

The Board of County Commissioners, Brown County, Ohio, met in regular session this 28<sup>th</sup> day of August, 2023 with the following members present: Tony Applegate, Member Daryll R. Gray, Member Barry L. Woodruff, President

In attendance: Sarah Beath, County Administrator

#### 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. Applegate, yea Mr. Gray, yea Mr. Woodruff, yea

#### IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – DEVELOPMENT

Motion moved by Mr. Applegate to approve the request of Kelly Cole, Development, for a supplemental appropriation of unappropriated funds from 1000 CGF in the amount of \$500.00 into 1000-1005-52116 *Other Expenses*. Second: Mr. Gray.

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

#### IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – JFS

Motion moved by Mr. Gray to approve the request of Sheri Tabor, Director, for a supplemental appropriation of unappropriated funds from 2550 *Job & Family Services Fund* in the amount of \$3,000.00 into 2550-5000-51117 *JFS Unemployment*. Second: Mr. Applegate.

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

#### IN THE MATTER OF NOTICE TO BIDDERS – 2023 MARSHALL PRE-STRESS BOX BEAMS – ENGINEER

Motion moved by Mr. Applegate upon the request of Todd Cluxton, Brown County Engineer, to advertise the Notice to Bidders for the 2023 Marshall Pre-Stress Box Beams. Second: Mr. Gray.

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

##### NOTICE TO BIDDERS

Scaled bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the Office of the Clerk of the Board in the County Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121 until **9:00 a.m. on September 25, 2023** for:

##### 2023 Marshall Pre-stress Box Beams

Bidding forms may be obtained at the Office of the Brown County Engineer, or at [www.browncountyengineer.org](http://www.browncountyengineer.org). Bidders must use the printed forms provided therefore as none others will be accepted. Bidding documents shall be fully executed and must contain the full name of each person or company submitting the bid. **Please include two copies of bid documents.**

The work shall meet the State of Ohio Department of Transportation Construction and Material Specifications, including appropriate changes and Supplemental Specifications in effect as of the contract date.

Bidding procedures, time of completion, and bonding requirements shall be as detailed in the Information for Bidders.

The right is reserved to reject any and all Bids. The Contract will be awarded to the lowest and best bidder.

Bids will be opened and read at **10:00 a.m. on September 25, 2023.**

By order of the Board of Brown County Commissioners, Brown County, Ohio.

#### IN THE MATTER OF SUBRECIPIENT AGREEMENT – APPALACHIAN COMMUNITY GRANT – BOARD OF COMMISSIONERS

Motion moved by Mr. Gray upon the recommendation of Kelly Cole, Director of Economic Development, to enter a subrecipient agreement with Clermont County Port Authority, 101 East Main Street, 3<sup>rd</sup> Floor, Batavia, Ohio 45103, to undertake technical assistance projects pursuant to the Appalachian Community Grant Program-Technical Assistance Grant, all costs should be incurred by October 31, 2024 and paid by October 31, 2026. Second: Mr. Applegate.

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

#### IN THE MATTER OF PUBLIC HEARING – INCREASE OF PERMISSIVE SALES AND USE TAX

A second public hearing was held this day at 10:00 a.m. for consideration of the Increase of Permissive Sales and Use Tax, pursuant to ORC 5739.026 and 5741.023. In attendance: Kathy Jones.

August 28, 2023

IN THE MATTER OF RESOLUTION LEVYING A TAX AT THE RATE OF ONE-QUARTER OF ONE PERCENT COUNTY SALES TAX

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

Resolution 08282023-1

RE: BOARD OF BROWN COUNTY COMMISSIONERS LEVIES A TAX AT THE RATE OF ONE-QUARTER OF ONE PERCENT COUNTY SALES TAX PURSUANT TO SECTION 5739.026(A)(3) OF THE OHIO REVISED CODE.

The Board of County Commissioners, Brown County, Ohio, met in regular session on the 28th day of August, 2023 with the following members present:

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

Commissioner, Gray moved for the adoption of the following:

RESOLUTION

WHEREAS, the Board of Brown County Commissioners, have determined that there is insufficient anticipated General Fund revenue for 2024 and subsequent years and is faced with the urgent need for additional operating funds to meet current costs and is of the opinion that institution of an additional one-quarter (1/4) of one (1) percent sales tax for a period of five years is an absolute necessity to provide additional revenue for the county's general fund; and

WHEREAS, the Board of County Commissioners believes these measures are necessary for the immediate preservation of the public health, safety and welfare. The reasons for such necessity are: reduction in state revenues with an increase in state mandates; to preserve the constitutional entitlement programs; to maintain core services such as courts and corrections, as well as law enforcement services which are in jeopardy of not being funded appropriately, and the county must maintain an adequate fund balance to ensure the bond rating remains consistent, and further for the reasons that a lack of funds will cause an inability to appropriately maintain county infrastructure; and

WHEREAS, the Legislature of the State of Ohio has provided permissive authority to Board of County Commissioners to institute a levy pursuant to Section 5739.026(A)(3) of the Ohio Revised Code for the purpose of providing additional monies for County General Fund, and

WHEREAS, the Board of County Commissioners were required to hold two (2) public hearings which were held on August 23, 2023 at 10:00 a.m. and August 28, 2023 at 10:00 a.m. in the Board of Commissioners' Office in the Administration Building, and notice of said meeting were published in the Brown County Press, a newspaper of general circulation, on July 6, 2023 and July 13, 2023; and

WHEREAS, having heard all interested persons who requested to be heard on such question and having considered fully the opinions and views expressed at such public hearings and other appropriate factors and matters, the Board of County Commissioners has determined that this resolution should be considered for adoption,

NOW THEREFORE BE IT RESOLVED, BY THE Brown County Board of Commissioners that:

Section 1. Pursuant to Section 5739.026(A)(3), Ohio Revised Code, and this resolution is hereby adopted as an emergency measure for the immediate preservation of the public peace, health, and safety, and for the purpose of paying the expenses of administering the increase in the tax and to provide additional revenue to the County's General Fund, there is hereby levied an additional tax at the rate of an one-quarter (1/4) of one (1) percent for a five (5) year period of time and effective tax years 2024, 2025, 2026, 2027, and 2028.

Section 2. That the Clerk of this Board is hereby directed to deliver certified copies of this resolution to the Tax Commissioner of the State of Ohio.

Section 3. That said tax shall become effective January 1, 2024.

Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of the Board that resulted in formal actions were in meetings open to the public, in compliance with all requirements of law.

Commissioner, Tony Applegate, seconded the motion and upon the roll being called, the vote resulted as follows:

- Tony Applegate yea
Daryll Gray yea
Barry Woodruff yea

Adopted this 28th day of August, 2023.

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

August 28, 2023

**IN THE MATTER OF RESOLUTION LEVYING A TAX AT THE RATE OF ONE-QUARTER OF ONE PERCENT COUNTY USE TAX**

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

Resolution 08282023-2

RE: BOARD OF BROWN COUNTY COMMISSIONERS LEVIES A TAX AT THE RATE OF ONE-QUARTER OF ONE PERCENT COUNTY USE TAX PURSUANT TO SECTION 5741.023 OF THE OHIO REVISED CODE.

The Board of County Commissioners, Brown County, Ohio, met in regular session on the 28th day of August, 2023 with the following members present:

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

Commissioner, Gray moved for the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of Brown County Commissioners, have determined that there is insufficient anticipated General Fund revenue for 2024 and subsequent years and is faced with the urgent need for additional operating funds to meet current costs and is of the opinion that institution of an additional one-quarter (1/4) of one (1) percent **use tax** for a period of five years is an absolute necessity to provide additional revenue for the county's general fund; and

**WHEREAS**, the Board of County Commissioners believes these measures are necessary for the immediate preservation of the public health, safety and welfare. The reasons for such necessity are: reduction in state revenues with an increase in state mandates; to preserve the constitutional entitlement programs; to maintain core services such as courts and corrections, as well as law enforcement services which are in jeopardy of not being funded appropriately, and the county must maintain an adequate fund balance to ensure the bond rating remains consistent, and further for the reasons that a lack of funds will cause an inability to appropriately maintain county infrastructure; and

**WHEREAS**, the Legislature of the State of Ohio has provided permissive authority to Board of County Commissioners to institute a levy pursuant to Section 5741.023 of the Ohio Revised Code for the purpose of providing additional monies for County General Funds, and

**WHEREAS**, the Board of County Commissioners were required to hold two (2) public hearings which were held on August 23, 2023 at 10:00 a.m. and August 28, 2023 at 10:00 a.m. in the Board of Commissioners' Office in the Administration Building, and notice of said meeting were published in the Brown County Press, a newspaper of general circulation, on July 6, 2023 and July 13, 2023; and

**WHEREAS**, having heard all interested persons who requested to be heard on such question and having considered fully the opinions and views expressed at such public hearings and other appropriate factors and matters, the Board of County Commissioners has determined that this resolution should be considered for adoption,

**NOW THEREFORE BE IT RESOLVED**, BY THE Brown County Board of Commissioners that:

**Section 1.** Pursuant to Section 5741.023, Ohio Revised Code, and this resolution is hereby adopted as an emergency measure for the immediate preservation of the public peace, health, and safety, and for the purpose of paying the expenses of administering the increase in the tax and to provide additional revenue to the County's General Fund, there is hereby levied an additional tax at the rate of an one-quarter (1/4) of one (1) percent for a five (5) year period of time and effective tax years 2024, 2025, 2026, 2027, and 2028.

**Section 2.** That the Clerk of this Board is hereby directed to deliver certified copies of this resolution to the Tax Commissioner of the State of Ohio.

**Section 3.** That said tax shall become effective January 1, 2024.

**Section 4.** It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of the Board that resulted in formal actions were in meetings open to the public, in compliance with all requirements of law.

Commissioner, Tony Applegate, seconded the motion and upon the roll being called, the vote resulted as follows:

Tony Applegate	yea
Daryll Gray	yea
Barry Woodruff	yea

Adopted this 28th day of August, 2023.

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

August 28, 2023

**IN THE MATTER TO APPOINT BOARD MEMBER – BCMHAS**

Motion moved by Mr. Applegate to appoint Sherry Ridner, to the Board of Mental Health and Addiction Services Board, for a term beginning August 28, 2023 and ending June 30, 2026. Second: Mr. Gray.

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

**IN THE MATTER TO ADJOURN**

Motion moved by Mr. Gray to adjourn this meeting with no further business before the Board this 28<sup>th</sup> day of August, 2023. Second: Mr. Applegate.

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

8/24/2023

Commissioner Daryll Gray the Southern Ohio Buckeye Safety Council meeting, ABCAP.  
Commissioner Barry Woodruff attended an OVRDC Personnel Committee meeting, Waverly.  
Commissioner Barry Woodruff an OVRDC Executive Committee Meeting, Waverly.

8/28/2023

Commissioners met with Chris Rogers, Becky Cropper, Fred Scott, Ken Morrison, and Jim Crocker, SWCD, to discuss 2024 budget appropriations.  
Commissioners met with Mariah Votel, Recorder, for a department update.

Approval: August 30, 2023

  
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Barry Woodruff, President

  
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Daryll Gray, Member

  
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Tony Applegate, Member

  
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Hannah Ross, Clerk

August 28, 2023