

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2018-9

Passed March 14, 2018

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CLERK-TREASURER TO EXECUTE A FIRST AMENDMENT TO THE JOINT AGREEMENT BETWEEN THE BOARD OF TRUSTEES OF WALNUT TOWNSHIP, OHIO AND THE VILLAGE OF THURSTON, OHIO FOR FIRE PROTECTION AND EMS SERVICES AND DECLARING AN EMERGENCY**

WHEREAS, in March 2007, the Village of Thurston and Walnut Township, entered into a updated Joint Agreement whereby each political subdivision agreed to seventeen general terms and conditions that would govern the Thurston-Walnut Township Fire Department; and

WHEREAS, after operating under this Joint Agreement for many years, Council for the Village of Thurston and the Board of Trustees of Walnut Township want to amend the 2007 Joint Agreement in order to avoid both political subdivision being charged, and paying for, duplicate services, and

WHEREAS, the 2007 Joint Agreement can be amended/modified by "written agreement approved by a majority of each political subdivision;" and

WHEREAS, Council for the Village of Thurston now wants to amend the 2007 Joint Agreement.

**NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Thurston, County of Fairfield, State of Ohio that:**

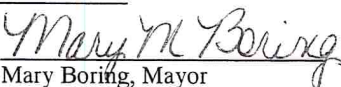
SECTION 1: The Mayor and Clerk-Treasurer are hereby authorized and directed to execute a First Amendment to the Joint Agreement Between the Board of Trustees of Walnut Township, Ohio and the Village of Thurston, Ohio for Fire and Emergency Medical Services, in substantially the same form and content as the First Amendment attached hereto as Exhibit A and incorporated herein by reference.

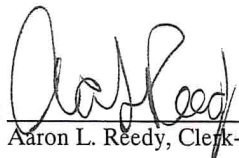
SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that Village Council and the Board of Trustees need to amend the Joint Agreement as soon as possible in order to save their limited resources. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council.

Passed in Council this 14 day of March 2018.

  
Mary Boring, Mayor

ATTEST:   
Aaron L. Reedy, Clerk-Treasurer

**FIRST AMENDMENT TO THE  
JOINT AGREEMENT BETWEEN  
THE BOARD OF TRUSTEES OF WALNUT TOWNSHIP, OHIO AND  
THE VILLAGE OF THURSTON, OHIO FOR FIRE  
PROTECTIONS AND EMERGENCY MEDICAL SERVICES**

**RECITALS**

1. In March 2007, the Village of Thurston, Ohio and Walnut Township, Ohio entered into a updated Joint Agreement whereby each political subdivision agreed to seventeen general terms and conditions that would govern the Thurston-Walnut Township Fire Department; and
2. In order to avoid both political subdivision being charged, and paying for, duplicate services, Council for the Village of Thurston and the Board of Trustees of Walnut Township want to amend the 2007 Joint Agreement; and
3. The 2007 Joint Agreement can be amended/modified by “written agreement approved by a majority of each political subdivision.”

**FIRST AMENDMENT**

**NOW, THEREFORE,** in exchange of valuable consideration, the sufficiency of which is expressly acknowledged by the Parties, and upon the mutual promises, covenants, and commitments set forth below, the Village of Thurston, Ohio and Walnut Township, Ohio hereby agree to amend the March 2007 Joint Agreement Between the Board of Trustees of Walnut Township, Ohio and the Village of Thurston, Ohio for Fire Protection and Emergency Medical Services:

1. The seventh bullet point shall be amended to read:


Pursuant to R.C. 505.37(A) and R.C. 505.41, Walnut Township shall be primarily responsible for the employment of part-time employees and/or volunteers firefighters and EMS personnel needed to adequately staff the Thurston-Walnut Township Fire Department. It is understood and agreed that Walnut Township’s ability to hire and retain personnel will depend on the funding generated and received from the Fire Levy. Walnut Township shall provide, at is sole cost and expense, Ohio Worker’s Compensation coverage for said employees. Walnut Township shall be responsible, at sole cost and expense, for all payroll services of the Thurston-Walnut Township Fire Department.

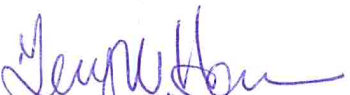
2. The sixteenth bullet point shall be amended to read:

The Village of Thurston, at its sole cost and expense, shall secure an insurance policy covering the Thurston-Walnut Township Fire Department as well as its employees and volunteers against liability arising from the performance (acts or omissions) of their official duties, in an amount agreed upon by the Council for the Village of Thurston and the Board of Trustees of Walnut Township.

This First Amendment has been approved by a majority of each legislative body and shall take effect on the date last executed below.

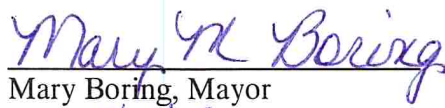
**Walnut Township, Ohio**


  
Bill Yates, Trustee  
Date: 4/3/2018

  
Terry W. Horn, Trustee  
Date: 4/3/2018

  
Doug Leith, Trustee  
Date: 4/3/18

**Village of Thurston, Ohio**

  
Mary Boring, Mayor  
Date: 3/14/18

  
Aaron Reedy, Clerk-Treasurer  
Date: 3/14/18