the order, has been appropriated for the purpose of this order.



Mike R. Nolan, Trustee President

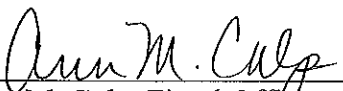


Charles C. Lewis, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: October 8, 2013
GTW:rdp

RESOLUTION #169-2013

RESOLUTION TO APPROVE AN AMENDED APPROPRIATION OF FUNDS FOR 2013

Whereas, the annual appropriations for 2013 are to provide for expenditures during fiscal year ending December 31, 2013; and

Whereas, it is necessary to amend an appropriation of funds for Miami Township; and


Therefore Be It Resolved, the Miami Township Board of Trustees approves the attached amendment to the annual appropriations for 2013, and forwards the attached copy to the Montgomery County Auditor.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 17, 2013

GSR:sld

AMENDED
APPROPRIATIONS FOR 2013

FUND NUMBER	FUND / DEPARTMENT / ACCOUNT DESCRIPTION	AMOUNT
1	General Fund	
	Administration	
	Personnel	\$447,000
	Other	1,576,868 transfer to 08
	Building Maintenance	
	Personnel	27,000
	Other	3,665
	Parks	
	Personnel	67,174
	Other	25,750
	Planning and Zoning	
	Personnel	277,866
	Other	74,962
	Human Resources	
	Personnel	118,837
	Other	41,615
	Finance	
	Personnel	266,637
	Other	66,676
	Total Fund	2,994,050
2	Motor Vehicle License Tax Fund	
	Personnel	-
	Other	100,000
	Total Fund	100,000
3	Gasoline Tax Fund	
	Personnel	
	Other	571,747
	Total Fund	571,747
4	Road and Bridge Fund	
	Personnel	1,077,252
	Other	976,115
	Total Fund	2,053,367
7	Lighting Assessment Fund	
	Personnel	
	Other	115,000
	Total Fund	115,000

8	Garbage and Waste Disposal Fund		
	Personnel		
	Other		1,554,483
			<hr/>
	Total Fund		1,554,483
9	Police District Fund		
	Operations		
	Personnel		3,987,112
	Other		1,231,780
			<hr/>
	Total Fund		5,218,892
10	Fire District Fund		
	Personnel		-
	Other		4,673,194
			<hr/>
	Total Fund		4,673,194
17	Waldruhe Park Trust Fund		
	Personnel		-
	Other		15,000
			<hr/>
	Total Fund		15,000
20	Clean Ohio Grant		
	Personnel		-
	Other		40,000
			<hr/>
	Total Fund		40,000
23	Permissive Motor Vehicle Tax Fund		
	Personnel		-
	Other		200,000
			<hr/>
	Total Fund		200,000
29	Capital Project Reserve		
	Personnel		-
	Other		1,620,000
			<hr/>
	Total Fund		1,620,000 transfer to 06
34	Miami Township City of Dayton Joint Economic Development District		
	Personnel		35,000
	Other		-
			<hr/>
	Total Fund		35,000
36	Austin Road		
	Personnel		
	Other		1,198,564
			<hr/>

	Total Fund	1,198,564	
37	Dayton Mall		
	Personnel		
	Other	<u>1,415,802</u>	
	Total Fund	1,415,802	
90	FD Budget Stabilization		
	Personnel		
	Other	<u>400,000</u>	transfer to 10
	Total Fund	400,000	
94	RD Budget Stabilization		
	Personnel		
	Other	<u>2,525,000</u>	transfer to 05
	Total Fund	2,525,000	
99	PD Stabilization Fund		
	Personnel		
	Other	<u>1,000,000</u>	transfer to 09
	Total Fund	1,000,000	
	Total	<u>\$ 25,730,099</u>	

made a motion to approve the Resolution and

seconded the Resolution and the roll being

called upon its adoption the vote resulted as follows:

Michael Nolan, Trustee President

Charles C. Lewis, Trustee Vice President

Deborah M. Preston, Trustee

RESOLUTION #170-2013

RESOLUTION TO APPROVE AN APPROPRIATION OF FUNDS FOR 2014


Whereas, the annual appropriations for 2014 are to provide for expenditures for the fiscal year ending December 31, 2014; and

Whereas, it is necessary to approve an appropriation of funds for Miami Township; and

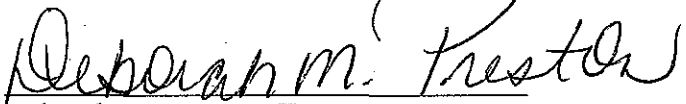
Therefore Be It Resolved, the Miami Township Board of Trustees approves the annual appropriations for 2014, and forwards the attached copy to the Montgomery County Auditor.



Mike R. Nolan, Trustee President

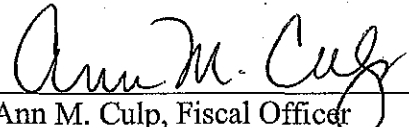


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

ORIGINAL
APPROPRIATIONS FOR 2014

FUND NUMBER	FUND / DEPARTMENT / ACCOUNT DESCRIPTION	AMOUNT
1	General Fund	
	Administration	
	Personnel	\$475,868
	Other	709,511
	Building Maintenance	
	Personnel	24,432
	Other	4,555
	Parks	
	Personnel	80,008
	Other	50,000
	Planning and Zoning	
	Personnel	249,788
	Other	72,088
	Human Resources	
	Personnel	58,952
	Other	39,697
	Finance	
	Personnel	229,078
	Other	96,411
		<hr/>
	Total Fund	2,090,388
2	Motor Vehicle License Tax Fund	
	Personnel	-
	Other	100,000
		<hr/>
	Total Fund	100,000
3	Gasoline Tax Fund	
	Personnel	
	Other	1,111,566
		<hr/>
	Total Fund	1,111,566
4	Road and Bridge Fund	
	Personnel	898,697
	Other	1,099,624
		<hr/>
	Total Fund	1,998,321

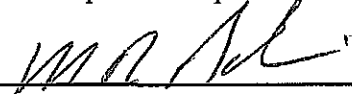
7	Lighting Assessment Fund		
	Personnel		
	Other		115,000
			<hr/>
	Total Fund		115,000
9	Police District Fund		
	Operations		
	Personnel		4,160,806
	Other		1,333,578
			<hr/>
	Total Fund		5,494,384
10	Fire District Fund		
	Personnel		-
	Other		4,673,194
			<hr/>
	Total Fund		4,673,194
17	Waldruhe Park Trust Fund		
	Personnel		-
	Other		50,000
			<hr/>
	Total Fund		50,000
23	Permissive Motor Vehicle Tax Fund		
	Personnel		-
	Other		25,000
			<hr/>
	Total Fund		25,000
26	State Seizure Law Enforcement		
	Personnel		-
	Other		32,833
			<hr/>
	Total Fund		32,833
34	Miami Township City of Dayton Joint Economic Development District		
	Personnel		38,000
	Other		-
			<hr/>
	Total Fund		38,000

36.	Austin Road Personnel Other	<u>900,000</u>
	Total Fund	900,000
37	Kingsridge/Dayton Mall Personnel Other	<u>1,450,000</u>
	Total Fund	1,450,000
	Total	<u>\$ 18,053,686</u>

made a motion to approve the Resolution and

seconded the Resolution and the roll being


called upon its adoption the vote resulted as follows:



Michael Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

RESOLUTION #171-2013

**RESOLUTION TO REQUEST TAX ADVANCES FROM THE
MONTGOMERY COUNTY AUDITOR IN FISCAL YEAR 2014**

Whereas, the Ohio Revised Code allows advancement of payments on taxes; and


Whereas, the tax bills will soon be sent out in Montgomery County; and

Whereas, Township residents will begin making payments upon receipt of these bills; and

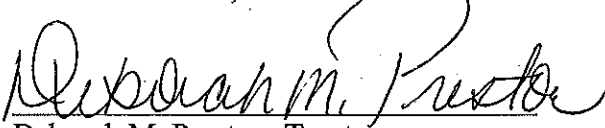
Therefore Be It Resolved, the Miami Township Board of Trustees requests the Montgomery County Auditor pay monthly advances to Miami Township of collected taxes during 2014.



Mike R. Nolan, Trustee President

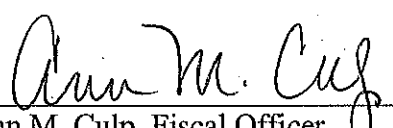


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

RESOLUTION #172-2013

**RESOLUTION TO ENTER INTO A CONTRACT WITH MODIS INC. FOR
IT STAFFING SERVICES**

Whereas, Miami Township Board of Trustees has a need for professional services relating to IT staffing for Miami Township; and


Whereas, Modis Inc. will provide the services that Miami Township Board of Trustees desires; and

Whereas, legal counsel has reviewed the attached contract and approved it as to form and content; and

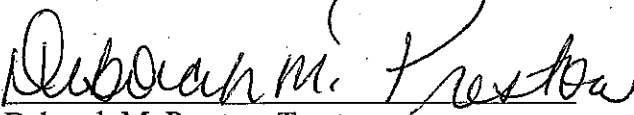
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to enter into a contract with Modis Inc. to provide IT staffing services to Miami Township and this resolution is effective immediately upon signing.



Mike R. Nolan, Trustee President

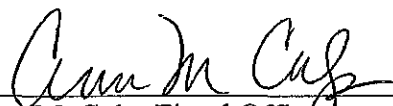


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

RESOLUTION #173-2013


**RESOLUTION TO AUTHORIZE CONTINUED OPERATIONS
IN CALENDAR YEAR 2014.**

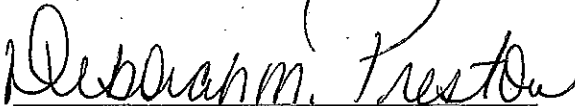
Whereas, the day-to-day operations of the Township government functioned well in 2013 with dedicated and conscientious employees whose purpose was to provide the best possible services to the residents, businesses, and visitors in Miami Township; and

Whereas, all departments; Administration, Finance, Human Resources, Police, Public Works, and Zoning offices are functioning in a responsive, organized and efficient manner under the direction of the Assistant Township Administrator and the Department Heads; and

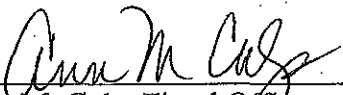
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes continued operations for all departments to operate under the enacted management program for calendar year 2014.


Mike R. Nolan, Trustee President


Charles C. Lewis, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

RESOLUTION #174-2013

A RESOLUTION TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$2,100,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF PREPAYING PRIOR TO MATURITY CERTIFICATES OF PARTICIPATION ORIGINALLY ISSUED TO PAY COSTS OF ACQUIRING CERTAIN REAL PROPERTY, FOR THE PURPOSE OF SERVING AS A SITE FOR A REGIONAL STORM WATER RETENTION AREA; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

WHEREAS, the Township had previously issued certificates of participation, which were prepaid prior to maturity with proceeds of the Outstanding Notes issued by the Township pursuant to Resolution No. 39-2013, adopted by this Board on February 26, 2013; and

WHEREAS, the Board finds and determines that the Township should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the Township; and

WHEREAS, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 30 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“*Administrator*” means the Administrator of the Township.

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

“*Board*” means the Board of Township Trustees of the Township.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the

Notes are issued.

“*Book entry form*” or “*book entry system*” means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“*Certificate of Award*” means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

“*Clerk*” means the Clerk of the Board.

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

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

“*County Auditor*” means the County Auditor of the County of Montgomery, Ohio

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

“*Improvements*” means the acquisition of certain real property for the purpose of serving as a site for a regional storm water retention area.

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

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

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

“*Note Registrar Agreement*” means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

“*Notes*” means the Notes authorized in Section 3.

“*Original Purchaser*” means the purchaser of the Notes specified in the Certificate of Award.

“*Outstanding Notes*” means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$3,300,000 dated March 27, 2013 to mature on February 13, 2014.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

“*Township*” means Miami Township, Montgomery County, Ohio.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$2,100,000 for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately February 1, 2015, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total

principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2015.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the best interest of the Township to issue notes of this Township in an aggregate principal amount of \$2,100,000 to retire the portion of the Outstanding Notes previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$2,100,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Water Retention Area Notes, Series 2014 (Tax-Exempt)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Notes shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Notes at maturity. A portion of the proceeds from the sale of the Notes shall be deposited in an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Note shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Notes when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Combined Notes. It is determined that, for the purposes of issuance and sale, it is in the best interest of the Township, if determined by the Fiscal Officer, to combine the sale and delivery of the Notes with other unlimited tax notes of the Township, authorized by another resolution of this Board passed on the date hereof. The Notes and such other notes shall be jointly referred to herein as the "Combined Notes" or as the "Notes." The Combined Notes shall be designated "Various Purpose Notes, Series 2014 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, and such Combined Notes may be issued in one or more series.

Section 5. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.
- (b) Redemption Provisions.
- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.

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

Section 6. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the

Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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

Section 7. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of

the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 8. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be

prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

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

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to

better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 10. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

Section 11. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered

computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

Section 12. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Code, or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of the proceeds of the Notes and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use

of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

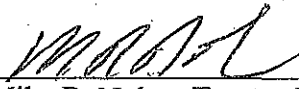
Section 13. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 14. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

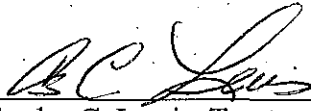
Section 15. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 16. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

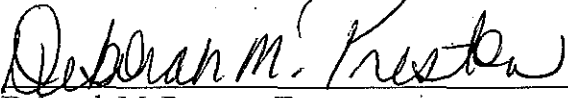
SIGNATURE PAGE ONLY FOR RESOLUTION #174-2013



Mike R. Nolan, Trustee President

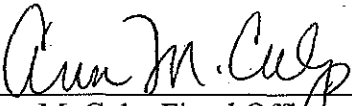


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on December 17, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.

Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on December 17, 2013, providing for the issuance of general obligation bond anticipation notes designated "Water Retention Area Notes, Series 2014 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$2,100,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$2,100,000 of bonds for the purpose of paying part of the costs of acquiring certain real property for the purpose of serving as a site for a regional storm water retention area is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the acquisition of real property, is thirty (30) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is July 29, 2030, which is twenty (20) years from the date of the original certificates of participation issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this 17th day of December, 2013.

Ann M. Culp, Fiscal Officer

RESOLUTION #175-2013

A RESOLUTION TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$3,050,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING AND CONSTRUCTING PARK IMPROVEMENTS AND EQUIPMENT, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND RETIRING AND CAPITALIZING THE INTEREST ON NOTES ISSUED PREVIOUSLY FOR SUCH PURPOSE; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

WHEREAS, pursuant to Resolution No. 40-2013, adopted by this Board on February 26, 2013, the Township issued the Outstanding Notes (as defined in Section 1); and

WHEREAS, the Board finds and determines that the Township should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the Township; and

WHEREAS, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 25 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“Administrator” means the Administrator of the Township.

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

“Board” means the Board of Township Trustees of the Township.

“Bonds” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

"Book entry form" or *"book entry system"* means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes "immobilized" in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

"Certificate of Award" means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

"Clerk" means the Clerk of the Board.

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

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

"County Auditor" means the County Auditor of the County of Montgomery, Ohio

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Fiscal Officer" means the Fiscal Officer of the Township.

"Improvements" means the acquisition and construction of park improvements and equipment, including acquiring related interest in real property, together with all necessary appurtenances.

"Note Proceedings" means, collectively, this Resolution, the Certificate of Award, the Note Purchase Agreement, the Note Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

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

“*Note Registrar Agreement*” means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

“*Notes*” means the Notes authorized in Section 3.

“*Original Purchaser*” means the purchaser of the Notes specified in the Certificate of Award.

“*Outstanding Notes*” means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$5,785,000 dated March 27, 2013 to mature on February 13, 2014.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

“*Township*” means Miami Township, Montgomery County, Ohio.

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

Section 2.

Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$3,050,000 (the “*Bonds*”) for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately February 1, 2015, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total

principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2015.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the Township's best interest to issue notes of this Township in an aggregate principal amount of \$3,050,000, and together with unspent proceeds of the Outstanding Notes, to retire the Outstanding Notes previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$3,050,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Park Acquisition and Improvement Notes, Series 2014 (Federally Taxable)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Notes shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Notes at maturity. A portion of the proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Notes shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Notes when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.

(b) Redemption Provisions.

- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.
- (iv) *Payment of Redeemed Notes.* In the event that notice of redemption shall have been given by the Note Registrar to the registered owners as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefore and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of all of the redeemable Notes for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Notes and portions thereof

called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Notes and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Note Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Notes and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Notes and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Note Registrar for the redemption of particular Notes shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Notes.

Section 5. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Note proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered

under, and is entitled to the security and benefit of, the Note proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar, or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on all of the Notes.

Section 6. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and; if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 7.

Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator,

the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 8. Official Statement, Rating, Note Insurance and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

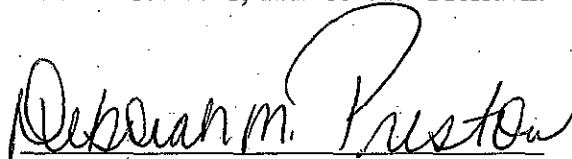
Section 9. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

Section 10. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township, in addition to all other taxes, a direct tax annually during the period the Notes are outstanding in an amount sufficient to pay the principal of and interest on the Notes when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Notes when and as the same fall due.

- Section 11. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.
- Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 10) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.
- Section 13. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.
- Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.


Mike R. Nolan, Trustee President


Charles C. Lewis, Trustee Vice President


Deborah M. Preston, Trustee

Attested:


Ann M. Culp, Fiscal Officer

Passed: December 17, 2013

GSR:sld

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on December 17, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.

Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on December 17, 2013, providing for the issuance of general obligation bond anticipation notes designated "Park Acquisition and Improvement Notes, Series 2014 (Federally Taxable)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$3,050,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$3,050,000 of bonds for the purpose of paying part of the costs of the acquisition and construction of park improvements and equipment, including acquiring related interest in real property (the "Project"), together with all necessary appurtenances is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the Project, is twenty-five (25) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is March 29, 2032, which is twenty (20) years from the date of the original note issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this 17th day of December, 2013.

Ann M. Culp, Fiscal Officer

RESOLUTION #176-2013

A RESOLUTION TO PROVIDE FOR THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$1,330,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING A PEDESTRIAN AND BIKE TRAIL BETWEEN THE INTERSTATE HIGHWAY 75 AND AUSTIN BOULEVARD INTERCHANGE AND THE GREAT MIAMI RIVER, INCLUDING ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES AND RETIRING AND CAPITALIZING THE INTEREST ON NOTES ISSUED PREVIOUSLY FOR SUCH PURPOSE; APPROVING A PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING THE PREPARATION, USE AND EXECUTION OF AN OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, CONTINUING DISCLOSURE CERTIFICATE AND A NOTE REGISTRAR AGREEMENT

WHEREAS, pursuant to Resolution No. 38-2013, adopted by this Board on February 26, 2013, the Township issued the Outstanding Notes (as defined in Section 1); and

WHEREAS, the Board finds and determines that the Township should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the Township; and

WHEREAS, the Fiscal Officer as fiscal officer of the Township has certified to this Board that the estimated life or period of usefulness of the Improvement is at least five years, the estimated maximum maturity of the bonds described in Section 2 is 30 years, and the maximum maturity of the Notes is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms defined elsewhere in this Resolution, unless the context or use clearly indicates another meaning or intent:

“*Administrator*” means the Administrator of the Township.

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

“*Board*” means the Board of Township Trustees of the Township.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Notes are issued.

“*Book entry form*” or “*book entry system*” means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Note certificates in fully registered form are issued by the Township only to a Depository or its nominee as registered owner, with the Notes “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the Township is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“*Certificate of Award*” means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

“*Clerk*” means the Clerk of the Board.

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

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement made for the benefit of the owners and beneficial owners of the Notes in accordance with the Rule authorized by this Resolution.

“*County Auditor*” means the County Auditor of the County of Montgomery, Ohio

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal and interest, and to effect transfers of Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

“*Improvements*” means the acquisition and construction of a pedestrian and bike trail between the Interstate Highway 75 and Austin Boulevard interchange and the Great Miami River, including acquiring related interest in real property, together with all necessary appurtenances.

“*Note Proceedings*” means, collectively, this Resolution, the Certificate of Award, the Note Purchase Agreement, the Note Registrar Agreement, the

Continuing Disclosure Agreement and such other proceedings of the Township, including the Notes, that provide collectively for, among other things, the rights of owners and beneficial owners of the Notes.

“*Note Register*” means all books and records necessary for the registration, exchange and transfer of the Notes as provided by this Resolution and the Note Registrar Agreement.

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

“*Note Registrar Agreement*” means the Note Registrar Agreement between the Township and the Note Registrar authorized by this Resolution.

“*Notes*” means the Notes authorized in Section 3.

“*Original Purchaser*” means the purchaser of the Notes specified in the Certificate of Award.

“*Outstanding Notes*” means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$3,300,000 dated March 27, 2013 to mature on February 13, 2014.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

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

“*Township*” means Miami Township, Montgomery County, Ohio.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds of this Township in a maximum principal amount of \$1,330,000 for the purpose of paying the costs of the Improvement, together with all necessary appurtenances.

The Bonds shall be dated approximately February 1, 2015, shall bear interest at the now estimated rate of six percent per year, payable semi-annually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2015.

Section 3. Authorized Principal Amount; Application of Proceeds. It is necessary and determined to be in the best interest of the Township to issue notes of this Township in an aggregate principal amount of \$1,330,000 to retire the portion of the Outstanding Notes previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Notes. The aggregate principal amount of the Notes to be issued to provide sufficient funds for those purposes (not to exceed \$1,330,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Notes shall be dated the date of their issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the Fiscal Officer to be necessary or advisable for the sale of the Notes and which date shall not be more than one year following the date of the issuance of the Notes. The Notes shall be designated "Recreational Trail Acquisition and Improvement Notes, Series 2014 (Tax-Exempt)" and shall bear interest at a rate not to exceed six percent per year (computed on a 360-day per year consisting of twelve 30 day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate of interest on the Notes shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Notes shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Notes at maturity. A portion of the proceeds from the sale of the Notes, except for any premium, shall be deposited into an appropriate fund of the Township and used to pay costs of the issuance of the Notes. Any remaining proceeds from the sale of the Notes shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Notes when due. All interest earned on amounts on deposit in each of those funds derived from the proceeds from the sale of the Notes (including interest earned on such interest) shall be credited to the fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All of the proceeds from the sale of the Notes and interest earned on those proceeds are hereby appropriated for the purposes set forth above.

Section 4. Combined Notes. It is determined that, for the purposes of issuance and sale, it is in the best interest of the Township, if determined by the Fiscal Officer, to combine the sale and delivery of the Notes with other unlimited tax notes of the Township, authorized by another resolution of this Board passed on the date hereof. The Notes and such other notes shall be jointly referred to herein as the "Combined Notes" or as the "Notes." The Combined Notes shall be designated "Various Purpose Notes, Series 2014 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, and such Combined Notes may be issued in one or more

series.

Section 5. Payment of Notes and Redemption Provisions.

- (a) Payment of Notes. The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Notes shall be payable when due upon presentation and surrender of the Notes at the designated corporate trust office of the Note Registrar. Notwithstanding the foregoing, if and so long as the Notes are issued in a book entry system, principal of and interest on the Notes shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the Township, in connection with the book entry system.
- (b) Redemption Provisions.
- (i) *Optional Redemption.* The Notes may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.
- (ii) *Partial Redemption.* If fewer than all of the Notes are called for optional redemption at one time, the selection of the Notes to be redeemed, or portions thereof in Authorized Denominations shall be made by the Note Registrar by lot in a manner determined by the Note Registrar. In the case of partial redemption of Notes by lot when Notes in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Note of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Note are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Note shall surrender the Note to the Note Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Note or Notes of any Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Note surrendered.
- (iii) *Notice of Redemption.* The notice of the call for redemption of Notes shall identify (A) by designation, letters, numbers or other distinguishing marks, the Notes or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Note subject to redemption in whole or in part at the registered owner's

address shown on the Note Register at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Note, however, shall not affect the validity of the proceedings for the redemption of any Note.

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

Section 6. Execution and Authentication of Notes; Appointment of Note Registrar. The Notes shall be signed by at least two members of the Board of Township Trustees and by the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Notes shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement in the form now on file with this Board is approved. The Fiscal Officer is hereby authorized to sign and deliver, in the name and on behalf of the Township, the Note Registrar Agreement

with any changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Registrar Agreement by the Fiscal Officer. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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

Section 7. Registration; Transfer and Exchange; Book Entry System.

- (a) Note Register. So long as any of the Notes remain outstanding, the Township will cause the Note Registrar to maintain and keep at its principal corporate trust office the Note Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note proceedings. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.
- (b) Transfer and Exchange. Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at a corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at that office of the Note Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Note surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the Township. In all cases of Notes exchanged or transferred, the Township shall provide for the signing and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note proceedings, as the Notes surrendered upon that exchange or transfer.

- (c) Book Entry System. If the Fiscal Officer determines in the Certificate of Award that it is in the best interest of the District, the Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Township.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, and after the Note Registrar has made provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and the Township and the Note Registrar shall authenticate and deliver Note certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of Township action or inaction, of those persons requesting such issuance.

The Fiscal Officer is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes.

Section 8. Sale of the Notes. The Notes shall be sold at private sale to the Original Purchaser

by the Fiscal Officer for a purchase price at not less than 100% of the aggregate principal amount of the Notes in accordance with the provisions of this Resolution, the Certificate of Award and the Note Purchase Agreement. The Fiscal Officer shall sign and deliver the Certificate of Award determining certain terms of the Notes in accordance with this Resolution, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Note Purchase Agreement now on file with the Clerk of this Board is approved, and the Fiscal Officer is authorized to sign and deliver, on behalf of the Township, the Note Purchase Agreement with such changes that are not inconsistent with the provisions of this Resolution, are not materially adverse to the interests of the Township and are approved by the Fiscal Officer, all of which shall be evidenced conclusively by the signing of the Note Purchase Agreement by the Fiscal Officer. Any member of this Board, the Township Administrator, the Fiscal Officer, the County Prosecutor and other Township officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The Fiscal Officer is authorized, if it is determined to be in the best interest of the Township, to combine the issue of Notes with one or more other note issues of the Township into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

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

- (a) Primary Offering Disclosure -- Official Statement. The preliminary official statement of the Township relating to the original issuance of the Notes substantially in the form now on file with this Board is approved. The distribution and use of that preliminary official statement is hereby approved. At least two members of the Board of Township Trustees and the Fiscal Officer are each authorized and directed to complete and sign on behalf of the Township, and in their official capacities, that preliminary official statement, with such modifications, completions, changes and supplements, as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the revised official statement is a "deemed final" official statement (except for permitted omissions) by the Township as of its date and is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4).

Those officers are each further authorized to use and distribute, or authorize the use and distribution of the final official statement and supplements thereto in connection with the original issuance of the Notes as may in their judgment be necessary or appropriate. Those officers and each of them are also authorized to sign and deliver, on behalf of the Township, and in their official capacities, such certificates in connection with the accuracy of the final official statement and any amendment thereto as may, in their judgment, be necessary or appropriate.

- (b) Application for Rating or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Notes by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Notes, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Note Purchase Agreement, from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the Notes, the Township agrees, as the only obligated person with respect to the Notes under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Certificate in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the Township, the Continuing Disclosure Certificate with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township, and are approved by the Fiscal Officer, all of which shall be conclusively evidence by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with the Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of the Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

Section 10. Proceeds of Bonds. Proceeds received from the sale of the Notes or of any renewal notes shall, to the extent necessary, be used to pay the principal of and interest on the Notes and are pledged for that purpose.

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

Section 12. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Code, or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon not be treated as an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of the proceeds of the Notes and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Notes as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other

actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 13. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.

Section 14. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the Township are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

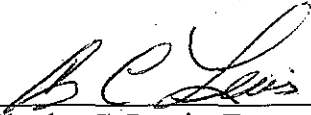
Section 15. Compliance With Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution and all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 16. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

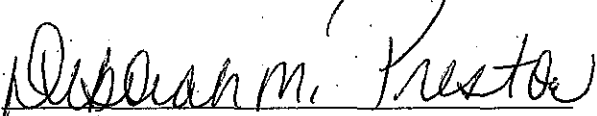
SIGNATURE PAGE ONLY FOR RESOLUTION #176-2013



Mike R. Nolan, Trustee President

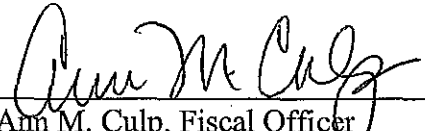


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 17, 2013

GSR:sld

CERTIFICATE

The undersigned Fiscal Officer of the Board of Trustees of Miami Township, Montgomery County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of the Township on December 17, 2013 and that a true copy thereof was certified to the County Auditor of Montgomery County, Ohio.

Ann M. Culp, Fiscal Officer

**RECEIPT OF COUNTY AUDITOR FOR LEGISLATION PROVIDING
FOR THE ISSUANCE OF BOND ANTICIPATION NOTES**

I, Karl L. Keith, the duly elected, qualified, and acting County Auditor in and for Montgomery County, Ohio, hereby certify that a certified copy of a resolution duly passed by the Board of Trustees of Miami Township, Montgomery County, Ohio on December 17, 2013, providing for the issuance of general obligation bond anticipation notes designated "Recreational Trail Acquisition and Improvement Notes, Series 2014 (Tax-Exempt)," or as otherwise designated by the Fiscal Officer, in the amount of not to exceed \$1,330,000 was filed in this office on _____, 2013.

WITNESS my hand and official seal at Dayton, Ohio on _____, 2013.

[SEAL]

County Auditor
Montgomery County, Ohio

CERTIFICATE OF MAXIMUM MATURITY

The undersigned, being the fiscal officer of the Board of Trustees of Miami Township, Montgomery County, Ohio (the "Township") within the meaning of Section 133.01 of the Ohio Revised Code (the "ORC"), hereby certifies to the Board of Trustees of the Township that:

1. The estimated life or period of usefulness of the project financed with the proceeds of the sale of not to exceed \$1,330,000 of bonds for the purpose of paying part of the costs of the acquisition and construction of a pedestrian and bike trail between the Interstate Highway 75 and Austin Boulevard interchange and the Great Miami River, including acquiring related interest in real property, together with all necessary appurtenances (the "Project"), together with all necessary appurtenances is at least five (5) years;

2. The maximum maturity of such bonds, calculated in accordance with Section 133.20 of the ORC, assuming that all of such proceeds are expended for the Project, is thirty (30) years, provided that if notes in anticipation of such bonds have been outstanding for a period in excess of five years from the date of the original note issue, the period thereof in excess of five years shall be deducted from the maximum maturity of bonds; and

3. The maximum maturity of notes issued in anticipation of such bond is March 29, 2032, which is twenty (20) years from the date of the original note issued for the purpose (assuming compliance with Section 133.22 of the ORC).

IN WITNESS WHEREOF, I have hereunto set my hand, this 17th day of December, 2013.

Ann M. Culp, Fiscal Officer

RESOLUTION #177-2013

A RESOLUTION TO PROVIDE FOR THE ISSUANCE AND SALE OF A NOTE IN A MAXIMUM PRINCIPAL AMOUNT OF \$11,450,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS, IN COOPERATION WITH MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, OF VARIOUS TRANSPORTATION IMPROVEMENT PROJECTS, INCLUDING BUT NOT LIMITED TO PARKING FACILITIES AND SURFACE STREETS, BY ACQUIRING, CONSTRUCTING, RECONSTRUCTING, IMPROVING, WIDENING, GRADING, DRAINING, LANDSCAPING, CURBING, PAVING, LIGHTING, CONSTRUCTING SIDEWALKS, INSTALLING TRAFFIC SIGNALIZATION AND SIGNAGE, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; AUTHORIZING THE AMENDMENT OF THE AUSTIN LANDING PHASE II PROJECT MANAGEMENT AND FINANCING AGREEMENT; AUTHORIZING THE PREPARATION AND USE OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE OF AWARD, A NOTE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A NOTE REGISTRAR AGREEMENT.

WHEREAS, pursuant to the 2011 Projects Agreement and the Project Management and Financing Agreement (each as defined in Section 1), Miami Township (Montgomery County), Ohio (the "*Township*") agreed to work cooperatively with the Montgomery County Transportation Improvement District (the "*District*") to acquire and/or construct the Project (as defined in Section 1); and

WHEREAS, the Township and the District have agreed to amend the Project Management and Financing Agreement to provide for appropriate allocations of costs attributable to Phase I Public Improvements that were previously financed under the Phase II Development Agreement (as defined in Section I); and

WHEREAS, pursuant to Resolution No. 41-2013, adopted by this Board on February 26, 2013, the Township issued the Outstanding Note (as defined in Section 1) which was sold to the District; and

WHEREAS, the Board finds and determines that the Township should retire the Outstanding Note with the proceeds of the Note described in Section 3 and other funds available to the Township and sell the Note to the District; and

WHEREAS, the Fiscal Officer, as fiscal officer of the Township, has certified to this Board that the estimated life or period of usefulness of the Project is at least five years, the estimated maturity of the Bonds (as defined in Section 1) is 25 years, and the maximum maturity of the Note is 20 years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“*Act*” means, collectively, Ohio Revised Code Chapter 133 and Section 755.20.

“*Administrator*” means the Administrator of the Township.

“*Authorized Denomination*” means the aggregate principal amount of the Note.

“*Bonds*” means the bonds authorized in Section 2 in anticipation of which the Note is issued.

“*Certificate of Award*” means the Certificate of Award authorized by this Resolution to be executed by the Fiscal Officer.

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

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

“*Continuing Disclosure Agreement*” means the Continuing Disclosure Agreement authorized by this Resolution and made by for the benefit of the owners and beneficial owners of the District Note in accordance with the Rule.

“*Developer*” means RG Properties, Inc., an Ohio corporation.

“*District*” means the Montgomery County Transportation Improvement District.

“*District Note Resolution*” means the resolution adopted by the Board of Trustees of the Township authorizing the District Note.

“District Note” means the Note issued in anticipation of bonds of the District for the purpose of purchasing the Note and paying costs of the Project.

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

“Maturity Date” means the date identified in the Certificate of Award and which date shall be determined by the Fiscal Officer to be necessary or advisable to the sale of the Note; provided that such date shall not be more than one year following the Closing Date.

“Note” means the Note authorized in Section 3.

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

“Note Purchase Agreement” means the Note Purchase Agreement among the District, the Township and the Original Purchaser authorized by this Resolution.

“Note Register” means all books and records necessary for the registration, exchange and transfer of Note as provided in this Resolution and the Note Registrar Agreement.

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

“Note Registrar Agreement” means the Note Registrar Agreement among the Township, the District and the Note Registrar authorized by this Resolution.

“Original Purchaser” means the original purchaser of the District Note.

“Outstanding Note” means that note of the Township issued in anticipation of the issuance of bonds in the amount of \$11,445,000 dated March 27, 2013 to mature on February 13, 2014.

“Phase II Development Agreement” means the Austin Landing Phase II Development Agreement among the Township, the District and the Developer dated March 9, 2012, as amended to date.

“Project” means the acquisition and construction of transportation improvement projects, including but not limited to parking facilities and surface streets, by constructing, reconstructing, improving, widening, grading, draining, landscaping,

curbing, paving, lighting, constructing sidewalks, installing traffic signalization and signage, and acquiring related interests in real property, together with all necessary appurtenances thereto.

“Project Management and Financing Agreement” means the Austin Landing Phase II Project Management and Financing Agreement between the Township and the District dated March 9, 2012, as amended to date.

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

“Section 755.20” means Section 755.20 of Am. Sub. H.B. 153 of the 129th General Assembly.

“Township” means Miami Township, Montgomery County, Ohio.

“2011 Projects Agreement” means the 2011 Projects Agreement dated December 30, 2011 between the Township and the District.

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

Section 2. Authorization of Bonds. It is necessary to issue bonds of the Township in a maximum principal amount of \$11,450,000 (the “Bonds”) for the purpose of paying the costs of the Project.

The Bonds shall be dated approximately February 1, 2015, shall bear interest at the now estimated rate of six percent (6%) per year, payable semi-annually until the principal amount is paid, and are estimated to mature in twenty-five (25) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2015.

Section 3. Authorization of the Note; Principal Amount and Purpose; Application of Proceeds. It is necessary and determined to be in the Township’s best interest to issue a note of this Township in an aggregate principal amount of \$11,450,000, and together with unspent proceeds of the Outstanding Note, to retire the Outstanding Note previously issued for such purpose, including capitalized interest, and to pay costs of the issuance of the Note. The aggregate principal amount of the Note to be issued to provide sufficient funds for those purposes (not to exceed \$11,450,000) shall be determined by the Fiscal Officer in the Certificate of Award. The Note shall be dated the date of its issuance and shall mature on the date identified in the Certificate of Award, which date shall be determined by the

Fiscal Officer to be necessary or advisable for the sale of the Note and which date shall not be more than one year following the date of the issuance of the Note. The Note shall be designated "Transportation Improvements Note, Series 2014 (Austin Landing Phase II Project)" or as may otherwise be designated by the Fiscal Officer in the Certificate of Award. The rate of interest on the Note shall be determined by the Fiscal Officer in the Certificate of Award.

A portion of the proceeds from the sale of the Note shall be deposited in the Bond Retirement Fund to pay the principal and interest due on the Outstanding Note at maturity. A portion of the proceeds from the sale of the Note shall be deposited in an appropriate fund in accordance with the 2011 Projects Agreement and the Project Management and Financing Agreement used to pay financing costs of the Note. Any remaining proceeds from the sale of the Note shall be deposited into the Bond Retirement Fund and be used to pay the principal and interest on the Note when due. All interest earned on amounts on deposit in each of those funds derived from proceeds of the sale of the Note (including any interest on such interest) shall be credited to that fund and used for the purposes set forth above, and shall not be transferred to the General Fund. All the proceeds from the sale of the Note are hereby appropriated for the purposes set forth above.

Section 4. Denominations; Dating; Principal and Interest Payment and Redemption Provisions.

The Note shall be issued in one lot and only as a single fully registered note, in the Authorized Denomination. The Note shall be dated as provided in the Certificate of Award, provided that its dated date shall not be later than February 13, 2014.

- (a) Interest Rate and Payment. The Note shall bear the rate of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award; provided, however, the Note shall bear the same rate of interest as the District Note. The net interest rate per year for the Note determined by taking into account the principal amount of the Note and term to maturity shall not exceed six percent (6%). Interest on the Note shall be payable at maturity and until the principal amount is paid or payment is provided for.
- (b) Principal Payment. The Note shall mature, and the principal thereon shall be payable, on the Maturity Date.
- (c) Payment of Principal of and Interest on the Note. The principal of and interest and any premium on the Note shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar as paying agent. Principal of and interest on the Note shall be payable when due upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar.

- (d) Redemption Provisions. The Note may be subject to optional redemption prior to maturity on the terms and at the price or prices as determined by the Fiscal Officer in the Certificate of Award.

Any notice of the call for redemption of Note shall identify (i) by designation, letters, numbers or other distinguishing marks, the Note, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Note Registrar on behalf of the Township by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of the Note at the registered owner's address shown on the Note Register maintained by the Note Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding the Note, however, shall not affect the validity of the proceedings for the redemption of the Note.

In the event that notice of redemption shall have been given by the Note Registrar to the registered owner as provided above, there shall be deposited with the Note Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Note Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, of the Note. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Note shall become due and payable on the redemption date, and, subject to the provisions of Section 6, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of the Note, together with accrued interest thereon to the redemption date, are held by the Note Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date the Note shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, the Note shall continue to bear interest, until it is paid, at the same rate as it would have borne had it not been called for redemption. All moneys held by the Note Registrar for the redemption of the Note shall be held in trust for the account of the registered owner thereof and shall be paid to the registered owner, respectively, upon presentation and surrender of the Note, provided that any interest earned on the moneys so held by the Note Registrar shall be for the account of and paid to the Township to the extent not required for the payment of the redeemed Note.

- (e) Note Provisions to be Consistent with District Note. The provisions of the Note, including, but not limited to, the aggregate principal amount, the interest rate, the dates of delivery and maturity, and the related redemption provisions, shall be the same as the District Note; provided, however, (i) the District Note shall be special obligations of the District and the Note shall be a general obligation of the Township, and (ii) the District Note may be issued in denominations other than the Authorized Denomination.

Section 5. Execution and Authentication of Note: Appointment of Note Registrar. The Note shall be signed by at least two members of this Board and the Fiscal Officer, in the name of the Township and in their official capacities, provided that any or all of those signatures may be a facsimile. The Note shall be issued in the Authorized Denomination, shall be numbered as determined by the Fiscal Officer in order to distinguish each Note from any other Note and shall express upon its face the purpose, in summary terms, for which it is issued and that it is issued pursuant to this Resolution.

The Fiscal Officer is hereby authorized to designate in the Certificate of Award the initial Note Registrar. The Note Registrar Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Registrar Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township and are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Note Registrar Agreement by the Fiscal Officer.

The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement, from the proceeds of the Note to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

The Note shall not be valid or obligatory for any purpose or shall not be entitled to any security or benefit under the Note Proceedings unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Note Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Note Registrar or by any other person acting as an agent of the Note Registrar and approved by the Fiscal Officer on behalf of the Township. The same person need not sign the certificate of authentication on each Note.

Section 6. Registration; Transfer and Exchange.

- (a) Note Register. So long as any of the Note remains outstanding, the Township will cause the Note Registrar to maintain and keep the Note Register at its designated corporate trust office. The person in whose name the Note is registered on the

Note Register shall be regarded as the absolute owner of that Note for all purposes of the Note Proceedings. Payment of or on account of the principal of and interest on the Note shall be made only to or upon the order of that person; neither the Township nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the Township's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

- (b) Transfer and Exchange. The Note may be exchanged for a Note in the Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the designated corporate trust office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer the Note Registrar shall complete, authenticate and deliver a new Note in the Authorized Denomination and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the Township are required, the Note Registrar shall undertake the exchange or transfer of a Note only after the new Note is signed by the authorized officers of the Township. In all cases of a Note exchanged or transferred, the Township shall sign and the Note Registrar shall authenticate and deliver a Note in accordance with the provisions of the Note Proceedings. The exchange or transfer shall be without charge to the owner, except that the Township and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Township or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. A Note issued and authenticated upon any exchange or transfer shall be a valid obligations of the Township, evidencing the same debt, and entitled to the same security and benefit under the Note Proceedings as the Note surrendered upon that exchange or transfer. Neither the Township nor the Note Registrar shall be required to make any exchange or transfer of the Note if it has been called for redemption.

Section 7. Sale of the Note to the District. It is determined to be in the best interest of the Township that the Note shall be sold at private sale to the District at a purchase price not less than 98% of the aggregate principal amount thereof as shall be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest (if any) on the Note from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law and the provisions of this Resolution.

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

The Note Purchase Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Note Purchase Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Note Purchase Agreement by the Fiscal Officer.

Members of this Board, the Administrator, the Fiscal Officer and any other Township officials, or any of them, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 8. Provisions For Tax Levy. There shall be levied on all the taxable property in the Township. in addition to all other taxes, a direct tax annually during the period the Note is outstanding in an amount sufficient to pay the principal of and interest on the Note when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the bond retirement fund, which is irrevocably pledged for the payment of the principal of and interest on the Note when and as the same fall due.

Section 9. Federal Tax Considerations. The Township covenants that it will use, and will restrict the use and investment of the proceeds of the Note in such manner and to such extent as may be necessary so that (a) the Note will not (i) constitute private activity bonds or arbitrage bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds, the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The Township further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Note to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Note to the governmental purpose of the borrowing, (ii)

restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as the fiscal officer, or any other officer of the Township having responsibility for issuance of the Note is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Township with respect to the Note as the Township is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Note or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Township, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Note, and (c) to give one or more appropriate certificates of the Township, for inclusion in the transcript of proceedings for the Note, setting forth the reasonable expectations of the Township regarding the amount and use of all the proceeds of the Note, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Note. The Fiscal Officer or any other officer of the Township having responsibility for issuance of the Note is specifically authorized to designate the Note as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 10. Official Statement, Rating and Continuing Disclosure.

- (a) Primary Offering Disclosure -- Official Statement. If the District determines it is necessary or appropriate to prepare disclosure documents in connection with the sale of the District Note, members of this Board, the Administrator and the Fiscal Officer are authorized and directed, on behalf of the Township and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the District Note; (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the Township as of its date or is a final official statement for purposes of paragraph (b) of the Rule; (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the

original issuance of the District Note; and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

- (b) Application for Ratings or Insurance. If, in the judgment of the Fiscal Officer, it is in the best interest of and financially advantageous to the Township to file an application for (i) a rating on the Note or the District Note by one or more nationally recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of the principal and interest on the Note or the District Note, the Fiscal Officer is authorized to prepare and submit such applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Note Purchase Agreement, from the proceeds of the Note to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.
- (c) Agreement to Provide Continuing Disclosure. For the benefit of the owners and beneficial owners from time to time of the District Note, the Township agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Fiscal Officer is authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the Township, in substantially the form as is now on file with this Board. The Continuing Disclosure Agreement now on file with this Board is approved, and the Fiscal Officer is authorized to, on behalf and in the name of the Township, sign and deliver the Continuing Disclosure Agreement with such any changes that are not inconsistent with this Resolution, are not substantially adverse to the Township and are approved by the Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.


The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the Township with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Township's general counsel and bond or other qualified independent special counsel selected by the Township. The Fiscal Officer, acting in the name and on behalf of the Township, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the Township of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

- Section 11. Certification and Delivery of Resolution and Certificate of Award. The Fiscal Officer is directed to deliver a certified copy of this Resolution and the Certificate of Award to the County Auditor.
- Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be performed by the Township or to have been met precedent to and in the issuing of the Note in order to make them legal, valid and binding general obligations of the Township have been performed and have been met, or will at the time of delivery of the Note have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 8) of the Township are pledged for the timely payment of the debt charges on the Note; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Note.
- Section 13. Amendment of Project Management and Financing Agreement. This Board finds and determines that it is necessary and appropriate, and in the best interest of the Township to, and hereby does authorize and approve the Amendment of the Project Management and Financing Agreement in substantially the form on file with the Fiscal Officer to provide for appropriate allocations of costs attributable to Phase I Public Improvements that were previously financed under the Phase II Development Agreement.
- Section 14. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution, and all deliberations of this Board and any of its committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.
- Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

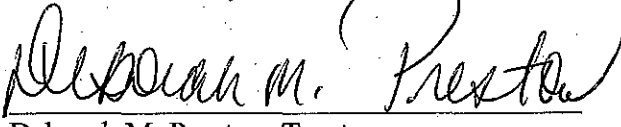
SIGNATURE PAGE ONLY FOR RESOLUTION #177-2013



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:

Ann M. Culp, Fiscal Officer
Passed: December 17, 2013
GSR:sld

RESOLUTION #178-2013

**RESOLUTION TO ENTER INTO AN INDEPENDENT CONTRACTOR
AGREEMENT FOR REWRITING AND CREATING POLICY
GUIDELINES**

Whereas, Miami Township Board of Trustees has a need for professional services relating to the rewriting and creating policy guidelines for Miami Township; and

Whereas, Courtney Kaiser will provide the services that Miami Township Board of Trustees desires; and

Whereas, Mukesh Singh has prepared the attached agreement for the services of Courtney Kaiser; and

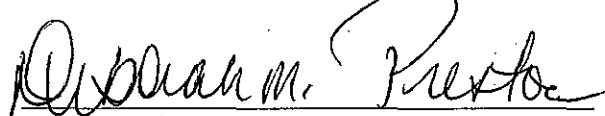
Therefore Be It Resolved, the Miami Township Board of Trustees authorizes the Assistant Township Administrator to enter into an agreement with Courtney Kaiser for professional services beginning January 1, 2014.



Mike R. Nolan, Trustee President



Charles C. Lewis, Trustee Vice-President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 17, 2013

GSR:sld

RESOLUTION #179-2013

RESOLUTION TO HIRE A PART TIME PERMANENT CHIEF COMPLIANCE OFFICER

- Whereas,** Miami Township has a need of part time Chief Compliance Officer; and
- Whereas,** the Board of Trustees desires to hire a Chief Compliance Officer; and
- Whereas,** Ann Culp, Fiscal Officer and Greg Rogers, Assistant Administrator are recommending Mukesh Kumar Singh to fill this position; and

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

1. The hiring of Mukesh Kumar Singh as part time Chief Compliance Officer; and
2. The monthly salary of \$5,000.00 (five thousand dollars); and
3. The period of employment shall commence as of January 1, 2014.

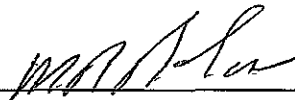
Job Duties:

1. Perform internal audits.
2. Review public information request and provide feedback to the management.
3. Perform periodic review of JEDD & TIF to ensure proper revenue allocation.
4. Review debt service contract and provide feedback to the management.
5. Perform periodic review of contract compliance.
6. Provide feedback to the management and Board of Trustees regarding compliance related issues.
7. Examine records in order to determine if any employees of Miami Township are misusing their authority for either monetary or non-monetary gains.
8. Provide feedback to the management and Board of Trustees of risk in possible employee litigation and personnel issues.
9. Assist in enforcing Township's policies and procedures.
10. Serve in the committees as assigned by elected officials.


Employment Terms & Conditions:

1. The Chief Compliance Officer will report to the Board of Trustees. Administratively this position will report to the Fiscal Officer


2. The Chief Compliance Officer will provide ten hours of on-site and off-site work per week.
3. The Employee will receive 2.5 days (20 hours) of vacation and 2.5 days (20 hours) of sick days annually. Unused vacations will be carried forward to next year. In the event of additional need, with approval of Fiscal Officer, it can be supplemented by compensatory time.
4. The Miami Township, Ohio agrees to budget for and to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer.
5. The Miami Township, Ohio agrees to make a contribution to the Employee's Public Employment Retirement Service (PERS) on the value of this compensation calculated using the rate ordinarily contributed on regular compensation.
6. No medical benefits will be provided.
7. The majority of the Board of Trustees can vote to terminate the Employee providing 90 days notice at a duly authorized public meeting.
8. In the event that the Employee voluntarily resigns his position with the Township, the Employee shall provide a minimum of 90 days notice unless the parties agree otherwise.



Mike R. Nolan, Trustee President

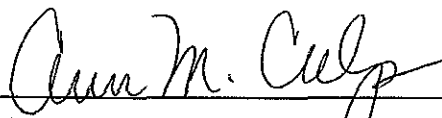


Charles C. Lewis, Trustee Vice President



Deborah M. Preston, Trustee

Attested:



Ann M. Culp, Fiscal Officer

Passed: December 17, 2013

GSR:sld