

**RESOLUTION 21 -06 2021
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE AN AMENDMENT
TO THE AMENDED AND RESTATED FIRE PROTECTION AND EMERGENCY
MEDICAL SERVICES AGREEMENT WITH THE LITTLE MIAMI JOINT FIRE &
RESCUE DISTRICT, AND DECLARING AN EMERGENCY**

WHEREAS, Columbia Township is a member of the Little Miami Joint Fire & Rescue District ("District"); and

WHEREAS, the Township relies on the District for fire protection and emergency medical service, and such safety services are necessary for the public welfare of Township residents and businesses; and

WHEREAS, the Township and District are parties to the existing Amended and Restated Fire Protection and Emergency Medical Services Agreement under which the District provides safety services to the Township; and

WHEREAS, each of the members of the District reached certain agreements, in principle, in connection with the ongoing discussion of District operational matters requiring the waiver of certain contractual notice periods; and

WHEREAS, the First Amendment attached hereto as Exhibit A includes such waiver on behalf of the Township; and

WHEREAS, the need for the First Amendment is time-sensitive given the nature of the continuing discussion as to the circumstances under which the District will provide fire protection and emergency medical service to the Township

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 that the Township Administrator is hereby authorized to execute the First Amendment attached hereto as Exhibit A, or such substantially similar amendment as necessary to correct errors or make changes of a non-material nature.

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 amend the Agreement and to preserve vital safety services necessary for the public welfare by assisting the District with ongoing and immediate discussions necessary for the District's operation.

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Motion to accept Resolution made by: Mr./Mrs. KUBICKI

Seconded by: Mr./Mrs. LAMAR

VOTE:

TRUSTEE

	Voting	Signature	Date
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	<u>2/17/21</u>
Brian Lamar, Vice-President	<u>yes</u>	<u>[Signature]</u>	<u>2-17-21</u>
Susan Hughes, Trustee	<u>yes</u>	<u>[Signature]</u>	<u>2/17/21</u>

ATTEST: Carole B. Heekin

2-17-21

Caroline Heekin, Fiscal Officer

Passed this 17th day of February 2021

**RESOLUTION 21 -06 2021
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**FIRST AMENDMENT TO: (1) AMENDED AND RESTATED FIRE PROTECTION AND
EMERGENCY MEDICAL SERVICES AGREEMENT; AND (2) MEMBERSHIP
AGREEMENT**

This First Amendment is made and entered into as of the latest date of execution below by and between the Little Miami Joint Fire & Rescue District (the "District"), the Village of Fairfax, Ohio ("Fairfax"), Columbia Township, Ohio ("Columbia Township"), and the Village of Golf Manor, Ohio ("Golf Manor") (collectively, the "Parties").

Whereas, the District, Fairfax, and Columbia Township are parties to that certain Amended and Restated Fire Protection and Emergency Medical Services Agreement (the "Fire/EMS Agreement") effective July 1, 2010; and

Whereas, the District and Golf Manor are parties to that certain Membership Agreement effective October 11, 2017; and

Whereas, Fairfax, Columbia Township, and Golf Manor are all members of the District, a joint fire district created under R.C. 505.371 that provides fire protection and emergency medical service to the Parties; and

Whereas, the Parties therefore have shared and mutual interests in the Fire/EMS Agreement and the Membership Agreement; and

Whereas, pursuant to discussions between the Parties as to matters related to the District, the Parties agreed to waive, simultaneously, certain contractual notice periods in each of the Fire/EMS Agreement and the Membership Agreement, subject to necessary approvals;

NOW, THEREFORE, in consideration of the covenants and agreements contained herein, which the Parties acknowledge and agree are good, valuable, and sufficient consideration, the Parties agree as follows:

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1. Paragraph 10 of the Fire/EMS Agreement is hereby amended to state as follows:

(10) This Agreement amends and restates the prior agreement scheduled to be in effect from January 1, 2007 through December 31, 2011, and shall itself be in effect as of July 1, 2010 until terminated. Any Subdivision may terminate its participation in this Agreement and the District pursuant to the provisions set forth in R.C. 505.371, without additional notice. This Agreement shall survive the withdrawal of any member of the District unless and until the District ceases to exist by operation of law or otherwise.

2. Paragraph 9 of the Membership Agreement is hereby amended to state as follows:

TERMINATION. Golf Manor may withdraw from the District pursuant to the provisions set forth in R.C. 505.371, without additional notice.

3. A fax, email, scan, or photocopy of this First Amendment shall be deemed an original for all purposes. This Agreement may be executed in counterparts.

ONLY SIGNATURES TO FOLLOW

Little Miami Joint Fire & Rescue District _____

By (Printed Name): _____

Its: _____

Date: _____

Village of Fairfax, Ohio _____

By (Printed Name): _____

Its: _____

Date: _____

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Columbia Township, Ohio

By (Printed Name):

Its:

Date:

Village of Golf Manor, Ohio

By (Printed Name):

Its:

Date:

**RESOLUTION 21-07, 2021
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**SUPPORTING THE PROPOSED SHARED-USE PATH FROM US-50 AT
SPRING HILL DRIVE TO THE POCAHONTAS AVENUE INTERSECTION
TO CONNECT THE LITTLE MIAMI SCENIC TRAIL
IN COLUMBIA TOWNSHIP TO MARIEMONT
AND FUTURE MURRAY PATH EXTENSION**

The following resolution is enacted by Columbia Township of Hamilton County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the Ohio Department of Transportation, Transportation Advisory Council, has allocated funding for preliminary engineering as part of the Eastern Corridor Study (PID 86462); and

WHEREAS, the Ohio Department of Transportation has worked closely with the LPA and other stakeholders to identify transportation improvements as part of the Eastern Corridor Study (PID 86462); and

WHEREAS, the Ohio Department of Transportation and the LPA have identified a proposed improvement to US-50 consisting of construction of a separated, shared use path from the intersection of Pocahontas Avenue to the intersection of US-50 and Spring Hill Drive, hereinafter referred to as the Project; and

WHEREAS, the Project is a transportation activity eligible to receive federal funding; and

WHEREAS, the engineering and design for the Project will be funded by the Ohio Department of Transportation using funding allocated by the Transportation Advisory Council as part of the Eastern Corridor Study (PID 86462).

WHEREAS, the total estimated cost of the right of way and construction phases of the Project is currently estimated to be between \$1,000,000 and \$1,500,000.

NOW, THEREFORE BE IT RESOLVED by the Columbia Township of Hamilton County, Ohio that:

SECTION ONE: The LPA hereby expresses support for further engineering of the Project to refine cost estimates and construction limits.

SECTION TWO: Upon completion of additional engineering, the LPA acknowledges that firm financial commitments of 10-20% will be needed to complete the right of way and construction phases of the project.

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SECTION THREE: Upon refinement of the cost estimate, project impacts, and engineering, the LPA hereby authorizes the Administrator of Columbia Township to prepare and execute on behalf of the LPA applications for funds for the stated described project, provided that the LPA is able to identify and secure adequate funding for its share of costs for the project.

SECTION FOUR: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Motion to accept Resolution made by: MR. KUBICKI

Seconded by: MS. HUGHES

VOTE:

TRUSTEE

	Voting	Signature	Date
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	<u>2/17/21</u>
Brian Lamar, Vice-President	<u>yes</u>	<u>[Signature]</u>	<u>2-17-21</u>
Susan Hughes, Trustee	<u>yes</u>	<u>[Signature]</u>	<u>2/17/21</u>

ATTEST: Carole B. Heekin
Caroline Heekin, Fiscal Officer