

The Board of County Commissioners, Brown County, Ohio, met in regular session this February 29, 2012 with the following members present: Mr. Jennings, President Mr. William R. Geschwind, Vice President Mr. Rick Eagan, Member

### IN THE MATTER OF PREVIOUS MINUTES

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

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

### IN THE MATTER TO APPROVE BILLS

Motion moved by Mr. Eagan to approve the following bills for payment. Second: Mr. Geschwind

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

A00	COUNTY	\$ 43,531.17
O08	COURTHOUSE REPAIRS BONDS	\$ 734.80
P340	SEWER & WATER DISTRICT FUND	\$ 5,684.32
M50	YOUTH SERVICE SUBSIDY	\$ 1,240.00
K05	EMERGENCY PLANNING FUND	\$ 535.50
T90	YOUR PLACE	\$ 106.61
T30	PROSECUTOR VICTIMS ASSISTANCE U	\$ 180.18
B10A	PROSECUTOR DTAC	\$ 115.00
C60	CERTIFICATE OF TITLE ADM FUND	\$ 273.00
A45	TRAVEL & TOURISM	\$ 250.00
C43	COMMON PLEAS MEDIATION FEES	\$ 500.00
B90	CHIP CDBG/OHTF 2010	\$ 4,230.00
C23	JUVENILE COURT SPECIAL PROJECTS	\$ 113.51
B15	INDIGENT DRIVERS ALCOHOL (IDA)	\$ 1,500.00
C31	MUNICIPAL COURT LEGAL RESEARCH	\$ 179.51
C50	SUPPLEMENTAL EQUIPMENT-RECORDER	\$ 1,217.50
A25	E-911 ¼% SALES TAX	\$ 1,865.62
K01	AUTO & GAS	\$192,498.18
H01	JOB & FAMILY SERVICES	\$ 26,790.08
S50	CHILDRENS SERVICES	\$ 1,324.05
T60	BROWN CO FAMILY/CHILDRENS FIRST	\$ 801.60
	<b>TOTAL</b>	<b>\$283,670.63</b>

### IN THE MATTER TO SUBMIT ADMINISTRATION GRANT FROM SOACDF – BROWN COUNTY ECONOMIC DEVELOPMENT

Motion moved by Mr. Geschwind to approve the request of Kelly Cole, Director, Brown County Economic Development, to submit an Administration Grant request from the SOACDF (Southern Ohio Agricultural and Community Development Foundation) for assistance in funding in the amount of \$36,000.00 for the Brown County Economic Development Office. Second: Mr. Eagan

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

### IN THE MATTER OF POST CERTIFICATES – BROWN COUNTY JOB & FAMILY SERVICES

Motion moved by Mr. Eagan to approve the request of David M. Sharp, Director, Brown County Job & Family Services, for the following post certificates. (Funds not encumbered in a timely manner). Second: Mr. Geschwind

VENDOR	CODE	AMOUNT
K-Mart	9B	\$100.00
K-Mart	H07	\$1,174.82

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

### IN THE MATTER OF RESOLUTION AUTHORIZING RENEWAL NOTE AT LOWER RATE (3.25%) ON ISSUANCE OF \$750,000.00 REAL ESTATE ACQUISITION LIMITED TAX GENERAL OBLIGATION BOND ANTICIPATION NOTES

Motion moved by Mr. Geschwind to adopt the following Resolution. In attendance: Vincent Roades and Amy Schultheis, First State Bank. Second: Mr. Eagan.

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

(Continued on next page)

February 29, 2012

The Board of County Commissioners of the County of Brown, Ohio, met in regular session on the 29<sup>th</sup> day of February, 2012, at the office of said board, in the Brown County Administration Building, 800 Mt. Orab Pike, Georgetown, Ohio, with the following members present:

Commissioner William R. Geschwind moved the passage of the following resolution:

**RESOLUTION NO. 02292012**

**COUNTY OF BROWN, OHIO**

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$750,000 REAL ESTATE ACQUISITION LIMITED TAX GENERAL OBLIGATION BOND ANTICIPATION NOTES, 2012 RENEWAL, FOR THE PURPOSE OF REFINANCING NOTES ORIGINALLY ISSUED FOR THE PURPOSE OF ACQUIRING ALL INTERESTS OF BROWN COUNTY REGIONAL HEALTHCARE IN CERTAIN REAL PROPERTY OWNED BY THE BOARD OF COUNTY COMMISSIONERS.**

WHEREAS, this board of county commissioners heretofore determined by appropriate resolution to acquire all interests of Brown County Regional Healthcare in certain real property owned by the board of county commissioners, which real property is located in the Village of Mt. Orab, Brown County, Ohio; and

WHEREAS, this board of county commissioners has requested the county auditor to issue his certificate as to the estimated life of the real estate interests to be acquired with the proceeds of the bonds hereinafter referred to, and said county auditor has certified to this board such estimated life as 30 years in accordance with Section 133.20(B)(4)(c) of the Ohio Revised Code and has further certified the maximum maturity of such bonds as 30 years, and of notes in anticipation of the issuance of bonds, as 20 years; and

WHEREAS, notes issued in anticipation of bonds by this board of county commissioners matured on February 17, 2012, and should be renewed in a like principal amount; and

WHEREAS, the board of county commissioners expects to pay the debt charges on the notes and the bonds in anticipation of which they are issued from the General Fund;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Brown County, Ohio:

**SECTION 1.** That it is necessary to bonds of the county in the principal amount of \$750,000 for the purpose of acquiring all interests of Brown County Regional Healthcare in certain real property owned by the board of county commissioners.

**SECTION 2.** That bonds of the county shall be issued in said principal sum of \$750,000 for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly Sections 133.01 to 133.42, inclusive, of the Ohio Revised Code. Said bonds shall be dated approximately February 1, 2013, bear interest at an approximate rate of six percent (6%) per annum, payable semiannually, and shall mature in substantially equal annual installments over a period of 30 years.

**SECTION 3.** That notes shall be issued in anticipation of said bonds and shall be in the amount of \$750,000, which such amount is not in excess of the amount of said bond issue. Said notes shall be dated February 17, 2012, shall bear interest at the rate of three and one-quarter percent (3.25%) per annum, payable semiannually on August 17, 2012 and February 14, 2013, and shall mature on February 14, 2013, and shall be of such number and denomination as requested by the purchaser.

**SECTION 4.** That said notes shall bear the manual or facsimile signatures of at least two members of the board of county commissioners and the facsimile or manual signature of the county auditor of Brown County, Ohio, provided that at least one of said officials shall sign manually, and have affixed the county auditor's seal; they shall be designated "Real Estate Acquisition Limited Tax General Obligation Bond Anticipation Notes, 2012 Renewal" and shall be payable in federal funds of the United States of America at the office of the Brown County Auditor, Georgetown, Ohio.

**SECTION 5.** That said notes shall be sold to First State Bank, Winchester, Ohio at not less than their principal amount plus accrued interest, in accordance with their offer of purchase, which is hereby accepted, and the proceeds from such sale, except any accrued interest thereon, shall be put into the appropriate fund for said acquisition and used for the purpose aforesaid and for no other purpose.

**SECTION 6.** That said notes shall be the full general obligations of the county and the full faith, credit and revenue of the county are hereby pledged for the prompt payment of the same. The par or discounted value to be received from the sale of the bonds anticipated by said notes and any excess funds, resulting from the issuance of said notes shall, to the extent necessary, be used only for the retirement of said notes at maturity, together with interest thereon and is hereby pledged for such purpose.

**SECTION 7.** That during the year or years while such notes run, there shall be levied on all taxable property in the county, in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of said notes.

**SECTION 8.** That said tax shall be and is hereby ordered computed, certified, extended and levied upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected.

Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of said notes or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other funds are available and appropriated for payment of debt charges, said tax need not be levied.

**SECTION 9.** That this board of county commissioners, for and on behalf of the County of Brown, Ohio, hereby covenants that it will restrict the use of the proceeds of the notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. The county auditor, or any other officer having responsibility with respect to the issuance of the notes, is authorized and directed to give an appropriate certificate on behalf of the county, on the date of delivery of the notes, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These notes are designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code. The county does not expect to issue more than \$10,000,000 of tax-exempt obligations during the calendar year 2012.

**SECTION 10.** That the appropriate county officers and officials are hereby authorized and directed to execute and deliver all certificates and closing documents with respect to the issuance of the notes on the recommendation of Peck, Shaffer & Williams LLP, as bond counsel.

**SECTION 11.** That this board of county commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this board, and that all deliberations of this board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the law.

SECTION 12. That the clerk of the board is hereby directed to forward a copy of this resolution to the county auditor of Brown County, Ohio.

Commissioner Rick Eagan seconded the resolution and the roll being called upon its passage, the vote resulted as follows:

Commissioner Eagan, yea      Commissioner Geschwind, yea      Commissioner Jennings, yea

PASSED this 29<sup>th</sup> day of February, 2012.

Jean Richey  
Clerk, Board of County Commissioners  
Brown County, Ohio

**IN THE MATTER TO APPROVE THE IV-D CONTRACT BETWEEN CSEA AND THE BROWN COUNTY COMMON PLEAS COURT**

Motion moved by Mr. Geschwind to approve the IV-D Contract between the Brown County Child Support Enforcement Agency and the Brown County Common Pleas Court for purchase of services in the amount of \$ 35.60 per hour. The Court will hear all child support motions for contempt, administrative modification, establishment of child support, medical order, etc. The contract period is effective from 1/1/12 through 12/31/2012. The Contract Price: \$55,106.71. Second: Mr. Eagan.

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

**2/28/12**

The Commissioners held a health insurance renewal meeting in the Commissioner's Office. In attendance: Jessica Little, Prosecutor, Amy Jo DeClaire, Recorder, Elizabeth Henry, Communication Center, Dwayne Wenninger, Sheriff, Lisa Berry, Engineers Office, Susan Smith, CSEA, Doug Green, Auditor, Connie Patrick, Treasurer, David M. Sharp and Sherry Durbin, JFS. The Commissioners met with Ray & Jan Staubach, Brown County Humane Society, to discuss the Brown County Animal Shelter.

**2/29/12**

The Commissioners met with Kathy Jones and Kathy Long, Brown County Board of Elections, to discuss operation of the Brown County Board of Elections.

The Commissioners met with Bruce Lunsford, Mayor, Mt. Orab, Ohio, to discuss the Mt. Orab Port Authority.

The Commissioners met with Dale Cahall, New York Life, to discuss the health insurance renewal.

The Commissioners met with Keith Gray and Jenny Andrews, Brown County Common Pleas Court, to discuss Criminal Justice Grants.

The Commissioners met with Connie Laug, SW District Director, Senator Rob Portman's Office and Kelly Cole, Director, Brown County Economic Development, to discuss various issues in Brown County.

**IN THE MATTER TO ADJOURN**

Motion moved by Mr. Eagan to adjourn this meeting with no further business before the Board this day February 29, 2012. Second: Mr. Geschwind.

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

Approval: March 5, 2012

Ralph Jennings  
Ralph Jennings, President

William R. Geschwind  
William R. Geschwind, Vice President

Rick Eagan  
Rick Eagan, Member

Jean Richey  
Jean Richey, Clerk

February 29, 2012