

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Wednesday, January 4, 2023 at 11 a.m.

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PUBLIC NOTICE SPECIAL MEETING WEDNESDAY, JANUARY 4, 2023 AT 11:00 AM LOCATION TOWNSHIP BUILDING BOARD MEETING ROOM BY TRUSTEE DUANE J. WOLF AGENDA: BOWLING GREEN TOWNSHIP BOARD OF TRUSTEES ARE HAVING A SPECIAL MEETING TO DISCUSS AND DECIDE ON SPECTRUM'S REQUEST TO INSTALL CONDUIT AND FIBER LINES IN THE ROAD RIGHT OF WAY WITHIN THE TOWNSHIP

TRUSTEE ROLL CALLS: Township officials present Chairman Trustee Trihaft calling meeting to order with Trustee Richard L. Holcomb and Trustee Duane J. Wolf.

VISITORS: Guests scheduled to attend were Charter Spectrum Mike Harvey Construction Coordinator III RDOF email contact information source through Trustee Wolf dialog documented 12/28/22 - 12/30/22. Mike Harvey is reported absent at today's special meeting; and

Charter Spectrum Brian Gilmore the other construction coordinator (email information source) attended today's special meeting. Brian Gilmore dialog documented Spectrum is needing to place 1 1/4" conduit in the ROW (right-of-way) in Bowling Green Township. Spectrum specs are conduit with fiber will be placed at a minimum of 32" deep and placed in the back one foot of the ROW. The preferred method of placing this conduit is to plow where possible. Spectrum will not plow or trench through any ditch, driveway, or hard surface. These locations will be bored at a minimum of 48". Spectrum takes full responsibility of all work completed in the ROW by Spectrum, identified contractor "Broadband Technical Resources (BTR)" indicated will have visible "Spectrum" sign on all vehicles, work with rural electric companies of Union and Hardin counties,. As of right now we are needing to place conduit with fiber along Marion-Hardin and Codding roads, reviewed area map on laptop. We would like to begin this underground construction within the first two weeks of January, 13<sup>th</sup> and 14<sup>th</sup> in area, service by February 1<sup>st</sup>, performance bond located and sent to the township.

The trustees dialog locations on map of Codding and Marion Hardin, county Brad Irons fiber optic specs for the county, county engineer plat tile map, Codding barn, map, culvert up in air, load of stone, same bond amount county requires, township trustee authority understanding did not seek legal counsel, prior bond on fiber optic project, fixed tile, do a walk thru, letterhead contact information, bond Trustee Wolf Motion to get the bond to township office before starting work Trustee Holcomb second vote roll call three ayes.

BOWLING GREEN TOWNSHIP SUPPORTING DOCUMENTATION PRESENTED:

Documentation 20221230 Trustee Wolf 12.28 to 12.30 email dialog only no maps attached from Charter Spectrum Mike Harvey.png. Understanding township office did not receive maps from Trustee Duane Wolf electronic communication, the following:

Fwd. [EXTERNAL] : Re: Underground Fiber in ROW for Spectrum From: Duane Wolf To: bowlinggreen\_twp\_0740@yahoo.com Date: Friday, December 30, 2022 at 11 :01 AM EST Spectrum wants to place underground conduit with fiber in the road right away on some township roads and is seeking approval Also if you need us to pay something we could do that if you put on approval of what ever Duane Wolf Begin forwarded message:

On Dec 28, 2022, at 2:10 PM, Harvey, Mike S wrote: Good Afternoon Duane, Thanks for speaking with me this afternoon. Per our conversation Spectrum is needing to place new fiber in I 1/4" conduit in the ROW in Bowling Green Twp. Spectrum specs are conduit w/ fiber will be placed at a minimum of 32" deep and placed in the back one foot of the ROW. The preferred method of placing this conduit is to plow where possible. Spectrum will not plow or trench through any ditch, driveway, or hard surface. These locations will be bored at a 111 ini111 um of 48". Spectrum takes full responsibility of all work completed in the ROW by Spectrum contractors. As of right now we are needing to place conduit with fiber along Marion-Hardin Rd and Codding Rd. I have attached a map of the two roads that indicate where we need to place our service. We would like to begin this underground construction within the first two weeks of January. The web site I mentioned to search for possible service is ://www.spectrum... Please reply when you can give the go-ahead for this work. Thank You, Mike Harvey Construction CoordinatorIII RDOF Charter Spectrum <Marion-Hardin Rd Construction Path.png> <Codding Rd Construction Path.png>

From: Duane Wolf Sent: Wednesday, December 28, 2022 3:25 PM To: Harvey, Mike S Subject: Re: Underground Fiber in ROW for Spectrum I have your email. I will talk with the others and we might need to have a meeting. I will try and have you an answer by next weds a week from now. When we talked you mentioned doing some of Harris also. Is that still the case. Also the other trustee someone talked with had mentioned Allen rd also. Can you send a map with the coverage area on it and if these two other roads are involved as discussed. Also you said pretty much all of Codding was involved, is the rest of it over head then. Also you state that spectrum will take care of any damage or issues caused by your contractor. Is there a time limit to this (the township has had an issue with tile damage that wasn't tracked to the installation of fiber till several years later. They still took care of it). Thanks Duane Wolf

On Thu, Dec 29, 2022 at 7:46 AM Harvey, Mike S wrote: Good Morning Duane, In relooking at the print we will not be doing construction on Harris Rd. The construction is needed just north of Harris Rd on Winnemac Pike. I have attached a map of this location. The 3 locations I sent maps for, are the only 3 locations needing underground construction at this time in Bowling Green Twp. The rest of the construction will be aerial attaching to Mid-Ohio Energy Poles. To summarize the underground construction needed in Bowling Green Twp: Marion-Hardin Rd- on the east side of the road from the intersection of TR 230 & Marion Hardin Rd going south 3810' to the intersection of Linwood Rd & Marion-Hardin Rd. Codding Rd - starting at the riser pole on the north side of Linwood Rd bore under Linwood Rd and place new service on the west side of Codding Rd going 4085'. Bore under Codding Rd to the east to the riser pole. Winnemac Pike - starting at the riser pole on the east side of the road at 3666 Winnemac Pike going 975' to the south to the 2<sup>nd</sup> riser pole if it is found that damage has occurred as the result of the construction performed by Spectrum contractors at any time. Spectrum will take the necessary steps to repair these damages. There is no time limit to this as we know it could take a while to notice the effects a possible damage. Thanks for your quick response and I hope to hear from you again soon. Thank You, Mike Harvey Construction CoordinatorIII RDOF Charter Spectrum

From: Duane Wolf Sent: Thursday, December 29, 2022 2:04 PM To: Harvey, Mike S Subject: Re: Re: Underground Fiber in ROW for Spectrum I just talked to another Trustee and he would like to have a meeting with someone if we can put this together. I need at least 24hr notice so we can advertise having a special meeting. I will also need to check and make sure everyone on my end can make it. Is this an option so we can get this done for you in the time that you want stuff done. Duane

On Thu, Dec 29, 2022 at 2: 12 PM Harvey, Mike S wrote: That will be just fine. How about Wednesday Jan 4th at 11:00 am? If this will not work for you or any other trustee just let me know. Where will be the best place for us to meet? I will be bringing the other construction coordinator for this area with me. His name is Brian Gilmore. Thank You, Mike Harvey Construction CoordinatorIII RDOF Charter Spectrum



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From Duane Wolf Sent: Thursday, December 29, 2022 2:17 PM To: Harvey, Mike S Subject: Re: Re: Underground Fiber in ROW for Spectrum Our Township building would be good. 8500 Guthery Rd Larue Ohio 43332 Also the Winnemac Pike and Linwood Roads are county roads, so you would need to talk to the county Engineer. Also a section of the area on Marion-Hardin is Hale Twp. But since you are coming in on 230 I assume you have been talking to them. I will get with the others and let you know about Weds. Thanks

From: "Harvey, Mike S" Date: December 29, 2022 at 2:22: 12 PM EST To: Duane Wolf Cc: "Gilmore, Brian E" , "Miller, Sean" Subject: RE: Re: Underground Fiber in ROW for Spectrum Sounds Good. I will submit permits to the county for Winnemac Pike & the bore under Linwood Rd. I have gotten approvals for the work in Hale Twp. Thanks Duane and Hope you have a Happy New Year. Mike Harvey Construction Coordinator III RDOF

No Motion.

Documentation 20221230 Trustee Wolf 12.29 to 12.30 text dialog documented set up special meeting Wednesday, January 4, 2023 11am with Spectrum, the following:

12/29/2022@2:21PM Trustee Wolf Text

Spectrum has been in contact with me the last couple of days about some working in the township. David says he wants to have a face to face with them and they have time on Weds Jan 4th at 11 at our building. They want to start ASAP on the work so that date and time is ok with me. I would assume it won't take long

2:21PM Trustee Trihaft Text Good for me.

12/30/2022@2:02PM Trustee Wolf Text

Negative 35 or 40 last Friday and today it's 62. Is that a hundred degrees difference in a week  
Welcome to Ohio

2:03PM Trustee Trihaft Text nice working outside.

4:06PM Trustee Wolf Text

Township is having a special meeting to discuss and decide on spectrums request to install conduit and fiber lines in the road right of way with in the township. How is this for the posting  
Day and time also. Put Bowling Green twp also.

4:11PM Township Office Text Okay will write up and send picture when posted for "Wednesday January 4, 2023 at 11AM location township building board meeting room by Trustee Duane J Wolf"  
"Public Notice" posted @ 4:41PM see picture sent to all three trustees

4:43PM Trustee Trihaft Text

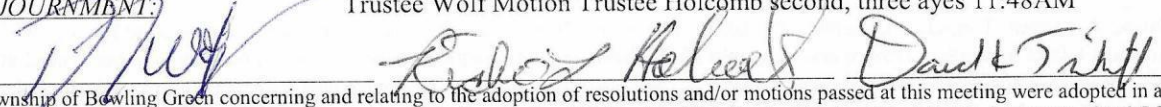
4:57PM Trustee Wolf Text

No Motion.

Documentation pursuant Ohio Revised Code Section 5571.16 Obtaining permit before installing driveway culvert or making excavation in township highway or highway right-of-way. Effective: September 28, 2016 Legislation: House Bill 413 - 131st General Assembly: The board of township trustees, by resolution, may require any person to obtain a permit before installing a driveway culvert or making any excavation in a township highway or highway right-of-way within its jurisdiction, except an excavation to repair, rehabilitate, or replace a pole already installed for the purpose of providing electric or telecommunications service. The board, as a condition to the granting of the permit, may do any of the following: (A) Require the applicant to submit plans indicating the location, size, type, and duration of the culvert or excavation contemplated; (B) Specify methods of excavation, refilling, and resurfacing to be followed; (C) Require the use of warning devices it considers necessary to protect travelers on the highway; (D) Require the applicant to indemnify the township against liability or damage as the result of the installation of the culvert or as a result of the excavation; (E) Require the applicant to post a deposit or bond, with sureties to the satisfaction of the board, conditioned upon the performance of all conditions in the permit. Applications for permits under this section shall be made to the township fiscal officer upon forms to be furnished by the board. Applications, including, but not limited to, a single application for an excavation project to install six or more poles for the purpose of providing electric or telecommunications service or to install a pole associated with underground electric or telecommunications service, shall be accompanied by a fee of up to fifty dollars per application, which fee shall be returned to the applicant if the application is denied. Except as otherwise provided in this section, no application or fee shall be required for an excavation project to install five or fewer poles for the purpose of providing electric or telecommunications service, but the person making that excavation shall provide verifiable notice of the excavation to the township fiscal officer at least three business days prior to the date of the excavation. No person shall install a driveway culvert or make an excavation in any township highway or highway right-of-way in violation of any resolution adopted pursuant to this section, except that, in the case of an emergency requiring immediate action to protect the public health, safety, and welfare, an excavation may be made without first obtaining a permit, if an application is made at the earliest possible opportunity. As used in this section, "person" has the same meaning as in section 1.59 of the Revised Code, and "right-of-way" has the same meaning as in division (UU)(2) of section 4511.01 of the Revised Code. No Motion.

ADJOURNMENT:

Trustee Wolf Motion Trustee Holcomb second, three ayes 11:48AM

  
Township of Bowling Green concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code. Attest: Robin Anderson, Fiscal Officer.