

UNION TOWNSHIP – WARREN COUNTY

BOARD OF TRUSTEES – Regular Meeting – February 22, 2022

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 Tuesday, 2/22/2022 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 & Chris Koch. The prayer was led by Chief Napier. Mr. Vonderhaar led everyone in The Pledge of Allegiance.

CITIZENS IN ATTENDANCE (IF KNOWN): Attorney Bruce McGary, Leon Gray, Art Perong, Tony Ledford, David Pittman & Abby Hall were in attendance. Ms. Hall is an intern working with the Union Township Fire Department from the Warren County Career Center. She is applying for the Warren County Townships Association 2022 Scholarship.

POLICE SUMMARY: Warren County Sheriff Larry Sims was present to give his department’s review of 2021. These annual reports are posted on the Sheriff’s page on the Warren County website co.warren.oh.us. Sergeant Adams & Deputy Pangallo had nothing to report.

CHIEF’S REPORT: Chief Napier presented his department’s yearly run & mutual aid statistics from 2021 compared to 2020 (see attached). Chief Napier stated Shawnee Trails wanted an ice/snow removal agreement with Union Township (for a fee) for their subdivision’s final phase. Mr. Vonderhaar made a motion to adopt this Resolution #02-22-2022-01 (see attached) for the removal, seconded by Mr. Koch. The motion was carried by all “yeas”.

ROAD SUPERINTENDENT’S REPORT: Josh Sandlin was not in attendance.

FISCAL OFFICER’S REPORT: The Fiscal Officer presented the bills to pay, fund status, cemetery deeds, etc. thru February 22, 2022. All were signed and approved by Mr. Vonderhaar & Mr. Koch.

NEW BUSINESS: Mr. Koch made a motion to accept the minutes from the meeting held on 2/7/22, seconded by Mr. Vonderhaar. Mr. Koch made a motion to pay the bills, seconded by Mr. Vonderhaar. Both motions were carried by all “yeas”. Mr. Koch requested a copy of the employee handbook from Chief Napier.

Mr. Vonderhaar stated the City of Lebanon is willing to give Union Township 1.1 – 1.15 acres of property on the south side of Fellowship Cemetery with 12-year reparations for annexation of a property on Kings View. Mr. Koch requested an additional 2 acres of land behind the cemetery be included in this offer from the City of Lebanon for the annexation. Attorney McGary said he would present this additional request to Lebanon. Attorney McGary then mentioned House Bill 51 had been passed by Governor DeWine to allow for virtual meetings through 6/30/22. Union Township will need to adopt a resolution if they want to conduct any public meetings of this type.

Mr. Vonderhaar made a motion to adopt Resolution #02-22-2022-02 (see attached) to participate with the Warren County Engineer’s Office for the bidding process pertaining to the resurfacing of certain Union Township roads, seconded by Mr. Koch. The motion was carried by all “yeas”.

Mr. Vonderhaar stated there is a request & hearing from a homeowner on Mason Morrow Road to be rezoned. Mr. Koch will look at the specifics and have an answer at the next meeting, as Mr. Vonderhaar had no issues with the request.

Mr. Vonderhaar said the \$122,000.00 grant to repair the roads in Highland Park looks very promising, only costing Union Township approximately \$20,000.00.

Mr. Vonderhaar again presented resident Leon Gray as his candidate for the vacated Trustee seat within Union Township. Warren County Common Pleas Judge Kirby will now have to decide who will fill the open Trustee seat, as there was not a consensus on a new Trustee.

ADJOURNMENT: There being no further business, Mr. Vonderhaar made a motion, seconded by Mr. Koch to adjourn the meeting at 7:22 p.m. The motion was carried by all “yeas”. The next regular meeting will be Monday, March 7, 2022, at 6:00 p.m.

RESOLUTION #02-22-2022-01

**AGREEMENT FOR SNOW/ICE REMOVAL
UNACCEPTED STREETS – SHAWHAN TRAILS**

SEE ATTACHED

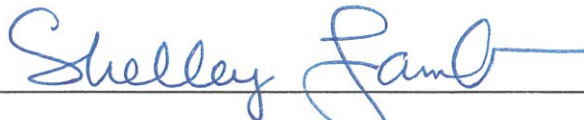
Mr. Vonderhaar moved for adoption of the foregoing resolution, being seconded by Mr. Koch. Upon call of the roll, the following voted resulted:

Mr. Vonderhaar: “yea”

Mr. Koch: “yea”

Resolution adopted this 22nd day of February 2022.

Union Township

A handwritten signature in blue ink that reads "Shelley Lamb". The signature is written in a cursive style and is positioned above a horizontal line.

Shelley Lamb, Fiscal Officer

AGREEMENT FOR SNOW AND ICE REMOVAL FOR UNACCEPTED STREETS

I. Parties:

The parties to this Agreement are the Union Township Board of Trustees (hereinafter the "Township)" and Shawhan Associates, LTD (hereinafter the "Developer"), the developer of Shawhan Trails **Subdivision, Section/Phase** 7 (hereinafter the "Subdivision").

II. Purpose:

The purpose of this Agreement is to make provision for the removal of snow and ice from the streets as are shown upon the recorded plat of the Subdivision prior to the time of the acceptance of such streets by the County as a part of the Township road system if the Developer, for whatever reason, does not remove snow and ice in a timely manner from said streets.

III. Authorization:

Developer does hereby grant permission to the County or Township, as may be appropriate, to enter into the Subdivision as may be necessary to perform such snow and ice removal upon all streets shown upon the plat of such subdivision and dedicated as public streets.

IV. Reimbursement of Cost of Snow and Ice Removal:

The County or Township performing snow and ice removal from the aforesaid streets shall invoice the Developer for the actual cost of such snow and ice removal. The Developer shall pay such invoice within thirty (30) days of the date of the same by check made payable to the invoicing political subdivision. The cost for the winter of 2021 - 2022 will be \$150.00 per hour plus material.

As used herein, "actual cost" means any costs incurred due to the use of employees, materials or equipment. Costs incurred due to the use of employees shall include wages, fringe benefits and employer PERS contributions. Costs incurred due to the use of materials shall be the costs incurred by the political subdivision in purchasing such materials and based upon quantity of materials used. Costs incurred due to the use of equipment shall be based upon standard rental rates within the community for the equipment used.

V. Hold Harmless; Indemnification; Defense

The Developer does hereby agree to defend, indemnify and hold the County and/or Township, its agents, employees and contractors, performing the snow and ice removal harmless from any and all

claims, suits, actions, injuries, damages, liabilities, costs, expenses and attorneys fees which may be occasioned by the County or Township performing the snow and ice removal within the aforesaid subdivision.

VI. Determination of Necessity and Priority of Snow and Ice Removal:

The County or Township responsible for snow and ice removal within the Subdivision shall determine in its sole discretion the necessity of performing snow and ice removal within the Subdivision and the priority of performing snow and ice removal within the Subdivision.

VII. No Common Law Acceptance:

The performance of snow and ice removal within the Subdivision by the County or Township, as may be applicable, is not intended nor should the performance of such snow and ice removal be construed as an act indicating the acceptance of the streets within the Subdivision as a part of the County or Township road system and that such acceptance may only occur by formal resolution adopted by the County.

VIII. Modification; Binding Effect; Entire Agreement:

- A. This Agreement may be modified only in writing and signed by both parties.
- B. This Agreement shall be binding upon the successors and assigns of the parties hereto.
- C. This Agreement represents the entire understanding of the parties and any oral discussions or representations not consistent with the terms of this Agreement are of no force and effect.

IN EXECUTION WHEREOF, the Developer has caused this security agreement to be executed on the date stated below.

DEVELOPER:

Pursuant to a resolution authorizing the undersigned to execute this agreement.

SIGNATURE: William B. Merand

PRINTED NAME: William B. Merand

TITLE: Managing Member

DATE: 2/17/2022

IN EXECUTION WHEREOF, the Union Township Board of Trustees have caused this security agreement to be executed by the President of the Board, on the date stated below, pursuant to Board Resolution Number 022222-01 , dated 02/22/2022 .

**UNION TOWNSHIP
BOARD OF TRUSTEES**

SIGNATURE: Fred Vonderhaar

PRINTED NAME: Fred Vonderhaar

TITLE: President

DATE: 2-23-2022

Resolution No. 02-22-2022-02

Authorizing Contract with Warren County Engineer's Office for Warren County 2022 Resurfacing Project and Warren County Chip Seal Project

WHEREAS, UNION Township desires an agreement to participate in the 2022 Resurfacing Project and 2022 Chip Seal Project through the Warren County Engineer's Office; and

WHEREAS, the Warren County Engineer's Office meets all applicable State and local requirements through the bid process for resurfacing and chip seal; and

WHEREAS, in order to save money and expedite the bidding process, it benefits UNION Township to enter into an agreement with the Warren County Engineer's Office for the 2022 Resurfacing Project and 2022 Chip Seal Project for the 2022 construction season; now

THEREFORE BE IT RESOLVED, by the Board of Trustees of UNION Township to enter into an agreement to participate with the Warren County Engineer's Office for the bidding and payment of the 2022 Resurfacing Project and 2022 Chip Seal Project for the 2022 construction season; and

FURTHER BE IT RESOLVED, that the Township Administrator and/or the Road Superintendent of UNION Township are hereby authorized to file and sign all documents associated herewith including the forwarding of the estimated totals needed for the 2022 Resurfacing Project and 2022 Chip Seal Project as prepared by the Road Superintendent.

SEE ATTACHED FOR REQUESTED AREAS & COST APPROXIMATIONS

Mr. Vonderhaar moved for adoption of the foregoing resolution, being seconded by Mr. Koch. Upon call of the roll, the following vote resulted:

Mr. Vonderhaar: "yea"

Mr. Koch: "yea"

Resolution adopted this 22ND day of February 2022.

UNION TOWNSHIP


Chief Fiscal Officer

**ALL PRICES ARE APPROXIMATIONS DUE TO
PENDING BID PROCESSES AS PER
WARREN COUNTY ENGINEER.**

**2022 UNION TOWNSHIP
PAVEMENT REPAIRS:**

BUNNELL ROAD - \$14,000.00

DRY RUN ROAD - \$15,000.00

PHILLIPS ROAD - \$ 5,100.00

SHAWHAN ROAD - \$10,000.00