

The Board of County Commissioners, Brown County, Ohio, met in regular session this 27th day of September 2021 with the following members present: Barry L. Woodruff, Member Tony Applegate, Member Daryll R. Gray, President

IN THE MATTER OF PREVIOUS MINUTES

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

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

IN THE MATTER TO AWARD BID AND ENTER CONTRACT -2021 OLD A&P DRILLED SHAFT RETAINING WALL-ENGINEER

Motion moved by Mr. Applegate upon the recommendation of Todd Cluxton, Engineer, to award bid and enter contract with Alan Stone Co. Inc., 5519 Suite A State Route 339, Vincent, Ohio 45784, for the 2021 Old A&P Drilled Shaft Retaining Wall effective September 20, 2021, and shall terminate November 19, 2021. See complete contract on file. Second: Mr. Woodruff.

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

IN THE MATTER OF ANNEXATION OF 9.4622 ACRES FROM PIKE TWP INTO THE VILLAGE OF MT. ORAB

Motion moved by Mr. Woodruff to accept the following petition for annexation. Second: Mr. Applegate.

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

PETITION FOR ANNEXATION

To: The Board of County Commissioners Brown County, Ohio

The undersigned being all of the owners of the real estate in the unincorporated territory of the townships hereby request the annexation of that territory to the Village of Mt. Orab, Brown County, Ohio pursuant to Ohio Revised Code Section 709.02, 709.021, and 709.023.

A. There are two owners of the real estate in the territory proposed for annexation. They are Ernie R. Gillis and Mary A. Gillis, husband and wife. The two owners have signed the petition below and have dated their signatures.

B. A full and accurate legal description of the perimeter of the territory proposed for annexation is attached hereto and incorporated herein by reference. An accurate map or plat of the territory proposed for annexation is submitted along with this petition and is also incorporated herein by reference.

C. Richard L. Goettke, Solicitor for the Village of Mt. Orab, Ohio, is hereby appointed as agent for the petitioners as required by Ohio Revised Code Section 709.02 to do any and all things necessary and essential in order to obtain the proposed annexation of the territory described in the attached exhibit to the Village of Mt. Orab, Brown County, Ohio without any further expressed consent of the petitioners.

The territory proposed for annexation does not exceed 500 acres.

The territory proposed for annexation shares a contiguous boundary with the Village of Mt. Orab, Brown County, Ohio, for a continuous length of at least 5% of the perimeter of the territory proposed for annexation.

The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.

By separate ordinance or resolution adopted under Ohio Revised Code Section 709.23(C), the Village of Mt. Orab, Brown County, Ohio, will agree to provide services specified therein.

If a street or highway will be divided or segmented by the boundary line between the township and the Village of Mt. Orab, Brown County, Ohio, as to create a road maintenance problem, the Village of Mt. Orab, Brown County, Ohio will agree to assume the maintenance of that street or highway or to otherwise correct the problem.

This petition is signed by all of the owners of the unincorporated territory of the townships proposed for annexation. Annexation proceedings shall be conducted under Ohio Revised Code Section 709.023. As such, the following language in bold face capital letters is placed immediately above the heading for the place of the signatures.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR IN EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

Date: 9-10-21

Ernie R. Gillis

Date: 9-10-21

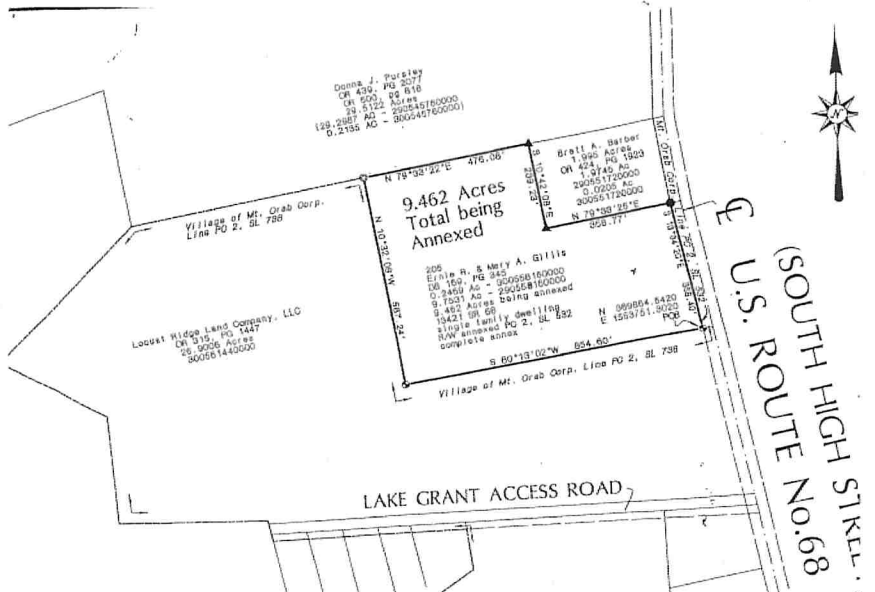
Mary A. Gillis

September 27, 2021

Description of 9.4622 Acres
For Village of Mt. Orab, Ohio Annexation

Situate in B. Hoopes Military Survey No. 6747, Pike Township, Brown County, Ohio and being 9.4622 Acres identified as Parcel No. 290558160000 conveyed to Ernie R. & Mary A. Gillis in Deed Book 169, page 345 in the Brown County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at a 1" iron pin found at the northwesterly corner of the corporation line of the Village of Mt. Orab, Ohio as recorded in Plat Cabinet 2, slide 532 and in Plat Cabinet 2, slide 738; said point being on the line of Locust Ridge Land Company, LLC's 26.9006 Acres as recorded in Official Record 815, page 1447 in the Brown County Ohio Recorder's Office; said point having Ohio State Plane Coordinates of Northing 369564.5420 and Easting 1563751.8020;
Thence with the said existing corporation line and with the line of said Locust Ridge Land Company, LLC for the next two (2) courses:
South 80 degrees 13 minutes 02 seconds West a distance of 854.60 feet to a 1" iron pin found;
North 10 degrees 32 minutes 08 seconds West a distance of 587.24 feet to a 1" iron pin found on the line of Donna J. Pursley's 29.5122 Acres as recorded in Official Record 489, Page 2077 and in Official Record 500, page 818 in the Brown County, Ohio Recorder's Office;
Thence with the line of said Pursley's 29.5122 Acres to a 5/8" iron pin found corner to Brett A. Barber's 1.995 Acres as recorded in Official Record 424, page 1923 in the Brown County, Ohio Recorder's Office;
Thence with the line of said Barber for the next two (2) courses:
South 10 degrees 42 minutes 08 seconds East a distance of 239.23 feet to a 5/8" iron pin found;
North 79 degrees 33 minutes 25 seconds East a distance of 358.77 feet to a steel post in concrete found on the said existing corporation line;
Thence with the said existing corporation line South 18 degrees 34 minutes 20 seconds East a distance of 358.40 feet to the place of beginning CONTAINING 9.4622 ACRES more or less, subject however to all legal highways and easements of record, Bearings are based upon Ohio State Plane Coordinates, Ohio South 3402, NAD83 (Goid 12A) and all other bearings and distances were measured in the field. This description is based upon a field survey performed by Christopher S. Henshaw, P.S. No. 8319 on 12 July 2021. TXHD:VM21080ANNX



LISTS OF ALL TRACTS, LOTS, OR PARCELS
IN THE TERRITORY PROPOSED FOR ANNEXATION
PUSUANT TO OHIO REVISED CODE SECTION 709.02(D)

Ernie R. Gillis
Mary A. Gillis
13421 U.S. Route 68
Mt. Orab, Ohio 45154
Parcel No. 29-055816-0000
9.7531 Acres

LISTS OF ALL TRACTS, LOTS, OR PARCELS
LOCATED ADJACENT TO THE TERRITORY OR DIRECTLY
ACROSS THE ROAD FROM IT
PUSUANT TO OHIO REVISED CODE SECTION 709.02(D)

Ernie R. Gillis
Mary A. Gillis
13421 U.S. Route 68
Mt. Orab, Ohio 45154
Parcel No. 30-055816-0000
0.2469 Acres

Donna J. Pursley
13505 U.S. Route 68
Mt. Orab, Ohio 45154
Parcel No. 29-054576-0000
29.2987 Acres

Locust Ridge Land Company, LLC
P.O. Box 54923
Cincinnati, Ohio 45254
Parcel No. 30-056144-0000
26.9006 Acres

Brett A. Barber
13465 U.S. Route 68
Mt. Orab, Ohio 45154
Parcel No. 29-055172-0000
1.9745 Acres

Mary Catherine Martin, Et Al.
26 Woodbriar Drive
Chillicothe, Ohio 45601
Parcel No. 30-055668-0000
297.4960 Acres

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IN THE MATTER OF RESOLUTION – OHIO RESIDENTIAL BROADBAND EXPANSION GRANT PROGRAM

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

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

RESOLUTION #09272021-1

The Board of County Commissioners of Brown County, Ohio, met on the 27th day of September, 2021, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

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

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

WHEREAS, Amended House Bill 2 of the 134th Ohio General Assembly created the Ohio Residential Broadband Expansion Grant Program to expand broadband service in the state and provide grants to assist with expansion of broadband service to unserved and underserved residents of Ohio;

WHEREAS, under Section 122.4050 of the Ohio Revised Code, a board of county commissioners may adopt a resolution requesting the Ohio Department of Development to solicit applications from broadband providers for Ohio Residential Broadband Expansion Grant Program grants for eligible projects in the municipal corporations and townships of the county;

WHEREAS, eligible projects are projects to provide tier two broadband services access to residence in an unserved area of tier one area of a municipal corporation or township eligible for funding under the Broadband Expansion Program;

WHEREAS, tier one broadband service is a retail wireline or wireless broadband service capable of delivering internet access at speeds of at least ten but less than twenty-five megabits per second downstream and at least one but less than three megabits per second upstream and a tier one area is an area served by tier one broadband service but not tier two broadband service;

WHEREAS, an unserved area is an area without access to tier one or tier two broadband service; and

WHEREAS, there are unserved or underserved areas in the county whose residents would benefit from the expansion of tier broadband service if a broadband provider were to complete an eligible project.

NOW THEREFORE, BE IT RESOLVED:

Section 1. That 72% of the populated area of Brown County do not have access to minimum speeds making them unserved or underserved by broadband service. The following municipal corporation and townships within the county have areas that are unserved or underserved by broadband service:

- | | |
|-------------------|---------------------|
| Perry Township | Byrd Township |
| Jackson Township | Jefferson Township |
| Eagle Township | Washington Township |
| Franklin Township | Scott Township |
| Green Township | Sterling Township |
| Pike Township | Clark Township |
| Lewis Township | Pleasant Township |
| Union Township | Huntington Township |

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Section 2. That pursuant to Section 122.4050 of the Ohio Revised Code, Bernadette Wireman shall be the contact on behalf of the county to submit a request to the Ohio Department of Development to solicit applications from broadband providers for Ohio Residential Expansion Grant Program eligible projects in the areas identified in Section 1 of this Resolution.

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Woodruff to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from 1000 CGF in the amount of \$3,703.84 into 1000-2000-52113 *Sheriff Contract Repair Services*. Second: Mr. Applegate.

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

IN THE MATTER OF SATISFACTION OF MORTGAGE – CHIP - DEVELOPMENT

Motion by Mr. Applegate upon the recommendation of Kelly Cole, Development, to execute a Satisfaction of Mortgage for the CHIP HOME project dated August 29, 2018. The outstanding amount owed on the original CHIP Mortgage has been paid in full. The property address for the referenced project is 120 Roundhouse Circle, Georgetown, Ohio 45121. Second by Mr. Woodruff.

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

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

Motion moved by Mr. Woodruff 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:

Court of Common Pleas, Juvenile Division: Magistrate Services in the amount of \$61,260.52.

Said contracts commence on 07/01/2021 and shall terminate on 03/31/2022. See complete agreements on file. In attendance: Deb Forsythe, CSEA. Second: Mr. Applegate.

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

IN THE MATTER TO ENTER EXECUTIVE SESSION

Motion moved by Mr. Applegate to enter executive session at 10:29 a.m. to discuss employment of public employees, per ORC § 121.22 (G)(1). In attendance: Jill Hall, Auditor. Second: Mr. Woodruff.

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

Commissioners exited Executive Session at 10:35 a.m.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Woodruff to adjourn this meeting with no further business before the Board this 27th day of September, 2021. Second: Mr. Applegate.

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

9/23/2021

Commissioner Daryll Gray attended the Buckeye Safety Council Virtual Meeting.
Commissioner Daryll Gray attended a Brown County Budget Commission Meeting.

9/24/2021

Commissioners Daryll Gray and Barry Woodruff, and staff, attended the OVRDC Full Commission Meeting, Serpent Mound.

Approval: September 29, 2021


Daryll Gray, President


Tony Applegate, Member


Barry Woodruff, Member


Hannah Ross, Assistant Clerk

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