

RESOLUTION NO. 2021 - 3

**A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR  
TO EXECUTE AN AMENDMENT TO THE MEMBERSHIP AGREEMENT  
WITH THE VILLAGE OF GOLF MANOR, OHIO AND THE LITTLE MIAMI  
JOINT FIRE AND RESCUE DISTRICT**

**WHEREAS**, the Little Miami Joint Fire and Rescue District ("District") and its member, the Village of Golf Manor, Ohio ("Golf Manor") are parties to a Membership Agreement effective October 11, 2017; and

**WHEREAS**, the Village of Fairfax, Ohio and Columbia Township, Ohio are members of the Little Miami Joint Fire and Rescue District and parties to a separate Fire/EMS Agreement; and

**WHEREAS**, the District and each of its members agree that it is in their best interests to waive certain contractual notice periods in each of the foregoing agreements; and

**WHEREAS**, the First Amendment attached hereto as **Exhibit A** includes a waiver to the requirement of advance notice within both the separate Fire/EMS Agreement and the Membership Agreement for Golf Manor; and

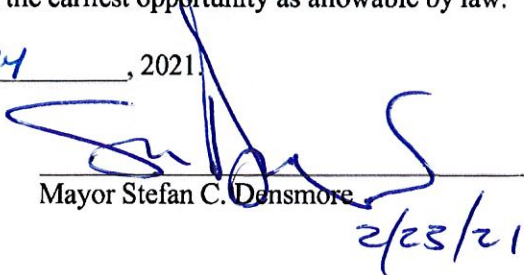
**WHEREAS**, the First Amendment also clarifies certain language in the Fire/EMS Agreement pertaining to the term of that Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Golf Manor, Hamilton County, Ohio, that:

**SECTION I.** The Village 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.

**SECTION II.** This Resolution shall take effect the earliest opportunity as allowable by law.

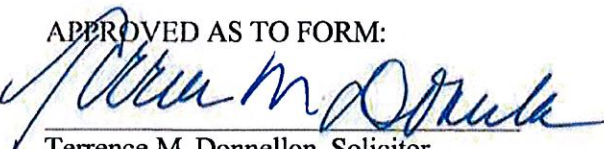
PASSED this 22ND day of FEBRUARY, 2021.

  
\_\_\_\_\_  
Mayor Stefan C. Densmore

ATTEST:

  
\_\_\_\_\_  
Anna Gedeon, Assistant Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Terrence M. Donnellon, Solicitor

**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:

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: \_\_\_\_\_

Columbia Township, Ohio

By (Printed Name):

Its:

Date:

Village of Golf Manor, Ohio

By (Printed Name):

Its:

Date:

*Ron Nirtz*

*RON NIRTZ*

*VILLAGE ADMINISTRATOR*

*2/24/2021*