



**August 26, 2022  
SPECIAL MEETING, 1:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE MINUTES**

None

**STAFF REPORTS**

None

**ADMINISTRATORS REPORT**

**There are two Resolutions on the agenda this afternoon.**

**The first Resolution is for legislation to enact a TIF on property listed on New Carlisle and Scarff Roads.**

**The second Resolution is to enter into a contract with John Jurgensen to participate in the Miami County Paving Program. This year the Engineer separated the contracts out by jurisdiction due to the overall cost of the program.**

**TRUSTEE REPORTS**

**Trustee vanHaaren:**

Reported that Huber Heights did file a Writ of Mandamus, County did respond back that it cannot be a writ of mandamus, so they are moving for the case to be dropped.

**Trustee Reese:**

Reported that the School just received between 60-80 Refugee children. She has more to report but will wait until more people are here at a Regular Meeting

**Trustee Black:**

He stopped and talked to some men who was working at the site on 40 and asked about what was being done there and they are putting in some storage units.

**PUBLIC COMMENTS FOR ITEMS ON THE AGENDA**

None

**ACTION ITEMS**

**RESOLUTION NO. 22-08-061**

**DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY  
LOCATED IN BETHEL TOWNSHIP, MIAMI COUNTY, OHIO TO BE A PUBLIC PURPOSE  
UNDER SECTION 5709.73(B) OF THE OHIO REVISED CODE, EXEMPTING SUCH  
IMPROVEMENTS FROM REAL PROPERTY TAXATION,  
ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.**

WHEREAS, Section 5709.73 et seq. of the Ohio Revised Code authorizes townships to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Board of Township Trustees (the "Board") of Bethel Township, Miami County, Ohio (the "Township") wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity; and

WHEREAS, this Board has determined to grant a property tax exemption for the parcels comprising the New Carlisle-Scarff Road TIF (the "NCS TIF"); and

WHEREAS, the boundary of the NCS TIF shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibits A, B, C, and D and listed by Parcel Number in Exhibit E attached hereto (each, individually, a "Parcel" and collectively, the "Parcels"); and

WHEREAS, notice has been given to the Bethel Local School District and the Miami Valley Career Technology Center of the consideration of a resolution providing for tax increment financing, as required by Section 5709.73 and 5709.83 of the Ohio Revised Code; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Bethel Township, Miami County, State of Ohio, all members elected thereto concurring:

**SECTION 1.** Pursuant to Section 5709.73(B) of the Ohio Revised Code, this Board hereby creates the "NCS TIF", the boundaries of which shall be coextensive with the boundaries of the Parcels and shall include the Parcels as specifically identified and depicted in Exhibits A, B, C, and D and listed by Parcel Number in Exhibit E attached hereto, which Parcels are located in the unincorporated area of the Township.

**SECTION 2.** 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, bike paths, traffic control devices and alterations to existing streets, including but not limited to improvements to New Carlisle, Dayton Brandt, State Route 571 and/or State Route 201, the planning design and construction of public parking facilities; the planning, design and construction of utilities including but not limited to water, sanitary sewers, storm retention/water sewers, detention facilities and telecommunication facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; community or educational facilities; parkland acquisition and/or improvements; park, recreation, performance, or creative arts

improvements and facilities; the creation and/or enhancement of public service facilities; the acquisition of land in aid of industry, commerce, distribution, or research; demolition; environmental remediation; 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 Exhibits A,B,C, and D and listed by Parcel Number in Exhibit E attached to this Resolution (such parcels are hereinafter collectively referred to as the “Bethel Township NCS TIF”), but excluding any and all residential property located within Exhibits A,B,C, and D and listed by Parcel Number in Exhibit E, which parcels are located in the unincorporated area of the Township; for the creation of jobs; increasing property values, and the provision of adequate public services in Bethel Township. The further development of the parcels in the NCS TIF will place direct additional demand on the Public Improvements.

**SECTION 3.** That, pursuant to Section 5709.73 of the Ohio Revised Code, further improvements to the parcels in the NCS TIF occurring after the date of this Resolution are declared to be a public purpose and are exempt from real property taxation commencing for each parcel on the first day of the tax year in which an improvement resulting from construction on the parcel first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Resolution and ending for each parcel on the earlier of (1) the date ten years after the date the exemption commences or (2) the date on which the specific public improvements as described in Section 1 above (the “Public Improvements”) that will benefit the NCS TIF are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof, but in no case shall the Public Improvements on any parcel be exempted from taxation for more than ten (10) years. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be seventy-five percent (75%) of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the parcels set forth on Exhibits A,B,C, and D and listed by Parcel Number in Exhibit E attached hereto.

**SECTION 4.** That pursuant to Section 5709.74 of the Ohio Revised Code, the owner or the owners of the Improvements shall be required to make semi-annual service payments in lieu of taxes (the “Service Payments”) to the Miami County Treasurer on or before the final dates for payment of real property taxes. This Board hereby expresses its intention and authorizes the Township Administrator to enter into such agreements as may be necessary and appropriate to assure the payment of such Service Payments.

**SECTION 5.** That pursuant to Section 5709.75 of the Ohio Revised Code, there is hereby established the Bethel Township NCS Public Improvement Tax Increment Equivalent Fund (the “NCS Tax Increment Equivalent Fund”), into which the Service Payments shall be deposited. Money in the NCS Tax Increment Equivalent Fund shall be used to finance the Public Improvements and may be used to make payments to the Bethel Local School District and/or the Miami Valley Career Technology Center at the discretion of the Board of Township Trustees.

**SECTION 6.** That the proper township officials are hereby authorized to do all things necessary and proper to carry out Sections 1 through 5 above, including but not limited to filing any required applications for tax exemption with the Miami County Auditor and/or State Tax Commissioner.

**SECTION 7.** That pursuant to Ohio Revised Code Section 5709.73(I), the Fiscal Officer is hereby directed to deliver a copy of this Resolution to the Director of the Department of Development of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption set forth herein remains in effect, the Fiscal Officer or other authorized officer of this Township shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.73(I) of the Ohio Revised Code.

**SECTION 8.** That the Fiscal Officer is hereby directed to forward a copy of this Resolution to the County Auditor of Miami County.

**SECTION 9.** 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 10.** That this Resolution shall be effective at the earliest date allowed by law.

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Julie Reese, Trustee

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Beth van Haaren, Trustee

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Don Black, Trustee

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Deborah Watson, Fiscal Officer

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No.

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\_\_\_\_\_  
Fiscal Officer

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing Resolution was certified this day to the county auditor.

\_\_\_\_\_  
Fiscal Officer

Dated: \_\_\_\_\_, 2022

RECEIPT

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

\_\_\_\_\_  
County Auditor

Dated: \_\_\_\_\_, 2022

The motion was moved by Trustee: **Beth vanHaaren**  
And seconded by Trustee: **Julie Reese**

**VOTE:**

**Trustee Beth vanHaaren    YES**  
**Trustee Julie Reese        YES**  
**Trustee Don Black          YES**

**CERTIFICATE OF RECORDING OFFICER**

I, DEBORAH WATSON, HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF RESOLUTION # 22-06-050 ADOPTED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP MIAMI COUNTY HELD ON THE 14<sup>th</sup> DAY OF JUNE 2022 AND THAT I AM DULY AUTHORIZED TO EXECUTE THIS CERTIFICATE.

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DEBORAH WATSON, FISCAL OFFICER

**RESOLUTION NO. 22-08-062**

**A RESOLUTION AUTHORIZING THE BOARD OF TRUSTEES TO PARTICIPATE IN THE AGREEMENT BETWEEN THE BOARD OF MIAMI OF COUNTY COMMISSIONERS AND JOHN R. JURGENSON COMPANY FOR ASPHALT CONCRETE RESURFACING OF DESIGNATED ROADS**

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio, met in special session on the 26<sup>th</sup> day of August 2022, at 1 p.m. with the following members present:

**Trustee Black, Trustee Reese, Trustee vanHaaren**

**RECITALS:**

**WHEREAS**, upon recommendation of the Miami County Engineer and receipt of competitive bids pursuant to law, the Board of Miami County Commissioners entered into an “Owner-Contractor Agreement” with John R. Jurgenson Company to provide all labor, materials, supplies and equipment necessary to undertake the Miami County Engineer’s Office 2022 Asphalt Concrete Resurfacing Program for designated roads controlled and maintained by the Commissioners; and

**WHEREAS**, since several township boards of trustees, including the Bethel Township Board of Trustees, had expressed an interest in obtaining the resurfacing of township roads under their respective control and maintenance, the aforesaid “Owner-Contractor Agreement” between the Commissioners and John R. Jurgenson Company allows for the Bethel Township Board of Trustees to participate in such agreement pursuant to Ohio Revised Code section 9.48; and

**WHEREAS**, said “Owner-Contractor Agreement” between the Commissioners and John R. Jurgenson Company incorporates an “alternate bid” whereby John R. Jurgenson Company will resurface designated roads under the control and maintenance of the Bethel Township Board of Trustees for a contract price not to exceed five hundred twenty-nine thousand five hundred six dollars and eighty cents (\$529,506.80); and

**WHEREAS**, upon the recommendation of the Miami County Engineer and pursuant to Ohio Revised Code section 9.48, it is the desire of the Bethel Township Board of Trustees to participate in said “Owner-Contractor Agreement” between the Commissioners and John R. Jurgenson Company for the resurfacing of designated Bethel Township roads; and

**WHEREAS**, since the Board of Miami County Commissioners let and entered into the “Owner-Contractor Agreement” for implementation of the Miami County Engineer’s Office 2022 Asphalt Concrete Resurfacing Program 2022 via the competitive bidding provisions of Ohio Revised Code section 307.86 and other pertinent sections of the Ohio Revised Code, the Bethel Township Board of Trustees and the proposed contract with John R. Jurgenson Company is, under operation of Ohio Revised Code section 9.48, exempt from any competitive selection requirements otherwise required by law.

**NOW THEREFORE BE IT RESOLVED** by the Bethel Township Board of Trustees that it hereby authorizes the entering into, and the execution of, the attached “Contract For Asphalt Concrete Resurfacing Of Bethel Township

Roads” with John R. Jurgenson Company in an amount not to exceed five hundred twenty-nine thousand five hundred six dollars and eighty cents (\$529,506.80); and

**BE IT FURTHER RESOLVED**, that the execution and delivery of the same to John R. Jurgensen Company shall serve as Notice to Proceed to John R. Jurgensen Company as coordinated and directed by the Miami County Engineer; and

**BE IT FURTHER RESOLVED**, that the Bethel Township Fiscal Officer is hereby directed to send a certified copy of both this resolution and the executed contract to the John R. Jurgensen Company and the Miami County Engineer.

The motion was moved by Trustee: **Beth vanHaaren**  
And seconded by Trustee: **Julie Reese**

**VOTE:**

<b>Trustee Beth vanHaaren</b>	<b>YES</b>
<b>Trustee Julie Reese</b>	<b>YES</b>
<b>Trustee Don Black</b>	<b>YES</b>

**CERTIFICATE OF RECORDING OFFICER**

I, DEBORAH A. WATSON, HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF RESOLUTION #22-07-055 ADOPTED BY THE BOARD OF TRUSTEES OF BETHEL TOWNSHIP, MIAMI COUNTY HELD ON THE 12TH DAY OF JULY 2022, AND THAT I AM DULY AUTHORIZED TO EXECUTE THIS CERTIFICATE

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DEBORAH A. WATSON  
FISCAL OFFICER  
BETHEL TOWNSHIP, MIAMI COUNTY

**ANNOUNCEMENTS**

September 6 Trustee Workshop Meeting, Township Meeting Room, 9:00am  
September 13 Trustee Regular Meeting, Township Meeting Room, 7:00 PM  
An \* indicates a meeting will be held only if needed.

**PUBLIC COMMENTS ON ANY TOPIC**

None

Motion to adjourn at 1:30

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Don Black, Chair

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Julie Reese, Trustee

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Beth Vanhaaren, Trustee

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Deborah Watson, Fiscal Officer