

Brown County Commissioner's Office
 800 Mt. Orab Pike
 Georgetown, Ohio 45121
 January 25, 2010

The Board of County Commissioners, Brown County, Ohio, met in regular session this 25th day of January 2010 with the following members present:

Mrs. Margery Paeltz, President
 Mr. Ralph Jennings, Vice President
 Mr. William R. Geschwind, Member

Tina Meranda, Clerk of Courts, Mary Lindsay, Chief Deputy Clerk of Municipal Court, and Alesha Crawford, Chief Deputy Clerk of Courts, met with the Commissioners to discuss the 2010 budget and the filling of vacant positions.

IN THE MATTER OF PREVIOUS MINUTES

Motion moved by Mr. Geschwind to approve the minutes of the previous regular meeting and dispense with the oral reading. Second. Mr. Jennings.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

Todd Cluxton, Brown County Engineer, met with the Commissioners to discuss a by-pass meeting that is planned in Chillicothe, Ohio, at the District 9 ODOT Headquarters.

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Jennings to enter into Executive Session at 1:05 p.m. to hold interviews and discuss personnel for the position of Brown County Dog Warden. Second: Mr. Geschwind.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

IN THE MATTER TO LEAVE EXECUTIVE SESSION

Motion moved by Mr. Jennings to leave Executive Session: Mr. Geschwind. Session ended at 4:00 p.m.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

IN THE MATTER TO JOURNALIZE ANNEXATION
 PETITION TO THE VILLAGE OF GEORGETOWN
 (0.531 ACRES)

Motion moved by Mr. Jennings to enter into the journal the following Annexation to the Village of Georgetown. Second: Mr. Geschwind.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

(Continued on the next page)

January 25, 2010

PETITION FOR ANNEXATION ON APPLICATION OF ALL OWNERS
(ORC 709.02 & ORC 709.022)

To: Board of County Commissioners of Brown County, Ohio

The undersigned, being the only owners of real estate in the territory, hereby petition for the annexation of the following described territory hereto to the Village of Georgetown, Brown County, Ohio pursuant to Ohio Revised Code Section 709.022:

A tract of land situated in Pleasant Township of Brown County, State of Ohio and Lawson's M.S. No. 2523 and J. Curry's M.S. No. 1397, lying east and west of and adjacent to Old U.S. 68 and more particularly described as follows.

Beginning at a spike found in the centerline of Old U.S. 68 at the southeast corner to the 7.244 acre tract conveyed to The Georgetown Baptist Church, an Ohio Corporation, O.R. 314, Pg. 2636; thence along Old U.S. 68

S 01 deg. 37 min. 57 sec. E, 24.34 feet to a spike set; thence with a severance line through the 15.0322 acre tract conveyed to Sherri Carpenter, O.R. 379, Pg. 384

N 88 deg. 34 min. 34 sec. E, 149.06 feet, passing a 1" iron pin set at 31.43 feet, to a 1" iron pin set,

S 05 deg. 11 min. 29 sec. E, 130.44 feet to a 1" iron pin set, and

S 87 deg. 37 min. 50 sec. W, 157.17 feet, passing a 1" iron pin set at 126.96 feet, to a spike set in the centerline of Old U.S. 68 and being a point in the east line of Lot 1 of Cambridge Subdivision, P.C. 1, Slide 770, P.B. 7, Pg. 152 conveyed to Hearsel Jr. & Patricia A. Gorman, O.R. 306, Pg. 1284; thence along Old U.S. 68 for a part and the line of Lot 1 which is the line of said Hearsel Jr. & Patricia A. Gorman

N 01 deg. 37 min. 57 sec. W, 57.09 feet to a spike found, and

S 86 deg. 05 min. 54 sec. W, 30.02 feet to a 1" iron pin found in the west right of way line of Old U.S. 68 and being the northeast corner of the Corporation line of the Village of Georgetown recorded in P.C.1, Slide 728, P.B. 7, Pg. 110 which is the southeast corner of the Corporation line of the Village of Georgetown recorded in P.C. 2, Slide 712; thence with a severance line through the 0.459 acre tract conveyed to The Georgetown Baptist Church, an Ohio Corporation, O.R. 314, Pg. 121 and with the east Corporation line of the Village of Georgetown, P.C. 2, Slide 712

N 01 deg. 37 min. 57 sec. W, 100.00 feet to a 1/2" iron pin found in the line of the 7.244 acre tract conveyed to The Georgetown Baptist Church, an Ohio Corporation, O.R. 314, Pg. 2636; thence with the line of said The Georgetown Baptist Church, an Ohio Corporation

N 86 deg. 05 min. 54 sec. E, 30.02 feet to the place of beginning and containing 0.531 acres (total) being subject to all existing easements of record.

Bearings are magnetic and based upon the record bearing (N 01 deg. 37 min. 57 sec. W), being the centerline of Old U.S. 68.

Being 0.462 acres of the 15.0322 acres conveyed to Sherri L. Carpenter by deed recorded in O.R. 379, Pg. 384 (P.N. 310586840000) and 0.069 acres of the 0.459 acres conveyed to The Georgetown Baptist Church, an Ohio Corporation by deed recorded in O.R. 314, Pg.121 (P.N. 310600320200).

This description was prepared by James B. Mitchell, Registered Surveyor No. 6692 on November 5, 2009 based on a field survey.

The territory is adjacent and contiguous with the Village of Georgetown.

Attached is an accurate plat showing the boundaries of the territory sought to be annexed, marked "Annexation to the Village of Georgetown."

There are two (2) owners, as defined in Ohio Revised Code Section 709.02, of real estate in the territory proposed for annexation, namely, Sherri L. Carpenter and The Georgetown Baptist Church, who are the sole Petitioners herein.

Jay D. Cutrell is appointed agent for the Petitioners as required by Ohio Revised Code Section 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition, without further expressed consent of the Petitioners.

This Petition is accompanied by a certified copy of an Annexation Agreement provided for in Ohio Revised Code Section 709.192 which has been entered into by the Village of Georgetown and the Township of Pleasant.

(Continued on next page)

January 25, 2010

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Sherr L Carpenter
Sherr L. Carpenter

Date Signed: 12-13, 2009

The Georgetown Baptist Church, an Ohio Corporation

By *James G Sellers*

James G Sellers Trustee
Printed Name Title

Date Signed: 12-13, 2009

Included with the Petition: Certified copy of the Annexation Agreement between the Village of Georgetown and Pleasant Township, accurate survey map, list of tracts, lots & parcels within and adjacent to annexation.

IN THE MATTER OF RESOLUTION OF COUNTY COMMISSIONERS APPROVING ANNEXATION – PLEASANT TOWNSHIP (0.531 ACRES)

Motion moved by Mr. Jennings to adopt the following resolution. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

RESOLUTION OF COUNTY COMMISSIONERS APPROVING ANNEXATION

These proceedings came on for consideration by the Board of County Commissioners of Brown County, Ohio on the petition of the Sherr L. Carpenter, et al praying for the annexation of certain territory in Pleasant Township to the Village of Georgetown. The Board of County Commissioners finds as follows:

1. The petition contains all matter required by law including, without limitation:
 - a) An accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation;
 - b) A statement of the total number of owners of real estate in the territory sought to be annexed;
 - c) The name of the person to act as agent for the petitioners.
2. At the time of filing, the petition was accompanied by:
 - a) a list of all tracts, lots, or parcels in the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or directly across the road from it when the road is adjacent to it, including the name and mailing address of the owner of each tract, lot, or parcel, and the permanent parcel number from the county auditor's permanent parcel numbering system established under section 319.28 of the Revised Code for each tract, lot, or parcel;

January 25, 2010

(Continued on next page)

- b) a certified copy of an annexation agreement provided for in section 709.192 of the Revised Code that has been entered into by the municipal corporation and each township any portion of which is included within the territory proposed for annexation.

3. The petition has been filed under section 709.021 of the Revised Code and requests to follow that section and section 709.022 of the Revised Code for the special procedure of annexing land with the consent of all parties; that all owners of real estate in the territory sought to be annexed, not just a majority of owners, have signed the petition; that no signature was obtained more than one hundred eighty days before the date on which the petition was filed; that no signatures have been withdrawn from the petition; and that the petition contains the notice provided for in division (B) of section 709.022 of the Revised Code.

Therefore, the prayer of the petition is hereby granted without hearing and the territory described in the petition shall be annexed to the Village of Georgetown. The final transcript of this Board relating thereto together with the accompanying plat and petition and all other papers pertaining thereto shall be delivered forthwith to the Fiscal Officer/Clerk of the Village of Georgetown.

IN THE MATTER OF RESOLUTION TO ESTABLISH
NEW SPECIAL REVENUE FUND –
ENVIRONMENTAL LAW COURT FUND

Motion moved by Mr. Geschwind to approve the request of Jessica Little, Prosecutor, to establish a special revenue fund P35 - Environmental Law Court Fund. Whereas, pursuant to Ohio Revised Code 3734.57 (G)(7), the Brown County Solid Waste Authority may provide financial assistance to boards of health for the enforcement of section 3734.03 *Open Dumping and Burning*, and to local law enforcement agencies for enforcing anti-littering laws and ordinances. Funding sources include the Solid Waste Authority, fines, judgments, and restitution orders from civil and criminal environmental court cases and donations from individuals or groups.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

01/22/2010 –

Margery Paeltz, Commissioner, attended the Cincinnati Travel, Sports and Boat Show at the Duke Energy Convention Center in Cincinnati. Commissioner Paeltz assisted in the Brown County Travel and Visitors booth.

01/25/2010

Commissioners, Margery Paeltz, Ralph Jennings and Bill Geschwind attended the Brown County Chamber of Commerce Annual Business Breakfast for the presentation of the Chamber's Drucker Award to ABCAP Executive Director Alvin Norris, and the Life Time Achievement Award to Danny Grooms from Ripley Federal Savings Bank.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Approval: January 27, 2009

Jean Rickey, Clerk
Jean Rickey, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

January 25, 2010