

The Board of County Commissioners, Brown County, Ohio, met in regular session this December 4, 2013 with the following members present. Mr. Tony Applegate, President Mr. Barry Woodruff, Member Mr. Daryll Gray, Member

#### IN THE MATTER OF PREVIOUS MINUTES

Motion moved by Mr. Gray to approve the minutes of the previous regular meeting and dispense with the oral reading. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

#### IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY ENGINEER

Motion moved by Mr. Woodruff to approve the request of Todd Cluxton, Brown County Engineer, for a supplemental appropriation of unappropriated T85 (Engineer FEMA Grant) funds in the amount of \$390,000.00 into T85-15 (Contract Projects). Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

#### IN THE MATTER TO APPROVE BILLS

Motion moved by Mr. Gray to approve the following bills for payment. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

GG90	TREAS/PREPAYMENT FUND	\$ 573.00
J01	REAL ESTATE ASSESSMENT	\$ 3,279.47
H10	CHILD SUPPORT ENFORCEMENT AGENC	\$ 4,326.69
A25	E-911 ¼% SALES TAX	\$ 1,789.66
C23	JUVENILE COURT SPECIAL PROJECTS	\$ 150.00
A00	COUNTY	\$ 22,121.10
B10A	PROSECUTOR DTAC	\$ 506.58
A35	LAW LIBRARY RESOURCES FUND	\$ 3,365.35
B01	DOG & KENNEL	\$ 5,593.89
D20	CHIP HOME 2012	\$ 10,481.00
T12	NEIGHBORHOOD STABILIZATION FUND	\$ 20,250.00
H01	JOB & FAMILY SERVICES	\$ 18,853.35
S50	CHILDRENS SERVICES	\$ 5,929.05
C60	CERTIFICATE OF TITLE ADM FUND	\$ 6,353.68
P340	SEWER & WATER DISTRICT FUND	\$ 2,914.81
K01	AUTO & GAS	\$ 33,819.06
<b>TOTAL</b>		<b>\$140,306.69</b>

#### IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY AUDITOR

Motion moved by Mr. Woodruff to approve the request of Jill Hall, Brown County Auditor, for a supplemental appropriation of unappropriated J01 (Real Estate Assessment) funds in the amount of \$5,000.00 into J7 (Equipment). Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

#### IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – COUNTY GENERAL FUND

Motion moved by Mr. Gray to approve the request of Jean Rickey, Clerk, for a supplemental appropriated of unappropriated A00 (County General Fund) funds in the amount of \$5,000.00 into 15a15 (CGF/Transfer Out). This is to cover payment for the payout of two employees who retired from the Sheriff's Office.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

#### IN THE MATTER OF TRANSFER – COUNTY GENERAL FUND

Motion moved by Mr. Woodruff to approve the request of Jean Rickey, Clerk, for the following transfer of funds. Transfer from 15a15 (Transfer Out) the amount of \$5,000.00 into A15-15 (Accumulated Leave Fund/Transfer In). This is to pay the payout of two employees who retired from the Sheriff's Office. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

#### IN THE MATTER OF APPROPRIATION CHANGE – COUNTY GENERAL FUND

Motion moved by Mr. Gray to approve the request of James Berry, Brown County Building Department, for the following appropriation change. Decrease 6D3 (Equipment) in the amount of \$300.00 and Increase 6D7D (Other Expenses) in the

( Continued on next page)

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amount of \$300.00. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF APPROPRIATION CHANGE – PROSECUTOR VICTIMS ASSISTANCE**

Motion moved by Mr. Woodruff to approve the request of Jessica Little, Brown County Prosecutor, for the following appropriation change. Decrease T30-1 (Salaries) in the amount of \$524.12 and Increase T30-5A (PERS) in the amount of \$524.12. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER TO RECORD AMENDED CERTIFICATE**

Motion moved by Mr. Gray to record as a matter of record the following Amended Certificate. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

AMENDED OFFICIAL CERTIFICATE OF ESTIMATED REOURCES  
Office of Budget Commission, Brown County, Ohio  
To the **TAXING AUTHORITY OF BROWN COUTNY COMMISSIONERS**

The following is the amended certificate of estimated resources for the fiscal year beginning January 1, 2013 as revised by the Budget Commission of said County, which shall govern the total appropriations made at any time during such year.

Special Revenue Funds	Unencumbered Balance	Taxes	Other Sources	Total
T-85 Engineer FEMA Grant	\$54,831.00	-0-	\$1,225,000.00	\$1,279,831.00

ss: Jessica Little, Prosecutor Connie Patrick, Treasurer Jill Hall, Auditor

**IN THE MATTER OF RESOLUTION – AGREEMENT FOR AUDIT RECOVERY**

Motion moved by Mr. Gray to adopt the following resolution. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

RESOLUTION NO.12042013

AGREEMENT FOR AUDIT RECOVERY

The Board of County Commissioners of Brown County, Ohio, met on the 4<sup>th</sup> day of December, 2013, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

Tony Applegate, President  
Daryll Gray, Member  
Barry Woodruff, Member

The following resolution was presented by Mr. Gray, who moved its adoption, and seconded by Mr. Woodruff.

WHEREAS, the Brown County Board of Commissioners has been advised that during fiscal year 2012, the Municipal Court Judge was erroneously overpaid salary from the general fund;

WHEREAS, the Board finds said overpayment was made through no fault of the parties, but still must be recovered and returned to the general fund;

WHEREAS, the Judge has proposed a repayment agreement the Board finds reasonable, a copy of which is attached hereto and fully incorporated herein;

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Brown County, Ohio, that on the above findings hereby approves of and consents to the attached Agreement;

BE IT FURTHER RESOLVED, Tony Applegate, as President of the Board, is authorized to execute said Agreement on behalf of the Board.

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**IN THE MATTER OF AGREEMENT – MUNICIPAL COURT JUDGE – REPAYMENT OF PAYROLL ERROR IN 2012**

Motion moved by Mr. Woodruff to enter into an agreement with the Municipal Court Judge to repay a payroll error in 2012 by the Brown County Auditor. The repayment amount of \$910.00 per pay period shall be deducted from Judge's pay, attributed from the county general fund, beginning the first pay in January 2014, until the total sum of \$4,539.00 is paid in full. Second: Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF AWARD – 2013 EMERGENCY WATERSHED PROTECTION – PROJECT #1 – OLD US 68 MYERS HOLLOW – PROJECT #2 – FREESOIL ROAD**

Motion moved by Mr. Gray upon the recommendation of Todd Cluxton, Brown County Engineer, to award the 2013 Emergency Watershed Protection Projects to Smith Construction, PO Box 223, Fayetteville, Ohio. Second: Mr. Woodruff.

Project #1 – Old US 68 – Myers Hollow - unit price bid of \$110,902.00.

Project #2 – Free Soil Rd – unit price bid of \$54,441.00.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF CHANGE ORDER #1 – BROWN COUNTY CONSTRUCTION COMPANY INC. EXPAND AIRCRAFT PARKING APRON (PHASE 2-FINAL) – BROWN COUNTY AIRPORT AIP #3-39-0038-1012**

Motion moved by Mr. Woodruff to approve the request of Steve Potoczak, Project Manager, Delta Airport Constultants, Inc. for a change order #1 (final) to Brown County Construction Co Inc. Expand Aircraft Parking Apron (Phase 2-final) – Brown County Airport AIP#: 3-39-0038-1012. The original contract was signed February 6, 2013. This change order adjusts for final quantities and closes out the project. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF APPROPRIATION CHANGE – BROWN COUNTY CORONER**

Motion moved by Mr. Gray to approve the request of Dr. Judith Varnau, Brown County Coroner, for the following appropriation change. Decrease 2F19 (Coroner Social Security) in the amount of \$682.06 and Increase 2F1 (Coroner Salary) in the amount of \$682.06. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF PAYOUT – BROWN COUNTY SHERIFFS OFFICE**

Motion moved by Mr. Woodruff to approve the request of Dwayne Wenninger, Brown County Sheriff, to pay out Rita Sininger, who retired November 30, 2013. Accumulating Vacation (160) hours, sick leave (280 sick leave) and comp time (240) hours from A15-1 (Accumulated Leave). Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF PAYOUT – BROWN COUNTY SHERIFFS OFFICE**

Motion moved by Mr. Gray to approve the request of Dwayne Wenninger, Brown County Sheriff, to pay out Tammy Dillinger, who retired November 30, 2013. Accumulating Vacation (200) hours, sick leave (280 sick leave) and comp time (235.62) hours from A15-1 (Accumulated Leave). Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER TO RESCIND RESOLUTION 11182013 – A RESOLUTION AUTHORIZING THE BOARD OF BROWN COUNTY COMMISSIONERS TO APPLY FOR AND ACCEPT SUPPLEMENTAL FUNDS IN THE AMOUNT OF \$54,000.00 (FIFTY FOUR THOUSAND DOLLARS) FROM THE WATER POLLUTION CONTROL LOAN FUND ON BEHALF OF BROWN COUNTY FOR THE REPAIR AND/OR REPLACEMENT OF HOME SEWAGE TREATMENT SYSTEMS**

Motion moved by Mr. Woodruff to rescind resolution number 11182013 Journal 50/page 290 due to errors made in the text that were unacceptable to the Ohio Environmental Protection Agency in their review of the submitted documents. Second: Mr. Gray.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

**IN THE MATTER OF RESOLUTION – A RESOLUTION AUTHORIZING THE BOARD OF BROWN COUNTY COMMISSIONERS TO APPLY FOR AND ACCEPT LOAN FUNDS IN THE AMOUNT OF \$56,000.00 (FIFTY SIX THOUSAND DOLLARS) FROM THE WATER POLLUTION CONTROL LOAN FUND ON BEHALF OF BROWN COUNTY FOR THE REPAIR AND/OR REPLACEMENT OF HOME SEWAGE TREATMENT SYSTEMS**

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Motion moved by Mr. Gray to adopt the following resolution. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

Resolution No. 12042013

**A RESOLUTION AUTHORIZING THE BOARD OF BROWN COUNTY COMMISSIONERS TO APPLY FOR AND ACCEPT LOAN FUNDS IN THE AMOUNT OF \$56,000.00 (FIFTY SIX THOUSAND DOLLARS) FROM THE WATER POLLUTION CONTROL LOAN FUND ON BEHALF OF BROWN COUNTY FOR THE REPAIR AND/OR REPLACEMENT OF HOME SEWAGE TREATMENT SYSTEMS**

**WHEREAS**, the County of Brown seeks to repair/and replace existing home sewage treatment systems; and

**WHEREAS**, the County of Brown intends to apply for funds through the Water Pollution Control Loan Fund (WPCLF) for the repair and/or replacement of home sewage treatment systems; and

**WHEREAS**, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan, and for the loan funds, and the execution of an agreement; now therefore,

**BE IT RESOLVED** by the Board of Commissioners of the County of Brown, Ohio;

SECTION 1. That the Brown County Board of Commissioners be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan with the Ohio Environmental Protection Agency (OEPA) and the Ohio Water Development Authority (OWDA) for the repair and/or replacement of home sewage treatment systems on behalf of the County of Brown, Ohio.

SECTION 2. That this resolution shall take effect and be in force from the earliest period allowed by law.

SECTION 3. That the President of the Brown County Board of Commissioners is designated as the authorized representative.

**12/3/13**

Commissioner Barry Woodruff attended an ABCAP Meeting held in Georgetown, Ohio.

**12/4/13**

The Commissioners met with Beth Nevel, Director, Brown County Emergency Management Agency, to discuss operation of the BCEMA Office.

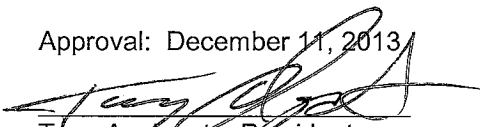
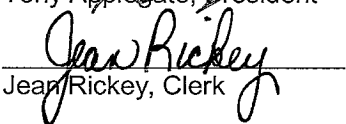
The Commissioners met with Clark Gray, Brown County Clerk of Courts and Joni Dotson, Court Administrator, to discuss operation of the Brown County Clerk of Courts.

**IN THE MATTER TO ADJOURN**

Motion moved by Mr. Gray to adjourn this meeting with no further business before the Board this day December 4, 2013. Second: Mr. Woodruff.

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

Approval: December 11, 2013

  
Tony Applegate, President  
  
Jean Rickey, Clerk

  
Barry Woodruff, Member

  
Daryll Gray, Member