



HAMILTON TOWNSHIP

HAMILTON TOWNSHIP ADMINISTRATION

Joe Rozzi – Trustee, *Chair*
Mark Sousa – Trustee
Darryl Cordrey – Trustee
Kurt Weber - *Fiscal Officer*

7780 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-8520

Township Administrator
Brent Centers
(513) 239-2372

Police Department
Scott Hughes – Police Chief
Phone: (513) 683-0538

Fire and Emergency Services
Brian Reese – Fire Chief
7684 South State Route 48
Maineville, Ohio 45039
Phone: (513) 683-1622

Public Works
Kenny Hickey – Director
Phone: (513) 683-5360

Assist. Fiscal Officer
Ellen Horman
Phone: (513) 239-2379

Human Resources
Kellie Krieger
Phone: (513) 239-2384

**Economic Development
and Zoning**
Phone: (513) 683-8520

**Community Development
Coordinator**
Nicole Earley
(513) 683-5320

TRUSTEE MEETING AGENDA 12/1/2021

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and accept the tapes as the Official Minutes of the November 17, 2021 Township Trustee Meeting
- Bills before the Board

Public Comments

Human Resources

New Business

- Motion: Enter into contract Turning Leaf Subdivision for the snow and ice removal services for the unaccepted streets at the Turning Leaf Subdivision sections 7A and 7B.
- Resolution 21-1201: Reaffirming the material terms of the One Ohio subdivision settlement as it pertains to *Janssen / Johnson & Johnson* pursuant to the One Ohio Memorandum of Understanding

Presentations

- Fire Department Joint Training Tower

Administrator's Report

Fiscal Officer's Report

Trustee Comments

Executive Session

- In reference to O.R.C. 121.22 (G) (1) and (3)
 - (G) (1): To consider the employment or compensation of a public employee
 - (G) (3): To conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

Adjournment

The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.

The following guidelines protect your rights as well as those of others:

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

Hamilton Township Trustee Meeting

November 17, 2021

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 p.m. Mr. Cordrey, Mr. Rozzi and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the November 3, 2021, Trustee Meeting.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the bills as presented to the Board.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

Mr. Cordrey gave a public apology referencing the manner in which public comments were closed at the last Trustee meeting. He acknowledged that it was handled incorrectly and voluntarily stepped down from the position of Chair of the Board of Trustees.

Mr. Cordrey made a motion with a second from Mr. Rozzi to appoint Joe Rozzi as Chair of the Board of Trustees and Mark Sousa as Vice Chair.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

Mr. Rozzi thanked Mr. Cordrey for his public apology and taking responsibility for his actions.

Mr. Sousa also agreed that it was unfortunate and he hopes to put this behind them and move forward.

Public Comments

Mr. Rozzi opened the floor to public comments at 6:33pm.

Mrs. Lisa Wilson thanked the Trustees for their part in having the dilapidated house on 48 removed.

Mr. Rusty Holman discussed the Warren County Commissioners passage of a property tax relief at the County level. He would like the Board to consider giving money back to the taxpayers. He also asked that the digital signs recently installed, advertise the Township meetings and other important Township items.

Mr. Rozzi closed the floor to public comments at 6:38pm.

Human Resources

Assistant Administrator, Mr. Kenny Hickey, requested a motion to update the Hamilton Township roster with the following: remove Mr. Zach Bors as a fulltime Fire-fighter/paramedic, and promote Matthew Leeper to fulltime Fire-fighter/EMT's contingent upon completion of his background and medical evaluation.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the above-mentioned roster updates.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Mr. Hickey requested a motion to approve the following cemetery deed within the Maineville Cemetery Addition: Mr. Carl Travis has purchased lot 66 grave 8, deed number 2021-15.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the above mentioned cemetery deed.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

New Business

-Motion: To enter into contract with M/I Homes for the snow and ice removal services for the unaccepted streets at the Rivercrest Subdivision Phase 1, 3A, 3B, and 4.

The Rivercrest Subdivision is required to perform snow and ice removal services and has requested to contract with Hamilton Township to provide those services. They will pay Hamilton Township \$150 per hour with a minimum of 1 hour per call-out.

Mr. Rozzi made a motion with a second from Mr. Cordrey, to enter into contract with M/I Homes for the snow and ice removal services for the undedicated streets listed above.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

-Motion: To enter into contract with Prus Properties, LLC for the snow and ice removal services for the unaccepted streets at the Villages of Classicway Subdivision Section 4, 5, 6, 7 and 8.

The Village of Classicway Subdivision is required to perform snow and ice removal services and has requested to contract with Hamilton Township to provide those services. They will pay Hamilton Township \$150 per hour with a minimum of 1 hour per call-out.

Mr. Rozzi made a motion with a second from Mr. Cordrey, to enter into contract with Prus Properties, LLC for the snow and ice removal services for the undedicated streets listed above.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

-Motion: To enter into contract with Fischer Homes for the snow and ice removal services for the unaccepted streets at the Eagles Pointe Subdivision Section 3 and 4.

The Eagles Pointe Subdivision is required to perform snow and ice removal services and has requested to contract with Hamilton Township to provide those services. They will pay Hamilton Township \$150 per hour with a minimum of 1 hour per call-out.

Mr. Rozzi made a motion with a second from Mr. Cordrey, to enter into contract with Fischer Homes for the snow and ice removal services for the undedicated streets listed above.

Roll call as follows:	Mark Sousa	Yes
	Joe Rozzi	Yes
	Darryl Cordrey	Yes

-Resolution 21-1117: Accepting public streets for maintenance and setting speed limits on Section 1 and 3B in the Rivercrest Subdivision.

This is a resolution accepting public streets for maintenance and setting speed limits on Section 1 and 3B, in the Rivercrest Subdivision, Hamilton Township, dispensing with the second reading and declaring an emergency. This will allow Hamilton Township to accept these sections from Warren County as Hamilton Township streets and establish the Township speed limit of 25 mph. This Resolution is declared an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of Hamilton Township. The reason for the emergency is to provide an immediate establishment of a safe speed.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve Resolution 21-1117.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

Work Session

-Mounts Park EPA timeline update

Mr. Hickey explained that we received an update on the 401 permit, through the Ohio EPA; they no longer want us to use the existing channel but instead they wish to redirect the flow of water to discharge in the southeastern corner of the lake. The flow redirection will determine the schedule for getting the landfill cap restored, the channel back filled and graded. The park will remain open except for the southeast corner where the stream is being rechanneled. The assessment of Big Foot run will require an additional \$8500 for the permits. The Ohio EPA would like for us to give the revised plan before Thanksgiving in order to meet the deadline of January 9, 2022.

Mr. Cordrey asked if the ARPPA funds would be covering the additional costs?

Mr. Hickey explained that they will. The park will not be affected once it opens in April 2022.

Mr. Sousa stated that we were presented with this original timeline in January at the Trustee retreat so we wanted to give a public update since this will potentially cause a 60 day delay.

Mr. Rozzi asked if they were advised on a workable method in the beginning yet they chose to take a different path only to find the original suggestion is the way to go, why do we have to incur those charges?

Mr. Hickey explained that it is due to the adjustment on the permit and unfortunately we cannot ask for a fee waiver since this is done through the Federal Government.

Administrator's Report

Mr. Hickey recognized our current staff that are Veterans:

- Dusty McCleese- Fire Department, was in the Marines
- Alex Stephens- Police Department, was in the Air Force
- Greg Watkins-Police Department, was with the Army
- Brent Centers- Administration, and is still active with the Air Force
- Tyson Farlaine- Fire Department, was with the Army
- Jared Karrash- Fire Department, was with the Army
- Brandon Voris- Public Works, was with the Marines
- Jacob Spears- Fire Department, was with the Navy
- Keegan Duffens- Fire Department, was with the Army
- Adam Gilpin- Fire Department, was with the Army

Mr. Hickey reminded the Board that Chief Jewett will be presenting a proposal for a fire training tower at the next meeting.

The December 15th meeting time is usually changed to a daytime meeting to do the End of year awards, if the Board would still like to continue that, we would need a motion to move the time.

Mr. Rozzi made a motion with a second from Mr. Cordrey to change the December 15, 2021 meeting time from 6:30pm to 1:00pm.

Roll call as follows:	Joe Rozzi	Yes
	Darryl Cordrey	Yes
	Mark Sousa	Yes

Lastly, Mr. Hickey reminded that the Police Department is hosting a self-defense class at Evo Fit on November 18th from 5:30pm to 8:30pm.

Mr. Rozzi thanked all employees and Residents that have served and continue to serve in our military.

Fiscal Officer's Report

Mr. Weber explained that this is the report for the month of October. We are 83% thru the year. Expenditures are at approximately 68% of our budget equaling approximately \$9.6 million total. We have received 100% of our anticipated revenue. We currently have a \$17.1 million cash balance.

Trustee Comments

Mr. Sousa would like to add some non-traditional events for the Township. He was thinking that maybe during spring, we could host education classes or events for High School students involving finances. He also liked the idea of an automotive 101, teaching kids and adults to change oil, rotate tires, etc.

Mr. Rozzi asked if this could be ongoing throughout the year?

Mr. Sousa would like to start small to keep up with volunteer commitments.

Mr. Cordrey likes the ideas and he would like to offer them for everyone.

Mr. Sousa also mentioned the topic of medical marijuana facilities. In 2017 we passed a Resolution that prohibited those in the Township but he would like to have a conversation and revisit the idea of keeping or prohibiting further.

Mr. Cordrey is not keen on the idea of revisiting that topic. We want to be pro-business but we want to be careful what types of business we invite into our community.

Mr. Cordrey thanked staff and residents for the service in our armed forces. He reminded everyone about the Little Miami Arts show and the Hamilton Township Tree Lighting Celebration.

Mr. Rozzi agreed with Mr. Hollman's comments about advertising for our Township meetings and getting those set up.

Adjournment

With no further business to discuss, Mr. Rozzi made a motion with a second from Mr. Cordrey to adjourn at 7:03pm.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

LEGISLATIVE COVER MEMORANDUM

Introduction: December 1, 2021

Effective Date: Next available date

Agenda Item: **Motion**
Enter into contract Turning Leaf Subdivision for the snow and ice removal services for the unaccepted streets at the Turning Leaf Subdivision sections 7A and 7B.

Submitted By: Kenny Hickey

Scope / Description: The Turning Leaf subdivision is required to perform snow and ice removal services and has requested to contract with Hamilton Township to provide those services.

Budget Impact: The Turning Leaf Subdivision will pay Hamilton Township \$150 per hour with a minimum of 1 hour per call-out.

Vote Required for Passage: 2 of 3



AGREEMENT FOR SNOW AND ICE REMOVAL FOR UNACCEPTED STREETS

I. PARTIES

THE PARTIES TO THIS AGREEMENT ARE THE BOARD OF TOWNSHIP TRUSTEES (Township) and Turning Leaf LLC, (the Developer), the DEVELOPER OF Turning Leaf SUBDIVISION, (the Subdivision).

Please include the PHASE and STREET Names: Turning Leaf 7A 00753

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 record plat of the Subdivision prior to the time of the acceptance of such streets by the County as part of the County or Township Road system if the Developer for whatever reason, does not want to remove the snow and ice in a timely manner from said streets.

III. AUTHORIZATION

Developer does hereby grant permission to the Township, as may be appropriate, to enter 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 Township performing ice and snow 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 Hamilton Township.

As used herein, "actual cost" means any costs incurred due to the use of employees, materials, and 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 Hamilton Township in purchasing such materials and based upon quantity of materials used. Costs incurred due to the use of equipment shall be based upon the 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 or Township performing the snow and ice removal harmless from any and all such 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 mentioned 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.

Witness the hand of Josh Blot, Turning Leaf LLC, the developer of Turning Leaf

Subdivision, on this 15th day of November, 2021.

Lisa Woods
Witness

[Signature] Turning Leaf LLC
Developer

[Signature]
Witness

Witness the hand _____, Hamilton Township on this _____ day of _____, 20_____.

Witness

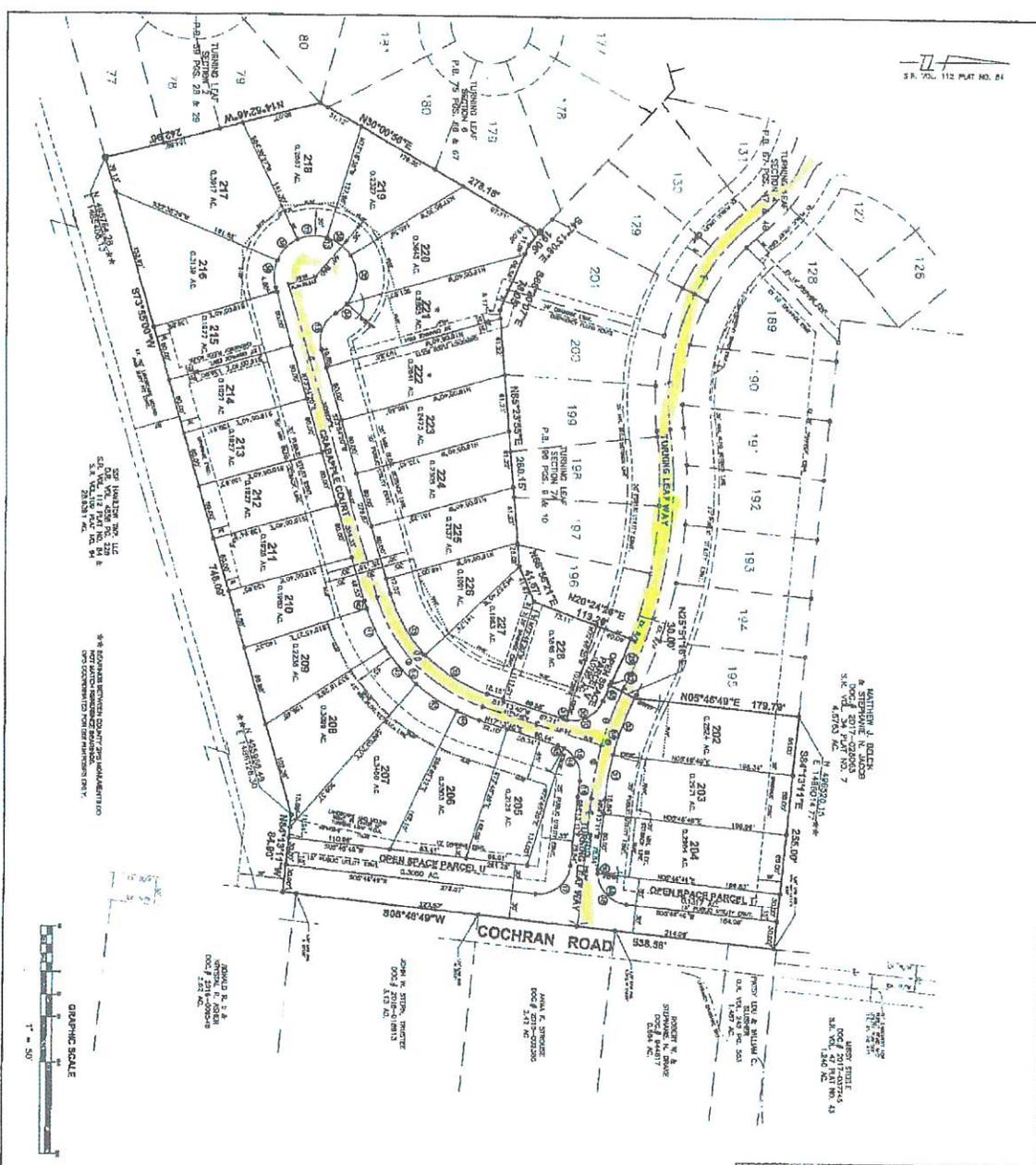
Township Representative

Witness

Billing Address for the Developer:

Street: Turning Leaf, LLC, 11025 Reed Hartman Highway

City: Cincinnati State: OH Zip Code: 45242



FOR THE RECORD, THE CITY OF TAMPA HAS REVIEWED THIS INSTRUMENT AND HAS DETERMINED THAT IT CONFORMS WITH THE CITY'S ZONING ORDINANCES AND LOCAL ORDINANCES AND IS IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCES AND LOCAL ORDINANCES.

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Engineers, LLC
 CONSULTING ENGINEERS & SURVEYORS
 6750 DASH OAKS BOULEVARD, SUITE 110
 TAMPA, FLORIDA 33634
 (813) 988-7922

SECTION 7B
 TURNING LANE
 ENGINEERS, LLC
 CONSULTING ENGINEERS & SURVEYORS
 6750 DASH OAKS BOULEVARD, SUITE 110
 TAMPA, FLORIDA 33634
 (813) 988-7922

SCALE: AS SHOWN
 SHEET 2 OF 2
 1/24/2017

- NOTES:**
- 1) ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 - 2) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 - 3) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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 - 18) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 - 19) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 - 20) ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

THE DATA OF THIS INSTRUMENT IS THE PROPERTY OF ENGINEERS, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ENGINEERS, LLC.

PROPERTY TABLE

LOT #	OWNER	AREA (SQ. FT.)	AREA (AC.)
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LEGISLATIVE COVER MEMORANDUM

Introduction: December 1, 2021

Effective Date: Next available date after passage

Agenda Item: **Resolution 21-1201**
A Resolution reaffirming the material terms of the one Ohio subdivision settlement as it pertains to Janssen / Johnson & Johnson pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement, dispensing with the second reading, and declaring an emergency

Submitted By: Brent Centers

Scope / Description: To enter into this agreement requires action by December 8, 2021. Description will be explained by Legal Counsel at time of meeting

Budget Impact: N/A

Vote Required for Passage: 3 of 3

First Reading: December 1, 2021
Second Reading: Dispensed

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:30 p.m. on December 1, 2021, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

Joseph Rozzi – Trustee, *Chair*
Mark Sousa – Trustee
Darryl Cordrey - Trustee

Mr. _____ introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 21-1201**

**RESOLUTION REAFFIRMING THE MATERIAL TERMS OF THE ONE OHIO
SUBDIVISION SETTLEMENT AS IT PERTAINS TO JANSSEN / JOHNSON &
JOHNSON PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING
AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID
SETTLEMENT AGREEMENT, DISPENSING WITH THE SECOND READING, AND
DECLARING AN EMERGENCY**

WHEREAS, Hamilton Township, Warren County, Ohio (the “Township”) is an Ohio limited home rule township organized under Ohio Revised Code Chapter 504;

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the opioid pharmaceutical supply chain;

WHEREAS, the State of Ohio, through its Attorney General, and certain local governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold opioid pharmaceutical companies accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its local governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio;

WHEREAS, the State and its local governments, subject to completing formal documents effectuating the parties agreements, have drafted and the Township has adopted, and hereby reaffirms its adoption of, the OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and use of proceeds of any potential settlements described therein;

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and local governments to cooperate in exploring all possible means of resolution;

WHEREAS, the Township understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and local governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the opioid litigation against opioid pharmaceutical companies;

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the local governments;

WHEREAS a settlement proposal is being presented to the State of Ohio and local governments by Janssen / Johnson & Johnson to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed Settlement Agreement; and

WHEREAS, the Township Board of Trustees wishes to agree to the material terms of the proposed National Settlement Agreement with the Proposed Settlement:

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

SECTION 1. That the Township Administrator is hereby authorized to accept the Janssen / Johnson & Johnson-related proposed settlement on behalf of the Township Board of Trustees, pursuant to the same terms and conditions of the OneOhio MOU previously adopted and herein reaffirmed.

SECTION 2. It is found and determined that all formal actions of the Township Board of Trustees relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

SECTION 3. Upon the unanimous vote of the Board of Trustees, the second reading of this Resolution is hereby dispensed and, further, this Resolution is hereby declared to be an emergency measure which shall take effect immediately upon passage. The reason for the emergency is that a deadline to continue participation in the One Ohio and opioid-related lawsuits is upcoming and immediate action is needed to preserve the Township's rights in this settlement, and to promote the health, safety, and general welfare of the public by, among other things, protecting and maintaining the valuable natural resources of the Township.

Mr. _____ seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

Joseph Rozzi –	Aye _____	Nay _____
Mark Sousa –	Aye _____	Nay _____
Darryl Cordrey –	Aye _____	Nay _____

Resolution adopted this 1st day of December, 2021.

Attest:

Kurt Weber, *Fiscal Officer*

Approved as to form:

Benjamin J. Yoder, *Law Director*

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Township Trustees of Hamilton Township, County of Warren, Ohio, at its regular meeting on December 1, 2021.

Date: _____