

BOARD OF TRUSTEES
KARL B. SCHULTZ
KENDAL A. TRACY
MARY MAKLEY WOLFF

FISCAL OFFICER
ERIC C. FERRY

ADMINISTRATOR
JEFFREY A. WRIGHT



ADMINISTRATION
248-3725
248-3730 (FAX)
COMMUNITY DEVELOPMENT
248-3731
SERVICE DEPARTMENT
248-3728
POLICE DEPARTMENT
248-3721
FIRE/EMS
248-3700
PARKS / RECREATION
248-3727

MIAMI TOWNSHIP

6101 MEIJER DRIVE • MILFORD, OH 45150-2189

RESOLUTION 2019-07

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on March 12, 2019 with the following members present: Karl Schultz, Ken Tracy, and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

RESOLUTION AMENDING THE WOODS AT MIAMI TRAILS SECTIONS 5/6/7 LIGHTING DISTRICT TO REMOVE TWO LOTS AND ADJUST THE ASSESSMENT AMONG THE REMAINING LOTS AND DECLARING AN EMERGENCY

WHEREAS, the Board of Trustees (“Board”) previously adopted Resolution 98-31 which established a street lighting district known as the Woods at Miami Trails Sections 5/6/7 Lighting District within Miami Township (the “Lighting District”) and set lot assessments to cover the operating and maintenance costs for the Lighting District; and

WHEREAS, the Board renewed the Lighting District by passage of Resolution 2008-45; and

WHEREAS, the Board has determined the need to remove two lots from the Lighting District and adjust the per lot assessment among the remaining lots as shown in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 515.11 of the Ohio Revised Code, as follows:

SECTION 1: That the public welfare and safety requires that the assessment of the Woods at Miami Trails Sections 5/6/7 Lighting District be adjusted to remove the two lots as shown on Exhibit A and evenly redistribute the costs associated with the Lighting District among the remaining lots.

SECTION 2: That the cost and expenses of operating and maintaining such lights, and of the proceedings in relation thereto, shall continue to be paid from a fund raised by special assessments against the lots and lands in the district which are benefited by such lighting.

SECTION 3: That the property in the subdivision will be specially benefited by the Lighting District. Accordingly, the costs of electrical power and maintenance shall be assessed in an equal amount against each benefited lot to be determined by dividing the total cost per semiannual installment by the number of benefited lots.

SECTION 4: That Duke Energy be and is hereby authorized and directed to continue to maintain the street lighting system for the Lighting District.

SECTION 5: That the Fiscal Officer Certify to the Clermont County Auditor the adjusted assessments for the Lighting District as shown in the attached Exhibit A.

SECTION 6: That this Resolution is hereby declared to be an emergency measure pursuant to Section 504.11 of the Ohio Revised Code, necessary for the immediate preservation of the public peace, health, safety, or welfare of Miami Township, in order to provide an artificial lighting system for the streets in the aforesaid subdivision and to ensure the proper collection of the funds associated with it.

SECTION 7: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 8: This Resolution shall take effect at the earliest period allowed by law.

First Reading:	<u>March 12, 2019</u>
Second Reading:	<u>N/A</u>
Effective:	<u>March 12, 2019</u>

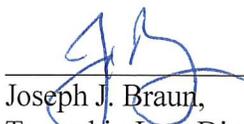
This motion was seconded and the resolution was adopted unanimously.

Resolution 2019-07 adopted March 12, 2019.

ATTEST:

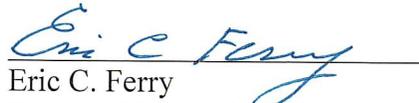

Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


Joseph J. Braun,
Township Law Director

CERTIFICATION OF FUNDS

I hereby certify that at the time of making of this certification the amount required to meet the obligations set forth in this Resolution has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.


Eric C. Ferry
Fiscal Officer, Miami Township

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, Clermont County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 2019-07 duly passed by the Board of Trustees of Miami Township, Clermont County, Ohio on the 12th day of March, 2019, and do hereby further certify that the amount required to meet the obligation imposed by this Resolution has been lawfully appropriated for such purpose, and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

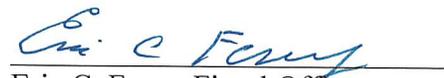

Eric C. Ferry, Fiscal Officer

EXHIBIT A

THE WOODS AT MIAMI TRAILS SECTIONS 5/6/7

COUNTY PROJECT NUMBER 20927

Remove these lots from The Woods at Miami Trails Sections 5/6/7 Lighting District ~ Project #20927:

<u>Lot #</u>	<u>Parcel ID#</u>
545	172521D256
544	172521D255

All remaining lots (41 parcels) in The Woods at Miami Trails Sections 5/6/7 Street Lighting District will be adjusted to reflect the new annual rate of \$118 per lot.