

The Board of County Commissioners, Brown County, Ohio, met in regular session this 29th day of August, 2022 with the following members present: Daryll R. Gray, Member Barry Woodruff, Member Tony Applegate, 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. Woodruff.

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

IN THE MATTER OF ESTIMATE – 2022 OPWC COUNTY/WASHINGTON TOWNSHIP/MT. ORAB ROAD RESTRUCTURING – ENGINEER

Motion moved by Mr. Woodruff to approve the following estimate. Second: Mr. Gray.

PROJECT DESCRIPTION: 2022 OPWC County/Washington Township/Mt. Orab Road Restructuring					ESTIMATE			
Item No.	ODOT SPEC. NO.	Description	Units	Quantities	Unit Prices		Total Cost	
					Dollar	Cts	Dollar	Cts
1		Premium for Performance Bond	LUMP	LUMP			5000	00
2		Maintaining Traffic	LUMP	LUMP			2500	00
3		Mobilization	LUMP	LUMP			5000	00
C-56 OAKLAND-LOCUST RIDGE ROAD								
4	448	Surface Course (2")	C.Y.	2717	200	00	543,400	00
5	617	Shoulder Aggregate	C.Y.	606	60	00	36,360	00
T-26 POOL KUNTZ ROAD								
6	448	Surface Course (1.5")	C.Y.	412	210	00	86,520	00
7	448	Intermediate Course (1.5")	C.Y.	412	210	00	86,520	00
8	617	Shoulder Aggregate	C.Y.	248	65	00	16,120	00
T-226 STIEMAN ROAD								
9	448	Surface Course (1.5")	C.Y.	658	210	00	138,180	00
10	448	Intermediate Course (1.5")	C.Y.	658	210	00	138,180	00
11	617	Shoulder Aggregate	C.Y.	395	65	00	25,675	00
OAK STREET (MT. ORAB)								
12	448	Surface Course (1.5")	C.Y.	87	210	00	18,270	00
13	254	Pavement Planing, Asphalt Concrete (1.5")	C.Y.	87	65	00	5,655	00

PROJECT DESCRIPTION: 2022 OPWC County/Washington Township/Mt. Orab Road Restructuring					ESTIMATE			
WILLOW RUN ROAD (MT. ORAB)								
14	448	Surface Course (1.5")	C.Y.	252	210	00	52,920	00
15	254	Pavement Planing, Asphalt Concrete (1.5")	C.Y.	252	65	00	16,380	00
WATER STREET (MT. ORAB)								
16	448	Surface Course (1.5")	C.Y.	134	210	00	28,140	00
17	254	Pavement Planing, Asphalt Concrete (1.5")	C.Y.	134	65	00	8,710	00
PINE RIDGE AVENUE (MT. ORAB)								
18	448	Surface Course (1.5")	C.Y.	148	210	00	31,080	00
19	254	Pavement Planing, Asphalt Concrete (1.5")	C.Y.	148	65	00	9,620	00
MAPLE RIDGE AVENUE (MT. ORAB)								
20	448	Surface Course (1.5")	C.Y.	147	210	00	30,870	00
21	254	Pavement Planing, Asphalt Concrete (1.5")	C.Y.	147	65	00	9,555	00
ELLA ROSE (MT. ORAB)								
22	448	Surface Course (1.5")	C.Y.	125	210	00	26,250	00
TOMS TURN AROUND (MT. ORAB)								
23	448	Surface Course (1.5")	C.Y.	59	210	00	12,390	00

PROJECT DESCRIPTION: 2022 OPWC County/Washington Township/Mt. Orab Road Restructuring					ESTIMATE			
TYLER DRIVE (MT. ORAB)								
24	448	Surface Course (1.5")	C.Y.	82	210	00	17,220	00
LIMING FARM ROAD (MT. ORAB)								
25	448	Surface Course (1.5")	C.Y.	185	210	00	38,850	00

Respectfully Submitted,

Grand Total: \$ 1,389,365.00

ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea
August 29, 2022

IN THE MATTER OF ESTIMATE – 2022 OPWC FISHING GUT ROAD BRIDGE – ENGINEER

Motion moved by Mr. Gray to approve the following estimate. Second: Mr. Woodruff.

PROJECT DESCRIPTION: 2022 OPWC Fishing Gut Road Bridge (T060-0039)				ESTIMATE				
Item No.	ODOT SPEC. NO.	Description	Units	Quantities	Unit Prices		Total Cost	
					Dollar	Cts	Dollar	Cts
ROADWAY								
1.	201	Clearing and Grubbing	Lump	Lump	2500	00	2500	00
2.	202	Portion of Structure Removed, over 20' span	Lump	Lump	10000	00	10000	00
3.	203	Embankment	C.Y.	219	20	00	4380	00
4.	204	Subgrade Compaction	S.Y.	705	2	00	1410	00
5.	204	Geotextile Fabric	S.Y.	705	2	50	1762	50
6.	301	Asphalt Concrete- Base Course, PG64-28, (449)	C.Y.	51	230	00	11730	00
7.	304	Aggregate Base	C.Y.	218	55	00	11990	00
8.	411	Stabilized Crushed Aggregate (Shoulder Prep)	C.Y.	12	80	00	960	00
9.	441	Asphalt Concrete – Surface Course, PG64-22, Type 1 (448)	C.Y.	34	230	00	7820	00
10.	503	Unclassified Excavation	C.Y.	325	30	00	9750	00
STRUCTURE								
11.	304	Aggregate Base (Wall Backfill)	C.Y.	777	45	00	34965	00
12.	503	Cofferdams and Excavating Bracing	Lump	Lump	3000	00	3000	00
13.	503	Unclassified Excavation Back of Walls	C.Y.	875	30	00	26250	00
14.	503	Rock Excavation (Footer)	C.Y.	49	40	00	1960	00
15.	509	Epoxy Coated Reinforcing Steel	Pounds	4655	2	00	9310	00
16.	509	Deck Reinforcing Steel	Pounds	5335	2	00	10670	00
17.	511	Class QC2 Concrete with QC/QA, Superstructure	C.Y.	32	1000	00	32000	00
18.	511	Class QC1 Concrete, Abutment including footing	C.Y.	118	500	00	59000	00

PROJECT DESCRIPTION: 2022 OPWC Fishing Gut Road Bridge (T060-0039)				ESTIMATE				
Item No.	ODOT SPEC. NO.	Description	Units	Quantities	Unit Prices		Total Prices	
					Dollar	Cts	Dollars	Cts
19.	516	Elastomeric Bearing w/ Internal Laminates Only (Neoprene)	Each	28	150	00	4200	00
20.	517	Railing (Twin Steel Tube Bridge Railing)	Ft.	100	140	00	14000	00
21.	518	Porous Backfill w/ Filter Fabric	C.Y.	99	75	00	7425	00
22.	Special	Steel Drip Strip	Ft.	100	15	00	1500	00
23.	606	Guardrail, Type 5	Ft.	143.75	22	00	3162	50
24.	606	Anchor Assembly, Type T	Each	4	2000	00	8000	00
25.		Delivery and Erection of Beams	Lump	Lump	7000	00	7000	00
EROSION CONTROL								
26.	659	Seeding and Mulching	S.Y.	1068	2	00	2136	00
DRAINAGE								
27.	605	Aggregate Drains	Ft.	108	50	00	5400	00
MAINTENANCE OF TRAFFIC								
28.	614	Maintaining Traffic	Lump	Lump	5000	00	5000	00
INCIDENTALS								
29.	624	Mobilization	Lump	Lump	5000	00	5000	00
30.	103	Premium for Contract Performance Bond	Lump	Lump	4000	00	4000	00

NOTE: (Item 25) Production of the pre-stressed concrete composite box beams is complete. Contractor is responsible for transport of beams from the Brown County Engineer's Office, 25 Veterans Boulevard, Georgetown, Ohio 45121 to the jobsite.

PROJECT DESCRIPTION: 2022 OPWC Fishing Gut Road Bridge (T060-0039)

Respectfully Submitted,

Grand Total: \$306,281.00

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

IN THE MATTER OF APPROPRIATION CHANGE – BOARD OF ELECTIONS

Motion moved by Mr. Woodruff to approve the request of Connie Ayers, Director, for an appropriation change to decrease 2085-1004-52123 *Primary Grant BOE Poll Workers* in the amount of \$1,500.00 and increase 2085-1004-51118 *Employee PERS* in the amount of \$1,500.00. Second: Mr. Gray.

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

IN THE MATTER TO CONTRACT FOR CLEANING SERVICES

Motion moved by Mr. Gray to enter contract with L&E Cleaning, 121 Maple Ridge Ave., Mount Orab, Ohio 45154, for cleaning services of 510 East State Street Georgetown, Ohio 45121, twice per week, every week, for a 1-year period, effective July 1, 2022 through June 30, 2023, for a sum of \$95.00 per cleaning. Second: Mr. Woodruff.

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

August 29, 2022

IN THE MATTER OF GRANT AGREEMENT – FAMILY & CHILDREN FIRST COUNCIL – JFS

Motion moved by Mr. Woodruff upon the recommendation of Sheri Tabor, JFS Director, to enter a grant agreement with Adams Brown Counties Economic Opportunities, Inc, 406 W. Plum Street, Georgetown, Ohio 45121, to administer Early Intervention and Service Coordination services, effective July 1, 2022 through June 30, 2023. Second: Mr. Gray.

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

IN THE MATTER OF RESOLUTION – DECLARING PORTIONS OF THE UNINCORPORATED AREAS OF BROWN COUNTY TO BE RESTRICTED, PROHIBITING CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES PURSUANT TO O.R.C. 303.57

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

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

A RESOLUTION DECLARING PORTIONS OF THE UNINCORPORATED AREAS OF BROWN COUNTY, OHIO TO BE RESTRICTED, PROHIBITING CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS, AND LARGE SOLAR FACILITIES PURSUANT TO O.R.C. 303.57

The Board of County Commissioners, Brown County, Ohio met in regular session on the 29th of August, 2022, with the following Commissioners present:

Tony Applegate, President
Daryll R. Gray, Member
Barry L. Woodruff, Member

The clerk advised that the Board followed the notice of requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Commissioner Gray moved for adoption of the following resolution:

WHEREAS, the Ohio General Assembly adopted Senate Bill 52 (hereinafter "SB 52") which provides for more localized regulation of large utility facilities, defined as economically significant wind farms, which are defined in O.R.C. 4906.13; large wind farms; and solar facilities, which are defined in O.R.C. 4906.01 (hereinafter collectively referred to as "Large Utility Facilities"); and

WHEREAS, SB 52 went into effect October 11, 2021 and is now designated as Ohio Revised Code 303.57; and

WHEREAS, the County Boards of Commissioners, pursuant to Ohio Revised Code 303.57 have been vested with the authority to regulate Large Utility Facilities by way of designated all of part of the unincorporated areas of a County as restricted, prohibiting the construction of said Large Utility Facilities within said restricted areas; and

WHEREAS, the Board of Commissioners, Brown County, Ohio, has a responsibility for preserving the general health, safety, and welfare within the territory of Brown County, Ohio; and

WHEREAS, the development of "economically significant wind farms" as defined in Ohio Revised Code 4906.13, "large wind farms" and "large solar facilities" as both are defined in Ohio Revised Code 4906.01 (collectively referred to as "Large Facility Facilities") and subject to restriction pursuant to Ohio Revised Code 303.57, has numerous potential impacts on users and property owners in the vicinity of such developments; and

WHEREAS, the Board has considered the potential impacts of development as well as the interests of property owners in making their land available for development; and

WHEREAS, utilizing the above considerations, and considerations from all townships within the unincorporated areas of the County, the Board has prepared a map containing the restricted areas within the unincorporated areas of Brown County, Ohio; and

WHEREAS, pursuant to Ohio Revised Code 303.58, said map has been posted at all public libraries within Brown County, Ohio for a period of at least thirty (30) days; and

WHEREAS, pursuant to Ohio Revised Code 303.58, public notice of this meeting has been given to all school districts, municipal corporations, and Boards of Township Trustees located in whole, or in part within the boundaries of the proposed restricted areas.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, BROWN COUNTY, OHIO, The Board of Commissioners hereby designates all unincorporated areas of Brown County, Ohio, as a restricted area for construction of "economically significant wind farms" as defined in Ohio Revised Code 4906.13, "large wind farms" and "large solar facilities" as both are defined in Ohio Revised Code 4906.01, also known as "Large Utility Facilities."

BE IT FURTHER RESOLVED, a map documenting the restricted areas of the unincorporated areas of Brown County, Ohio is attached here to and marked as Exhibit A and incorporated by reference; and

BE IT FURTHER RESOLVED, this resolution shall be in full force and effect thirty (30) days after its adoption, pursuant to Ohio Revised Code 303.59, unless it is timely petitioned for a referendum by the requisite number of registered electors in the county.

BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of the Board of Commissioners, Brown County, Ohio, relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Commissioner Woodruff seconded the Resolution. All voted as follows:

August 29, 2022

IN THE MATTER TO ADJOURN

Motion moved by Mr. Woodruff to adjourn this meeting with no further business before the Board this 29th day of August, 2022. Second: Mr. Gray.

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

8/25/2022

Commissioner Daryll Gray attended Southern Ohio Buckeye Safety Council meeting.

8/26/2022


Commissioner Daryll Gray met with Darin Schweickart, DS2 Architects, for a building inspection at 9116 Hamer Road.

8/29/2022

Commissioners met with Wayne Gates, Ripley Village Administrator, to discuss village updates.

Commissioners attended a public hearing for consideration of the resolution to restrict portions of the unincorporated areas of the county from the development of wind and solar farms. In attendance: Nicholas Dailey, Franklin Township, Joseph Purdy, Eagle Township, Gary Pickerill, Jefferson Township, Jeff Johnson, Jefferson Township, Jeff Wiederhold, Perry Township, Robert Hare, Eagle Township, Aubrey Bolender, BCSWCD, Mike Spitznagel, Green Township, Rob Starrett, Lewis Township, Todd Rickter, Sterling Township, Ryan Passet, Lewis Township, Jenny Conrad, Pike Township, Frank Fussnecker, Franklin Township, Mike Kress, Franklin Township.

Approval: August 31, 2022



Tony Applegate, President



Barry Woodruff, Member



Daryll Gray, Member



Hannah Ross, Clerk

August 29, 2022