

**UNION TOWNSHIP – WARREN COUNTY**

**BOARD OF TRUSTEES – Regular Meeting – October 4, 2021**

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**CALLING THE MEETING TO ORDER:** The regular meeting of the Union Township Board of Trustees was called to order by President of the Board, Fred Vonderhaar on Monday, 10/4/21 at 6:00 p.m. at the Union Township Municipal Building. The meeting was opened with the Fiscal Officer, Shelley Lamb, taking roll call of the trustees: Fred Vonderhaar, Tony Ledford & Jamie Allen. Prayer was led by Chief Napier. Mr. Vonderhaar led everyone in The Pledge of Allegiance.

**CITIZENS IN ATTENDANCE (IF KNOWN):** Barbara Aberlin, Art Perong, David Habel, Dr. Sarah Haas-Habel, Joshua Jacob, and Angela Marie DeMarco were in attendance.

**OTHER ATTENDING PERSONS:** Union Township Attorney Bruce McGary presented Resolution #100421-01, Adopting A Policy Establishing The Process To Vacate A Union Township Road And/Or Right-Of-Way (see attached). Mr. Vonderhaar moved for adoption of this resolution, seconded by Mr. Allen. The resolution passed after an all “yeas” vote.

David Habel & Dr. Sarah Haas-Habel of 2154 Bone Road, spoke about their request for the vacating of their area of Bone Road by Union Township. Joshua Jacob & Angela Marie DeMarco of 2155 Bone Road also had this same request as they all own the two properties at the dead-end in question. The property owners will now have to follow the newly adopted policy before this request can be approved by Union Township.

Patti Ahting, Chief Deputy Director & Rahul Gupta from the Mental Health Recovery Board that serves Warren & Clinton Counties, stopped by to promote the “Mental Health Levy Renewal” that is on the ballot for November 2, 2021.

**POLICE SUMMARY:** Sergeant Adams reported his team has been working on vehicle break-ins and damage to new homes under construction in the area.

**CHIEF’S REPORT:** Chief Napier presented a quote for a new personnel policy manual from Clemons, Nelson & Associates. Mr. Ledford made a motion to accept the quote, not to exceed \$6,500.00, seconded by Mr. Vonderhaar. The motion was carried by all “yeas”. Chief Napier then presented a quote from Autom Security for cameras to monitor the Township Building. Mr. Vonderhaar made a motion to accept the quote, not to exceed \$5,600.00, seconded by Mr. Allen. The motion was carried by all “yeas”. Chief Napier reported some of the HVAC work on the building was complete.

**ROAD SUPERINTENDENT’S REPORT:** Josh Sandlin reported he needs to repair a few roads in Shawhan Trails.

**FISCAL OFFICER’S REPORT:** The Fiscal Officer presented the bills to pay, fund status, cemetery deeds, etc. thru October 4, 2021. All were signed and approved by the Board of Trustees.

**NEW BUSINESS:** Mr. Ledford made a motion to pay the bills, seconded by Mr. Allen. The motion was carried by all “yeas”.

Mr. Allen mentioned a resident on Shawhan Road wanted information about a new drain tile for his residence. Mr. Sandlin said he would contact the resident with the information as it will need approval from Warren County. Mr. Allen made a motion to accept the minutes from the meeting held on 9/20/21, seconded by Mr. Vonderhaar. The motion was carried by all “yeas”.

Mr. Vonderhaar stated he is still working a proposed property annexation into the City of Lebanon and the Township Stimulus Program for new sidewalks, road repairs, etc.

**ADJOURNMENT:** There being no further business, Mr. Vonderhaar made a motion, seconded by Mr. Ledford to adjourn the meeting at 7:36 p.m. The motion was carried by all “yeas”. The next meeting will be Monday, October 18, 2021, at 6:00 p.m.

**UNION TOWNSHIP BOARD OF TRUSTEES  
WARREN COUNTY, OHIO**

Resolution Number: 100421-01

Date of Resolution: October 4, 2021

**RESOLUTION: ADOPTING A POLICY ESTABLISHING THE PROCESS FOR AN ABUTTING OWNER OR OWNERS TO REQUEST THAT THE BOARD OF TRUSTEES PETITION THE BOARD OF COUNTY COMMISSIONER TO VACATE A UNION TOWNSHIP ROAD AND/OR ROAD RIGHT-OF-WAY, OR ANY PORTION THEREOF, UNDER SECTION 5553.045 OF THE OHIO REVISED CODE**

**WHEREAS**, in accordance with section 5553.045 of the Ohio Revised Code, a board of township trustees may petition the board of county commissioners to vacate a township road or portion of a township road by passing a resolution that requests the vacation of the road or portion of the road and includes a description of the general route and termini of the road or portion of the road to be vacated; and,

**WHEREAS**, this Board desires to adopt a written policy establishing a process for any abutting owner or owners to a Union Township Road, or portion thereof, to request that the Board adopt a resolution to file a petition under section 5553.045 of the Ohio Revised Code.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of Union Township, Warren County, Ohio, at least a majority of all Trustees casting a vote concur as follows:

**Section 1.** this Board does hereby adopt a policy establishing the process for an abutting property owner or owners to a Union Township Road, or any portion thereof, to request the Union Township Board of Trustees petition the Warren County Board of County Commissioners to vacate a Union Township Road and/or Road right-of-way, or any portion thereof, under section 5553.045 of the Ohio Revised Code.

**Section 2.** In order for this Board to consider adopting a resolution to petition the Warren County Board of County Commissioners to vacate a Union Township Road and/or Road right-of-way, or any portion thereof, at the request of an abutting owner or the joint request of abutting owners, the abutting owner or owners must do the following:

- a) submit a signed request (letter format is acceptable) addressed to the Union Township Board of Trustee, c/o Township Administrator, 285 Pike Street, South Lebanon, Ohio 45065, that:
  - i) states the name and address of each abutting owner to the proposed area to be vacated; and,
  - ii) lists each parcel or lot abutting the proposed area to be vacated including the permanent parcel number, Auditor's account number, acreage, property address and tax mailing address of each parcel or lot; and,

- iii) provides a legal description of the area to be vacated, acceptable to the Warren County Engineer's Tax Map Department, 406 Justice Drive, 2<sup>nd</sup> Fl., Lebanon, OH 45036, Ph. (513) 695-1190, that includes without limitation: a description of the general route and termini of the Union Township Road, or any portion thereof, proposed to be vacated; the right-of-way width and source used to determine such width; a statement whether the area proposed to be vacated is a dedicated road, or owned to the centerline by the abutting property owner(s) and is subject to right-of-way easement only; and the acreage to the centerline or the road, or any portion thereof, proposed to be vacated from each abutting parcel or lot; and,
- iv) identifies the name of each employee and date(s) the requester(s) discussed the matter with each employee of the Warren County Engineer's Office; and,
- v) states the period of time the Township Road has not been maintained by Union Township
- vi) includes a statement of the reason(s) for the request; and,
- vii) includes an explanation of the necessity of and how vacating a Union Township Road and/or Road right-of-way, or any portion thereof, would be for the public convenience or welfare; and,
- viii) explains reason(s) why, if all abutting property owners have not signed the request
- ix) includes a statement that the requester(s) have consulted with the Zoning Dept., Building Dept., Health Dept. and any other applicable local, state, or federal regulatory agency to determine whether the proposed vacation will have a detrimental impact on the requester(s) current or intended future use of each parcel or lot; and,
- x) includes a statement that the requester(s) understands that should the Union Township Road and/or Road right-of-way, or any portion thereof, be vacated, that the vacated area will still be subject to: (1) a permanent easement in, over, or under the road for services utilities of a public utility or electric cooperative, (2) the right of ingress and egress in favor of each public utility or electric cooperative to service and maintain those service facilities; and, (3) the right of each public utility or electric cooperative to trim or remove any trees, shrubs, brush, or other obstacles growing in or encroaching onto the permanent easement that may affect the operation, use, or access to those service facilities; and,

**Section 3.** nothing in this Resolution shall be construed to prohibit the Union Township Board of Trustees, by at least a majority vote, from adopting a resolution to petition the Warren County Board of County Commissioners to vacate a Union Township Road and/or Road right-of-way, or any portion thereof, should the Board of Trustees desire to do so based on the recommendation of the Township Road Superintendent.

**Section 4.** the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

**Section 5.** this Resolution constitutes a ministerial act that shall take effect immediately upon its adoption.

**Section 6.** it is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board in compliance with all legal requirements, including R.C. 121.22.

Mr. Vonderhaar moved adoption of the foregoing Resolution, being seconded by Mr. Allen. Upon call of the roll, the following vote resulted:

Mr. Vonderhaar	-	<u>yes</u>
Mr. Ledford	-	<u>yes</u>
Mr. Allen	-	<u>yes</u>

Resolution adopted this 4th day of October, 2021.

#### **CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the Resolution No. 100421-01 adopted on October 4, 2021, by the Board of Trustees of Union Township, Warren County, Ohio.

  
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SHELLEY LAMB, FISCAL OFFICER