Board of Trustees
Karl B. Schultz
Kendal A. Tracy
Mary Makley Wolff

Fiscal Officer
Eric C. Ferry

Administrator
Larry Fronk

Miami Township

6101 Meijer Drive • Milford, OH 45150-2189

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

RESOLUTION 2014-70

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on December 8, 2014 with the following members present: Ken Tracy, Mary Makley Wolff and Karl Schultz.

MS. WOLFF introduced the following resolution and moved its adoption:

A RESOLUTION AMENDING RESOLUTION NO. 2005-47 TO DECLARE ADDITIONAL PUBLIC INFRASTRUCTURE IMPROVEMENTS FOR AN EXISTING TAX INCREMENT FINANCING EXEMPTION ADOPTED PURSUANT TO SECTION 5709.73(B) OF THE OHIO REVISED CODE, IN MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO.

2014 DEC 22 PM 2:
RECEIVED

WHEREAS, on December 20, 2005, this Board adopted a resolution declaring to be a public purpose certain public improvements which are necessary for the further development of certain parcels within the Township and establishing a tax increment equivalent fund; and

WHEREAS, this Board wishes to declare additional public infrastructure improvements to be a public purpose pursuant to those resolutions; and

WHEREAS, notice has been given to the Milford Exempted Village School District (the "School District") on October 22, 2014, of the consideration of this Resolution amending Resolution No. 2005-47, as required by Section 5709.73 of the Ohio Revised Code, and this Board will continue to compensate the School District pursuant to that certain Tax Incentive Agreement entered into by and between the Township and the School District, dated December 28, 2005; and

WHEREAS, the Board of Education of the School District passed a resolution on November 20, 2014, approving the amendments to Resolution No. 2005-47 contemplated by this Resolution; and

WHEREAS, notice has been given to Great Oaks Institute of Technology and Career Development ("Great Oaks") on October 22, 2014, of the consideration of this Resolution amending Resolution No. 2005-47, as required by Section 5709.73 of the Ohio Revised Code, and this Board will compensate Great Oaks pursuant to Section 5709.73(D) of the Ohio Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, County of Clermont, State of Ohio:

SECTION 1. That Section 1 of Resolution No. 2005-47 which reads as follows:

That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, traffic control devices, landscaping and alterations to existing streets; the planning, design and construction of utilities including but not limited to water facilities, sanitary sewers, gas mains, electric facilities, communication facilities, storm water sewers and retention/detention facilities; the planning, design and construction of public safety facilities, park and recreation facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas and open areas necessary for ensuring the compatibility of adjacent land uses; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "Panera/PNC TIF Site"), but excluding any and all residential property located within Exhibit "A", which parcels are located in an unincorporated area of the township, and for the creation of jobs, increasing property values and the provision of adequate public services in Miami Township.

shall be and is hereby amended to read:

That this Board hereby finds and declares that certain public improvements in the Township, to wit: the planning, design and construction of public street improvements including pavements, walkways, traffic control devices, landscaping and alterations to existing streets; the planning, design and construction of utilities including but not limited to water facilities, sanitary sewers, gas mains, electric facilities, communication facilities, storm water sewers and retention/detention facilities; the planning, design and construction of park and recreation facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas and open areas necessary for ensuring the compatibility of adjacent land uses; the acquisition or construction of public service facilities, including police and fire stations, emergency services, and safety service equipment; and, the purchase of property rights of way and easements or other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary for the further development of the parcels of land described in Exhibit "A" attached to this Resolution (such parcels are hereinafter collectively referred to as the "Panera/PNC TIF Site"), but excluding any and all residential property located within Exhibit "A", which parcels are located in an unincorporated area of the township, and for the creation of jobs, increasing property values and the provision of adequate public services in Miami Township.

SECTION 2. That Section 4 of Resolution No. 2005-47 which reads as follows:

That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Miami Township Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvement or to make payments to the Milford Exempted Village School District pursuant to the Tax Incentive Agreement referred to in the third Preamble herein and hereby authorized to be entered into by the Township Administrator or the President of the Board of Township Trustees.

shall be and is hereby amended to read:

That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Miami Township Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to: (i) finance the Public Improvement, (ii) make payments to the Milford Exempted Village School District pursuant to the Tax Incentive Agreement referred to in the third Preamble herein and hereby authorized to be entered into by the Township Administrator or the President of the Board of Township Trustees, and (iii) make payments to Great Oaks, beginning with tax year 2014 (collection year 2015), in an amount equal to 56.5% of the effective tax millage rate attributable to Great Oaks multiplied by the assessed value of the Improvements, consistent with the requirement that the Township compensate Great Oaks pursuant to Section 5709.73(D) of the Ohio Revised Code.

SECTION 3. That all sections and provisions of Resolution No. 2005-47 not specifically amended hereby shall remain in full force and effect.

SECTION 4. That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Clermont County.

SECTION 5. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution shall be effective at the earliest date allowed by law.

MR. SCHULTZ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Mr. Tracy	AYE
Ms. Wolff	AYE
Mr. Schultz	AYE

Resolution 2014-70 adopted December 8, 2014.

Attest:

Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:

Joseph J. Braun
Law Director

APPROVED AS TO CONTENT:

Brenda A. Wehmer
Township Bond Counsel

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Miami Township Fiscal Officer, this 8 day of December, 2014.

Eric C. Ferry, Fiscal Officer

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Board of Township Trustees of Miami Township, Clermont County, Ohio, and was certified to the County Auditor of Clermont County and the Milford Exempted Village School District.

Eric C. Ferry, Fiscal Officer

Dated:_____

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing resolution.

Clermont County Auditor

Dated: December 22, 2014

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing resolution.

Treasurer, Milford Exempted Village School District

Dated: Dec 17, 2014