

RESOLUTION G2021-02

**RESOLUTION APPROVING AN INDEPENDENT CONTRACTOR
AGREEMENT WITH MIKE HOWELL AS CUSTODIAN FOR THE CAMP
DENNISON NATURE TRAIL AND DISPENSING WITH THE SECOND
READING**

WHEREAS, the Symmes Township Trustees are the legislative body of the Township;
and

WHEREAS, the Symmes Township Board of Trustees desires to contract Mike Howell for the purpose of serving as an independent contractor Park Custodian for Camp Dennison Nature Trail.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio, that:

- Section 1.** Mike Howell shall fulfill the role and duties of the custodian for the Camp Dennison Nature Trail as an independent contractor pursuant to the terms of the “Independent Contractor Agreement” attached hereto and incorporated as Exhibit “A”.
- Section 2.** The Board hereby authorizes the Township Administrator to enter into such Agreement with Mike Howell, which agreement fully defines the terms and conditions upon which Mike Howell shall serve as Park Custodian, a copy of which is incorporated herein by reference as Exhibit “A”.
- Section 3.** The Board of Township Trustees hereby authorizes and directs the Township Fiscal Officer to expend such funds in accordance with the terms as set forth in the contract.
- Section 4.** Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.
- Section 5.** Finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without limitation) Ohio Revised Code §121.22, except as otherwise permitted thereby.

Section 6. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

ADOPTED _____, 2021 – RESOLUTION G2021-02

Vote Record: Mr. Bryant ____ Ms. Leis ____ Mr. Beck ____

BOARD OF TRUSTEES:

Kenneth N. Bryant, President

Jodie L. Leis, Vice-President

Philip J. Beck, Trustee

ATTEST:

APPROVED AS TO FORM:

Joseph C. Grossi, Fiscal Officer

Jeff Forbes, Law Director

INDEPENDENT CONTRACTOR AGREEMENT

This agreement is entered into by and between the Board of Trustees of Symmes Township, Ohio, 9323 Union Cemetery Road, Loveland, Ohio 45140, hereinafter called "Board", and Mike Howell, 7810 Clement Street, Camp Dennison, Ohio 45111, hereinafter called "Park Custodian".

WITNESSETH

WHEREAS, the Board desires to continue to engage Mike Howell as an independent contractor for the purpose of fulfilling the role and duties of a part-time Park Custodian for Camp Dennison Nature Trail; and

WHEREAS, Mike Howell is, by reason of training and experience, capable of acting as the Park Custodian who shall perform the duties of such under the direction and supervision of the Township Administrator; and

WHEREAS, the parties hereto acknowledge the valuable consideration recited herein in the exchange of mutual promises and covenants.

NOW THEREFORE, it is agreed by and between the Board and Township Administrator, as follows:

1. Mike Howell is hereby engaged as an independent contractor for the purpose of fulfilling the role and duties of a part-time Park Custodian for Camp Dennison Nature Trail and shall serve in such capacity on a part-time basis for a period commencing January 1, 2021 through December 31, 2021.
2. Mike Howell, pursuant to independent contractor engagement, shall receive \$1,080.00 (One Thousand Eighty Dollars and No Cents) as his annual compensation effective with above agreement date, which amount will be paid to him on a monthly basis of \$90.00 (Ninety Dollars and No Cents).
3. Duties shall include:
 - a. Opening and closing the entrance gate at such times as are established and published by the Board of Trustees;
 - b. Reporting immediately to the Township Administrator or District 3 Sheriff's Office any acts of vandalism or other violations of the Park Rules and Regulations as may be observed;

- c. Upon sufficient notice to the Township Administrator or its designated agent, Mr. Howell may be excused from above stated functions and duties for personal reasons, such as vacations.
- 4. The parties acknowledge that as an independent contract, Mike Howell shall not be entitled to any other usual and customary benefits of a Township employee.
- 5. This agreement contains the entire agreement and understanding between the parties, and supersedes any prior or contemporaneous agreement or understanding between them, whether oral or written.
- 6. This Employment Agreement may be amended by mutual written consent of the parties hereto at any time during the duration of said contract.

IN WITNESS WHEREOF, the Township Administrator and Mike Howell hereunto subscribe their names this ____ day of _____ 2021.

Kimberly A. Lapensee, Township Administrator

Mike Howell, Independent Contractor