

The Board of County Commissioners, Brown County, Ohio, met in regular session this 30<sup>th</sup> day of October, 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 – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Alisa Stahl, Assistant Clerk, for a supplemental appropriation of unappropriated funds from 1000 CGF in the amount of \$1,600.00 into 1000-1000-52114 *Commissioner Office Travel Expenses*. Second: Mr. Gray.

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

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

Motion moved by Mr. Gray to approve the request of Kelly Cole, Development, for a supplemental appropriation of unappropriated funds from 2100 *Community Development & Block Grant Fund* in the amount of \$8,316.70 into 2100-1005-52133 *Transfer Out Community Allocation*. Second: Mr. Applegate.

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

#### IN THE MATTER OF TRANSFER OF FUNDS – DEVELOPMENT

Motion moved by Mr. Applegate to approve the request of Kelly Cole, Development, for a transfer of funds from 2100-1005-52133 *Transfer Out Community Allocation* in the amount of \$8,316.70 into 1000-1000-40547 *Transfer In*, said funds will be used to reimburse salaries and related expenses for the period of July-October 2023. Second: Mr. Gray.

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

#### IN THE MATTER OF RESOLUTION TO SUPPORT THE SAFE AND RAPID DEPLOYMENT OF ESSENTIAL BROADBAND CONNECTIVITY AND INVESTMENT

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

##### RESOLUTION NO. 10302023-1

*To support the safe and rapid deployment of essential broadband connectivity and investment in Brown County, and to strongly urge the Public Utilities Commission of Ohio (PUCO) to quickly resolve the unprecedented pole permitting delays by Investor-Owned Utilities that are preventing high-speed broadband from reaching unserved and underserved County residents.*

The Board of County Commissioners of Brown County, Ohio, met on the 30<sup>th</sup> day of October, 2023, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

Tony Applegate  
Daryll Gray  
Barry Woodruff

The following resolution was presented by Mr. Gray, who moved its adoption, and seconded by Mr. Applegate.

WHEREAS, Investments in high-speed broadband infrastructure are vital to connect rural Ohio's unserved and underserved consumers and small businesses, help close the digital divide, create economic opportunity and enhance long-term growth; and,

WHEREAS, high-speed internet enhances opportunity in the modern economy for unserved households and small businesses across Ohio and in Brown County by enabling greater access to education, employment, healthcare, and civic engagement; and,

WHEREAS, Effective and efficient rural broadband deployment relies on quick, fair, and reasonably priced access to poles owned by utilities; and,

WHEREAS, As the Federal Communications Commission ("FCC") observed in 2018, "[n]ow, more than ever, access to this vital [pole] infrastructure must be swift, predictable, safe, and affordable, so that broadband providers can continue to enter new markets and deploy facilities that support high-speed broadband;" and

WHEREAS, In support of these important policies, the Public Utilities Commission of Ohio ("PUCO") has adopted rules that regulate the prices, terms, conditions, and timelines for utility pole owners to process applications for facilities attachments to the poles those utilities own; and,

WHEREAS, Charter Communications today is investing significantly in Brown County to deploy broadband infrastructure through the Federal Communications Commission's ("FCC's") Rural Digital Opportunity Fund ("RDOF"), and the Ohio Residential Broadband Expansion Grant ("ORBEG") program administered by the Department of Development's office of BroadbandOhio; and,

WHEREAS, These investments seek to connect approximately 6,161 previously unserved County residents and businesses with fiber-based broadband service over the next few years; and

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WHEREAS, An economic analysis reviewed by the County reasonably estimates that connecting those 6,161 locations to high-speed broadband infrastructure would generate between \$111,545,405 and \$169,125,098 of new economic gains to Brown County; and

WHEREAS, The economic analysis also estimates that each month of delay in connecting those locations to high-speed broadband infrastructure would forfeit between \$659,535 and \$999,987 of those economic gains; and

WHEREAS, Given the significant needs for and the massive economic and societal benefits of these investments, the citizens of Brown County desire that these broadband deployment projects be completed and the associated broadband facilities deployed as soon as possible; and

WHEREAS, The Commissioners are aware that Charter has filed a complaint at the PUCO alleging that the Ohio Power Company ("AEP Ohio") is not timely processing Charter's utility pole attachment applications, unduly delaying broadband deployment by Charter and others in areas where AEP Ohio's poles are located; and

WHEREAS, the Columbus Dispatch reported on October 6, 2023 that "70,000 [Charter] poles are awaiting AEP Ohio approval, and more than 70% are in rural parts of Appalachia where broadband is desperately needed;" and,

WHEREAS, the Commissioners agree that it is of vital importance to the citizens of Brown County that utility pole attachments necessary for high-speed broadband connectivity be processed rapidly and the pole attachments be installed quickly and safely;

BE IT RESOLVED BY THE BROWN COUNTY BOARD OF COMMISSIONERS This body hereby strongly urges the PUCO to quickly address and resolve Charter's Pole Attachment Complaint against AEP by issuing an order that requires AEP to take the following actions:

1. Continue processing, and complete surveys on a timely basis for, all currently-pending pole attachment applications it has received;
2. Perform make-ready in a timely manner;
3. Allow Charter and other providers to use self-help to the full extent permitted by Ohio and FCC rules;
4. Submit a publicly available plan detailing AEPs' plans to accomplish these items; and
5. Such other actions the PUCO may determine are necessary to ensure timely attachment of broadband facilities to AEP utility poles.

BE IT FURTHER RESOLVED, that Brown County urges AEP Ohio to devote the resources that are necessary to quickly process utility pole applications from Charter and other broadband providers in compliance with PUCO rules, and urges Charter and other broadband providers, upon receiving required approvals, to safely attach their broadband facilities to AEP Ohio utility poles expeditiously so that broadband opportunity can be effectively realized by the public.

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

**IN THE MATTER OF RESOLUTION – 2024 HOLIDAY SCHEDULE**

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

RESOLUTION NO. 10302023-2  
**IN THE MATTER OF 2024 HOLIDAY SCHEDULE**  
**BROWN COUNTY BOARD OF COMMISSIONERS**  
**ORC 325.19 (D)**

WHEREAS, The Board of County Commissioners of Brown County, Ohio, met on the 30<sup>th</sup> day of October, 2023, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present;

Tony Applegate  
Daryll Gray  
Barry Woodruff

WHEREAS, The Board of County Commissioners of Brown County, Ohio, will observe the holidays specified per the Ohio Revised Code;

THEREFORE, Brown County employees shall receive full pay for the holidays Brown County observes by closing, the following paid holidays for 2024 will be:

|                        |                   |
|------------------------|-------------------|
| New Year's Day         | January 1, 2024   |
| Martin Luther King Day | January 15, 2024  |
| Presidents' Day        | February 19, 2024 |
| Memorial Day           | May 27, 2024      |
| Juneteenth             | June 19, 2024     |
| Independence Day       | July 4, 2024      |
| Labor Day              | September 2, 2024 |
| Columbus Day           | October 14, 2024  |
| Veterans Day           | November 11, 2024 |
| Thanksgiving Day       | November 28, 2024 |
| Christmas Day          | December 25, 2024 |

\*Bargaining Unit Employees as specified by contract.

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

**October 30, 2023**

**IN THE MATTER OF SATISFACTION OF MORTGAGE – CHIP – DEVELOPMENT**

Motion by Mr. Gray upon the recommendation of Kelly Cole, Development, to execute a Satisfaction of Mortgage for the CHIP HOME project dated April 25, 2018, recorded May 9, 2018, in Book 482, Pages 735-739. The outstanding amount owed on the original CHIP Mortgage has been paid in full. Second by Mr. Applegate.

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

**IN THE MATTER OF CONTRACT – 2023 BROWN COUNTY PAVING PROJECT – ENGINEER**

Motion moved by Mr. Applegate, upon the request of Todd Cluxton, to enter contract with Brown County Asphalt, Inc., 11254 Hamer Rd, Georgetown, Ohio 45121, for the 2023 Brown County Paving Project, effective October 10, 2023 to December 9, 2023. 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 30<sup>th</sup> day of October, 2023. Second: Mr. Applegate.

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

10/25/2023

Commissioner Tony Applegate attended a Rumpke Landfill Tour, attended by representatives of the Brown County Solid Waste Authority, Brown County Rural Water Association, and Brown County Soil and Water District.

10/26/2023

Barry Woodruff and Tony Applegate attended a Brown County Land Reutilization Corporation Meeting.

10/30/2023

Commissioners received and reviewed the monthly meal report from the BCSO.

Approval: November 1, 2023

  
Barry Woodruff, President

  
Daryll Gray, Member

  
Tony Applegate, Member

  
Hannah Ross, Clerk

October 30, 2023