

RESOLUTION NO. 13-2016

A RESOLUTION AUTHORIZING THE FRIENDS OF CROWELL HILAKA, INC. (FoCH) TO PRODUCE AN ASSESSMENT OF KIRBY'S MILL

WHEREAS, the Friends of Crowell Hilaka, Inc. (FoCH) previously requested permission to move forward with producing a structural/architectural assessment of the Kirby's Mill, to include retaining the services of an architect and producing a report of the condition of the structure and an estimate of the cost of restoring or making Kirby's Mill code compliant, which request was granted by the Board of Trustees, on a non-exclusive basis, on August 24, 2015; and

WHEREAS, FoCH and RJRD have in the interim negotiated the terms and conditions of a memorandum of understanding ("the MOU") to govern the coordination of efforts by the parties to meet mutual goals in support of public access and use of the park, which MOU was approved by this Board of Trustees on March 28, 2016; and

WHEREAS, the MOU calls for the parties to jointly develop a written Work Plan that identifies and describes projects and programs to be undertaken in support of the park; and

WHEREAS, the MOU has not yet been executed by the parties and the Work Plan not yet developed; and

WHEREAS, in order to fold the previously discussed Kirby's Mill assessment to be conducted by FoCH into the framework of the MOU, this Board wishes to define and memorialize the parameters of that assessment in a manner that can be incorporated into a Work Plan pursuant to the MOU when executed, in furtherance of the parties' earlier-stated goals and interests..

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Richfield Joint Recreation District, County of Summit, State of Ohio:

SECTION 1. That the Friends of Crowell Hilaka be and hereby are authorized to proceed with the assessment of Kirby's Mill as provided in this Resolution. FoCH may retain the services of an architect for this purpose, at its cost. FoCH's authorization to examine Kirby's Mill is not exclusive, and RJRD or others authorized by RJRD may engage in similar or different examinations or analysis of the structure at the same time. In dealing with Summit County or other governmental officials or other entities or professionals, FoCH shall and RJRD may disclose the nature and extent of FoCH's authority concerning Kirby's Mill.

SECTION 2. That the assessment, when complete, shall be transmitted to this Board in a writing that conveys the condition of Kirby's Mill, as determined by the retained architect; that describes whether and how the structure can be restored and/or brought into a state of compliance with applicable building and occupancy codes; and that estimates the cost of restoring or bringing the structure into compliance.

SECTION 3. That the written assessment report described in Section 2 shall be provided to the Board, which may refer the report to one or more Board Committees. The Board may determine to proceed with some or all of the work described in the report, to obtain additional professional opinions, or to proceed with none of the work that may be described in the

report. If the Board determines that some or all restoration or compliance work should take place, it may discuss with FoCH FoCH's interest in and ability to raise funds for such project within a reasonable time frame and/or to be otherwise and/or further involved in conducting such project. Any agreement with FoCH to move forward with such work shall be effective only when contained in a Work Plan or Work Plan amendment approved by this Board.

SECTION 4. That the parameters of the authority to conduct an assessment of Kirby's Mill by FoCH as described in this Resolution reflect the agreement of the parties on this matter and supercede and control any inconsistent prior discussions or arrangements.

SECTION 5. That this Board finds and determines that all formal actions of this Board concerning and relating to this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6. That this Resolution shall be in full force and effect from and immediately upon its adoption.

May 23, 2016
Date Passed

[Signature]
Chairperson, Richfield Joint Recreation District
Board of Trustees

ATTEST:
[Signature]
Administrator, Richfield Joint Recreation District

[Signature]
Secretary, Richfield Joint Recreation District Board of
Trustees