

The Board of County Commissioners, Brown County, Ohio, met in regular session this 27th day of June 2018 with the following members present: Barry L. Woodruff, President Tony Applegate, Member, Daryll R. 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. Applegate.

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

IN THE MATTER OF SUBORDINATION AGREEMENT - DEVELOPMENT

Motion moved by Mr. Applegate, upon the request of Kelly Cole, Development, to execute a subordination agreement as the senior mortgage lienholder to mortgagor, Close to Home IV, Inc. for the mortgage recorded in Volume 453, Page 1692 now known as subordinate and junior to the mortgage held by Finance Fund Capital Corporation. Second: Mr. Gray.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – SHERIFF

Motion moved by Mr. Applegate to approve the request of Rita Henize, BCSO, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$12,498.00 into 1000-2000-51111 (Sheriff Employee Salary/Hourly) Second: Mr. Gray.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Gray to approve the request of Miranda Lowe-Hanselman, Assistant Clerk, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$3,638.41 into 1000-1000-52117 (Law Library Reimbursement); said transaction will correct an erroneous payment to the Law Library and refund to Brown County. Second: Mr. Applegate.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$30,000.00 into 1000-8008-52118 (Airport Contract Services); said transaction will pay for the remarking of the Brown County Airport Runway. Second: Mr. Gray.

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

IN THE MATTER TO ENTER CONTRACT – CHILD SUPPORT ENFORCEMENT AGENCY – IV-D CONTRACT

Motion moved by Mr. Gray upon the request of Deborah Forsythe, CSEA, to approve contracts with Ohio Dept. of Jobs and Family Services, Office of Child Support, Fiscal Administration, Contract Unit, P.O. Box 183203, Columbus, Ohio 43218-3203 for the following:

Contract is for the category of: Other, Val E. Lewis, II, Attorney at Law/Public Defender Services: in the amount of \$666.67 per month, total contract cost is \$8,000.00.

Contract is for the category of: Other, Thomas Lee Mayes, Attorney at Law/Public Defender Services: in the amount of \$666.67 per month, total contract cost is \$8,000.00.

Said contracts commence on 4/1/2018 and shall terminate on 12/31/2018. (See complete agreements on file.) In attendance: Deborah Forsythe. Second: Mr. Applegate.

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

IN THE MATTER OF RESOLUTION FOR AUDITOR'S CERTIFICATE

Motion moved by Mr. Applegate to adopt the following resolution. In attendance: Lynn Harden. Second: Mr. Gray.

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

DESCRIPTION
6.025 ACRES

A tract of land situated in Washington Township of Brown County, State of Ohio and in C. Kendall's M.S. No 2071, lying west of and adjacent to Yochum Road and more particularly

Beginning at a spike found in the centerline of Yochum Road at the southwest corner to the 81.7256 acre tract conveyed to Melodie Eyre, Et Al, O.R. 389, Pg. 1949; thence along Yochum Road

S 38 deg. 55 min. 11 sec. W, 237.28 feet to a spike found at a corner to the 0.21 acre tract conveyed to Norfolk and Western Railway Co., D.B. P16, Pg. 487; thence with the line of Norfolk and Western Railway Co.

N 49 deg. 14 min. 25 sec. W, 821.01 feet, passing a 5/8" iron pin found at 25.00 feet, to a 1" iron pin found at a corner to the 1.3790 acre tract conveyed to Jessie Bullock, O.R. 388, Pg. 773; thence with the line of Jessie Bullock

N 37 deg. 28 min. 49 sec. E, 210.84 feet to a 1" iron pin found at a corner to the 81.7256 acre tract conveyed to Melodie Eyre, Et Al, O.R. 389, Pg. 1949; thence with the line of Melodie Eyre, Et Al

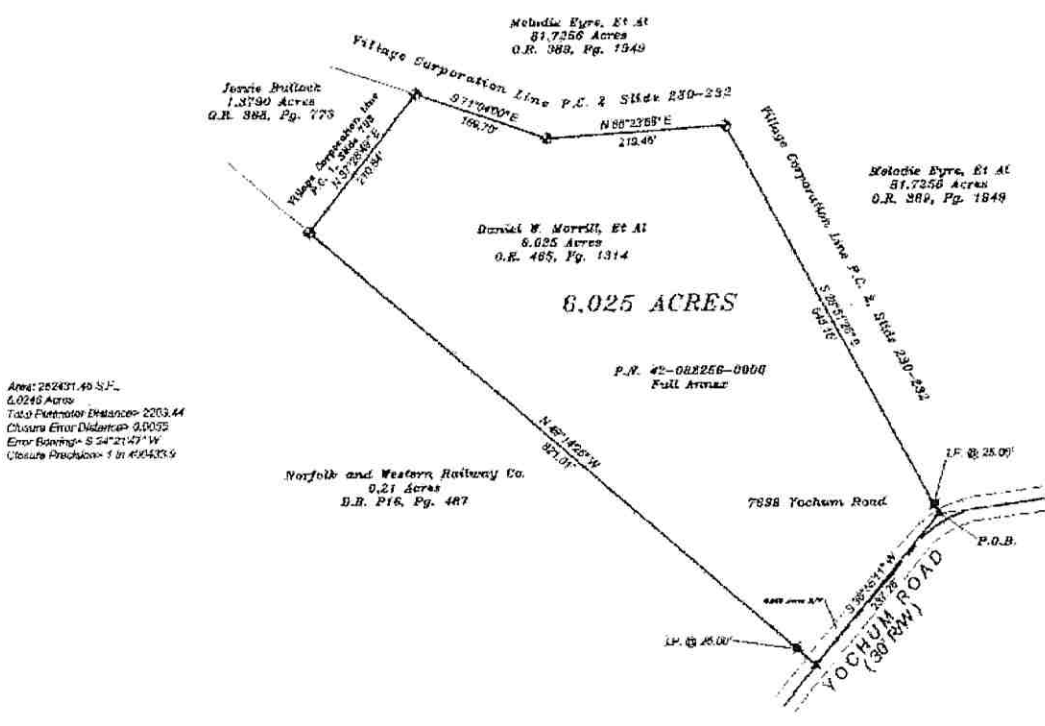
S 71 deg. 04 min. 00 sec. E, 169.70 feet to a 1" iron pin found,

N 86 deg. 23 min. 58 sec. E, 219.46 feet to a 1" iron pin found, and

S 28 deg. 51 min. 25 sec. E, 545.15 feet, passing a 5/8" iron pin found at 520.15 feet, to the place of beginning containing 6.025 acres, subject to all existing easements of record.

Bearings are magnetic and based upon the record bearing (N 37 deg. 28 min. 49 sec. E), being the east line of the 1.3790 acre tract recorded in O.R. 338, Pg. 773. Being the land conveyed to Daniel W. Morrill, Et Al by deed recorded in O.R. 465, Pg. 1314 in the Office of the Recorder of Brown County, Ohio.

This description was prepared by James B. Mitchell, Registered Surveyor No. 6692 on October 14, 2017 based on a field survey.



Area: 262431.40 S.F.
6.0245 Acres
Total Perimeter Distance: 2203.44
Closure Error Distance: 0.0035
Error Bearing: S 24°21'47" W
Closure Precision: 1 in 456433.9



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EXHIBIT "C"

LIST OF TRACTS, LOTS OR PARCELS PURSUANT TO ORC § 709.02(D)

In the Matter of the Annexation of:
6.025 Acres to the Village of Sardinia
on Petition of Teresa A. Back and Daniel W. Morrill

The undersigned, being the agent for the Petitioners in connection with the above referenced Petition for Annexation, hereby states that the following constitutes 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 Ohio Revised Code Section 319.28 for each tract, lot or parcel:

Tracts Within Territory Proposed for Annexation

Table with 3 columns: Owner Name and Address, Parcel Number, Acreage. Rows include Teresa A. Back and Daniel W. Morrill, both with parcel number 42-082256.0000 and 6.025 acres.

Tracts Adjacent to Territory Proposed for Annexation

Table with 3 columns: Owner Name and Address, Parcel Number, Acreage. Rows include Jessie Bullock (1.3790 acres), Melodie Eyre and Carter Stolz (81.7256 acres), and Norfolk & Western Railroad (No Parcel Number, 0.21 acres).

Handwritten signature of Thomas Lee Mayes, Agent for Petitioners

ANNEXATION AGREEMENT (RC 709.192)

This Annexation Agreement is entered into by and between the Village of Sardinia, Brown County, Ohio, hereinafter known as the VILLAGE and the Township of Washington, Brown County, Ohio, hereinafter known as the TOWNSHIP,

WITNESSETH:

WHEREAS, Ohio Revised Code Section 709.192 authorizes municipal corporations and townships of the State of Ohio to enter into annexation agreements, and

WHEREAS, the legislative authority of the VILLAGE has authorized the execution of this Annexation Agreement by Resolution No. 1415-18 duly adopted on the 12 day of February, 2018; and

WHEREAS, the board of township trustees of the TOWNSHIP have authorized the execution of this Annexation Agreement by Resolution duly adopted on the 20th day of March, 2018;

NOW THEREFORE, it is hereby agreed by the VILLAGE and the TOWNSHIP as follows:

- 1. Teresa A. Back and Daniel W. Morrill, will petition for the annexation of the following territory, hereinafter referred to as the "Territory" to the VILLAGE pursuant to Ohio Revised Code Section 709.021:

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SEE ATTACHED EXHIBIT "A"

2. This Annexation Agreement pertains only to the annexation of the Territory referred to above.

3. Both the **VILLAGE** and the **TOWNSHIP** are zoned, however this Annexation Agreement does not purport to deal with land use planning matters.

4. Nothing contained in this Annexation Agreement shall be construed to provide for joint services and/or permanent improvements by the **VILLAGE** or the **TOWNSHIP** within incorporated or unincorporated areas.

5. Nothing contained in this Annexation Agreement shall be construed to provide for services and/or permanent improvements by the **VILLAGE** in the unincorporated areas of the **TOWNSHIP**.

6. Nothing contained in this Annexation Agreement shall be construed to provide for services and/or permanent improvements by the **TOWNSHIP** in the incorporated areas of the **VILLAGE**.

7. Nothing contained in this Annexation Agreement shall be construed to provide for the payment of service fees to the **VILLAGE** by the **TOWNSHIP**.

8. Nothing contained in this Annexation Agreement shall be construed to provide for the payment of service fees to the **TOWNSHIP** by the **VILLAGE**.

9. There shall be no reallocation of minimum mandated levies established pursuant to section 5705.31 of the Revised Code between the **VILLAGE** and the **TOWNSHIP** in connection with this annexation.

10. Nothing contained in this Annexation Agreement shall be construed to require the issuance of notes and bonds or other debt obligations by the **VILLAGE** or the **TOWNSHIP** for public purposes.

11. The **VILLAGE** will provide the following services to the Territory following annexation thereof: police protection, fire protection and such public utilities as may be available, provided the **VILLAGE** is able to furnish such utilities without over-burdening the existing infrastructure of the **VILLAGE** and provided such territory is sufficiently developed to make delivery of such services economically feasible, all pursuant to and in accordance with the ordinances and resolutions of the **VILLAGE**.

12. Nothing contained in this Annexation Agreement shall be construed to regulate the **VILLAGE** or the **TOWNSHIP** as to the application of tax abatement statutes within the Territory subsequent to the execution of this Annexation Agreement.

13. Nothing contained in this Annexation Agreement shall be construed to require the changing of township boundaries under Chapter 503 of the Revised Code to exclude newly annexed territory from the original township and providing services to that territory.

14. Nothing contained in this Annexation Agreement shall be construed to require the payment, in lieu of taxes, to the **TOWNSHIP** by the **VILLAGE** in addition to or in lieu of other payments required by law to be made to the **TOWNSHIP** by the **VILLAGE**.

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15. The TOWNSHIP consents to the petition of Teresa A. Back and Daniel W. Morrill for the annexation of the Territory to the VILLAGE.

16. The VILLAGE consents to the petition of Teresa A. Back and Daniel W. Morrill for the annexation of the Territory to the VILLAGE.

Executed by the VILLAGE this 12 day of February, 2018.

Greg Cassidy, Mayor

ATTEST: Karen Miller, Fiscal Officer

Executed by the TOWNSHIP this 20th day of March, 2018.

Dummy Bolander, Township Trustee; Jane Will, Township Trustee; J. U., Township Trustee

ATTEST: Kathy Berry, Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of an Annexation Agreement approved by the Council of the Village of Sardinia, Brown County, Ohio on the 12 day of February, 2018.

Karen G Miller, Village Clerk; Dated: 2/12/18

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of an Annexation Agreement approved by the Board of Township Trustees of Washington Township, Brown County, Ohio on the 20 day of March, 2018.

Kathy Berry, Township Clerk; Dated: March 20, 2018

TOWNSHIP OF WASHINGTON, OHIO

RESOLUTION NO. 5-2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT WITH THE VILLAGE OF SARDINIA, BROWN COUNTY, OHIO REGARDING A PROPOSED ANNEXATION BY TERESA A. BACK AND DANIEL W. MORRILL

BE IT RESOLVED by the Washington Township Trustees, Brown County, Ohio, two-thirds (2/3) or more of all members thereof concurring as follows:

SECTION 1. That Washington Township shall enter into an Annexation Agreement with the Village of Sardinia, Brown County, Ohio regarding a proposed annexation to the Village of Sardinia, Ohio by; Teresa A. Back and Daniel W. Morrill, a copy of such annexation agreement being attached hereto and incorporated herein by reference.

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SECTION 2. That the Township Trustees and the Township Clerk of Washington Township shall be and hereby are authorized and directed to execute such Annexation Agreement on behalf of Washington Township.

PASSED: March 20, 2018

Donny Bolender
Township Trustee
Janice Wells
Township Trustee
John Gray
Township Trustee

ATTEST:
Kathy Berry
Fiscal Officer

IN THE MATTER TO APPROVE THE BILLS

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

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

DEPT	EXPENDITURE
AUDITOR	\$0
BOE	\$1,361.74
BUILDING DEPT	\$0
CLERK OF COURTS	\$15,085.38
COMMISSIONERS	\$83,907.38
COMMON PLEAS	\$3,155.56
CORONER	\$1,600.00
CSEA	\$1,951.88
DOG TAGS	\$0
E911	\$2,869.61
ECONOMIC DEVELOPMENT	\$0
EMA	\$3,250.56
ENGINEER HWY	\$29,346.29
ENGINEER OFFICE	\$305.81
ENGINEER SEWER & WATER	\$0
JFS	\$8,506.48
JURY COMMISSION	\$0
PROBATE/JUVENILE	\$7,313.87
LAW LIBRARY	\$5,320.15
MAINTENANCE	\$13,330.47
MUNICIPAL	\$2,268.30
PROSECUTOR	\$529.77
RECORDER	\$0
SHERIFF	\$3,836.73
TITLE	\$5,981.95
TREASURER	\$141.10
GRAND TOTAL	\$190,063.03

IN THE MATTER TO RECORD

Motion moved by Mr. Gray to retire 2 long term debts of Brown County at Merchants National Bank, 120 S. Main Street, Georgetown, Ohio 45121 in the amounts of \$292,986.04 for the Courthouse Repair Bond and \$254,634.77 for the Probate Juvenile Building; early payment of said loans will save the county approximately \$31,500.00 in interest over the next 4 years. Second: Mr. Applegate.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from Medicaid Local Sales Tax Transition Fund 2018 in the amount of \$458,277.81 into 2018-1000-52133 (Transfer Out). Second: Mr. Gray.

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

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IN THE MATTER OF TRANSFER OF FUNDS – BOARD OF COMMISSIONERS

Motion moved by Mr. Gray to approve the request of Sarah Beath, Clerk, for a transfer of funds from 2018-1000-52133 (Transfer Out) in the amount of \$458,277.81 into 1000-1000-40012 (MCO Replacement Revenue); said funds will be used to pay 2 loans in full at Merchants National Bank. Second: Mr. Applegate.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$250,330.04 into 1000-1000-54113 (Courthouse Repair Bond). Second: Mr. Gray.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$207,947.77 into 1000-1000-54112 (Probate Juvenile Building Bond). Second: Mr. Gray.

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

IN THE MATTER TO ADJOURN

Motion moved by Mr. Applegate to adjourn this meeting with no further business before the Board this 27th day of June, 2018. Second: Mr. Gray.

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

6/27/18

Commissioners and Clerk viewed Gardner Road, Lewis Twp., and Market Street, Village of Feesburg, after a resolution was filed by the Lewis Twp. Trustees to vacate these 2 roads.

Commissioners met with Randy Latham to discuss the Brown County Airport.

Approval: June 27, 2018


Barry Woodruff, President


Tony Applegate, Member


Daryll Gray, Member


Sarah Beath, Clerk

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