

Road Maintenance Agreement

Between the governmental agencies of

Board of County Commissioners, Butler County, Ohio &
City of Oxford, Butler County, Ohio

This agreement is made and entered into by and between the Board of County Commissioners of Butler County, Ohio, and the City of Oxford, both political subdivisions of the State of Ohio, following an annexation pursuant to Ohio Revised Code Sections 709.021 and 709.023 of territory along Brookville Road to the City of Oxford.

WITNESSETH:

WHEREAS, portions of Brookville Road are within the corporation limits of the City of Oxford; and portions of Brookville Road are also within the un-incorporated areas of Oxford Township; and

WHEREAS, City of Oxford and the Board of County Commissioners desire to provide for the allocation between them of the improvement and maintenance responsibilities for portions of Brookville Road; and

WHEREAS, henceforth all improvement and maintenance responsibilities shall be divided as follows:

- (1) City of Oxford is to maintain and repair Brookville Road from SR732 (also known as Oxford Reily Road) to Kay Rench Dr (also known as the entrance to the Oxford Community Park); and
- (2) Butler County is to maintain and repair Brookville Road from Kay Rench Drive to the western terminus of Brookville Rd. in Oxford Township; and

WHEREAS, for purposes of this agreement, improvement includes any permanent and fixed change; and maintenance includes any and all repairs, general upkeep of the roadway, and culverts within the right-of-way.

AND WHEREAS, this agreement involves both improvement and maintenance;

THEREFORE IT IS MUTUALLY AGREED

- (1) That pursuant to Chapter 5557 and other applicable provisions of the Ohio Revised Code, the Board of County Commissioners hereby adopts this agreement to become effective upon the adoption of the same agreement by the City of Oxford.

(2) All improvement and maintenance responsibilities shall be divided between Butler County and City of Oxford as follows:

- a. City of Oxford is to maintain and repair Brookville Road from SR732 (also known as Oxford Reily Road) to Kay Rench Dr (also known as the entrance to the Oxford Community Park); and
- b. Butler County is to maintain and repair Brookville Road from Kay Rench Drive to the western terminus of Brookville Rd. in Oxford Township.

(3) That Butler County and City of Oxford shall notify and report to each other any work on Brookville Road undertaken during each year.

(4) That each entity shall finance and pay for all costs of improvement, repairs and maintenance undertaken by them.

(5) That unless otherwise agreed upon, employees and contractors of each entity shall remain solely the responsibility of that entity, as to payment, worker's compensation, and insurance, and the performing entity shall hold the other entity harmless as to any and all debts and obligations concerning those employees or contractors.

In witness whereof, the parties of this Agreement have set their hand this 18th day of October, 2021.

Approved as to Form Only:

Mary Anne Nardiello
Assistant Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS

By: Cindy Carpenter
Cindy Carpenter, President

By: Don Dixon
Don Dixon, Vice President

By: T. C. Rogers
T. C. Rogers, Member

CITY OF OXFORD

By: Douglas R. Elliott, Jr.
Douglas R. Elliott, Jr.; City Manager

Authorized by City Council
Resolution No. 7340

RESOLUTION NO. 7340

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS, BUTLER COUNTY, OHIO FOR THE IMPROVEMENT AND MAINTENANCE RESPONSIBILITIES FOR PORTIONS OF BROOKVILLE ROAD.

WHEREAS, the City of Oxford accepted the annexation of 22.014 acres of land located along Brookville Road with the adoption of Ordinance No. 3627 on August 3, 2021; and

WHEREAS, portions of Brookville Road are within the corporation limits of the City of Oxford; and portions of Brookville Road are also within the un-incorporated areas of Oxford Township; and

WHEREAS, the City of Oxford and the Board of County Commissioners desire to provide for the allocation between them of the improvement and maintenance responsibilities for portions of Brookville Road as set forth in Exhibit "A" attached hereto.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council desires for the City to enter into a Road Maintenance Agreement with the Board of County Commissioners, Butler County, Ohio for the improvement and maintenance responsibilities for portions of Brookville Road and finds that such Road Maintenance Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens.

SECTION 2: The City Manager is hereby authorized to enter into, on behalf of the City, a Road Maintenance Agreement with the Board of County Commissioners, Butler County, Ohio, for the improvement and maintenance responsibilities for portions of Brookville Road as set forth in Exhibit "A" attached hereto.

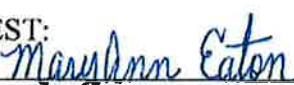
SECTION 3: This resolution shall take effect at the earliest date allowed by law.



MAYOR

ADOPTED: October 5, 2021

ATTEST:



CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: MICHAEL SMITH

PREPARED BY: LAW (STAFF)

ADOPTED
OCTOBER 18, 2021



Board of County Commissioners
Butler County, Ohio

EXECUTIVE SUMMARY

21-10-01463

Cindy Carpenter
President

Donald L. Dixon
Vice President

T.C. Rogers
Member

Road Maintenance Agreement Between Governmental Agencies

Engineer
An Inter-Departmental Review

Target Meeting: 10/18/21

Summary

Approve and execute Road Maintenance Agreement with the City of Oxford for portions of Brookville Road.

Justification

The City of Oxford wishes to enter into an agreement with Butler County for the purpose of road maintenance for the benefit of the traveling public.

Recommendation

Staff has reviewed and recommends approval.

Approved by:

Alan Steele
Alan Steele, Accounting/HR Manager 10/1/2021

ADOPTED
OCTOBER 18, 2021



Board of County Commissioners
Butler County, Ohio

RESOLUTION

21-10-01463

Cindy Carpenter
President

Donald L. Dixon
Vice President

T.C. Rogers
Member

Road Maintenance Agreement Between Governmental Agencies

The Board of County Commissioners of Butler County, Ohio met in Regular Meeting on the 18th day of October, 2021 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 Road Maintenance Agreement between Butler County, Ohio and the City of Oxford for portions of Brookville Road;

Whereas the Board of County Commissioners and the City of Oxford desire to provide for the allocation between them of the improvement and maintenance responsibilities for portions of Brookville Road as outlined in the Road Maintenance Agreement;

Whereas improvement includes any permanent fixed change and maintenance includes any and all repairs, general upkeep of the roadway and culverts within the right-of-way; now, therefore, be it

Resolved that pursuant to ORC Chapter 5557, the Board of County Commissioners approves and will execute the Road 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 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.

ADOPTED

OCTOBER 18, 2021

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

RESULT: Adopted

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

State of Ohio, County of Butler, on this 18th day of October, 2021, the Clerk of the Board does hereby certify that 21-10-01463 is a true, exact, complete and unaltered electronic record of the Butler County Board of Commissioners.

Flora Butler

Flora Butler, Clerk of the Board

