

The Board of County Commissioners, Brown County, Ohio, met in regular session this August 15, 2011 with the following members present:

Mr. Ralph Jennings, President
 Mr. William R. Geschwind, Vice President
 Mr. Rick Eagan, Member

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
 Mr. Eagan, yea
 Mr. Geschwind, yea
 Mr. Jennings, yea

IN THE MATTER OF SUPPLEMENTAL
 APPROPRIATION – AUTO & GAS

Motion moved by Mr. Geschwind to approve the request of Todd Cluxton, Brown County Engineer, for a supplemental appropriation of unappropriated K-01 (Auto & Gas) fund in the amount of \$15,000.00 into K-12a (Material). Second: Mr. Eagan.

ROLL CALL VOTE
 Mr. Eagan, yea
 Mr. Geschwind, yea
 Mr. Jennings, yea

IN THE MATTER OF POST CERTIFICATE
 COUNTY GENERAL FUND

Motion moved by Mr. Eagan to approve the request of Lisa Spiller, Assistant Clerk, for the following post certificate. (Funds not encumbered in a timely manner). Second: Mr. Geschwind.

VENDOR	AMOUNT
D&W Fire Safety	\$3,525.00

ROLL CALL VOTE
 Mr. Eagan, yea
 Mr. Geschwind, yea
 Mr. Jennings, yea

IN THE MATTER OF POST CERTIFICATE
 COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of Lisa Spiller, Assistant Clerk, for the following post certificate. (Funds not encumbered in a timely manner). Second: Mr. Eagan.

VENDOR	AMOUNT
Stans Electrical	\$1,850.00

ROLL CALL VOTE
 Mr. Eagan, yea
 Mr. Geschwind, yea
 Mr. Jennings, yea

IN THE MATTER TO JOURNALIZE
 ANNEXATION PETITION TO THE VILLAGE
 OF GEORGETOWN (0.956 ACRES)

Motion moved by Mr. Eagan to enter into the journal the following Annexation to the Village of Georgetown. Second: Mr. Geschwind.

ROLL CALL VOTE
 Mr. Eagan, yea
 Mr. Geschwind, yea
 Mr. Jennings, yea

(Continued on next page)

August 15, 2011

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

To: Board of County Commissioners of Brown County, Ohio
Brown County Administration Building
800 Mi. Orab Pike
Georgetown, Ohio 45121

The undersigned, being all of the owners of real estate within the area hereinafter described in Exhibit "A" and adjacent to and contiguous with the Village of Georgetown, do respectfully petition the Board of Brown County Commissioners to cause such territory to be annexed to the Village of Georgetown under authority of Section 709.022 of the Revised Code of Ohio.

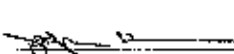
The number of owners within the area are five (5) in total.

1. Attached to this Petition and made a part hereof is an accurate legal description of the perimeter of the territory proposed for annexation, marked Exhibit "A".
2. Attached to this Petition and made a part hereof is an accurate map or plat of the territory proposed for annexation, marked Exhibit "B".
3. Accompanying this Petition is a list of parcels in the area to be annexed and adjacent territory that includes name of owner, mailing address of owner and permanent parcel number, marked Exhibit "C".


The undersigned Petitioners do hereby designate Jay D. Cutrell, who is located at 118 South Main Street, Georgetown, Ohio 45121, as their agent. His telephone number is (937) 378-6165; fax number is (937) 378-6567; and his email address is jdc@mccomm-cutrell.com.

Petition for Annexation
to the Village of Georgetown

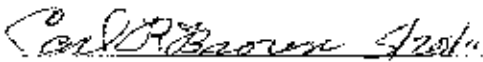
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.



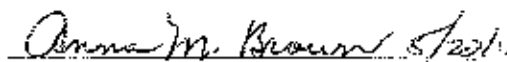
 Joseph A. Dawson *8/20/11*
 Date Signed
 135 Hamer Road
 Georgetown, Ohio 45121
 Parcel No. 31-058956.0000



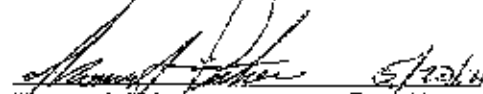
 Susan L. Dawson *8/20/11*
 Date Signed
 135 Hamer Road
 Georgetown, Ohio 45121
 Parcel No. 31-058956.0000



 Cari R. Brown *8/20/11*
 Date Signed
 129 Hamer Road
 Georgetown, Ohio 45121
 Parcel No. 31-058688.0000



 Anna M. Brown *8/20/11*
 Date Signed
 129 Hamer Road
 Georgetown, Ohio 45121
 Parcel No. 31-058688.0000



 Thomas J. Kithen *8/20/11*
 Date Signed
 121 Hamer Road
 Georgetown, Ohio 45121
 Parcel No. 31-060176.0000

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Exhibit "A"

Annexation of 0.956 Acres
to the Village of Georgetown, Ohio

Situate in J. Kerr Military Survey No. 7444, Roy Workman Plot (unrecorded), Pleasant Township, Brown County, Ohio said being 0.319 Acres aka as Lot 14 of Roy Workman Plat-unrecorded (of which 0.043 Acres are in the right-of-way of Hamer Road) identified as Parcel No. 310601760000 conveyed to Thomas J. Fithen in Official Record 192, page 567; and being 0.319 Acres aka as Lot 15 of Roy Workman Plat-unrecorded (of which 0.043 Acres are in the right-of-way of Hamer Road) identified as Parcel No. 310586880000 conveyed to Carl R. and Anna M. Brown in Official Record 295, page 301; and being 0.318 Acres aka as Lot 16 of Roy Workman Plot-unrecorded (of which 0.043 Acres are in the right-of-way of Hamer Road) identified as Parcel No. 310589560000 conveyed to Joseph A. and Susan L. Dawson in Official Record 316, page 61 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows:

Beginning at a mag nail set on the existing corporation line of the Village of Georgetown in the centerline of Hamer Road at the southeasterly corner of Jerry M. Staggs and Vicky L. Ervin Staggs 's 0.31 Acre tract aka Lot 13 of Roy Workman Plot-unrecorded, as recorded in Official Record 342, page 1239 in the Brown County, Ohio Recorder's Office;

Thence from said beginning point and with said existing corporation line and with the line of said Staggs North 22 degrees 23 minutes 28 second West a distance of 185.28 feet to a 1" iron pin set on the line of Church of Christ's 12.669 Acre tract;

Thence continuing with the said existing corporation line and with the line of said Church of Christ North 67 degrees 37 minutes 34 seconds East a distance of 225.00 feet to a 5/8" iron pin found on the line of Robert G. Bruist 's 0.40 Acre tract aka Lot 17 of Roy Workman Plat-unrecorded;

Thence continuing with the said existing corporation line and with the line of said Bruist South 22 degrees 23 minutes 28 seconds East a distance of 184.81 feet to a mag nail found in the centerline of said road;

Thence continuing with the said existing corporation line and with the centerline of said road South 67 degrees 30 minutes 19 seconds West a distance of 225.00 feet to the place of beginning CONTAINING 0.956 ACRES, more or less, subject, however to all legal highways and easements of record. Bearings are based on Ohio State Plane Coordinates, Ohio South 3402; all other bearings are based upon angles and distances measured in the field.

This description was prepared by Gerald S. Renshaw, P.S., Ohio Registration No. 4872 on 17 November 2010.

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

In the Matter of the Annexation of:
0.956 Acres to the Village of Georgetown
on Petition of Joseph A. Dawson, 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

(Continued on next page)

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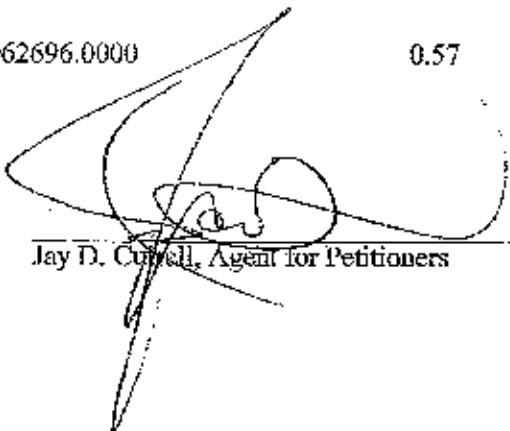
<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
Joseph A. Dawson and Susan L. Dawson 135 Hamer Road Georgetown, Ohio 45121	31-058956.0000	0.27
Carl R. Brown and Anna M. Brown 129 Hamer Road Georgetown, Ohio 45121	31-058688.0000	0.30
Thomas J. Fithen 121 Hamer Road Georgetown, Ohio 45167	31-060176.0000	0.30

Tracts Adjacent to Territory Proposed for Annexation

<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
The Church of Christ 189 Hamer Road Georgetown, Ohio 45121	33-062044.00001	12.67
Jerry M. Staggs and Vicky L. Staggs 115 Hamer Road Georgetown, Ohio 45121	33-061596.0000	0.27

Tracts Adjacent to Territory Proposed for Annexation
(continued)

<u>Owner Name and Address</u>	<u>Parcel Number</u>	<u>Acreage</u>
Robert G. Bruist 143 Hamer Road Georgetown, Ohio 45121	33-060980.0000	0.40
Judith Ann Wilson P.O. Box 219 Georgetown, Ohio 45121	33-063024.0000	17.41
Creed Hall and Norma Hall 115 Hamer Road Georgetown, Ohio 45121	33-062228.0000	0.86
George D. Watson 610 Knobby Knoll Drive Georgetown, Ohio 45121	33-062696.0000	0.57



Jay D. Currell, Agent for Petitioners

ANNEXATION AGREEMENT
(RC 709.192)

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

(Continued on next page)

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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. 1038 duly adopted on the 26th day of May, 2011; and

WHEREAS, the board of township trustees of the TOWNSHIP have authorized the execution of this Annexation Agreement by Resolution duly adopted on the 19th day of July, 2011;

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

1. Joseph A. Dawson, Susan L. Dawson, Carl R. Brown, Anna M. Brown and Thomas J. Filbert 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:

SEE EXHIBIT "A" ATTACHED HERETO

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

3. Neither the VILLAGE nor the TOWNSHIP are zoned and 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.

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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.

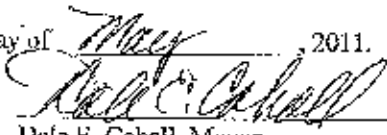
13. Nothing contained in this Annexation Agreement shall be construed to require the changing of township boundaries under Chapter 503 of the Revised Code to exclude newly annexed territory from the original township and providing services to that territory.

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.

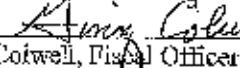
15. The TOWNSHIP consents to the petition of Joseph A. Dawson, Susan L. Dawson, Carl R. Brown, Anna M. Brown and Thomas J. Fithen for the annexation of the Territory to the VILLAGE.

16. The VILLAGE consents to the petition of Joseph A. Dawson, Susan L. Dawson, Carl R. Brown, Anna M. Brown and Thomas J. Fithen for the annexation of the Territory to the VILLAGE.

Executed by the VILLAGE: this 26th day of May, 2011.


Dale E. Cahall, Mayor

ATTEST:


Ginny Colwell, Fiscal Officer

(Continued on next page)

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Executed by the TOWNSHIP this 19 day of July, 2011

Paul White
Township Trustee

Gary Ryan
Township Trustee

Don Doult
Township Trustee

ATTEST:

Caroline Drake
Fiscal Officer of Pleasant Township

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 Georgetown, Brown County, Ohio on the 26 day of May, 2011

Ginny Colwell
Ginny Colwell, Fiscal Officer

Dated: 5/26/2011

IN THE MATTER OF RESOLUTION
APPROVING ANNEXATION TO THE VILLAGE
OF GEORGETOWN (0.956)

Motion moved by Mr. Geschwind to approve the following Resolution Approving Annexation to the Village of Georgetown.
Second: Mr. Eagan.

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

RESOLUTION OF COUNTY COMMISSIONERS APPROVING ANNEXATION

These proceedings came on for consideration by the Board of County Commissioners of Brown County, Ohio on the petition of Joseph A. Dawson, et al. praying for the annexation of certain territory in Pleasant Township to the Village of Georgetown. The Board of County Commissioners finds as follows:

1. The petition contains all matter required by law including, without limitation:
 - a) An accurate legal description of the perimeter and an accurate map or plat of the territory proposed for annexation;
 - b) A statement of the total number of owners of real estate in the territory sought to be annexed;
 - c) The name of the person to act as agent for the petitioners.
2. At the time of filing, the petition was accompanied by:

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- a) 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 section 319.28 of the Revised Code for each tract, lot, or parcel;
- b) a certified copy of an annexation agreement provided for in section 709.192 of the Revised Code that has been entered into by the municipal corporation and each township any portion of which is included within the territory proposed for annexation.

3. The petition has been filed under section 709.021 of the Revised Code and requests to follow that section and section 709.022 of the Revised Code for the special procedure of annexing

land with the consent of all parties; that all owners of real estate in the territory sought to be annexed, not just a majority of owners, have signed the petition; that no signature was obtained more than one hundred eighty days before the date on which the petition was filed; that no signatures have been withdrawn from the petition; and that the petition contains the notice provided for in division (B) of section 709.022 of the Revised Code.

Therefore, the prayer of the petition is hereby granted without hearing and the territory described in the petition shall be annexed to the Village of Georgetown. The final transcript of this Board relating thereto together with the accompanying plat and petition and all other papers pertaining thereto shall be delivered forthwith to the Fiscal Officer of the Village of Georgetown.

Dated August 15, 2011

**IN THE MATTER OF APPROPRIATION
CHANGE – COUNTY GENERAL FUND**

Motion moved by Mr. Geschwind to approve the request of Jean Rickey, Clerk, upon the request of the Brown County Sheriff for the following appropriation change. Decrease 17a17a (Contingencies) in the amount of \$66,000.00 and Increase 6A3 (Supplies) in the amount of \$40,000.00 and Increase 6A3A (Supplies Detention) in the amount of \$26,000.00. Second: Mr. Eagan.

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

**IN THE MATTER OF APPROPRIATION
CHANGE - COUNTY GENERAL FUND**

Motion moved by Mr. Eagan to approve the request of Lisa Spiller, Assistant Clerk, for the following appropriation change. Decrease 17a17a (Contingencies) in the amount of \$8,000.00 and increase 2B49 (Transcripts) in the amount of \$8,000.00. Second: Mr. Geschwind.

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ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

IN THE MATTER OF POST CERTIFICATE
COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of Lisa Spiller, Assistant Clerk, for the following post certificate. (Funds not encumbered in a timely manner). Second: Mr. Eagan.

VENDOR	AMOUNT
Jana Rigdon	\$232.00

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

IN THE MATTER OF POST CERTIFICATE
COUNTY GENERAL FUND

Motion moved by Mr. Eagan to approve the request of Lisa Spiller, Assistant Clerk, for the following post certificate. (Funds not encumbered in a timely manner). Second: Mr. Geschwind.

VENDOR	AMOUNT
Jana Rigdon	\$1,648.00

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

IN THE MATTER OF APPROPRIATION
CHANGE – AUTO & GAS

Motion moved by Mr. Geschwind to approve the request of Todd Cluxton, Brown County Engineer, for the following appropriation change. Decrease K-16 (Contract Projects) in the amount of \$355,000.00. Increase K-12a (Material) in the amount of \$50,000.00, K-12b (Control & Service) in the amount of \$100,000.00, Increase K-24a (Other Expenses) in the amount of \$5,000.00, Increase K-26 (Material) in the amount of \$100,000.00 and K-29 (Contract Services) in the amount of \$100,000.00. Second: Mr. Eagan.

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

IN THE MATTER TO RECESS

Motion moved by Mr. Geschwind to recess this meeting at 3:00 p.m. until 7:30 p.m. August, 15, 2011, to conduct further business. Second: Mr. Eagan.

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

IN THE MATTER TO RECONVENE

Motion moved by Mr. Geschwind to reconvene the regular meeting at 7:30 p.m. August 15, 2011, to meet with the Humane Society to discuss operation of the Brown County Animal Shelter. Those representing the Humane Society were Ray and Jan Staubach, Marion Misch, Leslie Zureick and Lois Snider. Second: Mr. Eagan.

ROLL CALL VOTE

Mr. Eagan, yea
Mr. Geschwind, yea
Mr. Jennings, yea

August 15, 2011

Commissioner Ralph Jennings, Chairman of the Records Commission, conducted a Records Commission meeting with the following present. Cindy Klein, Records Commission Secretary, Amy Jo DeClaire, Brown County Recorder, Connie Patrick, Brown County Treasurer, Steve Purtell, Assistant Prosecutor and Doug Green, Brown County Auditor.

8/11/11

The Solid Waste Authority monthly meeting was held in the Brown County Commissioners Office.

8/15/11

The Commissioners met with Douglas E. London to discuss property issues.

The Commissioners met with Robert Rahn, Wayne McCleese and Avery McCleese to discuss flooding issues on Boyd Rd. in Mt. Orab, Ohio.


IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day August 15, 2011.
Second: Mr. Eagan.


ROLL CALL VOTE

- Mr. Eagan, yea
- Mr. Geschwind, yea
- Mr. Jennings, yea

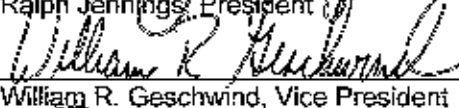
Approval: August 17, 2011



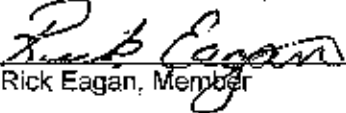
 Jean Rickey, Clerk



 Ralph Jennings, President



 William R. Geschwind, Vice President



 Rick Eagan, Member