

The Board of County Commissioners, Brown County, Ohio, met in regular session this 4th day of October 2017 with the following members present. Daryll Gray, President, Tony Applegate, Member, Barry Woodruff, Member

#### 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 OF SUPPLEMENTAL APPROPRIATION – COURT OF COMMON PLEAS

Motion moved by Mr. Applegate to approve the request of Joni Dotson, Court Administrator, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$3,500.00 into 1000-3000-52514 (Jury Fees) and in the amount of \$300.00 into 1000-3000-52515 (Witness Fees) due to greater than anticipated jury costs. Second: Mr. Woodruff.

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

#### IN THE MATTER OF AMENDED CERTIFICATE

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

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

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

The following is the amended certificate of estimated resources for the fiscal year beginning January 1<sup>st</sup>, 2017 as revised by the Budget Commission of said County, which shall govern the total appropriations made at any time during such year.

Fund	Unencumbered Balance 1/1/17	Taxes	Other Sources	Total
General Fund	\$ 1,748,187.13	\$2,800,000.00	\$ 7,273,950.30	\$11,822,137.43
Special Revenue	\$16,008,990.74		\$30,207,843.48	\$46,216,834.22

#### IN THE MATTER OF AMENDED CERTIFICATE

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

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

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

The following is the amended certificate of estimated resources for the fiscal year beginning January 1<sup>st</sup>, 2018 as revised by the Budget Commission of said County, which shall govern the total appropriations made at any time during such year.

Fund	Unencumbered Balance 1/1/17	Taxes	Other Sources	Total
General Fund	\$ 1,748,187.13	\$3,000,000.00	\$ 7,000,000.00	\$11,748,187.13
Special Revenue	\$16,002,434.06		\$26,176,768.09	\$42,179,202.15

#### IN THE MATTER TO ACCEPT PETITION FOR ANNEXATION – 3.481 ACRES IN CLARK TWP INTO THE VILLAGE OF HAMERSVILLE

Motion moved by Mr. Woodruff to accept the following Petition for Annexation of 3.481 Acres of land in Clark Township to be annexed into the Village of Hamersville. Second: Mr. Applegate.

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

Continued on next page.

October 4, 2017

PETITION FOR ANNEXATION ON APPLICATION OF ALL OWNERS  
(ORC 709.02 & ORC 709.022)

To: Board of County Commissioners of Brown County, Ohio

The undersigned, being the only owners of real estate in the territory, hereby petition for the annexation of the following described territory hereto to the Village of Hamersville, Brown County, Ohio pursuant to Ohio Revised Code Section 709.022:

Situate in H. Richeson Military Survey No. 3627, Clark Township, Brown County, Ohio, and being 0.057 Acres in right-of-way Identified with Parcel No. 030031120000 conveyed to Roger W. Adkins, Trustee in Official Record 283, page 1275 and being 0.046 Acres in right-of-way identified with Parcel No. 030001120201 conveyed to Steven Matthew and Rachell E. Ernst in Official Record 368, page 708 and being 0.067 Acres identified with no Parcel No. conveyed to Robert R. Pollitt in Deed Book 151, page 306 and being 1.473 Acres, including 0.037 Acres in right-of-way, identified as Parcel No. 030023400000 conveyed to Rodney L. and Lisa D. Gray in Official Record 32, page 178 and being 1.838 Acres, including 0.060 Acres In right-of-way, identified as Parcel No. 030042720000 conveyed to Teresa Lang in Official Record 131, page 776 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows.

Starting at a magnail found in the centerline of Fite Avenue at the most southeasterly corner of Steven and Brenda Ernst's 3.94 Acre tract as recorded in Deed Book 276, page 561 in the Brown County, Ohio Recorder's Office;

Thence from said starting point and with the line of said Steven and Brenda Ernst North 44 degrees 13 minutes 05 seconds West a distance of 15.00 feet to a 1" iron pin found on the existing corporation line of the Village of Hamersville and on the northerly right-of-way line of said Fite Avenue;

Thence with the said existing corporation line of the Village of Hamersville and the northerly right-of-way line of said Fite Avenue North 45 degrees 03 minutes 54 seconds East a distance of 51.63 feet to a 1" iron pin set and the true point of beginning;

Thence from said true point of beginning and with the said existing corporation line of the Village of Hamersville and on the northerly right-of-way line of said Fite Avenue North 45 degrees 03 minutes 54 seconds East a distance of 278.61 feet to a 1" iron pin found;

Thence with the said existing corporation line of the Village of Hamersville South 53 degrees 55 minutes 56 seconds East a distance of 480.41 feet to a point on the line of Robert Scott King's 25.510 Acre tract, reference a 1" iron pin set North 53 degrees 55 minutes 56 seconds West a distance of 1.00 feet;

Thence with the line of said Robert Scott King's 25.510 Acre tract and continuing with the line of Robert Scott King's 105.971 Acre tract South 44 degrees 40 minutes 29 seconds West a distance of 358.74 feet to a 1/2" iron pin found corner to Michael Lee, Sr. and Margie A. Moore, Trustees;

Thence with the line of said Moore, Trustees North 44 degrees 20 minutes 03 seconds West a distance of 476.96 feet to the place of beginning CONTAINING 3.481 ACRES more or less subject, however, to all legal highways and easements of record.

Basis of bearing is South 45 degrees 03 minutes 54 seconds West based on 2T-141-425 and all other bearings are based on angles and distances measured in the field.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 17 November 2009, based on an actual field survey.

The territory is adjacent and contiguous with the Village of Hamersville.

Attached is an accurate plat showing the boundaries of the territory sought to be annexed, marked "Annexation to the Village of Hamersville."

There are seven (7) owners, as defined in Ohio Revised Code Section 709.02, of real estate in the territory proposed for annexation, namely, Teresa Lang Wilson (formerly known as Teresa Lang), Rodney L. Gray, Lisa D. Gray, Robert R. Pollitt, Steven Matthew Ernst, Rachell L. Ernst and Roger W. Adkins, Trustee who are the sole Petitioners herein.

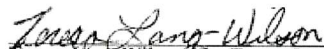
Thomas Lee Mayes is appointed agent for the Petitioners as required by Ohio Revised Code Section 709.02, with full power to amend, increase or decrease the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition, without further expressed consent of the Petitioners.

This Petition is accompanied by a certified copy of an Annexation Agreement provided for in Ohio Revised Code Section 709.192 which has been entered into by the Village of Hamersville and the Township of Clark.


**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.**

Continued on next page.

October 4, 2017

  
Teresa Lang Wilson (aka Teresa Lang)

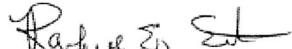
Date Signed: 02-16, 2017

  
Robert R. Pollitt

Date Signed: Feb 17, 2017

  
Steven Matthew Ernst

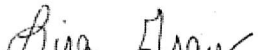
Date Signed: Feb 16, 2017

  
Rachell L. Ernst

Date Signed: Feb 17, 2017

  
Rodney L. Gray

Date Signed: 2-18, 2017

  
Lisa D. Gray

Date Signed: 2-18, 2017

  
Roger W. Adkins, Trustee

Date Signed: 2-18, 2017

Exhibit "A"

Annexation of 3.481 Acres  
to the Village of Hamersville

Situate in H. Richeson Military Survey No. 3627, Clark Township, Brown County, Ohio, and being 0.057 Acres in right-of-way Identified with Parcel No. 030031120000 conveyed to Roger W. Adkins, Trustee in Official Record 283, page 1275 and being 0.046 Acres in right-of-way identified with Parcel No. 030001120201 conveyed to Steven Matthew and Rachell E. Ernst in Official Record 368, page 708 and being 0.067 Acres identified with no Parcel No. conveyed to Robert R. Pollitt In Deed Book 151, page 306 and being 1.473 Acres, including 0.037 Acres in right-of-way, identified as Parcel No. 030023400000 conveyed to Rodney L. and Lisa D. Gray in Official Record 32, page 178 and being 1.838 Acres, including 0.060 Acres In right-of-way, identified as Parcel No. 030042720000 conveyed to Teresa Lang in Official Record 131, page 776 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows.

Starting at a magnail found in the centerline of Fite Avenue at the most southeasterly corner of Steven and Brenda Ernst's 3.94 Acre tract as recorded in Deed Book 276, page 561 in the Brown County, Ohio Recorder's Office;

Thence from said starting point and with the line of said Steven and Brenda Ernst North 44 degrees 13 minutes 05 seconds West a distance of 15.00 feet to a 1" iron pin found on the existing corporation line of the Village of Hamersville and on the northerly right-of-way line of said Fite Avenue;

Thence with the said existing corporation line of the Village of Hamersville and the northerly right-of-way line of said Fite Avenue North 45 degrees 03 minutes 54 seconds East a distance of 51.63 feet to a 1" iron pin set and the true point of beginning;

Thence from said true point of beginning and with the said existing corporation line of the Village of Hamersville and on the northerly right-of-way line of said Fite Avenue North 45 degrees 03 minutes 54 seconds East a distance of 278.61 feet to a 1" iron pin found;

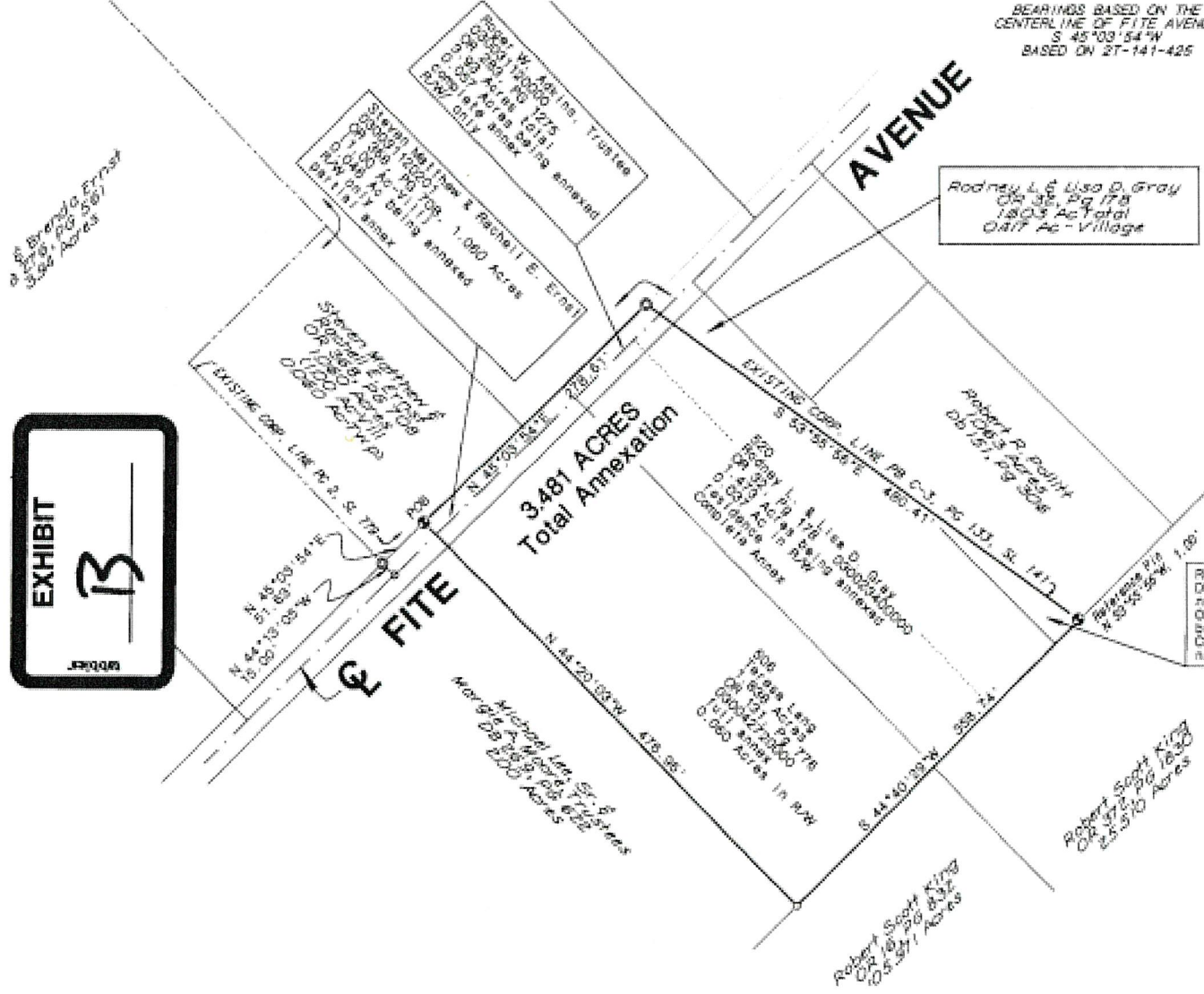
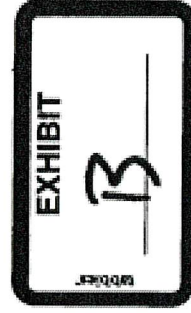
Thence with the said existing corporation line of the Village of Hamersville South 53 degrees 55 minutes 56 seconds East a distance of 480.41 feet to a point on the line of Robert Scott King's 25.510 Acre tract, reference a 1" iron pin set North 53 degrees 55 minutes 56 seconds West a distance of 1.00 feet;

Thence with the line of said Robert Scott King's 25.510 Acre tract and continuing with the line of Robert Scott King's 105.971 Acre tract South 44 degrees 40 minutes 29 seconds West a distance of 358.74 feet to a 1/2" iron pin found corner to Michael Lee, Sr. and Margie A. Moore, Trustees; Thence with the line of said Moore, Trustees North 44 degrees 20 minutes 03 seconds West a distance of 476.96 feet to the place of beginning CONTAINING 3.481 ACRES more or less subject, however, to all legal highways and easements of record.

Basis of bearing is South 45 degrees 03 minutes 54 seconds West based on 2T-141-425 and all other bearings are based on angles and distances measured in the field.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 17 November 2009, based on an actual field survey.

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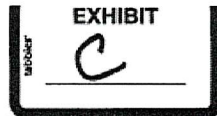


corner of Green and Orange, Ohio Recorder's Office, recorded page 561 in the Brown County, Ohio Recorder's Office. Thence from said starting point and with the line of said Stever North 44 degrees 13 minutes 05 seconds West a distance of 19.00 found on the existing corporation line of the Village of Hamersville right-of-way line of said Fite Avenue; Thence with the said existing corporation line of the Village of Hamersville on the northerly right-of-way line of said Fite Avenue North 45 degrees East a distance of 51.63 feet to a 1" iron pin set and the true

Thence from said true point of beginning and with the said existing Village of Hamersville and on the northerly right-of-way line North 45 degrees 03 minutes 54 seconds East a distance of 276.6' found; Thence with the said existing corporation line of the Village of Hamersville degrees 55 minutes 56 seconds East a distance of 480.41 feet to Robert Scott King's 25.510 Acre tract, reference a 1" iron pin 3 minutes 56 seconds West a distance of 1.00 feet; Thence with the line of said Robert Scott King's 25.510 Acre tract the line of Robert Scott King's 105.971 Acre tract South 44 degrees 22 seconds West a distance of 355.74 feet to a 1/2" iron pin found and Margie A. Moore, Trustees; Thence with the line of said Moore, Trustees North 44 degrees 20' West a distance of 475.96 feet to the place of beginning CONTAIN more or less subject, however, to all legal highways and easement Basis of bearing is South 45 degrees 03 minutes 54 seconds West and all other bearings are based on angles and distances measure This description was prepared by Christopher S. Renshaw, P.S., C No. 8319 on 17 November 2009, based on an actual field survey.

CITA  
DOC

DEED RE	SURVEYS
OR 131,	308 C-1, 98
OR 32,	A-31
OB 151,	MANIT-141-
OB 283,	MANIT-141-
OB 368,	MANIT-141-
	B-78



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

In the Matter of the Annexation of:  
3.481 Acres to the Village of Hamersville  
on Petition of Teresa Lang Wilson, et al

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

<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
Teresa Lang 9942 Fite Avenue Hamersville, Ohio 45130	03-004272.0000	1.838
Rodney L. & Lisa D. Gray 9952 Fite Avenue Hamersville, Ohio 45130	03-002340.0000	1.473
Robert R. Pollitt 9962 Fite Avenue Hamersville, Ohio 45130	None	0.067
Steven Matthew & Rachell L. Ernst 474 Lytle Avenue Williamsburg, Ohio 45176	03-003112.0200 (right of way only)	0.046
Roger W. Adkins, Trustee 9942 Fite Avenue Hamersville, Ohio 45130	03-003112.0000 (right of way only)	0.057

Tracts Adjacent to Territory Proposed for Annexation

<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
Michael Lee Moore, Sr, Trustee & Margie A. Moore, Trustee 9928 Fite Avenue Hamersville, Ohio 45130	03-003484.0000	2.000

Tracts Adjacent to Territory Proposed for Annexation  
(continued)

<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
Robert Scott King 2414 St. Rt. 125 Hamersville, Ohio 45130	03-002836.0000	105.971
Robert Scott King 2414 St. Rt. 125 Hamersville, Ohio 45130	03-002836.0100	25.510
Rodney L. & Lisa D. Gray 9952 Fite Avenue Hamersville, Ohio 45130	06-005188.0000	0.417
Steven Matthew & Rachell L. Ernst 474 Lytle Avenue Williamsburg, Ohio 45176	06-003112.0200	1.060
Roger W. Adkins, Trustee 9942 Fite Avenue Hamersville, Ohio 45130	03-003112.0000	3.93

  
 Thomas Lee Mayes, Agent for Petitioners

**IN THE MATTER OF AGREEMENT – BROWN COUNTY LAW LIBRARY RESOURCES BOARD**

Motion moved by Mr. Applegate to enter agreement with Brown County Public Library for services and/or resources for the administration and/or operation of the Brown County Law Library, 613 S. High Street, Mt. Orab, Ohio 45154, during Brown County Public Library's normal business hours commencing on 1/1/2018 and ending on 12/31/18, quarterly invoices in the sum of \$5,305.00 shall be paid by BCLLRB. Second: Mr. Woodruff.

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

**October 4, 2017**

**IN THE MATTER OF LEASE AGREEMENT – BROWN COUNTY LAW LIBRARY**

Motion moved by Mr. Woodruff to enter a lease agreement with the Brown County Public Library, 613 S. High Street, Mt. Orab, Ohio 45154, to house and operate the Brown County Law Library commencing on 1/1/2018 and ending on 12/31/18, for an annual fee of \$6,000.00. Second: Mr. Applegate.

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

**IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – CLERK OF COURTS**

Motion moved by Mr. Applegate to approve the request of Joni Dotson, Court Administrator, for a supplemental appropriation of unappropriated funds from 2400 in the amount of \$3,000,000.00 into 2400-3002-52530 (Treasurer of State Fees). Second: Mr. Woodruff.

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

**IN THE MATTER OF CONTRACT AND NOTICE TO PROCEED – COLLEGE AVE. SIDEWALK PROJECT – VILLAGE OF SARDINIA**

Motion moved by Mr. Woodruff, upon the recommendation of Kelly Cole, Development, to enter contract with Cooper's Excavating, 7251 Bethlehem Road, Winchester, Ohio 45697, for the College Ave. Sidewalk Project in the Village of Sardinia effective October 5, 2017 work must be completed by November 19, 2017, total contract project price is \$60,236.90, Village of Sardinia will pay \$10,991.90. See complete contract on file. In attendance: Kelly Cole, Development and Mr. Cooper. 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 moved by Mr. Applegate upon the request of Kelly Cole, Development, to sign and record the Satisfaction of Mortgage for the CHIP HOME Project at 1039 Starling Road. The outstanding amount owed on the original mortgage recorded in Book 437, page 2474-2478 was fully satisfied, no obligation remains in reference to property owner, Kristina Galinger aka Kristina Tribull. In attendance: Kelly Cole, Development. Second: Mr. Woodruff.

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

**IN THE MATTER OF GRANT AGREEMENT – DPS**

Motion moved by Mr. Woodruff to accept the Emergency Management Performance Grant for FY2017, local allocation will be \$31,228.00 to obtain resources required to support the National Preparedness Goal's associated mission areas and core capabilities. In attendance: Barb Davis, Director DPS, and Beth Nevel. Second: Mr. Applegate.

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

**IN THE MATTER TO ENTER CONTRACT – DPS**

Motion moved by Mr. Applegate, upon the recommendation of Barb Davis, Director DPS, to enter contract with Tetra Tech, 250 West Court Street, 200W, Cincinnati, Ohio 45202, to provide Exercise Support for the full scale exercise for the not to exceed fixed price of \$12,000.00 during the fall of 2017, 8 hours total. In attendance: Barb Davis, Director DPS, and Beth Nevel. Second: Mr. Woodruff.

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

**IN THE MATTER OF APPROPRIATION CHANGE – BOARD OF COMMISSIONERS**

Motion moved by Mr. Woodruff to approve the request of Lisa Spiller, Coordinating Clerk, for an appropriation change to decrease 1000-8007-52144 (Utilities) in the amount of \$25,000.00 and increase 1000-8007-52178 (Maintenance Non Contractual Repairs) in the amount of \$25,000.00. Second: Mr. Applegate.

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

October 4, 2017

**IN THE MATTER TO APPROVE THE BILLS**

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

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

DEPT	EXPENDITURE
AUDITOR	\$250.00
BOE	\$1,945.40
BUILDING DEPT	\$242.19
CLERK OF COURTS	\$157.60
COMMISSIONERS	\$1,983.95
COMMON PLEAS	\$1,049.80
CORONER	\$1,550.00
CSEA	\$1,238.51
DOG TAGS	\$2,448.59
E911	\$2,006.72
ECONOMIC DEVELOPMENT	\$1,296.50
EMA	\$0
ENGINEER HWY	\$44,160.41
ENGINEER OFFICE	\$89.00
ENGINEER SEWER AND WATER	\$0
JFS	\$25,948.14
JURY COMMISSION	\$0
PROBATE/JUVENILE	\$19,052.07
LAW LIBRARY	\$0
MAINTENANCE	\$10,003.32
MUNICIPAL	\$695.13
PROSECUTOR	\$900.06
RECORDER	\$0
SHERIFF	\$13,249.63
TITLE	\$16,101.29
TREASURER	\$0
GRAND TOTAL	\$144,368.31

**IN THE MATTER TO ADJOURN**

Motion moved by Mr. Woodruff to adjourn this meeting with no further business before the Board this 4th day of October 2017. Second: Mr. Applegate.

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

10/3/17

Commissioner, Barry Woodruff, attended the Law Library Resources Board Meeting, Georgetown Public Library.


10/4/17

Commissioners met with Doug Herling, Open Road Renewables, for a project update.  
Commissioners met WAI Construction Group for a preliminary construction meeting. In attendance: Chris Hodges, BCSO, Larry Meyer, BCSO, Scot Moore, WAI, Dave Stone, TSHD, Sheriff Ellis.

Approval: October 11, 2017

  
Daryll Gray, President

  
Tony Applegate, Member

  
Barry Woodruff, Member

  
Sarah Beath, Clerk

October 4, 2017