

RESOLUTION NO. 20-2022

Resolution 20-2022 approving an agreement between West Chester Township Board of Trustees and Butler County Commissioners, for maintenance of multi-use pathways

WHEREAS, the TOWNSHIP identified the need for improved pedestrian and bike connectivity for the West Chester residents around the West Chester Township and the surrounding county;

WHEREAS, the TOWNSHIP has existing and proposed Multi-Use Paths located in the COUNTY's right-of-way in West Chester Township;

WHEREAS, the COUNTY and TOWNSHIP desire to enter into an agreement for the ongoing maintenance of Multi-Use Paths in order to provide consistent and efficient maintenance of the pathways to provide for the public health, safety, and welfare of the community;

NOW THEREFORE BE IT RESOLVED, the COUNTY and TOWNSHIP agree that the TOWNSHIP will be responsible for maintaining all Multi-Use Path improvements for an indefinite period and until otherwise agreed upon.

Adopted this 28 day of June, 2022.

ATTEST:

Bruce Jones
Bruce Jones, Fiscal Officer

Mark S. Welch
Mark S. Welch, Chair

Ann Becker
Ann Becker, Vice Chair

Lee Wong
Lee Wong, Trustee

Yes
Yes/No

Yes
Yes/No

Yes
Yes/No

APPROVED AS TO FORM:

Donald L. Crain
Donald L. Crain, Law Director

MULTI-USE PATHWAY MAINTENANCE AGREEMENT

This agreement is made and entered into, by and between the Board of County Commissioners, Butler County, Ohio, hereinafter referred to as "COUNTY" and the West Chester Township Trustees, West Chester Township, Ohio, hereinafter referred to as "TOWNSHIP".

WHEREAS, the TOWNSHIP identified the need for improved pedestrian and bike connectivity for the West Chester residents around the West Chester Township and the surrounding county;

WHEREAS, the TOWNSHIP has existing and proposed Multi-Use Paths located in the COUNTY's right-of-way in West Chester Township;

WHEREAS, the COUNTY and TOWNSHIP desire to enter into an agreement for the ongoing maintenance of Multi-Use Paths in order to provide consistent and efficient maintenance of the pathways to provide for the public health, safety, and welfare of the community;

WHEREAS, for the purposes of this agreement, the COUNTY and TOWNSHIP agree that the TOWNSHIP will be responsible for maintaining all Multi-Use Path improvements for an indefinite period and until otherwise agreed upon.

NOW, THEREFORE, upon the TOWNSHIP's approval accepting the agreement referenced herein, the COUNTY and TOWNSHIP agree as follows:

- A. The TOWNSHIP agrees to fully comply with any applicable statute, rule, regulation, order or restriction of any federal or state governmental authority lawfully exercising jurisdiction over the TOWNSHIP's use of public right-of-way for the features described within this Agreement, including, but not limited to, the American with Disabilities Act and the regulations promulgated thereunder.
- B. The TOWNSHIP agrees to maintain the Multi-Use Paths in such a manner that provides for a healthy, aesthetic environment that enhances the site and does not interfere with the safe use of the adjacent right-of-way.
- C. The TOWNSHIP shall maintain the Multi-Use Paths in accordance with the TOWNSHIP's rules and procedures applicable to the maintenance of Multi-Use Paths owned by the TOWNSHIP. These maintenance obligations include, but are not limited to, resurfacing the Multi-Use Paths and repairing or replacing segments that are in poor or unsafe condition.
- D. The COUNTY and TOWNSHIP acknowledge that the TOWNSHIP's rules and procedures regarding maintenance of Multi-Use Paths may change and agrees that TOWNSHIP's maintenance obligations set forth in the agreement may likewise change, provided that if such obligations changes, the TOWNSHIP will notify the COUNTY of any such change.
- E. The COUNTY has the option to make improvements to the Multi-Use Paths if needed as part of a road improvement project of normal roadway maintenance.

IN WITNESS WHEREOF, the parties, by their authorized representatives, have caused this agreement to be executed on the dates stated below, pursuant to each party's duly adopted resolution or ordinance.

WEST CHESTER TOWNSHIP


BOARD OF COUNTY COMMISSIONERS,
BUTLER COUNTY, OHIO

BY: 

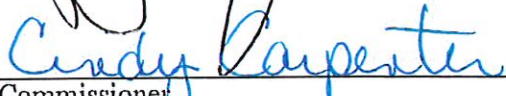
NAME: Larry D. Burks

TITLE: Township Administrator

DATE: 6/28/2022

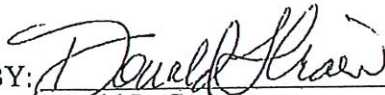

President


Vice President



Commissioner

DATE: August 1, 2022

Approved as to Form Only:

BY: 
Donald L. Crain
Township Law Director
Date: 6/28/22

Approved as to Form Only:

BY: 
Kevin J. Gerrity
Assistant Prosecuting Attorney
Butler County, Ohio
Date: 8/13/2022

ADOPTED
AUGUST 1, 2022



Board of County Commissioners
Butler County, Ohio

EXECUTIVE SUMMARY

22-08-01211

Donald L. Dixon
President

T.C. Rogers
Vice President

Cindy Carpenter
Member

Road Maintenance Agreement Between Governmental Agencies

Engineer
An Inter-Departmental Review

Target Meeting: 8/1/22

Summary

Approve and execute Multi-Use Pathway Maintenance Agreement with the West Chester Township Trustees for ongoing maintenance of the Multi-Use Path in the County's right-of-way.

Justification

The West Chester Township Trustees wish to enter into an agreement with the Board of County Commissioners, Butler County, Ohio for the purpose of pathway maintenance for the public health, safety and welfare of the community.

Recommendation

Staff has reviewed and recommends approval.

Approved by:

Alan Steele

Alan Steele, Accounting/HR Manager 7/21/2022

ADOPTED
AUGUST 1, 2022



Board of County Commissioners
Butler County, Ohio

RESOLUTION

22-08-01211

Donald L. Dixon
President

T.C. Rogers
Vice President

Cindy Carpenter
Member

Road Maintenance Agreement Between Governmental Agencies

The Board of County Commissioners of Butler County, Ohio met in Regular Meeting on the 1st day of August, 2022 in the Commission Chambers of the Butler County Government Services Center, 315 High Street, 2nd Floor, Hamilton, Ohio 45011.

Whereas the Butler County Engineer has submitted for approval a Multi-Use Pathway Maintenance Agreement between the Board of County Commissioners, Butler County, Ohio and the West Chester Township Trustees, West Chester Township, Ohio for ongoing maintenance of the Multi-Use Pathway;

Whereas the Board of County Commissioners and the West Chester Township Trustees desire to enter into an agreement to provide for the ongoing maintenance of Multi-Use Paths in order to provide consistent and efficient maintenance of the pathways to provide for the public health, safety, and welfare of the community as outlined in the Multi-Use Pathway Maintenance Agreement;

Whereas for the purposes of this agreement, the Board of County Commissioners, Butler County, Ohio and the West Chester Township Trustees agree that the Township will be responsible for maintaining all Multi-Use Path improvements for an indefinite period and until otherwise agreed upon; now, therefore, be it

Resolved that pursuant to ORC Chapter 5557, the Board of County Commissioners approves and will execute the Multi-Use Pathway Maintenance Agreement as presented in the form approved by the Butler County Prosecutor effective immediately; be it further

Resolved that the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken

ADOPTED
AUGUST 1, 2022

in an open meeting of this Board, and that all deliberations of this Board and of its committees, which resulted in those formal actions, were in meetings open to the public in compliance with the law.

Commissioner Carpenter moved for the adoption of the foregoing resolution, Commissioner Rogers seconded the motion and upon call of the roll, the vote resulted as follows:

RESULT: Adopted
AYES: Donald Dixon, T.C. Rogers, Cindy Carpenter

State of Ohio, County of Butler, on this 1st day of August, 2022, the Clerk of the Board does hereby certify that 22-08-01211 is a true, exact, complete and unaltered electronic record of the Butler County Board of Commissioners.

Flora Butler

Flora Butler, Clerk of the Board

