

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2022-26

Ordinance No. _____

Passed

November 9

, 20 22

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE A CONTRACT WITH THE WALNUT TOWNSHIP TRUSTEES TO PROVIDE D-ICING SALT AND PLOWING AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village of Thurston wishes to enter into a contract agreement with Walnut Township for de-icing salt and plowing for the Village of Thurston; and

WHEREAS, an agreement must be accepted by both entities before a contract can go into effect; and

WHEREAS, the agreement must be signed immediately in order to allow for the contracted goods to be obtained;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:

SECTION 1: The Village Administrator and Fiscal Officer are hereby authorized and directed to enter into an agreement, in substantially the same format and content as the document attached hereto as Exhibit A and incorporated by reference, with the Walnut Township Trustees to provide de-icing salt for the Village of Thurston.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Thurston, Ohio. This ordinance shall become effective upon its passage by Council.

Passed in Council this 9th day of November, 2022.

First Reading: Waived
Second Reading: Waived
Third Reading: 11/09/2022


Mary Bowling, Mayor

DATE OF PASSAGE: 11-9-22

EFFECTIVE DATE: 11-9-22

ATTEST:


Aaron L. Reedy, Fiscal Officer

CONTRACT BETWEEN
BOARD OF TRUSTEES OF WALNUT TOWNSHIP ²⁰²²⁻²⁰²³
AND THE VILLAGE THURSTON TO PROVIDE DE-ICING SALT: 2021 - 2022

The board of trustees of Walnut Township does hereby agree to furnish, subject to reasonable availability of time and materials to the township and the needs of Walnut Township, such amount of salt and plowing of said streets as may be requested by the Village of Thurston, a political sub-division of the State of Ohio, upon such terms and conditions as the legislative authority of the village of Thurston and the Board of Trustees. Snow removal for the Village will coincide with the Township's regular snow removal schedule as weather conditions dictate.

The parties hereto agree that Walnut Township shall in no way be liable for any failure to furnish salt or failure to plow said streets for the Village of Thurston: however, any traffic violations and/or accidents resulting from negligence of any of the agents or employees of Walnut Township shall be the sole responsibility of the agent(s), or employee(s) of Walnut Township, and for any willful acts by any agent(s) or employee(s) of Walnut Township, agent(s) or employee(s) and Walnut Township shall be solely Liable.

The Village of Thurston will be billed monthly at Walnut Township's cost. This includes salt, labor, equipment and fuel. Salt will be at the purchase price, labor will be at employees cost, and equipment will be at the rates established by the Ohio Department of Transportation.

The Village of Thurston assumes all liability for any damage that might occur during snow plowing and salting of streets in the Village of Thurston, except vehicular accidents involving agents of Walnut Township in which they are negligent by violating any vehicular or traffic code, and excepting any willful acts by any agents or employees of Walnut Township in which case agent(s) or employee(s) of Walnut Township shall be Solely liable.

VILLAGE OF THURSTON
FAIRFIELD COUNTY, OHIO

TOWNSHIP OF WALNUT

BY: Mary M Boring
Mayor

BY: William R Yates
Bill Yates, Trustee

BY: Paul Rody
Clerk Treasure

BY: Douglas G Leith
Douglas Leith, Trustee

BY: Terry W Horn
Terry Horn, Trustee

Date Signed: 11-9-22

Date Signed: _____