

The Board of County Commissioners, Brown County, Ohio, met in regular session this July 9, 2012 with the following members present: Mr. Jennings, President Mr. William R. Geschwind, Vice President Tony Applegate, 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. Applegate.

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

IN THE MATTER TO RECORD AMENDED CERTIFICATE

Motion moved by Mr. Geschwind to record as a matter of record the following Amended Certificate. Second: Mr. Applegate.

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

AMENDED OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES
Office of Budget Commission, Brown County, Ohio
To the TAXING AUTHORITY OF **BROWN COUNTY COMMISSIONERS**

The following is the amended official certificate of estimated resources for the fiscal year beginning January 1, 2012 as revised by the Budget Commission of said County, which shall govern the total appropriations made at any time during such year.

Special Revenue Fund	Unencumbered Balance 1/1/2012	Taxes	Other Sources	Total
A90A 2010 CHIP HOME	\$ 54.12		\$126,000.00	\$367,454.12
B90 2010 CHIP-BDGB/OHTF	\$ 2,255.57		\$101,332.00	\$323,387.57
T50 MH/ALCOHOL	\$126,113.44		\$105,000.00	\$374,113.44
T45 MH/501 FORENSIC	\$ 70,776.42		\$ 50,000.00	\$865,776.42

ss Jessica Little, Prosecutor ss Connie Patrick, Treasurer ss Doug Green, Auditor Budget Commission

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY COMMUNITY BOARD OF ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES

Motion moved by Mr. Geschwind to approve the request of Deanna J. Vietze, Director of Fiscal Services and Contract Compliance, Brown County Community Board of Alcohol, Drug Addiction and Mental Health Services, for a supplemental appropriation of unappropriated T45 (MH/501) funds in the amount of \$50,000.00 into T45-5 (Contract Services). Second: Mr. Applegate.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BROWN COUNTY COMMUNITY BOARD OF ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES

Motion moved by Mr. Geschwind to approve the request of Deanna J. Vietze, Director of Fiscal Services and Contract Compliance, Brown County Community Board of Alcohol, Drug Addiction and Mental Health Services, for a supplemental appropriation of unappropriated T50 (MH/Alcohol) funds in the amount of \$105,000.00 into T50-5 (Contract Services). Second: Mr. Applegate.

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

IN THE MATTER TO JOURNALIZE ANNEXATION PETITION INTO THE VILLAGE OF MT ORAB VILLAGE 22.335 ACRES

Motion moved by Mr. Applegate to enter into the Journal the following Annexation to the Village of Mt. Orab containing 22.335 acres located in Pike Township. This is as an Expedited Type II Annexation as authorized under the ORC 709.023. Second: Mr. Geschwind.

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

PETITION FOR ANNEXATION

JUL 3 2012
BROWN COUNTY BOARD
OF COMMISSIONERS

To: The Board of County Commissioners
Brown County, Ohio

The undersigned being all of the owners of the real estate in the unincorporated territory of the township hereby requests the annexation of that territory to the Village of Mt. Orab, Brown County, Ohio pursuant to Ohio Revised Code Section 709.02, 709.021, and 709.023.

A. There are five owners of the real estate in the territory proposed for annexation. They are Bobby Bingaman, Trustee, Donald Conley and Mable Conley, husband and wife, and Valerie Kathleen Collett and Marvin D. Cummins, wife and husband. The five owners have signed the petition below and have dated their signatures.

B. A full and accurate legal description of the perimeter of the territory proposed for annexation is attached hereto and incorporated herein by reference. An accurate map or plat of the territory proposed for annexation is submitted along with this petition and is also incorporated herein by reference.

C. Richard L. Goettke, Solicitor for the Village of Mt. Orab, Ohio, is hereby appointed as agent for the petitioners as required by Ohio Revised Code Section 709.02 to do any and all things necessary and essential in order to obtain the proposed annexation of the territory described in the attached exhibit to the Village of Mt. Orab, Brown County, Ohio without any further expressed consent of the petitioners.

The territory proposed for annexation does not exceed 500 acres.

The territory proposed for annexation shares a contiguous boundary with the Village of Mt. Orab, Brown County, Ohio, for a continuous length of at least 5% of the perimeter of the territory proposed for annexation.

The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.

By separate ordinance or resolution adopted under Ohio Revised Code Section 709.23(C), the Village of Mt. Orab, Brown County, Ohio, will agree to provide services specified therein.

If a street or highway will be divided or segmented by the boundary line between the township and the Village of Mt. Orab,

Brown County, Ohio, as to create a road maintenance problem, the Village of Mt. Orab, Brown County, Ohio will agree to assume the maintenance of that street or highway or to otherwise correct the problem.

This petition is signed by all of the owners of the unincorporated territory of the township proposed for annexation. Annexation proceedings shall be conducted under Ohio Revised Code Section 709.023. As such, the following language in bold face capital letters is placed immediately above the heading for the place of the signature.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR IN EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

Date: 7/1/2012Bobby Bingaman
Bobby Bingaman, TrusteeDate: 7-1-12Don Conley
Donald ConleyDate: 7-1-12Mable Conley
Mable ConleyDate: 7/1/12Valerie Kathleen Collett
Valerie Kathleen CollettDate: 7/1/12Marvin D. Cummins
Marvin D. Cummins**Annexation of 22.335 Acres**

Situate in B. Hoopes' Military Survey No. 6747, Pike Township, Brown County, Ohio and being all of the land identified as parcel 29-056552-0200, conveyed to Bobby Bingaman, Trustee in Official Record Book 375, page 693 in the Brown County, Ohio Recorder's Office and being all of the land identified as parcel 29-056552-0201, conveyed to Donald and Mabel Conley in Official Record Book 29, page 743 in the Brown County, Ohio Recorder's Office and being all of the land identified as parcel 29-054884-0000, conveyed to Valerie Kathleen Collett in Official Record Book 312, page 747 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows:

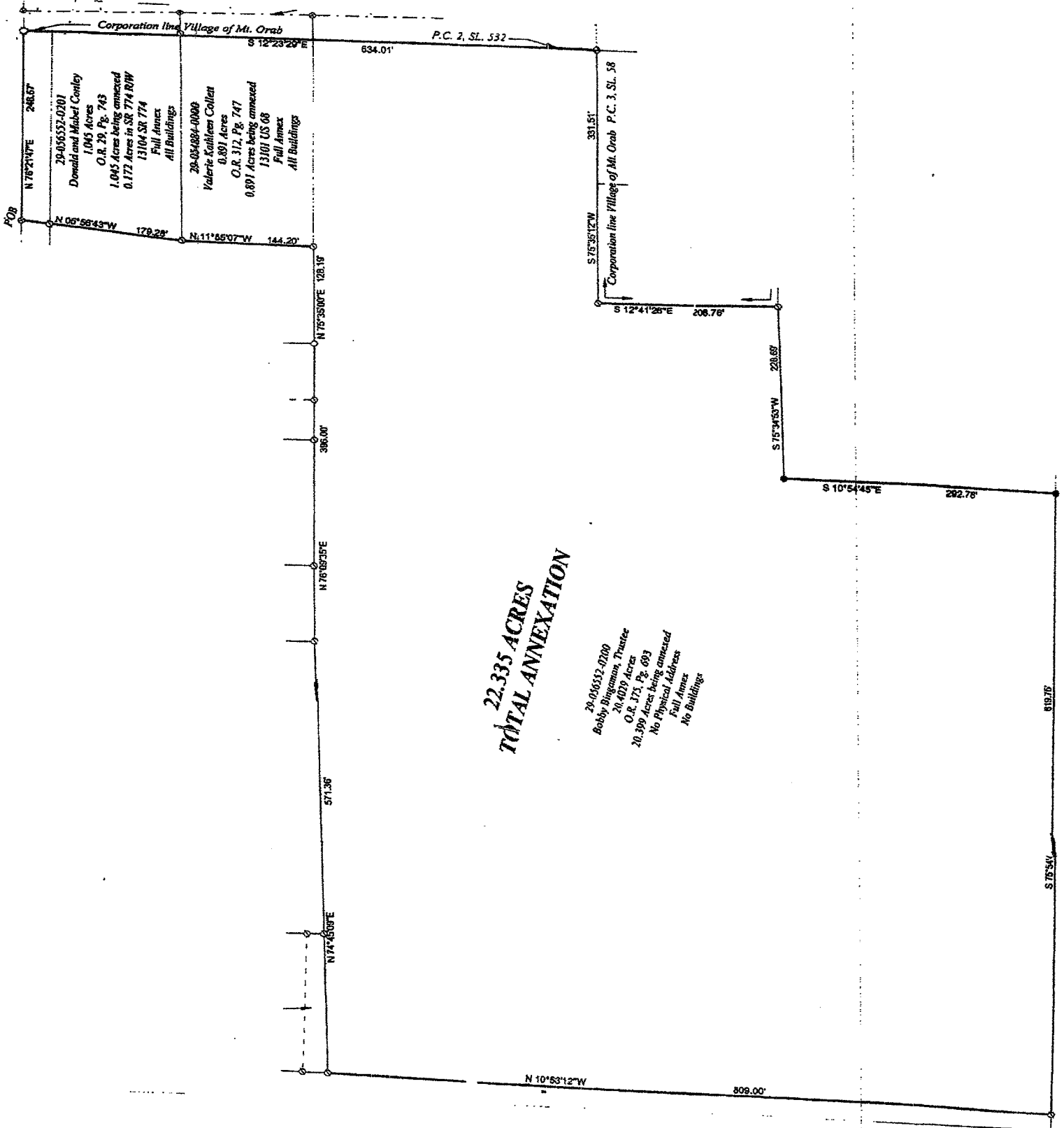
Beginning at an iron spike found in the centerline of State Route No. 774, said point being the most northeasterly corner of Christopher H. Bingaman's 1.000 Acre tract as recorded in Official Record Book 31, page 260 in the Brown County, Ohio Recorder's Office;
Thence with the centerline with said State Route No. 774 and with the line of Donald and Mabel Conley North 76 degrees 21 minutes 47 seconds East a distance of 248.57 feet to a magnail set on the existing centerline of the corporation line of the Village of Mt. Orab as recorded in Plat Cabinet 2, slide 532 in the Brown County, Ohio Recorder's Office;
Thence with the said existing corporation line of the said Village of Mt. Orab and continuing with the line of said Conley and continuing with the line of Valerie Kathleen Collett and continuing with the line of Bobby Bingaman South 12 degrees 23 minutes 29 seconds East a distance of 634.01 feet to a 1" iron pin found on the line of John R. and Paula Moore's 1.000 Acre tract;
Thence with the line of said Moore's 1.000 Acre tract and continuing with the line of John R. II and Paula J. Moore's 0.766 Acre tract and continuing with the corporation line of the Village of Mt. Orab as recorded in Plat Cabinet 3, slide 58 in the Brown County, Ohio Recorder's Office South 75 degrees 35 minutes 12 seconds West a distance of 331.51 feet to a 1/2" iron pin found;
Thence with the line of said Moore's 0.766 Acre tract and continuing with the said corporation line South 12 degrees 41 minutes 26 seconds East a distance of 208.76 feet to a 1/2" iron pin found on the line of JoAnn Hammons' 3.7975 Acre tract;
Thence with the line of said Hammons for the next two (2) courses:
South 75 degrees 34 minutes 53 seconds West a distance of 228.69 feet to a 5/8" iron pin found;
South 10 degrees 54 minutes 45 seconds East a distance of 292.78 feet to a 5/8" iron pin found on the line of Phyllis S. Detrick's 20.1568 Acre tract;
Thence with the line of said Detrick South 75 degrees 54 minutes 49 seconds West a distance of 819.75 feet to a 1/2" iron pin found corner to Robert D. and Nancy C. Arn's 20.32 Acre tract;
Thence with the line of said Arn North 10 degrees 53 minutes 12 seconds West a distance of 809.00 feet to a 1/2" iron pin found corner to Bobby Bingaman, Trustee's 0.177 Acre Tract;
Thence with the line of said Bingaman, Trustee and continuing with the line of Cathy Bingaman's 1.803 Acre tract North 74 degrees 45 minutes 09 seconds East a distance of 571.36 feet to a 1/2" iron pin found corner to 's 0.74 Acre tract;
Thence with the line of said Erskine Enterprises, LLC and continuing with the line of Dorothy M. Richmond's 1.23 Acre tract and continuing with the line of Grace Weaver (L.E.) et al's 0.97 Acre tract North 76 degrees 09 minutes 35 seconds East a distance of 396.00 feet to a 1" iron pipe found corner to Christopher H. Bingaman's 1.000 Acre tract;
Thence with the line of said Bingaman North 75 degrees 35 minutes 00 seconds East a distance of 128.19 feet to a 1/2" iron pin found corner to Valerie Kathleen Collett's 0.891 Acre tract;
Thence with the line of said Collett North 11 degrees 55 minutes 07 seconds West a distance of 144.20 feet to the corner of said Conley's 1.045 Acre tract;
Thence with the line of said Conley North 05 degrees 56 minutes 43 seconds West a distance of 179.28 feet to the place of beginning, CONTAINING 22.335 ACRES more or less subject, however, to all legal highways and easements of record.

Basis of bearing is the record bearing South 12 degrees 23 minutes 29 seconds East, established by G.S. Renshaw's December 2003 annexation, P.C.2, SL 532 and all other bearings and distances were measured in the field.

Surveyed by Christopher S. Renshaw, P.S. No. 8319 on 08 June 2012.

(Continued on next page)

July 9, 2012



LIST OF ALL TRACTS, LOTS, OR PARCELS
IN TERRITORY PROPOSED FOR ANNEXATION
PURSUANT TO OHIO REVISED CODE SECTION 709.02 (D)

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Description</u>
Bobby Bingaman, Trustee 13032 State Route 774 Bethel, Ohio 45106	29-056552-0200	20.399 A
Donald Conley Mable Conley 13104 State Route 774 Bethel, Ohio 45106	29-056552-0201	1.045 A
Valerie Kathleen Collett Marvin D. Cummins 13101 State Route 68 Bethel, Ohio 45106	29-054884-0000	0.891 A

(Continued on next page)

July 9, 2012

LIST OF ALL TRACTS, LOTS, OR PARCELS
LOCATED ADJACENT TO THE TERRITORY OR DIRECTLY
ACROSS THE ROAD FROM IT
PURSUANT TO OHIO REVISED CODE SECTION 709.02(D)

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Description</u>
Robert D. Arn Nancy C. Arn 13028 State Route 774 Bethel, Ohio 45106	29-054500-0000	20.32 A
Bobby Bingaman, Trustee 13032 State Route 774 Bethel, Ohio 45106	29-056552-0000	0.177 A
Cathy Bingaman 13044 State Route 774 Bethel, Ohio 45106	29-056552-0002	1.803 A
Erskine Enterprises, LLC 12309 State Route 774 Bethel, Ohio 45106	29-054492-0000	0.74 A
Arthur Allen Brown, Jr. Kathy L. Brown 1385 Greenbush West Road Williamsburg, Ohio 45176	29-056784-0000	0.97 A
Grace Weaver 13084 State Route 774 Bethel, Ohio 45106	29-056784-0000	0.58 A
Christopher H. Bingaman c/o Bobby Bingaman 13032 State Route 774 Bethel, Ohio 45106	29-056552-0202	1.000 A
John R. Moore Paula Moore 13057 U.S. 68 Bethel, Ohio 45106	30-056552-0004 30-056552-0300	1.000 A 0.766 A
JoAnn Hammons 13029 U.S. 68 Bethel, Ohio 45106	29-056580-0000	3.7975 A
Phyllis S. Detrick P.O. Box 211 Mt. Orab, Ohio 45154	29-055036-0000	20.1568 A
Dorothy M. Richmond, Trustee 487 Kaldy Street Cincinnati, Ohio 45244	29-055004-0000	1.23 A
Raymond Evans 3389 Pierce Road Georgetown, Ohio 45121	29-054940-0000	4.2639 A
Mary Catherine Martin 26 Woodbriar Drive Chillicothe, Ohio 45601	30-055668-0000	297.4960 A
Jean C. Grider P.O. Box 513 Mt. Orab, Ohio 45154	30-056552-0100 30-056552-0005	41.051 A 1.500 A

IN THE MATTER OF ADDENDUM TO PRC PLAN STATE WIDE HIGH WINDS PROGRAM – BROWN COUNTY JOB & FAMILY SERVICES

Motion moved by Mr. Geschwind to approve the request of David M. Sharp, Director, Brown County Job & Family Services, to amend the P.R.C. Plan to assist eligible clients who qualify for food replacement or assistance with storm related issues.

(Continued on next page)

July 9, 2012

Brown County will receive \$30,000.00 for TANF, and \$7,500.00 in non-TANF funding. Second: Mr. Applegate.

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

IN THE MATTER TO AWARD BID – 2012 BITUMINOUS MATERIAL – BROWN COUNTY ENGINEER

Motion moved by Mr. Geschwind upon the recommendation of Todd Cluxton, Brown County Engineer, to award the 2012 Bituminous Material Bid: Brown County Asphalt Inc. 11254 Hamer Rd. Georgetown, Ohio 45121 in the amount of \$159,264.00. His was the only and best bid received. Second: Mr. Applegate.

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

IN THE MATTER OF ADDENDUM #1 TO INTERIOR ALTERATIONS TO EXISTING BUILDING FOR THE RELOCATION OF THE BROWN COUNTY PROSECUTORS OFFICE AND EXPANSION OF THE JUVENILE COURT

Motion moved by Mr. Geschwind upon the request of Steve P. Smith, Architect, for addendum #1 to the Interior Alterations to Existing Building for the Relocation of the Brown County Prosecutors Office and Expansion of the Juvenile Court. The following additions and clarifications are to become part of the Contract Documents for the referenced project: There will be a Mandatory Pre-Bid Meeting with all Prospective Bidders at the Project Site at 510 E. State Street, Georgetown, Ohio on Thursday, July 12, 2012 at 1:00 p.m. Second: Mr. Applegate.

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

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Geschwind to enter into executive session at 11:05 a.m. to discuss pending litigation. In attendance: Jessica Little, Brown County Prosecutor and Jean Rickey, Clerk. Second: Mr. Applegate.

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

IN THE MATTER TO LEAVE EXECUTIVE SESSION

Motion moved by Mr. Geschwind to leave executive session at 11:45 a.m. Second: Mr. Applegate.

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

7/9/12

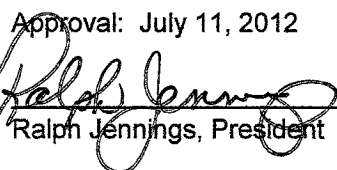
The Commissioner met with David M. Sharp, Director, Brown County Job & Family Services, to discuss operation of the Brown County Job & Family Services.

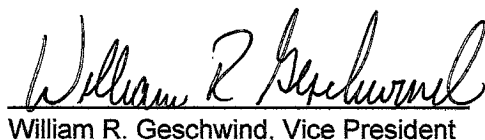
IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day July 9, 2012. Second: Mr. Applegate.

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

Approval: July 11, 2012


Ralph Jennings, President


William R. Geschwind, Vice President


Tony Applegate, Member


Jean Rickey, Clerk

July 9, 2012