

RESOLUTION 22 – 64 , 2022  
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**REAPPOINTING C. MICHAEL LEMON AS SPECIAL ADVISOR TO THE BOARD  
OF TRUSTEES FOR JANUARY 1, 2023, TO JUNE 30, 2023, AUTHORIZING  
THE TERMS OF APPOINTMENT, DISPENSING WITH THE SECOND  
READING, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Board of Trustees has deemed it to be in the best interests of Columbia Township and its residents and businesses to provide for the employment of a Special Advisor to ensure continuity and uninterrupted level of service to Columbia Township (“Township”) for Little Miami Joint Fire and Rescue District and Deer Park – Silverton Joint Fire and Rescue District services as well as to provide general advice and service to the Board of Trustees and Township Administrator;

**WHEREAS**, this document or any action by the Board of Trustees does not confer any right or interest that is not permitted by the Ohio Revised Code; and

**WHEREAS**, this Board of Trustees and subsequent Boards of Trustees shall retain the right to terminate the employment of the Special Advisor, without cause and without a hearing at any time as set forth in Article III hereof; and

**WHEREAS**, the Board of Trustees, upon majority vote, hereby dispenses with the requirement that this Resolution be read on two separate days, and hereby authorizes the adoption of this Resolution upon its first reading.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens:

SECTION I. That C. Michael Lemon is hereby reappointed Special Advisor for the period of JANUARY 1, 2023 through June 30, 2023 unless sooner terminated by either party as set forth in Article III.

SECTION II. That the agreement TERMS OF APPOINTMENT FOR COLUMBIA TOWNSHIP SPECIAL ADVISOR for the employment of C. Michael Lemon is hereby authorized.

SECTION III. This Agreement is entered into by and between the Board of Trustees and Special Advisor

**BE IT FURTHER RESOLVED**, that the Special Advisor and Board of Trustees expressly acknowledge and fully understand, as indicated by their respective signatures below, the foregoing terms of appointment.

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**BE IT FURTHER RESOLVED**, that this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for the emergency is the immediate need to retain the Special Adviser to assist and to help preserve uninterrupted fire services, and other essential services, as well as to provide general advice, which are necessary for the public safety and welfare of Township residents and businesses at the earliest possible time.

ARTICLE I

**DUTIES**

The Advisor shall, under the direction and supervision of the Board of Trustees:

1. Advise on the activities of the affairs of the divisions of Township government under the control or jurisdiction of the Board of Trustees and administration of the Township Administrator and with specific focus on essential safety services such as fire and rescue services;
2. Attend all meetings of the Board of Trustees at which the Special Advisor's attendance is required;
3. Prepare and submit to the Board of Trustees such reports as are required by the Board of Trustees, and as the Administrator considers advisable;
4. The Board of Trustees may assign to such Special Advisor any position or duties under its control to be performed under the direction and supervision of the Board of Trustees and to be in addition to those set forth in this section;
5. The Special Advisor shall not make any contracts for or on behalf of the Board of Trustees without first obtaining the approval of the Board of Trustees by motion or resolution and at a duly-called Township meeting, or by amendment to this Agreement by resolution;

The Board of Trustees agrees to permit the Special Advisor to engage in outside employment or business enterprise so long as no conflict of interest exists with the Township and the Special Advisor fulfills his duties specified herein to the Board of Trustees and the Township.

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ARTICLE II

**COMPENSATION**

The Board of Trustees hereby fixes the compensation and benefits for the Special Advisor effective January 1, 2023, as follows:

The salary for the Special Advisor shall be \$110.00 per hour for time worked.

1. The position of Special Advisor is a salaried, part-time, temporary appointment and is an exempt position under the Fair Labor Standards Act.
2. The Special Advisor, as a part-time employee, is required to submit a completed timesheet on the same biweekly payroll schedule as full-time employees that itemizes hours worked and services generally performed.
3. Reimbursement for vehicle mileage shall be made based upon the Federal Standard Mileage Rate as provided under current Internal Revenue Service regulations for the use of the Special Advisor's privately owned vehicle. A travel/expense form, in an approved standardized format, shall be submitted, stating the actual mileage and summary of the official business undertaken in connection with the requested reimbursement.
4. The Special Advisor shall participate in the State of Ohio PERS retirement system in accordance with Ohio law with the Township contributing both the employer and employee shares.
5. The Township shall provide all vision, dental and healthcare reimbursement account benefits and insurance coverage as provided for the Township employees. In lieu of family healthcare insurance coverage, the Township shall increase compensation by the actual amount of the cost of Medicare Parts A & B, Medicare Supplemental Insurance (Medigap) and Medicare Prescription Drug Coverage (Part D) for the Administrator and spouse for the duration of employment by the Township.
6. Any reasonable expenses in connection with the official business of the Special Advisor shall be reimbursed to him, subject to the review and approval of the Board of Trustees, upon his submitting a receipt evidencing the expense along with an approved standardized reimbursement form fully disclosing the nature and purpose of the expense.

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ARTICLE III

**TERMINATION AND SEVERANCE**

1. If the Board of Trustees, in its discretion, determines it is in the best interest of the Township to terminate the Agreement, the Board of Trustees shall give the Special Advisor a minimum of thirty (30) calendar days' notice of its decision to terminate this Agreement. Unless otherwise directed by the Board of Trustees in its notice of termination, the Special Advisor shall, for the thirty (30) calendar day notice period, continue to fulfill the Special Advisor's duties and obligations as set forth herein until the conclusion of such thirty (30) day period. If the Board of Trustees in its notice of termination to the Special Advisor specifies that it has no further need of the Special Advisor's services, the Board of Trustees shall pay the Special Advisor a severance equal to \$2,500 (Two Thousand Five Hundred Dollars) per month for the months remaining in the Agreement term at the time of severance.

ARTICLE IV

**MISCELLANEOUS**

1. The foregoing terms of appointment shall be construed and governed by the laws of the State of Ohio.
2. The effective date of this Terms of Appointment for the Township Special Advisor shall be January 1, 2023.

ARTICLE V

**MODIFICATIONS**

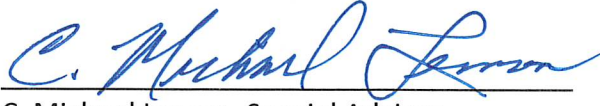
The foregoing terms and provisions constitute the entire terms of agreement of the Special Advisor and there are no other terms, conditions, understandings or agreement either in writing or made orally between the Special Advisor and the Board of Trustees in connection with this appointment. Any subsequent modification to the terms of this appointment shall be in writing and attached to this document and shall be effective only upon resolution of the Board of Trustees.

Motion to accept Resolution by: MR. KUBICKI

Seconded by: MR LAMAK

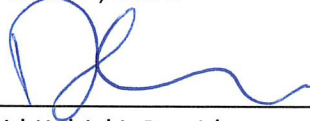
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Executed this 13 day of Dec., 2022

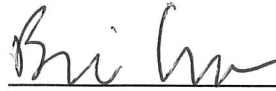


C. Michael Lemon, Special Advisor

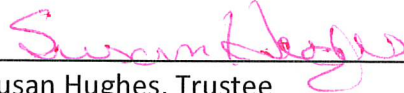
FOR THE BOARD OF TRUSTEES COLUMBIA  
TOWNSHIP, OHIO



David Kubicki, President



Brian Lamar, Vice-President



Susan Hughes, Trustee