

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

The Board of County Commissioners, Brown County, Ohio, met in early session this 8th day of February 2010 with the following members present:

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

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

IN THE MATTER OF SUPPLEMENTAL  
APPROPRIATION OF UNAPPROPRIATED A50-505  
FUNDS

Motion moved by Mr. Jennings to approve the request of Deanna J. Vietze, Business Manager, Brown County Board of Alcohol, Drug Addiction and Mental Health Services, for a supplemental appropriation of A50, 505 funds in the amount of \$95,077.00. Second: Mr. Geschwind.

\$58,460.00 into A50-5, 505 contract services  
\$33,617.00 into A50-7, 505 expenses  
\$ 3,000.00 into A50-11, 505 other

ROLL CALL VOTE

Mrs. Paeltz, yea  
Mr. Jennings, yea  
Mr. Geschwind, yea

IN THE MATTER OF EMERGENCY MAINTENANCE  
AND REPAIR OF TOWNSHIP ROADS

Motion moved Mr. Geschwind to approve the following request for Emergency Maintenance and Repair of Township Roads, pursuant to section 5535.08 of the Ohio Revised Code; contributions may be made by agreement between the Commissioners and the Engineer in the amount of \$200.00. Second: Mr. Jennings.

Eagle Township	T-539	Maple Drive	\$200.00
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ROLL CALL VOTE

Mrs. Paeltz, yea  
Mr. Jennings, yea  
Mr. Geschwind, yea

February 8, 2010

IN THE MATTER TO ENTER INTO  
CLERMONT/MULTI-COUNTY JUVENILE  
DETENTION CENTER

Motion moved by Mr. Jennings to enter into the following Multi-County Contract by the Boards of County Commissioners of Brown and Clermont and the Juvenile Division of the Courts of Common Pleas of Brown and Clermont Counties. Brown County shall be allotted (2) beds for such county's usage as determined by the Brown County Juvenile Court. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea  
Mr. Jennings, yea  
Mr. Geschwind, yea

CLERMONT/MULTI-COUNTY JUVENILE DETENTION CENTER

MULTI-COUNTY CONTRACT  
AMENDMENT #3

This Multi-County Contract Amendment is entered into effective March 1, 2010 by and among the respective Boards of County Commissioners of the Ohio counties of Brown and Clermont (hereinafter collectively, the "Participating Counties") and the Juvenile Divisions of the Court of Common Pleas of the Participating Counties, through their respective judges (the "Juvenile Courts").

**Whereas**, a resolution was passed by each county authorizing the execution of a Multi-County contract and an agreement of Sublease with respect to the Clermont/Multi-County Juvenile Detention Center (Resolution No. 02042002 dated February 4, 2002 by the Board of Brown County Commissioners and Resolution No. 225-01 dated December 13, 2001 by the Board of Clermont County Commissioners).

**Whereas**, February 4, 2002 the Participating Counties entered into an agreement establishing a Governing Board and Operation and Management policies for the Multi-County facility located in Clermont County.

**Whereas**, the Amended Agreement #2 states that Brown County, Ohio shall be allotted (3) beds at a per diem bed cost of \$90.00 per day, beginning September 1, 2008.

**Whereas**, the original agreement under Section 4. C. states that per diem bed costs shall be calculated annually by the staff of the Project, based upon the operational costs of the Project and the per diem bed costs shall be established on or before March 1<sup>st</sup> of each calendar year.

**Therefore**, in consideration of the mutual promises contained herein and in the original agreement, the parties agree to the following amendment of Section 4.A. through Section 4. C.

- 1) Brown County shall be allotted a total of two (2) beds beginning March 1, 2010.
- 2) The per diem costs will be \$95.00 per day/per bed for allotted two (2) beds through February 28, 2011. The parties agree that any admissions of juvenile(s) in excess over the guaranteed two (2) allotted beds per day/per month thereafter shall be paid at a per diem rate of \$101.00 per day/per bed calculated per the original language as agreed to in the original contract of February 2, 2002. All other provisions remain in effect as previously agreed to in the original contract.

(Continued on next page)

February 8, 2010

In Witness Whereof, each of the undersigned Participating Counties has executed this Amendment to the Multi-County Agreement by at least two of its duly authorized County Commissioners and the Juvenile Court Judges have hereunto set their hands.

Clermont  
County of ~~Brown~~, Ohio

By: \_\_\_\_\_  
County Commissioner

By: \_\_\_\_\_  
County Commissioner

By: \_\_\_\_\_  
County Commissioner

By: Margaret A. Clark  
Juvenile Court Judge Brown County

Brown  
County of ~~Clermont~~, Ohio

By: Margery Paetz  
County Commissioner

By: Ralph Jennings  
County Commissioner

By: William R. Geschwind  
County Commissioner

By: \_\_\_\_\_  
Juvenile Court Judge (Clermont Co)

Approved as to form: (Amendment #3)

By: Allen J. Edwards  
Clermont County Prosecutor's Office

IN THE MATTER TO REJECT FACTFINDER'S REPORT AND RECOMMENDATIONS FOR 911 DISPATCHERS

Motion moved by Mr. Geschwind to reject the Factfinder's Report and Recommendation for the 911 Center, certified on February 1<sup>st</sup>, 2010, for Emergency 911 dispatchers. Case No: 09-MED-10-1290. Second: Mr. Jennings.

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

February 8, 2010

IN THE MATTER OF RESOLUTION AUTHORIZING  
RENEWAL NOTE AT LOWER RATE (3.50%) ON  
ISSUANCE OF \$750,000.00 REAL ESTATE  
ACQUISITION LIMITED TAX GENERAL OBLIGATION  
BOND ANTICIPATION NOTES

Motion moved by Mr. Jennings to adopt the following Resolution Number 02092010-01. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea  
Mr. Jennings, yea  
Mr. Geschwind, yea

The Board of County Commissioners of the County of Brown, Ohio, met in regular session on the 8<sup>th</sup> day of February, 2010, at the office of said board, in the Brown County Administration Building, 800 Mt. Orab Pike, Georgetown, Ohio, with the following members present:

Commissioner Jennings moved the passage of the following resolution:

RESOLUTION NO. 02-08-2010-01

COUNTY OF BROWN, OHIO

RESOLUTION AUTHORIZING THE ISSUANCE OF \$750,000 REAL ESTATE ACQUISITION LIMITED TAX GENERAL OBLIGATION BOND ANTICIPATION NOTES, 2010 RENEWAL, FOR THE PURPOSE OF ACQUIRING ALL INTERESTS OF BROWN COUNTY REGIONAL HEALTHCARE IN CERTAIN REAL PROPERTY OWNED BY THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, this board of county commissioners heretofore determined by appropriate resolution to acquire all interests of Brown County Regional Healthcare in certain real property owned by the board of county commissioners, which real property is located in the Village of Mt. Orab, Brown County, Ohio; and

WHEREAS, this board of county commissioners has requested the county auditor to issue his certificate as to the estimated life of the real estate interests to be acquired with the proceeds of the bonds hereinafter referred to, and said county auditor has certified to this board such estimated life as 30 years in accordance with Section 133.20(B)(4)(c) of the Ohio Revised Code and has further certified the maximum maturity of such bonds as 30 years, and of notes in anticipation of the issuance of bonds, as 20 years; and

WHEREAS, notes issued in anticipation of bonds by this board of county commissioners mature on February 17, 2010, and should be renewed in a like principal amount; and

WHEREAS, the board of county commissioners expects to pay the debt charges on the notes and the bonds in anticipation of which they are issued from the General Fund;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brown County, Ohio:

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February 8, 2010

SECTION 1. That it is necessary to bonds of the county in the principal amount of \$750,000 for the purpose of acquiring all interests of Brown County Regional Healthcare in certain real property owned by the board of county commissioners.

SECTION 2. That bonds of the county shall be issued in said principal sum of \$750,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Sections 133.01 to 133.42, inclusive, of the Ohio Revised Code. Said bonds shall be dated approximately February 1, 2011, bear interest at an approximate rate of six percent (6% ) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period of 30 years.

SECTION 3. That notes shall be issued in anticipation of said bonds and shall be in the amount of \$750,000, which such amount is not in excess of the amount of said bond issue. Said notes shall be dated February 17,2010, shall bear interest at the rate of three and one-half percent (3.50%) per annum, payable semiannually on August 17,2010 and February 17,2011, and shall mature on February 17,2011, and shall be of such number and denomination as requested by the purchaser.

SECTION 4. That said notes shall bear the manual or facsimile signatures of at least two members of the board of county commissioners and the facsimile or manual signature of the county auditor of Brown County, Ohio, provided that at least one of said officials shall sign manually, and have affixed the county auditor's seal; they shall be designated "Real Estate Acquisition Limited Tax General Obligation Bond Anticipation Notes, 2010 Renewal" and shall be payable in federal funds of the United States of America at the office of the Brown County Auditor, Georgetown, Ohio.

SECTION 5. That said notes shall be sold to The First State Bank of Adams County, Winchester, Ohio at not less than their principal amount plus accrued interest, in accordance with their offer of purchase, which is hereby accepted, and the proceeds from such sale, except any accrued interest thereon, shall be put into the appropriate fund for said acquisition and used for the purpose aforesaid and for no other purpose.

SECTION 6. That said notes shall be the full general obligations of the county and the full faith, credit and revenue of the county are hereby pledged for the prompt payment of the same. The par or discounted value to be received from the sale of the bonds anticipated by said notes and any excess funds, resulting from the issuance of said notes shall, to the extent necessary, be used only for the retirement of said notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 7. That during the year or years while such notes run, there shall be levied on all taxable property in the county, in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of said notes.

SECTION 8. That said tax shall be and is hereby ordered computed, certified, extended and levied upon the tax duplicate and collected by the same officers in the same manner

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**February 8, 2010**

and at the same time that taxes for general purposes for each of said years are certified, extended -and collected.

Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of said notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other funds are available and appropriated for payment of debt charges, said tax need not be levied.

SECTION 9. That this board of county commissioners, for and on behalf of the County of Brown, Ohio, hereby covenants that it will restrict the use of the proceeds of the notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. The county auditor, or any other officer having responsibility with respect to the issuance of the notes, is authorized and directed to give an appropriate certificate on behalf of the county, on the date of delivery of the notes, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These notes are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code. The county does not expect to issue more than \$10,000,000 of tax-exempt obligations during the calendar year 2010.

SECTION 10. That the appropriate county officers and officials are hereby authorized and directed to execute and deliver all certificates and closing documents with respect to the issuance of the notes on the recommendation of Peck, Shaffer & Williams LLP, as bond counsel.

SECTION 11. That this board of county commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this board, and that all deliberations of this board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the law.

SECTION 12. The clerk of the board is hereby directed to forward a copy of this resolution to the county auditor of Brown County, Ohio.

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*The Commissioners attended the Law Library Resources Board Meeting held in the Commissioners Office.*

*2/4/10*

*Margery Paeltz, Commissioner, swore in members of the Board of Mental Health.*

*2/5/10*

*Tom Niehaus, Ohio Senator and Danny Bulp, Ohio House of Representative, met with the Commissioners for discussion of current issues.*

*2/08/10*

*Flags of United State of America and State of Ohio flew at half-staff in honor of the life and service of Trooper Andrew C. Baldrige.*

*Lisa Jackson and Kim Patton of Health Source met with the Commissioners to discuss operations of the Brown County General Hospital.*

*Gary Van Denend met with the Commissioners to discuss a NSP project in Ripley OH.*

*Dale Cahall, New York Life, met with the Commissioners to discuss health insurance options and rates.*

February 8, 2010

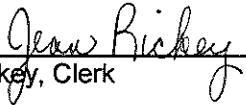
IN THE MATTER TO ADJOURN


Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day February 8<sup>th</sup>, 2010.  
Second: Mr. Jennings.

ROLL CALL VOTE

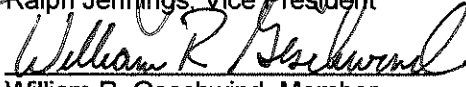
Mrs. Paeltz, yea  
Mr. Jennings, yea  
Mr. Geschwind, yea

Approval: February 10, 2010

  
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Jean Rickey, Clerk

  
\_\_\_\_\_  
Margery Paeltz, President

  
\_\_\_\_\_  
Ralph Jennings, Vice President

  
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William R. Geschwind, Member