

**TURTLECREEK TOWNSHIP BOARD OF TRUSTEES**

**ON**

**APRIL 25**

**17**

The regular scheduled meeting of the Board of Trustees of Turtlecreek Township was held on April 25, 2017 at 8:00 a.m. with the following person present:

TRUSTEES: Jim VanDeGrift, Daniel Jones, and Jonathan Sams

CHIEF FISCAL OFFICER: Gregory S. Johnson

GUEST: Steve Flint, Tammy Boggs, Ron Chasteen, Jennifer Niehaus, Michael Shaffer, Dean Morrissey, Bob Turner, Mel Miller, Jill Wilson, Gary Horning, Larry Hollingshead, Larry Budd, Doug Miller, and Mike Jameson

The meeting opened with Mr. Jones leading the Pledge of Allegiance.

The minutes of the previous meeting were received by the Trustees prior to the meeting for review. Since there were no additions or corrections, Mr. VanDeGrift moved for acceptance, seconded by Mr. Jones. Mr. Sams abstained from voting due to his absence at the previous meeting. All remaining were in favor and the minutes were approved as written.

Department Reports:

**Fire/EMS:**

Steve Flint, Fire Chief, informed the board that he would like to send a Firefighter that is currently Level I to fire school to obtain his Level II at a cost of \$1,325.00. Mr. VanDeGrift made a motion, seconded by Mr. Sams to approve to send one Firefighter to school to obtain their Level II certification at a cost of \$1,325.00. All present voiced a "YEA" vote and the motion passed with resolution **17-04-11** (a copy of the resolution will be included in the minutes).

Chief Flint informed the board that the roof repair to Station 31 was no in process and being completed.

Chief Flint informed the board that the Jeremiah Morrow Bridge implosion did not go as planned this past Sunday and that they were requesting crews return to the bridge this coming Sunday morning for an additional implosion.

**Road and Bridge:**

Ron Chasteen, Road Supervisor, informed the board that crews had been busy mowing and ditching the area and that he had received compliments regarding recently worked on roads being in good shape.

**Administration:**

Tammy Boggs, Township Administrator, informed the board that the Annual Warren County Prayer Breakfast would be held on May 4<sup>th</sup> at 7AM if the Trustees wished to attend.

Doug Miller, Legal Counsel to the Township, informed the board that all documents were in order for the board to be able to approve a TIF for the Union Village Development. Mr. Miller thanked the board for allowing him to work on the project with and for the Township. Mrs. Jill Wilson and Mr. Mel Miller with Otterbein thanked the Trustees, Administrator, and Fiscal Officer for their cooperation and partnership with Otterbein and the Union Village Development Company. Mr. Sams asked for it to be noted in the minutes that he serves as General Counsel to the Warren County Convention and Visitors Bureau and is a member of their Board as well. After a brief discussion regarding the documents Mr. Jones made a motion, seconded by Mr. Sams to have Attorney Miller read the resolutions needing passed regarding the TIF. All present voiced a "YEA" vote and the motion passed. Mr. Miller read the following resolution to the Trustees:

CREATING TWENTY-TWO TAX INCREMENT FINANCING DISTRICTS; DECLARING THE IMPROVEMENTS TO THE PARCELS WITHIN EACH TIF DISTRICT TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE THE PARCELS IN THE TWENTY-TWO TIF DISTRICTS; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING COMPENSATION AGREEMENTS WITH THE BOARD OF EDUCATION OF THE LEBANON CITY SCHOOL DISTRICT, THE BOARD OF EDUCATION OF THE WARREN COUNTY CAREER CENTER, AND THE BOARD OF COMMISSIONERS OF WARREN COUNTY, OHIO.

Mr. Sams made a motion, seconded by Mr. VanDeGrift to approve the resolution as stated. Upon roll call vote, Mr. VanDeGrift "YEA", Mr. Jones "YEA", and Mr. Sams "YEA". All present voiced a "YEA" vote and the motion passed with resolution **17-04-08** (a copy of the resolution will be included in the minutes). Mr. Miller read the following resolution to the Trustees:

DECLARING THE IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN TURTLECREEK TOWNSHIP, WARREN COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING COMPENSATION AGREEMENTS WITH THE BOARD OF EDUCATION OF THE LEBANON CITY SCHOOL DISTRICT AND THE BOARD OF EDUCATION OF THE WARREN COUNTY CAREER CENTER.

Mr. VanDeGrift made a motion, seconded by Mr. Sams to approve the resolution as stated. Upon roll call vote, Mr. VanDeGrift "YEA", Mr. Jones "YEA", and Mr. Sams "YEA". All present voiced a "YEA" vote and the motion passed with resolution **17-04-09** (a copy of the resolution will be included in the minutes). Mr. Miller read the following resolution to the Trustees:

AUTHORIZING A DEVELOPMENT AGREEMENT AND A TOWNSHIP SERVICES AGREEMENT IN CONNECTION WITH THE UNION VILLAGE PROJECT.

Mr. Sams made a motion, seconded by Mr. VanDeGrift to approve the resolution as stated. Upon roll call vote, Mr. VanDeGrift "YEA", Mr. Jones "YEA", and Mr. Sams "YEA". All present voiced a "YEA" vote and the motion passed with resolution **17-04-10** (a copy of the resolution will be included in the minutes).

#### **Fiscal Officer Reports:**

Mr. Johnson requested a resolution authorizing a leave balance adjustment to JP Campbell and Jeremy Guerra based on additional leaves being added to their balance on a supplemental pay check for this past pay period. Mr. Sams made a motion, seconded by Mr. VanDeGrift to approve the leave balance adjustment decrease of 3.68 hours to JP Campbell and Jeremy Guerra for sick time and a decrease of 3.12 vacation hours for Jeremy Guerra and 6.16 vacation hours for JP Campbell. All present voiced a "YEA" vote and the motion passed with resolution **17-04-07** (a copy of the resolution will be included in the minutes).

#### **General Reports:**

##### 1. CORRESPONDENCE:

###### **IN:**

Letter from Ohio Department of Transportation regarding meeting for paving  
Resolution from Warren County Commissioners to approve text amendments for Zoning code changes  
2016 Annual Report from Warren County Regional Planning  
Letter from OAPT regarding Workers Compensation Pool and Comp Management  
Letter from Ohio Insurance Services Agency regarding board meeting  
Notice of road closure for Jeremiah Bridge  
Notice from US Department of Commerce regarding census  
Notice of quarterly franchise fees from Charter Communications

###### **OUT:**

Letter to Mr. Hollingshead regarding donation  
Email to Mr. Garner regarding request for engine brake  
Letter to Warren County Township Association for dues 2017  
Letter to Kayne Collins regarding job offer for part time employment

The Fiscal Officer presented the bills which were due and the following checks were approved and signed. Check Nos. 27702 through 27923 (copy to follow) and Vouchers 57-2017, 58-2017, 59-2017, 61-2017, and 62-2017.

Post Date	Receipt Number	Source	Account Code	Total Receipt	Purpose
4/3/17	314-2017	LCNBONEYF	1000-701-0000	\$35.43	APRIL 3, 2017 DIVIDENDS
4/17/17	321-2017	FFCB1	1000-701-0000	\$1,750.00	INTEREST RECEIVED 4/17/2017
				<b>\$1,785.43</b>	
4/13/17	318-2017	HUTCHESON HOMECARE PHARMACY	2191-892-0000	\$490.00	CPR COURSE FEES
				<b>\$490.00</b>	
4/17/17	319-2017	EMILY HENDRICKSON	2031-892-0000	\$10.00	GREEN ADDRESS SIGN
				<b>\$10.00</b>	
4/10/17	312-2017	K. HOWELL	2191-299-0000	\$10.00	LIFESQUAD SERVICES
4/11/17	315-2017	D. WILLAIMS	2191-299-0000	\$59.78	LIFESQUAD SERVICES
4/11/17	316-2017	DONEGAL INSURANCE GROUP	2191-299-0000	\$98.00	LIFESQUAD SERVICES
4/11/17	317-2017	TRICARE	2191-299-0000	\$98.46	LIFESQUAD SERVICES
4/17/17	320-2017	TRICARE	2191-299-0000	\$79.03	LIFESQUAD SERVICES
4/20/17	322-2017	M. ST. JOHN	2191-299-0000	\$30.00	LIFESQUAD SERVICES
4/24/17	324-2017	G. MAKAPUGAY	2191-299-0000	\$225.00	LIFESQUAD SERVICES
4/24/17	325-2017	MIDDLETOWN WORKS UNION RETIREES FUND	2191-299-0000	\$99.89	LIFESQUAD SERVICES
4/24/17	326-2017	R. HUFF	2191-299-0000	\$50.00	LIFESQUAD SERVICES
4/24/17	327-2017	CAREWORKS	2191-299-0000	\$654.36	LIFESQUAD SERVICES BWC CLAIM T CASTLE
4/24/17	323-2017	MEDICOUNT MANAGEMENT	2191-299-0000	\$50.00	LIFESQUAD SERVICES MARCH 2017 DEPOSITS
				<b>\$1,454.52</b>	
4/10/17	313-2017	P.E.R.S.OH	2031-892-0000	\$242.64	SUPPLEMENTAL INSURANCE MONEY ON REPAIR OF WORK TRUCK
				<b>\$242.64</b>	

### Visitor Concerns

None

### Trustee Reports:

Mr. Jones informed the board that he questioned the Townships ability and/or desire to allow the County to use the Township Park as an entrance to the proposed Sports Complex in as much as the County would agree to maintain the park. Mrs. Boggs is still working to have the restrictions lifted for the land.

Mr. VanDeGrift informed the board that he was contacted by a resident regarding the care received during a recent EMS run to the Shaker Run Community and the willingness of Fire Chief Flint to attend a ceremony presenting a plaque of commendation to a bystander who provided care during the event.

Mr. VanDeGrift made a motion seconded by Mr. Sams to enter into executive session to consider the purchase of property for public purposes pursuant to ORC 121.22(G)(2). Upon roll call to enter executive session, Mr. Sams "YEA", Mr. Jones "YEA", and Mr. VanDeGrift "YEA". All voiced a "YEA" vote and the motion passed to enter into executive session at 08:39 a.m.

There being no further discussion to be held in executive session, Mr. VanDeGrift made a motion seconded by Mr. Sams to enter out off executive session to the regular scheduled meeting of the township board of trustees. Upon roll call to exit executive session, Mr. Sams "YEA", Mr. Jones "YEA", and Mr. VanDeGrift "YEA". All present voiced a "YEA" vote and the motion was passed at 8:59 a.m.

There being no further business, Mr. VanDeGrift made a motion, seconded by Mr. Sams to adjourn the meeting. All present voiced a "YEA" vote and the motion passed.

The next regular meeting is scheduled for May 8, 2017 at 7:00 P.M.

Signed: \_\_\_\_\_ President

Attest: \_\_\_\_\_ Chief Fiscal Officer

### **RESOLUTION 17-04-07 TURTLECREEK TOWNSHIP WARREN COUNTY, OHIO**

#### **RESOLUTION AUTHORIZING THE ADJUSTMENT OF VACATION AND SICK HOURS FOR JEROMY GUERRA AND JON PAUL CAMPBELL**

WHEREAS, Jeromy Guerra and Jon Paul Campbell received a pay period's allotment of vacation and sick time accidentally on a supplemental paycheck for period ending 4/14/2017;

WHEREAS, Jeromy Guerra should not have received the allotment of 3.68 Sick hours NOR 4.62 Vacation hours on supplemental paycheck 27915 for period ending 4/14/2017;

WHEREAS, Jon Paul Campbell should not have received the allotment of 3.68 Sick hours NOR 6.16 Vacation hours on supplemental paycheck 27914 for period ending 4/14/2017;

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Turtlecreek Township, Warren County, Ohio, that the trustees approved the decrease of sick time as allotted in error on supplemental pay checks for period ending 4/14/2017 in the amount of 3.68 hours for each individual AND the decrease in vacation time allotted for the same period in the amount of 4.62 hours for Jeromy Guerra and 6.16 hours for Jon Paul Campbell.

Mr. Sams moved to adopt the foregoing Resolution. Mr. VanDeGrift seconded the motion and upon call of the roll the following vote resulted:

Mr. VanDeGrift	“YEA”
Mr. Jones	“YEA”
Mr. Sams	“YEA”

Resolution adopted this 25th day of April, 2017.

THE BOARD OF  
TURTLECREEK TOWNSHIP TRUSTEES

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Attest: \_\_\_\_\_

Chief Fiscal Officer

**RESOLUTION NO. 17-04-08**

CREATING TWENTY-TWO TAX INCREMENT FINANCING DISTRICTS; DECLARING THE IMPROVEMENTS TO THE PARCELS WITHIN EACH TIF DISTRICT TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE THE PARCELS IN THE TWENTY-TWO TIF DISTRICTS; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING COMPENSATION AGREEMENTS WITH THE BOARD OF EDUCATION OF THE LEBANON CITY SCHOOL DISTRICT, THE BOARD OF EDUCATION OF THE WARREN COUNTY CAREER CENTER, AND THE BOARD OF COMMISSIONERS OF WARREN COUNTY, OHIO.

WHEREAS, in accordance with Ohio Revised Code Sections 5709.73 through 5709.75, Turtlecreek Township, Ohio (the “Township”) and Union Village Development Company (“UVDC”) have negotiated and intend to enter into a development agreement or substantially similar agreement providing for, among other things, a tax increment financing program to facilitate the development of certain real property located within the territorial boundaries of the Township (the “Project”); and

WHEREAS, a portion of the Project consisting of several separate parcels of real property will be developed to include primarily but not exclusively residential properties; and

WHEREAS, Ohio Revised Code Sections 5709.73, 5709.74 and 5709.75 authorize this Board of Trustees, by resolution, to create multiple incentive districts within the unincorporated territory of the Township, and declare the improvement to each parcel of real property located within each incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a public improvement tax increment equivalent fund for the deposit of those service payments, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit or serve, or that once made will directly benefit or serve, parcels in the incentive districts; and

WHEREAS, pursuant to Ohio Revised Code Section 5709.73(C), this Board of Trustees has determined to create twenty-two (22) individual incentive districts (each an “Incentive District”,

and collectively, the "Incentive Districts"), each Incentive District specifically identified as number one (1) through twenty-two (22) on the maps in Exhibit A attached hereto. The boundaries of each Incentive District will be coextensive with the boundaries of, and will include, the parcels of real property specifically identified in the maps in Exhibit A attached hereto (with each of those parcels referred to herein individually as a "Parcel" and collectively as the "Parcels"); and

WHEREAS, by Resolution No. 16-12-27 passed on December 23, 2016, this Board approved a Final Development Plan with respect to the Incentive Districts (the "Economic Development Plan"); and

WHEREAS, pursuant to Ohio Revised Code Sections 5709.73(A)(4) and 5709.40(A)(5)(f) the engineer for the Township has certified to this Board that (i) each Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, and (ii) the public infrastructure serving each Incentive District is inadequate to meet the development needs of each Incentive District as evidenced by the Economic Development Plan; and

WHEREAS, this Board of Trustees has determined to provide for the construction of public infrastructure improvements described in Exhibit B attached hereto (the "Public Infrastructure Improvements"), which Public Infrastructure Improvements, once made, will directly benefit or serve the Parcels of each Incentive District; and

WHEREAS, the Township desires to grant a fifty percent (50%) exemption from real property taxation for a period of thirty (30) years (the "TIF Exemption") for each improvement to a Parcel within an Incentive District (as defined in Section 3 hereof, the "Improvement"); and

WHEREAS, the Lebanon City School District, the Warren County Career Center, and the Warren County Board of Commissioners have each received notice of the TIF Exemption and the proposed text of this Resolution in advance of the date on which this Resolution is being adopted, in accordance with Ohio Revised Code Sections 5709.73 and 5709.83; and

WHEREAS, the Lebanon City School District, pursuant to a resolution of the Board of Education of the Lebanon City School District adopted on March 20, 2017, has approved the TIF Exemption and waived the notice requirements of Ohio Revised Code Sections 5709.73, 5709.83 and 5715.27, but solely with respect to the Improvement, on the condition that the Township and the Board of Education of the Lebanon City School District enter into an agreement compensating the Board of Education of the Lebanon City School District for a portion of the real property taxes that the Lebanon City School District would have received but for the TIF Exemption; and

WHEREAS, the Warren County Career Center, pursuant to a resolution of the Board of Education of the Warren County Career Center adopted on April 20, 2017, has acknowledged and consented to the TIF Exemption, and waived the notice requirements of Ohio Revised Code Sections 5709.73, 5709.83 and 5715.27, but solely with respect to the Improvement, on the condition that the Township and the Board of Education of the Warren County Career Center enter into an agreement compensating the Board of Education of the Warren County Career Center for a portion of the real property taxes that the Warren County Career Center would have received but for the TIF Exemption; and

WHEREAS, Warren County, pursuant to a resolution of the Board of Commissioners of Warren County adopted on March 14, 2017, did not object to this Resolution and its exemption of the Improvements from real property taxes for the extended term, as provided in this Resolution, on the condition that the Township and the Board of Commissioners of Warren County enter into an agreement compensating the Board of Commissioners of Warren County for a portion of the real property taxes that Warren County would have received but for the TIF Exemption; and

WHEREAS, the Township desires that the Warren County Auditor ("County Auditor") forward the service payments in lieu of taxes to the Township to be used to (i) pay the compensation payments required to be made by the Township pursuant to the Lebanon City School District Compensation Agreement, the Warren County Career Center Compensation Agreement, and the Warren County Compensation Agreement, and (ii) pay the costs of the public infrastructure improvements described in Section 2 of this Resolution, which Public Infrastructure Improvements are for public use and directly benefit the parcels in the Incentive Districts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Turtlecreek Township, Warren County, Ohio that:

SECTION 1. Creation of Incentive Districts. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.73(C), this Board of Trustees hereby creates the following tax increment financing incentive districts, each of which is depicted on the maps in Exhibit A

attached hereto: (i) Incentive District One, consisting of approximately 20.74 acres of real property ("District One"); (ii) Incentive District Two, consisting of approximately 21.65 acres of real property ("District Two"); (iii) Incentive District Three, consisting of approximately 35.54 acres of real property ("District Three"); (iv) Incentive District Four, consisting of approximately 34.20 ("District Four"); (v) Incentive District Five, consisting of approximately 54.08 acres of real property ("District Five"); (vi) Incentive District Six, consisting of approximately 42.38 acres of real property ("District Six"); (vii) Incentive District Seven, consisting of approximately 69.53 acres of real property ("District Seven"); (viii) Incentive District Eight, consisting of approximately 45.98 acres of real property ("District Eight"); (ix) Incentive District Nine, consisting of approximately 48.12 acres of real property ("District Nine"); (x) Incentive District Ten, consisting of approximately 65.66 acres of real property ("District Ten"); (xi) Incentive District Eleven, consisting of approximately 28.17 acres of real property ("District Eleven"); (xii) Incentive District Twelve, consisting of approximately 41.03 acres of real property ("District Twelve"); (xiii) Incentive District Thirteen, consisting of approximately 28.06 acres of real property ("District Thirteen"); (xiv) Incentive District Fourteen, consisting of approximately 39.88 acres of real property ("District Fourteen"); (xv) Incentive District Fifteen, consisting of approximately 50.54 acres of real property ("District Fifteen"); (xvi) Incentive District Sixteen, consisting of approximately 110.26 acres of real property ("District Sixteen"); (xvii) Incentive District Seventeen, consisting of approximately 74.29 acres of real property ("District Seventeen"); (xviii) Incentive District Eighteen, consisting of approximately 59.78 acres of real property ("District Eighteen"); (xix) Incentive District Nineteen, consisting of approximately 97.75 acres of real property ("District Nineteen"); (xx) Incentive District Twenty, consisting of approximately 62.13 acres of real property ("District Twenty"); (xxi) Incentive District Twenty-One, consisting of approximately 32.38 acres of real property ("District Twenty-One"); and (xxii) Incentive District Twenty-Two, consisting of approximately 31.01 acres of real property ("District Twenty-Two").

SECTION 2. Public Infrastructure Improvements. This Board of Trustees hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto as "public infrastructure improvements" (as such term is defined in Ohio Revised Code Sections 5709.40(A)(7) and 5709.73(A)(5) made, to be made, or in the process of being made, and that, once made, will directly benefit or serve the Parcels in each Incentive District.

SECTION 3. Authorization of Tax Exemption; Life of Incentive District. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.73(C), this Board of Trustees hereby finds and determines that fifty percent (50%) of the increase in assessed value of each Parcel (as it may be subdivided or combined in connection with the acquisition or development of a Parcel) within an Incentive District subsequent to the effective date of this Resolution (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Ohio Revised Code Section 5709.73(A)(2)) is declared to be a public purpose. For each Incentive District, the Improvement shall be exempt from real property taxation (the "TIF Exemption") for a period commencing (i) with respect to District Sixteen and District Nineteen, the first day of the tax year in which the true value of the Improvement within District Sixteen and District Nineteen, respectively, attributable to one or more buildings or structures classified as "residential" by the Warren County Auditor's Office in accordance with the rules adopted by the tax commissioner under Ohio Revised Code Section 5713.041 within that Incentive District exceeds Two-Hundred Thousand Dollars (\$200,000.00) as shown on the tax list and duplicate of real and public utility property; and (ii) with respect to all other Incentive Districts, with the first day of the tax year in which the true value of the Improvement within that Incentive District attributable to one or more buildings or structures within that Incentive District exceeds Two-Hundred Thousand Dollars (\$200,000.00) as shown on the tax list and duplicate of real and public utility property; and in all cases ending on the thirtieth (30th) anniversary of the date the TIF Exemption commenced with respect to that Incentive District or the date the Public Infrastructure Improvements are paid in full, whichever occurs first. The life of each individual Incentive District will be thirty (30) years commencing on the first date on which a TIF Exemption is effective within the Incentive District.

SECTION 4. Service Payments and Property Tax Rollback Payments. Pursuant to Ohio Revised Code Section 5709.74, this Board of Trustees directs and requires the owner of each Parcel to make annual service payments in lieu of taxes with respect to the Improvement allocable thereto to the Warren County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established under Ohio Revised Code Sections 323.121 and 5703.47 (collectively, the "Service Payments"), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not subject to the exemption granted in this Resolution. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any

successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), will be allocated and distributed in accordance with Section 6 of this Resolution.

SECTION 5. Creation of TIF Fund. This Board of Trustees hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.75, a Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"), into which the Township Fiscal Officer will deposit the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels. The TIF Fund will be maintained in the custody of the Township. The Township may use amounts deposited into the TIF Fund only for the purposes authorized in Ohio Revised Code Sections 5709.73, 5709.74, 5709.75, including, but not limited to, paying any costs of the Public Infrastructure Improvements and any compensation payments required to be made by the Township pursuant to the Lebanon City School District Compensation Agreement, the Warren County Career Center Compensation Agreement, and the Warren County Compensation Agreement, in a manner that is consistent with this Resolution. The TIF Fund will exist so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the Township's General Fund, all in accordance with Ohio Revised Code Section 5709.75.

SECTION 6. Distribution of Funds. Pursuant to Ohio Revised Code Section 5709.73, 5709.74, and 5709.75, the County Auditor is requested to distribute the Service Payments and the Property Tax Rollback Payments to the Township for deposit into the TIF Fund. The distribution from the County Auditor to the Township required under this Section is requested to be made at the same time and in the same manner as real property tax distributions.

SECTION 7. Authorization of Compensation Agreements. This Board of Trustees further hereby approves the compensation agreement between the Township and the Board of Education of the Lebanon City School District in the form attached hereto as Exhibit C (the "Lebanon City School District Compensation Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Lebanon City School District Compensation Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Lebanon City School District Compensation Agreement on behalf of the Township. This Board of Trustees further hereby approves the compensation agreement between the Township and the Board of Education of the Warren County Career Center in the form attached hereto as Exhibit D (the "Warren County Career Center Compensation Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Warren County Career Center Compensation Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Warren County Career Center Compensation Agreement on behalf of the Township. This Board of Trustees further hereby approves the compensation agreement between the Township and the Board of Commissioners of Warren County in the form attached hereto as Exhibit E (the "Warren County Compensation Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Warren County Compensation Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Warren County Compensation Agreement on behalf of the Township.

SECTION 8. Further Authorizations. This Board of Trustees further hereby authorizes and directs the President of the Board of Trustees, the Township Fiscal Officer, or other appropriate officers of the Township, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the Township, which shall be established conclusively by their signatures thereon, and to prepare and sign all instruments and to take all other actions as may be necessary and appropriate to implement this Resolution.

SECTION 9. Non-Discriminatory Hiring Policy. In accordance with Ohio Revised Code Section 5709.832, this Board of Trustees hereby determines that no employer located in any of the Incentive Districts shall deny any individual employment based solely on race, religion, sex, disability, color, national origin or ancestry. The Township shall include a non-discriminatory hiring policy covenant in any development agreement entered into between the Township and any Owner or developer of any Exempted Property.

SECTION 10. Notices. This Board of Trustees hereby finds and determines that notice of this proposed Resolution has been delivered to all affected school districts, including the Lebanon City School District and the Warren County Career Center, in accordance with Ohio Revised Code Sections 5709.73 and 5709.83, and hereby ratifies the giving of that notice. This Board of Trustees hereby finds and determines that notice of this proposed Resolution has been delivered the Board of Commissioners of Warren County in accordance with Ohio Revised Code Section 5709.73, and hereby ratifies the giving of that notice.

This Board of Trustees hereby acknowledges receipt of the resolution of the Board of Education of the Lebanon City School District approving the TIF Exemption in advance of the date on which this Resolution is adopted and waives receipt of any certification by the Board of Education of the Lebanon City School District of its resolution required under Ohio Revised Code Section 5709.73.

This Board of Trustees hereby acknowledges receipt of the resolution of the Board of Education of the Warren County Career Center acknowledging the TIF Exemption in advance of the date on which this Resolution is adopted and waives receipt of any certification by the Board of Education of the Warren County Career of its resolution required under Ohio Revised Code Section 5709.73.

This Board of Trustees hereby acknowledges receipt of the resolution of the Board of Commissioners of Warren County not objecting to the TIF Exemption in advance of the date on which this Resolution is adopted and waives receipt of any certification by the Board of Commissioners of Warren County of its resolution required under Ohio Revised Code Section 5709.73.

Pursuant to Ohio Revised Code Section 5709.73(l), the Township Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of the Development Services Agency of the State of Ohio within fifteen (15) days after its adoption. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Township Fiscal Officer or other authorized officer of this Township shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Ohio Revised Code Section 5709.73(l).

SECTION 11. Tax Incentive Review Council. The Township has created the Township Tax Incentive Review Council with the membership of that Council constituted in accordance with Ohio Revised Code Section 5709.85. That Council shall, in accordance with Ohio Revised Code Section 5709.85, review annually all exemptions from taxation resulting from the declarations set forth in this Resolution and any other such matters as may properly come before that Council, all in accordance with Ohio Revised Code Section 5709.85.

SECTION 12. Open Meetings. This Board of Trustees finds and determines that all formal actions of this Board of Trustees and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board of Trustees and any of its committees, and that all deliberations of this Board of Trustees and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

SECTION 13. Effective Date. This Resolution shall be effective from and after the earliest period provided by law.

ATTEST:

SIGNED:

\_\_\_\_\_  
Gregory S. Johnson  
Fiscal Officer

\_\_\_\_\_  
Daniel Jones  
Trustee

\_\_\_\_\_  
Jonathan Sams  
Trustee

\_\_\_\_\_  
James VanDeGrift  
Trustee



**RESOLUTION NO. 17-04-09**

DECLARING THE IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN TURTLECREEK TOWNSHIP, WARREN COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING COMPENSATION AGREEMENTS WITH THE BOARD OF EDUCATION OF THE LEBANON CITY SCHOOL DISTRICT AND THE BOARD OF EDUCATION OF THE WARREN COUNTY CAREER CENTER.

WHEREAS, in accordance with Ohio Revised Code Sections 5709.73 through 5709.75, Turtlecreek Township, Ohio (the "Township") and Union Village Development Company ("UVDC") have negotiated and intend to enter into a development agreement or substantially similar agreement providing for, among other things, a tax increment financing program to facilitate the development of certain real property located within the territorial boundaries of the Township (the "Project"); and

WHEREAS, a portion of the Project consisting of several separate parcels of real property (as depicted and described in Exhibit A attached hereto and incorporated herein by this reference), will be developed as commercial properties (the "Commercial TIF Site"); and

WHEREAS, the development of commercial properties in the Township will benefit the Township and its residents by creating economic opportunities, enlarging the property tax base, and stimulating collateral development in the Township; and

WHEREAS, by providing public infrastructure improvements, as that term is defined in Ohio Revised Code Sections 5709.40(A)(7) and 5709.73(A)(5) (as more fully described on Exhibit B attached hereto and incorporated herein by this reference, the "Public Infrastructure Improvements"), the Township may facilitate the development of commercial properties for the benefit of the Commercial TIF Site, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements; and

WHEREAS, Ohio Revised Code Sections 5709.73, 5709.74, and 5709.75 provide for the use of township tax increment financing to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by UVDC, the Township, a new community authority formed within the Township, or any other public or private party in cooperation with the Township, and (ii) payment of debt service (the "Debt Service") on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements; and

WHEREAS, Ohio Revised Code Sections 5709.73, 5709.74, and 5709.75 provide that this Board of Trustees may, among other things, (a) declare the improvement to real property located in the Township to be a public purpose, thereby exempting such improvement from real property taxation for a period of time, (b) specify public infrastructure improvements to be made to benefit the Commercial TIF Site, (c) require the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the Township desires to grant a one hundred percent (100%) exemption from real property taxation for a period of thirty (30) years (the "TIF Exemption") for each improvement to the Commercial TIF Site (as defined in Section 1 hereof, the "Improvement"); and

WHEREAS, the Township has determined that it is necessary and appropriate and in the best interests of the Township to require the owners of the parcels included in the Commercial TIF Site and their heirs, successors and assigns (collectively, with their heirs, successors and assigns, as owners of the Commercial TIF Site, the "Owners") to make service payments in lieu of taxes (as defined in Section 1 hereof, the "Service Payments") with respect to the Improvement pursuant to Ohio Revised Code Section 5709.74; and

WHEREAS, the Lebanon City School District and the Warren County Career Center have each received notice of the TIF Exemption and the proposed text of this Resolution in advance of the date on which this Resolution is being adopted, in accordance with Ohio Revised Code Sections 5709.73 and 5709.83; and

WHEREAS, the Lebanon City School District, pursuant to a resolution of the Board of Education of the Lebanon City School District adopted on March 20, 2017, has approved the TIF Exemption and waived the notice requirements of Ohio Revised Code Sections 5709.73, 5709.83 and 5715.27, but solely with respect to the Improvement, on the condition that the Township and the Board of Education of the Lebanon City School District enter into an agreement compensating the Board of Education of the Lebanon City School District for a portion of the real property taxes that the Lebanon City School District would have received but for the TIF Exemption; and

WHEREAS, the Warren County Career Center, pursuant to a resolution of the Board of Education of the Warren County Career Center scheduled adopted on April 20, 2017, has acknowledged and consented to the TIF Exemption, and waived the notice requirements of Ohio Revised Code Sections 5709.73, 5709.83 and 5715.27, but solely with respect to the Improvement, on the condition that the Township and the Board of Education of the Warren County Career Center enter into an agreement compensating the Board of Education of the Warren County Career Center for a portion of the real property taxes that the Warren County Career Center would have received but for the TIF Exemption.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Turtlecreek Township, Warren County, Ohio that:

SECTION 1. Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.73(B), this Board of Trustees hereby finds and determines that one hundred percent (100%) of the increase in assessed value of each parcel (as it may be subdivided or combined in connection with the acquisition or development of a parcel) comprising the Commercial TIF Site (the "Exempted Property") subsequent to the effective date of this Resolution which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Ohio Revised Code Section 5709.73(A)(2)) is declared to be a public purpose. Pursuant to and in accordance with Ohio Revised Code Section 5709.73(G), the Improvement with respect to each parcel shall be exempt from real property taxation (the "TIF Exemption") for a period commencing with the first day of the tax year in which there is a building or structure on the parcel exceeding Two-Hundred Thousand Dollars (\$200,000.00) in true value that appears on the tax list and duplicate of real and public utility property and ending for a parcel on the thirtieth (30th) anniversary of such date or the date the Public Infrastructure Improvements (as defined in the TIF Resolution) are paid in full, whichever occurs first. After the TIF Exemption becomes effective, such TIF Exemption shall apply with respect to any parcel when the Improvement to such parcel is made and an exemption therefor is claimed in the manner provided for hereinabove.

SECTION 2. Payment of Service Payments. As provided in Ohio Revised Code Section 5709.74, but only after the TIF Exemption is effective, the Owner of a parcel comprising Exempted Property shall be required to, and shall make, service payments in lieu of taxes with respect to the Improvement allocable thereto to the County Treasurer on or before the final due dates for payment of real property taxes. Each service payment in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against such parcel as if it were not exempt from taxation pursuant to Section 1 hereof. If any reduction in the levies otherwise applicable to such parcel is made by the County budget commission under Ohio Revised Code Section 5705.31, the amount of the service payment in lieu of taxes shall be calculated as if the reduction in levies had not been made. Any late payments of service payments in lieu of taxes shall be subject to penalty and bear interest at the then current rate established under Ohio Revised Code Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto (the "Penalties and Interest"). Each Owner shall make any other payments in respect of such parcel which are received by the County Treasurer in connection with any reduction required by Ohio Revised Code Section 319.302, as the same may be amended from time to time, or any successor provisions thereto (the "Property Tax Rollback Payments," together with the service payments in lieu of taxes and the "Penalties and Interest," are collectively referred to herein as the "Service Payments"). The Service Payments shall be allocated and distributed in accordance with Section 3 hereof.

SECTION 3. Creation of TIF Fund; Application of Service Payments. This Board of Trustees hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.75, a Public Improvement Tax Increment Equivalent Fund. The Fiscal Officer of the Township may create one or more accounts or sub-accounts within such fund as appropriate to distinguish the Service Payments received with respect to the TIF Exemption established pursuant to this Resolution from any tax increment financing programs that may be established by the Township in the future and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the

reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements, and any school compensation payments required to be made by the Township pursuant to the Lebanon City School District Compensation Agreement and the Warren County Career Center Compensation Agreement. As used in this Resolution, "TIF Fund" shall refer to the specific fund or account that receives the Service Payments provided for in this Resolution. The TIF Fund shall be maintained in the custody of the Township and shall receive all distributions of Service Payments required to be made to the Township. Those Service Payments received by the Township with respect to the Exempted Property, shall be used solely for the purposes authorized in Ohio Revised Code Sections 5709.73, 5709.74, and 5709.75, including, but not limited to, paying any costs of the Public Infrastructure Improvements and any school compensation payments required to be made by the Township pursuant to the Lebanon City School District Compensation Agreement and the Warren County Career Center Compensation Agreement, in a manner that is consistent with this Resolution. For purposes of this Resolution, "costs" of the Public Infrastructure Improvements payable from the TIF Fund shall also include the items of "costs of permanent improvements" set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, and Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time said TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the Township's General Fund, all in accordance with Ohio Revised Code Section 5709.75.

Pursuant to Ohio Revised Code Section 5709.73, 5709.74, and 5709.75, the Warren County Auditor ("County Auditor") is requested to distribute the Service Payments and the Property Tax Rollback Payments to the Township for deposit into the TIF Fund. The distribution from the County Auditor to the Township required under this Section is requested to be made at the same time and in the same manner as real property tax distributions.

SECTION 4. Public Infrastructure Improvements. This Board of Trustees hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto as "public infrastructure improvements" (as such term is defined in Ohio Revised Code Sections 5709.40(A)(7) and 5709.73(A)(5) made, to be made, or in the process of being made, and that, once made, will directly benefit the Commercial TIF Site.

SECTION 5. Application for Real Property Tax Exemption and Remission. This Board of Trustees further hereby authorizes and directs the President of the Board of Trustees, the Township Fiscal Officer, or other appropriate officers of the Township, to sign and execute all documents and make such arrangements as are necessary and proper for collection of said Service Payments from the Owners of real property located in the Commercial TIF Site, which are to be deposited into the TIF Fund.

SECTION 6. Authorization of School Compensation Agreements. This Board of Trustees further hereby approves the compensation agreement between the Township and the Board of Education of the Lebanon City School District in the form attached hereto as Exhibit C (the "Lebanon City School District Compensation Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Lebanon City School District Compensation Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Lebanon City School District Compensation Agreement on behalf of the Township. This Board of Trustees further hereby approves the compensation agreement between the Township and the Board of Education of the Warren County Career Center in the form attached hereto as Exhibit D (the "Warren County Career Center Compensation Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Warren County Career Center Compensation Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Warren County Career Center Compensation Agreement on behalf of the Township.

SECTION 7. Further Authorizations. This Board of Trustees further hereby authorizes and directs the President of the Board of Trustees, the Township Fiscal Officer, or other appropriate officers of the Township, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the Township, which shall be

established conclusively by their signatures thereon, and to prepare and sign all instruments and to take all other actions as may be necessary and appropriate to implement this Resolution.

SECTION 8. Non-Discriminatory Hiring Policy. In accordance with Ohio Revised Code Section 5709.832, this Board of Trustees hereby determines that no employer located in the Commercial TIF Site shall deny any individual employment based solely on race, religion, sex, disability, color, national origin or ancestry. The Township shall include a non-discriminatory hiring policy covenant in any development agreement entered into between the Township and any Owner or developer of any Exempted Property.

SECTION 9. Notices. This Board of Trustees hereby finds and determines that notice of this proposed Resolution has been delivered to all affected school districts, including the Lebanon City School District and the Warren County Career Center, in accordance with Ohio Revised Code Sections 5709.73 and 5709.83, and hereby ratifies the giving of that notice.

This Board of Trustees hereby acknowledges receipt of the resolution of the Board of Education of the Lebanon City School District approving the TIF Exemption in advance of the date on which this Resolution is adopted and waives receipt of any certification by the Board of Education of the Lebanon City School District of its resolution required under Ohio Revised Code Section 5709.73.

This Board of Trustees hereby acknowledges receipt of the resolution of the Board of Education of the Warren County Career Center acknowledging the TIF Exemption in advance of the date on which this Resolution is adopted and waives receipt of any certification by the Board of Education of the Warren County Career of its resolution required under Ohio Revised Code Section 5709.73.

Pursuant to Ohio Revised Code Section 5709.73(I), the Township Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of the Development Services Agency of the State of Ohio within fifteen (15) days after its adoption. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Township Fiscal Officer or other authorized officer of this Township shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Ohio Revised Code Section 5709.73(I).

SECTION 10. Tax Incentive Review Council. The Township has created the Township Tax Incentive Review Council with the membership of that Council constituted in accordance with Ohio Revised Code Section 5709.85. That Council shall, in accordance with Ohio Revised Code Section 5709.85, review annually all exemptions from taxation resulting from the declarations set forth in this Resolution and any other such matters as may properly come before that Council, all in accordance with Ohio Revised Code Section 5709.85.

SECTION 11. Open Meetings. This Board of Trustees finds and determines that all formal actions of this Board of Trustees and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Ohio Revised Code Section 121.22.

SECTION 12. Effective Date. This Resolution shall be effective from and after the earliest period provided by law.

ATTEST:

SIGNED:

\_\_\_\_\_  
Gregory S. Johnson  
Fiscal Officer

\_\_\_\_\_  
Daniel Jones  
Trustee

\_\_\_\_\_  
Jonathan Sams  
Trustee

\_\_\_\_\_  
James VanDeGrift  
Trustee

**RESOLUTION NO. 17-04-10**

AUTHORIZING A DEVELOPMENT AGREEMENT AND A TOWNSHIP SERVICES AGREEMENT IN CONNECTION WITH THE UNION VILLAGE PROJECT.

WHEREAS, Union Village Development Company, an Ohio corporation (the "Developer") owns or controls certain real property located within the territorial boundaries of Turtlecreek Township, Ohio (the "Township") and the Community Authority of Union Village (the "NCA"), a new community authority formed in accordance with Chapter 349 of the Ohio Revised Code; and

WHEREAS, the Developer has presented to the Township and the NCA its plan to develop the property with a mixed use development to be known as Union Village (the "Project"), including residential, commercial, and public infrastructure improvements; and

WHEREAS, the development of the Project will confer substantial benefits, including additional residential units, commercial and retail development, jobs and revenue, upon the Township and its constituents, while encouraging significant development within the Township and in the surrounding area; and

WHEREAS, the Township has decided to support the Project with, among other things, a tax increment financing program exempting from real property taxation certain improvements to real property within the property to facilitate the development of certain public infrastructure improvements (the "TIF Program"); and

WHEREAS, the Developer, the NCA, and the Township desire to enter into a Development Agreement to provide for, among other things, the construction of the Project and the disposition of funds from the TIF Program; and

WHEREAS, the Developer and the NCA have requested that the Township provide certain services with respect to the Project, and the Township and the NCA desire to enter into a Township Services Agreement relating to the provision of and compensation for such services described therein.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Turtlecreek Township, Warren County, Ohio that:

SECTION 1. Authorization of Development Agreement. This Board of Trustees hereby approves the Development Agreement by and among the Township, the NCA, and the Developer in the form attached hereto as Exhibit A (the "Development Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Development Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Development Agreement on behalf of the Township.

SECTION 2. Authorization of Township Services Agreement. This Board of Trustees hereby approves the Township Services Agreement between the Township and the NCA in the form attached hereto as Exhibit B (the "Township Services Agreement"), with any changes that are not inconsistent with this Resolution and not substantially adverse to the Township and that are approved by the Township Fiscal Officer on behalf of the Township, all of which shall be conclusively evidenced by the signing of the Township Services Agreement, and hereby authorizes the President of the Board of Trustees and the Township Fiscal Officer to execute the Township Services Agreement on behalf of the Township.

SECTION 3. Further Authorizations. This Board of Trustees further hereby authorizes and directs the President of the Board of Trustees, the Township Fiscal Officer, or other appropriate officers of the Township, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the Township, which shall be established conclusively by their signatures thereon, and to prepare and sign all instruments and to take all other actions as may be necessary and appropriate to implement this Resolution.

SECTION 4. Open Meetings. This Board of Trustees finds and determines that all formal actions of this Board of Trustees and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board of Trustees, and that all deliberations of this Board of Trustees and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Ohio Revised Code Section 121.22.

SECTION 12. Effective Date. This Resolution shall be effective from and after the earliest period provided by law.

ATTEST:

SIGNED:

\_\_\_\_\_  
Gregory S. Johnson  
Fiscal Officer

\_\_\_\_\_  
Daniel Jones  
Trustee

\_\_\_\_\_  
Jonathan Sams  
Trustee

\_\_\_\_\_  
James VanDeGrift  
Trustee

**RESOLUTION 17-04-11  
TURTLECREEK TOWNSHIP  
WARREN COUNTY, OHIO**

**RESOLUTION TO PAY FOR FIRE FIGHTER II CLASS**

WHEREAS, it is the intent of Turtlecreek Township Board of Trustees to pay for the Fire Fighter II transition training class for a Township Fire Fighter. The cost of the course is \$1,325.00 through the Warren County Career Center. Source of the funds will be the Fire Fund 2192-220-590-0006 (Other – Other Expenses – Fire Training).

THEREFORE, by motion of Mr. VanDeGrift and seconded by Mr. Sams the above resolution was approved. All voiced a “YEA” vote and the resolution passed.

Adopted this 25th day of April, 2017

Signed: \_\_\_\_\_ “YEA”

\_\_\_\_\_ “YEA”

\_\_\_\_\_ “YEA”

Attest: \_\_\_\_\_ Chief Fiscal Officer