

**VILLAGE OF BOTKINS, OHIO
BOARD OF EDUCATION OF THE BOTKINS LOCAL SCHOOL
JOINT RESOLUTION ESTABLISHING A JOINT RECREATION BOARD, REPEALING
AND REPLACING VILLAGE RESOLUTION 98-28 AND SCHOOL BOARD
RESOLUTION 146**

Village Resolution No. 25-05

School Board Resolution No.

WHEREAS, the Ohio Revised Code §755.16 provides that a municipal corporation and a school district may combine to acquire, construct, operate, and maintain property for use as, among other things, parks, playgrounds, and playfields; and

WHEREAS, Ohio Revised Code §755.14 permits and authorizes various political subdivisions, including but not limited to municipal corporations and school boards, to establish a joint recreation board which possesses all the powers and is subject to all the responsibilities of the respective local authorities under §755.12 to §755.18 of the Ohio Revised Code; and

WHEREAS, the Village of Botkins, an Ohio municipal corporation ("Village") and the Board of Education of the Botkins Local School, an Ohio local school district ("School Board") have worked together to acquire and improve certain real property for use as a park, playground, and playfields; and

WHEREAS, the Village and the School, under the authority of Ohio Revised Code §755.14, through Village Resolution No. 98-28 and School Board Resolution No. 146 have previously established a joint recreation board which possesses all the powers and to be subject to all the responsibilities of each respective local authority under Ohio Revised Code §755.12 to §755.18; and

WHEREAS, Ohio Revised Code §755.14 provides that the resolution establishing a joint recreation board shall, among other things, specify the number of members of the joint recreation board and the method of appointing members and filling vacancies; and

WHEREAS, the Village and the School Board have determined that certain section of the joint resolutions, Village Resolution No. 98-28 and School Board Resolution No. 146, are in need of updates.

NOW, THEREFORE, be it jointly resolved by the Council of the Village and the School Board, as follows:

§ 31.15 ESTABLISHMENT.

There shall be and is hereby established a joint recreation board between the village and the School Board to possess all the powers and to be subject to all the responsibilities under R.C. §§ 755.12 to 755.18 ("Joint Recreation Board").

§ 31.16 JURISDICTION.

The jurisdiction of the Joint Recreation Board established under this subchapter shall be the park commonly known as the Botkins Community Park, located within the village on the north side of State Route 219, commonly referred to as State Street, near the east boundary of the village's corporation limits. The park more fully described in two

April 7, 1994, and recorded in Volume 321, at Pages 340 through 343 of the County Deed Records, and the other of which was executed and delivered to the village from the Botkins Area Community Club, ("Community Club") is dated April 5, 1994, filed for record in the Office of the County Recorder on April 7, 1994, and recorded in Volume 321 at Pages 337 through 339 of the County Deed Records (collectively, "the Park").

§ 31.17 POWER AND AUTHORITY.

The Joint Recreation Board established by this subchapter shall have the following power and authority to:

- (A) Acquire, in the manner provided by law for the acquisition of land or buildings for public purposes in municipal corporations, land and buildings for use as playgrounds, playfields and parks under R.C. § 755.12;
- (B) Supervise and maintain parks, playgrounds and playfields located at and in connection with the park;
- (C) Equip, develop and operate the park and the park facilities as authorized by R.C. §§ 755.12 through 755.18;
- (D) Employ play leaders, recreation directors, supervisors, superintendents, or any other officers or employees necessary for carrying out the purposes and functions of the Joint Recreation Board in connection with the park as authorized under R.C. § 755.13;
- (E) Acquire and pay the cost of insuring such officers or employees against liability on account of damages or injury to persons or property arising from or out of the activity and/or conduct of the members of the Joint Recreation Board established by this subchapter and the members in their performance of their official duties in connection with the park; and
- (F) Do all things which are necessary and incidental in connection with and in furtherance of the purposes of the Joint Recreation Board set forth in subchapter; the power and authority of the Joint Recreation Board set forth in this section; and the power and authority for Joint Recreation Board set forth in R.C. §§ 755.12 through 755.18 in connection with the park.

§ 31.18 COMPOSITION.

The Joint Recreation Board established by this subchapter in connection with the park shall consist and be composed of eight members who shall be selected and appointed as follows:

- (A) Two members of the Joint Recreation Board shall be members of the Village Council and shall be appointed by the Mayor with the consent of the Village Council. Neither member of the Village Council appointed under this provision shall also be a member of the School Board or the Community Club;
- (B) Two members of the Joint Recreation Board shall be a member of the School Board or shall be appointed by the School Board. The member appointed by the School Board shall not be a member of the Village Council or the Community Club; and
- (C) Four members of the Joint Recreation Board shall be at-large members, none of whom shall be a member of either the Village Council, the School Board or except as otherwise permitted in this division (C), the Community Club. The at-large members shall be appointed by the Mayor with the consent of Village Council. One of the at-large members appointed by the Mayor shall be a member of the Community Club which Community Club member shall also not be a member of the School Board or the Village Council.

§ 31.19 TERMS OF MEMBERS.

All members of the Joint Recreation Board shall serve the following terms:

- (A) Village Council members appointed under § 31.18(A) shall serve one-year terms.
- (B) The members appointed by the School Board under § 31.18(B) shall serve a one-year term.

(C) The member of the Community Club appointed by the Mayor as an at-large member under § 31.18(C) shall serve a one-year term.

(D) At-large members appointed by the Mayor and approved by Village Council under § 31.18(C) shall serve three-year terms.

§ 31.20 VACANCIES.

(A) A vacancy in the seat of any member of the Joint Recreation Board established by this subchapter occurring otherwise than by expiration of term shall be for the unexpired term of such vacant seat and shall be filled in the same manner as original appointments for the unexpired term of the vacated seat. A member of the Village Council, who is appointed to the Joint Recreation Board established by this subchapter, shall be required to vacate such member's seat on the Joint Recreation Board if the term of such person as a member of Village Council expires prior to the expiration to such member's term as a member of the Joint Recreation Board.

(B) A member of the School Board, who is appointed to the Joint Recreation Board established by this subchapter, shall be required to vacate such member's seat on the Joint Recreation Board if the term of such person as a member of the School Board expires prior to the expiration to such member's term as a member of the Joint Recreation Board.

§ 31.21 COMPENSATION.

As required under R.C. § 755.14, members of the Joint Recreation Board established by this subchapter shall serve without compensation.

§ 31.22 ORGANIZATION.

(A) Pursuant to the authority contained in R.C. § 755.15, the members of the Joint Recreation Board established by this subchapter shall elect their own chairperson and secretary, shall select all other necessary officers, and may employ such other persons as are needed.

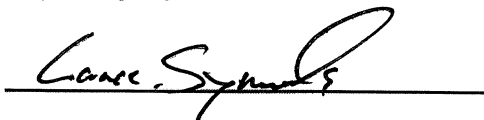
(B) All officers, including, but not limited to, the chairperson and secretary of the Joint Recreation Board established by this subchapter, shall serve for a period of one year.

(C) The Joint Recreation Board established by this subchapter may adopt rules for the conduct of all business within its jurisdiction.

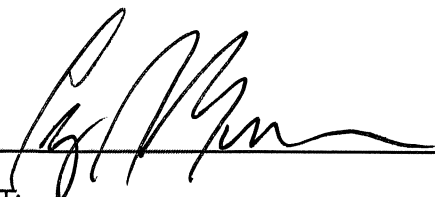
Effective Date

This joint resolution shall go into effect on the earliest date provided by law.

Passed this 26th day of March, 2025 by the Council of the Village of Botkins. By a majority of the members elected thereto.



Lance Symonds, Mayor

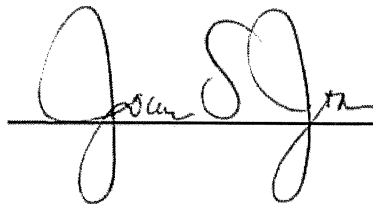

ATTEST:

Craig Brown, President of Council


Hannah Paul, Fiscal Officer

Passed this 12TH day of MARCH, 2025 by the Board of Education of the Botkins Local School. By a majority of the members elected thereto.

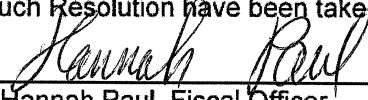

President


Treasurer

CERTIFICATION

STATE OF OHIO)
)SS:
COUNTY OF SHELBY)

I, Hannah Paul, as Fiscal Officer of the Village of Botkins, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 25-02 passed by the Council of the Village of Botkins on the 8th day of January, 2025; that publication of such Resolution has been made and certified of record according to law; and that no proceedings looking to a referendum upon such Resolution have been taken.


Hannah Paul, Fiscal Officer