

The Board of County Commissioners, Brown County, Ohio, met in regular session this October 31, 2012 with the following members present. Mr. Ralph Jennings, President Mr. William R. Geschwind, Vice President Mr. Tony Applegate, Member

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO APPROVE BILLS

Motion moved by Mr. Geschwind to approve the following bills for payment. Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

A00	COUNTY	\$ 19,376.79
A10	COUNTY CAPITAL IMPROVEMENT FUND	\$ 64,180.00
A10B	CLEAN OHIO ASSISTANCE FUND	\$ 7,420.88
H10	CHILD SUPPORT ENFORCEMENT AGENC	\$ 4,655.46
T88	GEAR UP GRANT	\$ 53.65
B20	PROBATE INDIGENT GRARDIANSHIP F	\$ 500.00
A25	E-911 ¼% SALES TAX	\$ 705.50
C23	JUVENILE COURT SPECIAL PROJECTS	\$ 740.00
P340	SEWER & WATER DISTRICT FUND	\$ 40.11
K01	AUTO & GAS	\$ 22,413.74
H01	JOB & FAMILY SERVICES	\$ 6,160.61
A90A	CHIP GRANT 2010 HOME	\$ 8,892.00
C60	CERTIFICATE OF TITLE ADM FUND	\$ 1,355.52
C80	PROBATION SERVICES FUND	\$ 72.00
C43	COMMON PLEAS MEDIATION FEES	\$ 1,000.00
	TOTAL	\$137,656.26

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY PROSECUTOR

Motion moved by Mr. Applegate to approve the request of Jessica Little, Brown County Prosecutor, for a supplemental appropriation of unappropriated B10A (Prosecutor DTAC) funds in the amount of \$20,000.00. Into B10-1 (Salaries) the amount of \$15,000.00 and into B10-11A (PERS) the amount of \$5,000.00. Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF PROCLAMATION – NATIONAL HOSPICE AND PALLIATIVE CARE MONTH – NOVEMBER 2012

Motion moved by Mr. Geschwind to approve the following Proclamation. Second: Mr. Applegate. In attendance: Erin Richmond and Ashely William, Hospice of Hope.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

NATIONAL HOSPICE AND PALLIATIVE CARE MONTH – NOVEMBER 2012

Hospice and Palliative Care... We Listen, We Care

PROCLAMATION

WHEREAS, hospice and palliative care offer the highest quality services and support to patients and family caregivers facing serious and life-limiting illness;

WHEREAS, hospice care and palliative care providers take the time to ask what's important to those they are caring for – and listen to what their patients and families say;

WHEREAS, skilled and compassionate hospice and palliative care professionals—including physicians, nurses, social workers, therapists, counselors, health aides, and clergy—provide comprehensive care focused on the wishes of each individual patient;

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers;

WHEREAS, the provision of quality hospice and palliative care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care;

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October 31, 2012

WHEREAS, every year more than 1.5 million Americans living with life-limiting illness, and their families, received care from the nation's hospice programs in communities throughout the United States;

WHEREAS, more than 468,000 trained volunteers contribute 22 million hours of service to hospice programs annually;

WHEREAS, hospice and palliative care providers encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals;

NOW, THEREFORE, be it resolved that we the *Brown County Board of Commissioners* by virtue of the authority, do hereby proclaim November 2012 as **National Hospice and Palliative Care Month** and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

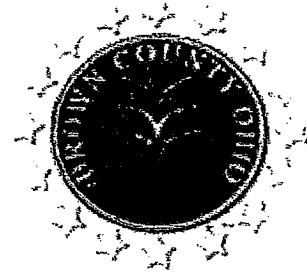
IN WITNESS WHEREOF, we have hereunto set our hand this 31st day of October, in the year of our Lord two thousand twelve and caused this seal to be affixed.

Brown County Board of Commissioners

Ralph Jennings
Ralph Jennings, President

William R. Geschwind
William R. Geschwind, Vice President

Tony Applegate
Tony Applegate, Member



IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY COMMON PLEAS COURT

Motion moved by Mr. Geschwind to approve the request of Joni L. Dotson, Court Administrator, Brown County Common Pleas Court, for a supplemental appropriation of unappropriated C43 (Mediation) funds in the amount of \$1,500.00 into C43-6 (Contract Services). Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Applegate to approve the request of Tammie Keller, Business Manager, Brown County Board of Developmental Disabilities for a supplemental appropriation of unappropriated B50 (Developmental Disabilities) funds in the amount of \$600.00 into B50-10B (Medicare). Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Geschwind to approve the request of Tammie Keller, Business Manager, Brown County Board of Developmental Disabilities for a supplemental appropriation of unappropriated B50 (Developmental Disabilities) funds in the amount of \$7,500.00 into B50-11A (Health/Life Insurance). Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Applegate to approve the request of Tammie Keller, Business Manager, Brown County Board of Developmental Disabilities for a supplemental appropriation of unappropriated B50 (Developmental Disabilities) funds in the amount of \$8,500.00 into B50-9 (PERS). Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO RESCIND MOTION – NOTICE TO BIDDERS – BROWN COUNTY ENGINEER

Motion moved by Mr. Geschwind to approve the request of Todd Cluxton, Brown County Engineer, to rescind the motion

made by Mr. Geschwind seconded by Mr. Applegate on October 24, 2012, Journal 49/page 335-336, to advertise the Notice to Bidders for the Scoffied Road Landslide Pier Wall Project due to technical issues. Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO RESCIND MOTION – NOTICE TO BIDDERS – BROWN COUNTY ENGINEER

Motion moved by Mr. Applegate to approve the request of Todd Cluxton, Brown County Engineer, to rescind the motion made by Mr. Geschwind seconded by Mr. Applegate on October 24, 2012, Journal 49/page 336, to advertise the Notice to Bidders for the Ripley Road Landslide Pier Wall Project due to technical issues. Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO ADVERTISE NOTICE TO BIDDERS – BROWN COUNTY ENGINEER

Motion moved by Mr. Geschwind to approve the request of Todd Cluxton, Brown County Engineer, to advertise the Notice to Bidders for the Scoffield Road Landslide Pier Wall Project. Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

NOTICE TO BIDDERS

Sealed bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the Office of the Clerk of the Board in the County Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121 until 9:00 a.m. on Monday November 26, 2012, for:

Scoffield Road Landslide Pier Wall

Bidding forms may be obtained at the Office of the Brown County Engineer, or at www.browncountyengineer.org. Bidders must use the printed forms provided therefore as none others will be accepted. Bidding documents shall be fully executed and must contain the full name of each person or company submitting the bid.

Bidding procedures, time of completion, and bonding requirements shall be as detailed in the Information for Bidders.

The right is reserved to reject any and all Bids. The Contract will be awarded to the lowest and best bidder.

Bids will be opened and read at 10:30 am on November 26, 2012.

By order of the Board of Brown County Commissioners, Brown County, Ohio.

Approved for publication in the News Democrat, Georgetown, Ohio on November 8, 2012

IN THE MATTER TO ADVERTISE NOTICE TO BIDDERS – BROWN COUNTY ENGINEER

Motion moved by Mr. Applegate to approve the request of Todd Cluxton, Brown County Engineer, to advertise the Notice to Bidders for the Ripley Road Landslide Pier Walls Project. Second: Mr. Geschwind.

NOTICE TO BIDDERS

Sealed bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the Office of the Clerk of the Board in the County Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121 until 9:00 a.m. on Monday November 26, 2012, for:

Ripley Road Landslide Pier Walls

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October 31, 2012

Bidding forms may be obtained at the Office of the Brown County Engineer, or at www.browncountyengineer.org. Bidders must use the printed forms provided therefore as none others will be accepted. Bidding documents shall be fully executed and must contain the full name of each person or company submitting the bid.

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IN THE MATTER TO ENTER INTO HSTS CONTRACT – BROWN COUNTY ECONOMIC DEVELOPMENT

Motion moved by Mr. Geschwind to enter into contract with Vic's Bobcat Service, LLC, 5007 Bardwell Buford Rd., Mt. Orab, Ohio 45154 for installation of a new septic system per the requirements outlined in Exhibit "A" (Work Specifications) of this contract at the residence located at 602 Robertson Rd., Felicity, Ohio 45120. The contract amount is \$19,900.00. (See complete contract on file). Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO ENTER INTO HSTS CONTRACT – BROWN COUNTY ECONOMIC DEVELOPMENT

Motion moved by Mr. Applegate to enter into contract with Vic's Bobcat Service, LLC, 5007 Bardwell Buford Rd., Mt. Orab, Ohio 45154 for installation of a new septic system per the requirements outlined in Exhibit "A" (Work Specifications) of this contract at the residence located at 251 Dunbar Rd., Georgetown, Ohio. The contract amount is \$7,750.00. (See complete contract on file). Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF PERSONNEL – BROWN COUNTY JOB & FAMILY SERVICES

Motion moved by Mr. Geschwind to approve the request of David M. Sharp, Brown County Job & Family Services, to pay out accrued vacation time according to the personnel policy changes approved by the Brown County Commissioners in Journal 48/pages 12-13. The Brown County Commissioners under 123.18 (A) of the Ohio Revised Code may approve a policy that approves the cashing in of vacation hours previously accrued, upon the employee request and approval by the Director of the Brown County Department of Job & Family Services, (See policy on file). Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER OF TRANSFER OF FUNDS – COUNTY GENERAL FUND

Motion moved by Mr. Applegate to approve the following transfer of funds. Transfer from 15a15 (Transfer Out) the amount of \$25.00 into T30 (Prosecutor Victims Assistance). This is to pay the Prosecutor Victims Assistance Medicare. Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER RESOLUTION – AMENDMENT TO RESOLUTIONS 10172012-2 / 10152012 / 09262012 – CONVEYANCE OF RIGHT OF FIRST REFUSAL

Motion moved by Mr. Geschwind to adopt the following Resolution. Second: Mr. Applegate.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

RESOLUTION NO. 10312012

AMENDMENT TO RESOLUTIONS #10172012-2/10152012/09262012 CONVEYANCE OF RIGHT OF FIRST REFUSAL

(Continued on next page)

October 31, 2012

The Board of County Commissioners of Brown County, Ohio, met on the 31st day of October, 2012, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

Ralph Jennings, President
William R. Geschwind, Vice President
Tony Applegate, Member

The following resolution was presented by Mr. Geschwind, who moved its adoption, and seconded by Mr. Applegate.

WHEREAS in Resolutions 10172012-2/10152012/09262012, the Board had previously conveyed by Quit Claim Deeds to the Joan Jguisto Phillips Living Trust, its right of first refusal on the Fayetteville property (permanent parcel # 27-052016.0401, recorded in Brown County Recorder's Office Official Records book 4041 page 1031-1040) and Home Street (Georgetown, Ohio) property (permanent parcels 33-900748.0000, 33-900749.0000, 33-00074.0100, recorded in Brown County Recorder's Office Official Records book 404 page 1027-1029);

WHEREAS the Board finds the grantee for the Quit Claim Deeds should have been Southwest Healthcare of Brown County Ohio, LLC;

WHEREAS the Board finds the Quit Claim Deeds for the Fayetteville and Home Street (Georgetown, Ohio) properties were not recorded, and are further, has been advised those deeds shall be voided;

WHEREAS the Board finds it still needs to convey by Quit Claim Deed, the Mt. Orab property (permanent parcels 11-018856.0400, 11-018856.0303, 11-018856.0306, Brown County Recorder's Office Official Records book 404, page 1045-1047), and Bethel, Ohio property (Clermont County permanent parcels 360307A001, 360307A002, 360307A003, 360307A004, 360307A005, 360307A006, 360307A007, Clermont County Recorder's Office Book 002319 page 0178);

BE IT RESOLVED:

Board shall amend Resolutions 10172012-2/10152012/09262012, to correct the grantee of the Quit Claim Deeds from Joan Jguisto Phillips Living Trust to The Southwest Healthcare of Brown County, Ohio LLC;

BE IT FURTHER RESOLVED:

To convey by Quit Claim deeds to Southwest Healthcare of Brown County, Ohio LLC, the Board's interest in the Right of First Refusal on the real estate previously conveyed under the terms of the APA, to wit: Fayetteville, Mt. Orab, Bethel, and Home Street (Georgetown, Ohio) properties.

BE IT FURTHER RESOLVED:

The Board, by and through its President, is authorized to execute any other documents in furtherance thereof.

October 1, 2012

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Applegate to enter into Executive Session at 3:58 p.m. with Jessica Little, Brown County Prosecutor, to discuss pending litigation. Second: Mr. Geschwind.

ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

IN THE MATTER TO LEAVE EXECUTIVE SESSION

Motion moved by Mr. Applegate to leave Executive Session at 4:08 p.m. Second: Mr. Geschwind.

10/30/12
Commissioner Ralph Jennings attended the Extension Advisory Meeting in Brown County for Adams/Brown/Highland Counties Agriculture and Natural Resources held in Georgetown, Ohio.


10/31/12
The Commissioners met with Jessica Little, Brown County Prosecutor, Dennis Varnau, William Michael Hart, Gary Phillips, residents of Georgetown, Ohio, Joseph Podolsky, resident of Felicity, Ohio and Charles C. Krainz, resident of Sardina, Ohio, Margery Paeltz, Brown County Hospital Board Member and Wayne Gates, Brown County Press, to discuss Southwest Health Care.

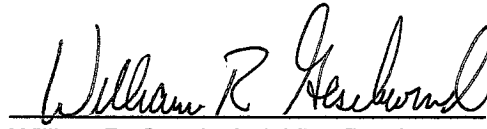
IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day October 31, 2012. Second: Mr. Applegate.

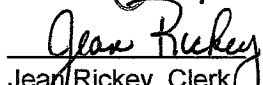
ROLL CALL VOTE: Mr. Jennings, yea Mr. Geschwind, yea Mr. Applegate, yea

Approval: November 5, 2012


Ralph Jennings, President


William R. Geschwind, Vice President


Tony Applegate, Member


Jean Rickey, Clerk

October 31, 2012