

Brown County Commissioner's Office
 800 Mt. Orab Pike
 Georgetown, Ohio 45121
 November 2, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 2nd day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
 Mr. Ralph Jennings, Vice President
 Mr. William R. Geschwind, Member

Allen Freeman, D & S Consulting, met with the Commissioners concerning the Mt. Orab by-pass project and ODOT's TRAC process.

Gail DeClaire and Gina Spiller representing the Health Dept. met with the Commissioners and Allen Freeman, D & S Consulting, concerning federal grant funds for a health outreach program.

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

IN THE MATTER OF POST CERTIFICATE
 PURCHASE ORDER (S)

Motion moved by Mr. Geschwind to approve the following Post Certificate Purchase Order(s). (Funds not encumbered in a timely manner). Second: Mr. Jennings.

| <u>Fund/Dept.</u> | <u>Vendor</u> | <u>Code</u> | <u>Amount</u> |
|------------------------|---------------|-------------|---------------|
| COMMON PLEAS MEDIATION | JOHN CRUZE | C43-6 | \$500.00 |

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION CHANGE
 COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Sheriff Dwayne Wenninger for the following appropriation change: Decrease 6a3 Supplies by \$7,000.00 and Increase 6a5 Contract Repairs by \$7,000.00. The supply code will be re-appropriated when CORSA reimburses the county for wrecked cruiser. Second: Mr. Geschwind.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
 APPROPRIATION-COMMON PLEAS COMPUTER
 FUND

Motion moved by Mr. Geschwind to approve the request of Tina Meranda, Clerk of Courts, for a supplemental appropriation of unappropriated C40 Common Pleas Computer funds in the amount of \$1,500.00 into C40-5 Equipment. Second: Mr. Jennings.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea
 Mr. Geschwind, yea

November 2, 2009

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Judge Scott T. Gusweiler, Common Pleas Court, for the following supplemental appropriations of unappropriated A00 County General funds: Second: Mr. Geschwind.

Increase 2b7 Juror Fees in the amount of \$4,000.00
Increase 2b8 Witness Fees in the amount of \$2,000.00

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION
CHANGE-COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of Tina Meranda, Clerk of Courts, for the following appropriation change: Decrease 2e2 Salaries by \$1,000.00 and Increase 2e6 Contract Services by \$1,000.00. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION
CHANGE-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Tina Meranda, Clerk of Courts, for the following appropriation change: Decrease 2e18 PERS by \$1,000.00 and Increase 2e3 Supplies by \$1,000.00. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION
CHANGE-E911 ¼% SALES & USE TAX FUND

Motion moved by Mr. Jennings to approve the request of Rob Wilson, Communication Center Director, for the following appropriation change: Decrease A25-3a Central Tower Construction by \$850.00 and Increase A25-3 Contract Services by \$850.00. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION
CHANGE-E911 ¼% SALES & USE TAX FUND

Motion moved by Mr. Geschwind to approve the request of Rob Wilson, Communication Center Director, for the following appropriation change: Decrease A25-2 Part Time Salary by \$13,166.23 and Increase A25-1 Full Time Salary by \$13,166.23. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

The Budget Commission members Connie Patrick-Treasurer, Jessica Little-Prosecuting Attorney, and Doug Green-Auditor held their monthly meeting.

Mrs. Paeltz met with United Way Representatives Barbara Terry, Karen Harnish, Katherine Martin and Patty Waldsmith concerning United Way funding for Jobs & Family Services.

November 2, 2009

IN THE MATTER OF APPLICATION TO HIRE LEGAL
COUNSEL TO REPRESENT THE BROWN COUNTY
BUDGET COMMISSION IN PENDING LITIGATION

Motion moved by Mr. Jennings to grant the following application. Second: Mr. Geschwind.

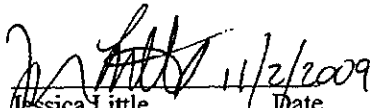
ROLL CALL VOTE


Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

NOW COMES Jessica Little, Brown County Prosecutor and Margery Paeltz, President of the Board of Commissioners of Brown County, in joint application pursuant to RC § 305.14, to petition the Common Pleas Court to authorize the hiring of legal counsel to represent the Brown County Budget Commission in litigation currently pending before this Court (Case No. CVH 20091082), specifically Richard Hoffman, attorney at law, 101 East Sandusky, Suite 320, Findlay, Ohio, 45840.

This application and petition are necessitated by the presence of a conflict of interest for the Prosecuting Attorney and her assistants as Relator in the above referenced case is a statutory client of Prosecutor Little (See RC § 3709.33) and Prosecutor Little serves as a member of the Budget Commission (See RC § 5705.27). The Prosecuting Attorney and the Board of Commissioners believe it is advisable under the circumstances to employ legal counsel to represent the Brown County Budget Commission in Case No. CVH 20091082.

The Prosecuting Attorney and the President of the Board of County Commissioners hereto set their hands on the date so indicated requesting that this application be granted and that this Court authorize the employment of legal counsel as stated above.


Jessica Little Date
Prosecuting Attorney
Brown County, Ohio


Margery Paeltz Date
President, Board of Commissioners
Brown County, Ohio

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-CERTIFICATE OF TITLE FUND

Motion moved by Mr. Jennings to approve the request of Tina Meranda, Clerk of Courts, for a supplemental appropriation of unappropriated C60 Certificate of Title funds in the amount of \$500,000.00 into C60-11 Treasurer of State. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SETTLEMENT AGREEMENT
BETWEEN BROWN COUNTY SHERIFF AND
FRATERNAL ORDER OF POLICE (BLUE UNIT)

Motion moved by Mr. Geschwind to approve the following settlement. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

(Continued on the next page)

November 2, 2009

CONTINUED FROM THE PREVIOUS PAGE**SETTLEMENT AGREEMENT****BETWEEN****BROWN COUNTY SHERIFF'S OFFICE, EMPLOYER****AND****FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.****"BLUE UNIT"**

This Settlement Agreement ("Agreement") effective as set forth below, is made and entered into by and between the Fraternal Order of Police, Ohio Labor Council, Inc. ("Union") and the Brown County Sheriff's Office ("Employer"). This Agreement entered into by the parties is to resolve all outstanding issues related to the implementation of the County's health insurance coverage effective April 1, 2009. Specifically, this Agreement shall resolve any issues still remaining as a result of the Arbitration Award issued by Arbitrator Louis V. Imundo, Jr. on or about August 21, 2009, SERB Case No. 09-UPL-05-0244 filed by the Union, and the pending grievance filed by the Union against the Employer concerning health insurance.

NOW, THEREFORE, in exchange for and in consideration of the mutual promises and obligations, the undersigned parties, hereby agree to be bound by all the terms and conditions as follows:

1. That, the terms of this Agreement, unless explicitly specified, shall only apply to bargaining unit employees in the "Blue Unit" receiving County health insurance coverage on October 28, 2009;
2. That, effective April 1, 2009, the County shall offer insurance coverage to bargaining unit employees in the "Blue Unit" pursuant to a Health Savings Account ("HSA");
3. That, bargaining unit employees in the "Blue Unit" electing health insurance coverage pursuant to the HSA shall make the following monthly premium contributions:

| | |
|--------------------|-----------|
| Single: | \$75.47 |
| Employee + Spouse: | \$158.49 |
| Employee + Child: | \$143.40 |
| Family: | \$226.42; |
4. That, it is agreed by the parties that bargaining unit employees in the "Blue Unit" who elected insurance coverage pursuant to the County's HSA shall begin making the increased premium contributions during the first full pay period in November;
5. That, it is agreed by the parties that bargaining unit employees in the "Blue Unit" who paid monthly premium contributions that were less than outlined above in paragraph 3 prior to the first full pay period in November will be required to reimburse the Employer, or County, the difference in the premium amounts;
6. That, on or before December 1, 2009, the Employer shall make the contributions to the HSA of each bargaining unit employees in the "Blue Unit" who elected insurance coverage pursuant to the HSA plan offered by the County on or before October 28, 2009 in the following amounts (determined after subtraction of the premium difference to be reimbursed):

| | |
|--------------------|------------------------|
| Single: | \$1379 (\$1500-\$121) |
| Employee + Spouse: | \$2750 (\$3000-\$250) |
| Employee + Child: | \$2770 (\$3000-\$230) |
| Family: | \$2637 (\$3000-\$363); |
7. That, any bargaining unit employees in the "Blue Unit" electing coverage pursuant to the HSA offered by the County on or after October 29, 2009 shall make monthly premium contributions consistent with paragraph 3 above;

(Continued on the next page)

November 2, 2009

CONTINUED FROM THE PREVIOUS PAGE

- 8. That, any bargaining unit employees in the "Blue Unit" electing coverage pursuant to the HSA offered by the County on or after October 29, 2009 shall receive pro-rated monthly contributions from the Employer to their HSA in the amount of \$125 per month for Single coverage and \$250 per month for all coverage/plans other than Single coverage;
- 9. That, it shall be the responsibility of bargaining unit employees in the "Blue Unit" electing coverage under the HSA plan offered by the County to establish their HSA and provide the appropriate information to the County so that it may make the HSA Contributions;
- 10. That, the Union agrees to withdraw its unfair labor practice allegation, SERB Case No. 09-ULP-05-0244, with prejudice to which it is currently seeking reconsideration from SERB;
- 11. That, the Union agrees to withdraw with prejudice its pending grievance concerning health insurance;
- 12. That, the parties agree that this Settlement Agreement shall resolve any outstanding issues related to the Arbitration Award of Louis V. Imundo, Jr.; and
- 13. That, the parties agree that the terms of this Settlement Agreement shall expire on March 31, 2010 upon the expiration of the collective bargaining agreement governing the "Blue Unit." Further, the parties recognize that the terms of this Settlement Agreement shall be subject the same bargaining requirements outlined in Chapter 4117 as exist for the expiring collective bargaining agreement.
- 14. That, the parties agree and acknowledge that this Agreement contains and comprises the entire agreement and understanding between the parties, that no other representation, promise, covenant or agreement of any kind whatsoever has been made to cause any party to execute this Agreement, and that all agreements and understandings between the parties are embodied and expressed herein. The parties agree and acknowledge that they have been given a reasonable period of time within which to consider this Agreement and have fully reviewed and discussed the terms of this Agreement with their respective attorneys. The parties acknowledge that they understand and accept the terms of this Agreement and enter into it voluntarily; the parties also agree that the terms of this Agreement shall not be amended or changed except in writing and signed by the parties or a duly authorized agent.

10/29/09

Mr. Jennings and Mr. Geschwind met with Tim Ingram, Hamilton County Health Commissioner.

10/30/09

Beverly Kelbough with OSU Extension met with the Commissioners.

Mrs. Paeltz attended the Georgetown's Lion's Club Breakfast.

10/31/09

Mrs. Paeltz attended Mt. Orab's Lion's Club Breakfast.

11/01/09

Mrs. Paeltz attended Sardinia's Lion's Club Breakfast.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day. Second: Mr. Jennings.

ROLL CALL VOTE

- Mrs. Paeltz, yea
- Mr. Jennings, yea
- Mr. Geschwind, yea

Approval: November 4, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind, Member

November 2, 2009

Brown County Commissioner's Office
 800 Mt. Orab Pike
 Georgetown, Ohio 45121
 November 4, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 4th day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
 Mr. Ralph Jennings, Vice President

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea

IN THE MATTER TO APPROVE BILLS

Motion moved by Mr. Jennings to approve the following bills for payment. Second: Mrs. Paeltz.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, yea

| | | |
|------|---------------------------------|--------------------|
| A00 | COUNTY | \$23,384.29 |
| J01 | REAL ESTATE ASSESSMENT | \$1,147.47 |
| C40 | COMMON PLEAS COURT COMPUTER | \$535.00 |
| B10A | PROSECUTOR DTAC | \$458.64 |
| M60 | FELONY DELINQ CUSTODY & CARE | \$1,000.50 |
| B10 | TREASURER DTAC | \$123.24 |
| C60 | CERTIFICATE OF TITLE ADM FUND | \$286.00 |
| T88 | GEAR UP GRANT | \$1,330.89 |
| H10 | CHILD SUPPORT ENFORCEMENT AGENC | \$4,973.15 |
| A45 | TRAVEL & TOURISM | \$701.02 |
| K60 | EMERGENCY MANAGEMENT | \$34.95 |
| A25 | E-911 1/4% SALES TAX | \$3,984.93 |
| A26 | ENHANCED 911 SURCHARGE | \$925.00 |
| M50 | YOUTH SERVICES SUBSIDY | \$554.18 |
| B01 | DOG & KENNEL | \$138.50 |
| P340 | SEWER & WATER DISTRICT FUND | \$57.38 |
| K01 | AUTO & GAS | \$82,851.28 |
| H01 | JOB & FAMILY SERVICES | \$12,767.33 |
| S50 | CHILDRENS SERVICES | <u>\$20,653.92</u> |
| | | \$155,907.67 |

**IN THE MATTER TO RECORD AMENDED
 CERTIFICATE**

Motion by Mr. Jennings to record as a matter of record the following Amended Certificate. Second by Mrs. Paeltz.

ROLL CALL VOTE
 Mrs. Paeltz, yea
 Mr. Jennings, 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 1st, 2009 as revised by the Budget Commission of said County, which shall govern the total of appropriations made at any time during such year:

(Continued on the next page)

November 4, 2009

from the previous
CONTINUED ~~ON THE NEXT PAGE~~

| <u>Special Revenue Funds</u> | <u>Unencumbered Balance</u> <u>Jan. 1st, 20089</u> | <u>Taxes</u> | <u>Other Sources</u> | <u>Total</u> |
|---|---|--------------|----------------------|---------------|
| T89 OACHE P-16 (\$5,000.00) | \$ -0- | \$ -0- | \$ 5,000.00 | \$ 5,000.00 |
| C80 CERT OF TITLE ADMN BLDG (\$500,000.00) | \$ 78,962.41 | \$ -0- | \$ 623,550.00 | \$ 702,512.41 |

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

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-OACHE P-16 GRANT FUND

Motion moved by Mr. Jennings to approve the request of Brenda Martin, Executive Director for the Southern Ohio Center of Excellence, for a supplemental appropriation of unappropriated T89 OACHE P-16 funds into T89-5 Other Expenses in the amount of \$5,000.00. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-MH/MEDICAID FUND

Motion moved by Mr. Jennings to approve the request of Deanna J. Vietze, Business Manager for the Brown County Community Board of Alcohol, Drug Addiction and Mental Health Services, for a supplemental appropriation of unappropriated T43 MH/Medicaid funds into T43-5c ARRA in the amount of \$83,500.00. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of C. Timothy McKinley, Brown County Coroner, for a supplemental appropriation of unappropriated A00 County General funds into 2f17d Other Expenses in the amount of \$20,000.00. This is needed to cover outstanding bills for the remainder of the year. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

Holly Kin with Office Depot met with the Commissioners and Lisa Spiller, Assistant Clerk, to explain the U.S. Communities National Purchasing Alliance.

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Sheriff Dwayne Wenninger for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$20,000.00 into 6a8 Medical & Other Expenses. This appropriation is needed due to the increase in jail population. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

November 4, 2009

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Sheriff Dwayne Wenninger for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$30,000.00 into 6a28 PERS. This appropriation is needed due to an error correction in the original appropriation. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Sheriff Dwayne Wenninger for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$17,000.00 into 6a2 Salary. This appropriation is needed due to a shortfall in salary code caused from a grievance settlement and union wage increases for 2009. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION – COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Lisa Spiller, Assistant Clerk, for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$23,000.00 into 14a6 Group Health Insurance. This appropriation is needed per the arbitration and settlement agreement with the Sheriff's Office bargaining unit employees ("blue unit") pertaining to the county's contributions to the employees Health Savings Accounts. (See pages 380 to 382 for the settlement agreement) Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

11/02/09

Mrs. Paeltz attended the Travel & Visitor's meeting at the Travel & Tourism Office in Georgetown, Ohio.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Jennings to adjourn this meeting with no further business before the Board this day. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

Approval: November 9, 2009

Beverly Gaffmore
Beverly Gaffmore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

November 4, 2009

Brown County Commissioner's Office
800 Mt. Orab Pike
Georgetown, Ohio 45121
November 9, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 9th day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Michael Hart & Lucille Hart, Georgetown, Ohio, met with the Commissioners concerning dogs running at large, Dog Warden issuing tickets and the Humane Society funds.

Dorothy Ferris, Grant Coordinator, met with the Commissioners to discuss the FAA (Federal Aviation Administration) 5 year Capital Improvement Program and the Neighborhood Stabilization Program.

IN THE MATTER OF APPROPRIATION CHANGE
COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of Lisa Spiller, Assistant Clerk, for the following appropriation change: Decrease 1a6 Vehicles by \$500.00 and Increase 8b5 Contract Services by \$500.00. This is needed to cover tuberculosis medication for the remainder of the year. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO APPROVE BROWN
COUNTY GENERAL HOSPITAL'S 2010
BUDGETS

Motion moved by Mr. Jennings to approve the 2010 Operating Budget and Capital Budget (Grand total \$5,096,802.00) for Brown County General Hospital. (See complete budget on file) Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

(Continued on the next page)

November 9, 2009

(CONTINUED FROM THE PREVIOUS PAGE)

| | TOTAL ACTUAL | TOTAL ACTUAL | YTD ACTUAL | PROJECTED | | | TOTAL PROJECTED | % of Net | TOTAL Budget | % of Net |
|-------------------------------|----------------|----------------|----------------|--------------|--------------|--------------|-----------------|----------|----------------|----------|
| | 12/31/2007 | 12/31/2008 | 9/30/2009 | 10/31/2009 | 11/30/2009 | 12/31/2009 | 2010 | | | |
| Inpatient Revenue | \$ 20,158,020 | \$ 19,457,800 | \$ 13,467,494 | \$ 1,371,796 | \$ 1,443,022 | \$ 1,209,225 | \$ 17,491,537 | | \$ 18,191,199 | |
| Outpatient Revenue | 58,408,524 | 62,722,266 | 49,509,794 | 5,884,759 | 5,510,516 | 5,237,735 | 66,142,805 | | 69,288,517 | |
| Total Patient Revenue | 78,566,544 | 82,180,065 | 62,977,288 | 7,256,555 | 6,953,538 | 6,446,960 | 83,634,342 | | 87,479,716 | |
| Other Revenue | 367,381 | 243,537 | 280,201 | 27,300 | 26,420 | 27,300 | 361,221 | | 361,221 | |
| Total Gross Revenue | 78,933,925 | 82,423,602 | 63,257,490 | 7,283,856 | 6,979,958 | 6,474,260 | 83,995,563 | | 87,840,937 | |
| Revenue Deductions | 38,449,508 | 42,034,160 | 34,260,938 | 3,918,540 | 3,754,911 | 3,481,358 | 46,415,747 | | 48,113,844 | |
| Total Net Revenue | 40,484,417 | 40,389,442 | 28,996,551 | 3,365,316 | 3,225,047 | 2,992,902 | 38,579,816 | | 39,727,093 | |
| | 48.94% | 51.15% | 54.40% | 54.00% | 54.00% | 54.00% | 54.30% | | 55.00% | |
| Operating Expenses | | | | | | | | | | |
| Salaries and Wages | 16,623,623 | 16,929,457 | 11,327,075 | 1,246,164 | 1,198,223 | 1,238,664 | 15,010,126 | 38.9% | 14,904,348 | 37.5% |
| Benefits | 4,123,612 | 4,444,499 | 3,005,050 | 330,607 | 317,889 | 328,618 | 3,982,164 | 10.3% | 3,949,652 | 9.9% |
| Fees - Physicians | 2,629,598 | 3,515,509 | 3,043,765 | 355,480 | 344,013 | 355,480 | 4,098,738 | 10.6% | 4,200,000 | 10.6% |
| Fees - Other | 531,667 | 468,689 | 491,749 | 47,878 | 46,333 | 47,878 | 633,838 | 1.6% | 883,838 | 2.2% |
| Supplies | 3,613,670 | 3,191,278 | 2,419,984 | 352,234 | 337,546 | 312,941 | 3,422,705 | 8.9% | 3,376,803 | 8.5% |
| Utilities | 770,549 | 710,770 | 418,429 | 48,503 | 47,035 | 48,603 | 562,670 | 1.5% | 579,551 | 1.5% |
| Repairs and Maintenance | 856,405 | 926,923 | 593,711 | 72,974 | 70,620 | 72,974 | 810,277 | 2.1% | 834,586 | 2.1% |
| Leases and Rentals | 383,993 | 447,794 | 378,983 | 39,336 | 38,067 | 39,336 | 495,721 | 1.3% | 615,721 | 1.5% |
| Insurance | 479,405 | 588,442 | 401,108 | 48,195 | 46,640 | 48,195 | 544,139 | 1.4% | 560,463 | 1.4% |
| Interest Expense | 113,909 | 163,763 | 161,513 | 20,567 | 14,905 | 14,704 | 211,689 | 0.5% | 262,933 | 0.7% |
| Other Expense | 3,828,814 | 3,825,029 | 2,585,623 | 263,080 | 254,594 | 263,080 | 3,366,378 | 8.7% | 3,366,378 | 8.5% |
| Bad Debts | 6,112,620 | 6,515,638 | 4,400,869 | 504,331 | 483,271 | 448,064 | 5,836,535 | 15.1% | 5,836,535 | 14.7% |
| Depreciation and Amortization | 1,835,212 | 1,903,424 | 1,493,531 | 167,106 | 161,716 | 167,106 | 1,989,459 | 5.2% | 1,936,256 | 4.9% |
| Total Operating Expenses | 41,903,078 | 43,531,215 | 30,721,389 | 3,496,554 | 3,360,852 | 3,385,643 | 40,964,438 | 106.2% | 41,307,062 | 104.0% |
| Operating Income/(Loss) | (1,418,661) | (3,141,773) | (1,724,838) | (131,238) | (135,805) | (392,741) | (2,384,622) | -6.2% | (1,579,969) | -4.0% |
| Non-Operating Income/Expense | | | | | | | | | | |
| Gifts and Grants | 11,216 | (30,238) | 54,675 | 350 | 350 | 350 | 55,725 | 0.1% | 55,725 | 0.1% |
| Interest Income - General | 52,692 | 8,567 | 3,284 | 200 | 200 | 200 | 3,884 | 0.0% | 3,884 | 0.0% |
| Other Income (Expense) | (76,241) | (209,457) | (197,345) | - | - | - | (197,345) | -0.5% | - | 0.0% |
| Foundation Income | 2,028 | - | - | - | - | - | - | 0.0% | - | 0.0% |
| Foundation (Expense) | (63,193) | (31,747) | (31,394) | (3,000) | (3,000) | (3,000) | (40,394) | -0.1% | (40,394) | -0.1% |
| Total Non-Operating | (73,498) | (262,875) | (170,782) | (2,450) | (2,450) | (2,450) | (178,132) | -0.5% | 19,215 | 0.0% |
| Net Income/(Loss) | \$ (1,492,159) | \$ (3,404,648) | \$ (1,895,619) | \$ (133,688) | \$ (138,255) | \$ (395,191) | \$ (2,562,754) | -6.6% | \$ (1,560,764) | -3.9% |
| Bad Debt Percentage | 7.78% | 7.93% | 6.99% | 6.95% | 6.95% | 6.95% | 6.98% | | 6.67% | |

IN THE MATTER OF CONTRACT BETWEEN
THE DEPARTMENT OF JOB & FAMILY SERVICES
AND MIKE PRIDE

Motion moved by Mr. Geschwind to approve the request of David M. Sharp, Director of Job & Family Services to enter into a contract with Mike Pride, 8764 West Fork Road, Georgetown, Ohio 45121 to act as financial consultant. His contract is effective November 9, 2009 through March 31, 2010 at the hourly rate of \$29.00 per hour. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION – COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve a supplemental appropriation of unappropriated A00 County General funds in the amount of \$5,766.87 into 6a3 Sheriff's supplies. CORSA has reimbursed the county this amount after the deductible of \$2,500.00 was met for a wrecked sheriff's cruiser's repairs, pay in #3125. (See page 378 of this journal) Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 9, 2009

IN THE MATTER OF NEW PHONE SYSTEM FOR THE DEPARTMENT OF JOB & FAMILY SERVICES

Motion moved by Mr. Geschwind to approve the request of David M. Sharp, Director of Job & Family Services, to purchase a new phone system as the new systems cannot handle the current volume of calls. The system will be purchased from TDS Telephony & Data Solutions for the lowest bid of \$18,519.00 that includes 40 new telephones. Bids were received from Black Box Network Services-\$19,860.00 and Greystone Systems - \$25,065.00. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION-PROSECUTOR'S VICTIMS ASSISTANCE FUND

Motion moved by Mr. Geschwind to approve the request of Jessica A. Little, Brown County Prosecutor, for a supplemental appropriation of unappropriated T30 Prosecutor Victims Assistance funds in the amount of \$100.00 into T30-4 Other Expenses. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO RECORD JUDGMENT ENTRY TO HIRE LEGAL COUNSEL TO REPRESENT COUNTY BUDGET COMMISSION

Motion moved by Mr. Jennings to record the Judgment Entry received from Brown County Common Pleas Court to hire Richard Hoffman, Findlay, Ohio to represent the Brown County Budget Commission in Case No. CVH20091082. (See page 380 of this journal for the application) Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE COURT OF COMMON PLEAS BROWN COUNTY CIVIL DIVISION

IN RE:
Application to Hire Legal Counsel To Represent the Brown County Budget Commission
Case No. CVH 2009 1082
Judge
JUDGMENT ENTRY

FILED
NOV 10 2009
CLERK OF COURTS

Upon consideration of the Application to Hire Legal Counsel to Represent the Brown County Budget Commission presented by Jessica Little, Prosecuting Attorney, and Margery Paeltz, President of the Board of Commissioners of Brown County, this Court finds said Application well taken and grants same.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Board of County Commissioners of Brown County, Ohio, is hereby authorized pursuant to RC § 305.14, to employ legal counsel to assume the representation of the Brown County Budget Commission in Case No. CVH 20091082, specifically Richard Hoffman, of Findlay, Ohio.

IT IS SO ORDERED.

11/3/09
Date

[Signature]
Judge

CERTIFIED COPY
COURT COMMON PLEAS
BROWN COUNTY, OHIO
CLERK, TINA M. MERANDA
DEPUTY [Signature]

November 9, 2009

IN THE MATTER OF REAPPOINTMENT OF
LIZABETH DOSS TO THE BROWN COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Geschwind to approve the reappointment of Lizabeth Doss, 10 Wolverine Cove, Sardinia, Ohio 45171 to the County Board of Development Disabilities. (see journal 42, page 295 for original appointment) She fulfills the requirement of ORC 5126.0211 and Section 3 of SB 10. This appointment does not have a specific requirement of family relationship to a person eligible to Development Disabilities services. Her four-year term is effective January 2, 2010 through December 31, 2013. The Brown County Board of Developmental Disabilities requested the appointment. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPOINTMENT OF
SHAYNA HANSEL TO THE BROWN COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Jennings to approve the appointment of Shayna Hansel, 957 Lorelei Drive, Fayetteville, Ohio 45118, to the County Board of Development Disabilities to fill the vacant seat previously held by Mary Lou Butler. She fulfills the requirement of an immediate family member of an individual eligible for services from the Development Disabilities Board and the requirement of ORC 5126.0211 and Section 3 of SB 10. Her term ends December 31, 2009. The Brown County Board of Developmental Disabilities requested the appointment. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Mrs. Paeltz met with state legislator members of the National Statutory Collection Study Committee of Ohio and the U.S. Grant Homestead Association at the Bailey House, Georgetown, Ohio. This committee will select a statue to be displayed at the U.S. Capitol in Washington D.C.

Mr. Jennings and Mr. Geschwind attended the Law Library Resources Board Meeting held in the Commissioners Office.

The Commissioners met with Chief Dog Warden Reggie McKenzie to discuss issuing tickets, the spay and neuter program, dogs running at large and hours of operations.

The Commissioners met with Jessica Little, Brown County Prosecutor concerning the Animal Shelter's spay and neuter program and the process to report dogs running at large.

IN THE MATTER OF SOFTWARE LICENSE
AGREEMENT WITH AFFIDAVIT MAKER

Motion moved by Mr. Geschwind to approve the Software License Agreement with Affidavit Maker Software L.L.C., 2219 Fountain Boulevard, Springfield, Ohio 45504-1009 to provide licensed software for all Law Enforcement Officers, the Prosecutor's Office and Juvenile Court. The fees are: \$2,250.00 for the Main Module, \$675.00 for Juvenile Module, \$400.00 for the Prosecutor's office, \$675.00 for Indictment Module and \$292.50 for Video Training Module for a total of \$4,292.50. The fees will be paid from the Commissioner's budget, 1a11d Other Expenses. The term of the agreement is December 1, 2009 through November 30, 2010. Custom programming fees are in addition to the above fees. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 9, 2009

IN THE MATTER TO AMEND RESOLUTION
DENYING PETITION FOR ANNEXATION (105.609
ACRES INTO THE VILLAGE OF SARDINIA FROM
WASHINGTON TOWNSHIP LAND

Motion moved by Mr. Jennings to adopt the following Amended Resolution of the date of April 27, 2009 denying the petition for Annexation of 105.609 acres into the Village of Sardinia. (See page 142 of this journal for the original resolution). Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

AMENDED RESOLUTION

WHEREAS On October 20th, 2009, this Board received an order from the Brown County Court of Common Pleas, captioned Village of Sardinia v. Washington Township Board of Trustees, Case No. CVF 2009-0566, and file stamped October 19th, 2009, directing this Board to amend its Resolution adopted on April 27, 2009, denying the Annexation Petition for 105.609 acres of territory in the county of Brown; Sardinia Village/Washington Township. The hearing on this Annexation was held on March 30, 2009. Specifically, the Court has ordered the Board to include in this Amended Resolution specific findings of fact as to whether each of the conditions listed in Divisions (A)(1) to (6) of §709.033 O.R.C. has been met.

WHEREAS the Board has considered the testimony at the March 30th, 2009 hearing and the official record of all filings and exhibits, and makes the following findings:

- Ohio Revised Code 709.033 (A) (1) The Board finds that the Petition satisfies the requirements set forth in O.R.C. § 709.02 with the exception of (C)(1). The petition lists 38(thirty eight) owners, not including the Washington Township Board of Trustees and Eastern Local School District Board of Education, 21 (twenty one) owners signed the Petition as of the time it was filed with this Board. This is a sufficient majority of signatures required by O.R.C. § 709.02(C)(1). The Board finds the requirements of 709.033(A)(1) are satisfied.
- Ohio Revised Code 709.033 (A) (2) The petition lists 38 (thirty eight) owners, not including the Washington Township Board of Trustees and Eastern Local School District Board of Education, however, 21 (twenty one) owners signed the Petition as of the time it was filed with this Board. This is a sufficient majority of signatures required by O.R.C. § 709.02(C)(1). Furthermore, two people, Richard Vance and Peggy Vance, removed their signatures within the permitted time frame for removal. This Board finds that the petition does not have the signatures of a majority of the owners and therefore does not satisfy § 709.033(A)(2).
- Ohio Revised Code 709.033 (A) (3) The Village of Sardinia did adopt and file with this Board a resolution indicating what services it will provide to the residents of the proposed annexation. The Village indicated it will provide police, fire, and life squad services. Although the Village didn't state specifically when these services would be available, there was no indication that police, fire, and life squad services would not be immediately available. The Board specifically finds that the residents in the proposed annexed area already enjoy fire and life squad services from the Village by means of a contract

between the Village and the Township. The Board finds that the Village has substantially, but not technically, complied with O.R.C. § 709.033(A)(3).

- Ohio Revised Code 709.033 (A) (4) The Board finds that 105.609 acres is not an unreasonably large area to be annexed, and therefore finds that O.R.C. § 709.033(A)(4) is satisfied.
- Ohio Revised Code 709.033(A) (5) On balance, the general good of the territory proposed to be annexed will not be served as well. First, the Village does not have zoning or at least, does not enforce what zoning it has. Washington Township, however, has an express zoning ordinance and does take action to enforce it. Washington Township has a zoning commission, a board of zoning appeals, and a zoning inspector. Living in an unzoned area is not a benefit to the residents because of the impact zoning has on property values. Second, the residents may benefit by the reduced surcharge on their water and sewage that they already get from the Village, but they certainly will pay more taxes with the 1% Village Income Tax. The Board finds that O.R.C. § 709.033(A)(5) is not satisfied.

(Continued on the next page)

November 9, 2009

CONTINUED FROM THE PREVIOUS PAGE

- **Ohio Revised Code 709.033 (A) (6)** There was testimony from K.O. Martin, one of the Township Trustees, that the street levy in Sardinia failed the last several times and the Village had to struggle to find money to buy salt for the roads in the winter. Currently, Tri-County Highway, which is the road in the proposed annexed area, is maintained by Brown County. Furthermore, the residents in the proposed area of annexation had real concerns that the road would not be maintained because of what the Village streets look like. The Board finds that the Village did not provide sufficient evidence that this road would be maintained to at least current standards, and accordingly, did not satisfy O.R.C. § 709.033(A)(6)

BE IT RESOLVED the Board does not find by a preponderance of the substantial, reliable, and probative evidence on the whole record, that each of the following conditions of O.R.C. § 709.033(A)(1) through (6) have been met. Accordingly, the Petition for Annexation of 105.609 Acres in Washington Township to the Village of Sardinia is DENIED.

List of property owners:

| | last name | first name | signed | affidavits | comments |
|----|-------------------------------|-------------------|--------|------------|----------------------|
| 1 | Turner | Anna L. | x | | |
| 2 | Ellis | Patricia | x | | |
| 3 | Ellis | Tami J. | x | | |
| 4 | Yockey | Neil | x | | |
| 5 | Yockey | Kelly | x | | |
| 6 | Yockey | Berneda | x | | |
| 7 | Mid-Ohio Securities | affidavit | x | x | |
| 8 | Yockey | Daniel | x | | |
| 9 | Yockey | Kimberly A | x | | |
| 10 | Cunningham | Brady | x | | |
| 11 | Cunningham | Daria | x | | |
| 12 | Nance | Michael | x | | |
| 13 | Martin | Angela | x | | |
| 14 | Armstrong | Michael | x | | |
| 15 | Haas | Patrica M. | x | | |
| 16 | Hamilton | Peg | x | | removed name 2/23/09 |
| 17 | Vance | Richard | x | | removed name 2/17/09 |
| 18 | Brown | Arthur Allen, Jr. | x | | |
| 19 | Jester | Shirley | x | | |
| 20 | Doss | Randy | x | | |
| 21 | Vanderbilt Mortgage | affidavit | | x | |
| 22 | Bunn | Edward | | | |
| 23 | Bunn | Angela | | | |
| 24 | Doss | Robert J. | | | |
| 25 | Tarvin | Geri L. | | | |
| 26 | Grarger | David J. | | | |
| 27 | Grarger | Leigh Ann | | | |
| 28 | Wardlow | Clyde William | | | |
| 29 | Wilson | Teresa | | | |
| 30 | Wilson | Larry | | | |
| 31 | Wilson | Shirley | | | |
| 32 | Vance | Betty | | | |
| 33 | Vance | James | | | |
| 34 | Schwallie | Ablert H. | | | |
| 35 | Schwallie | Charlotee F. | | | |
| 36 | Doss | Kelli J. | | | |
| 37 | Berry | Patricia L. | | | |
| 38 | Weddington | Buddy C | | | |
| 39 | Washington Twp. Trustees | | | | not counted as owner |
| 40 | Eastern Local School District | | | | not counted as owner |

November 9, 2009

IN THE MATTER OF RESOLUTION OF SUPPORT
FOR WEST FORK OF EAGLE CREEK WATERSHED
BALANCED GROWTH PROJECT

Motion moved by Mr. Geschwind to adopt the following resolution. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

**RESOLUTION OF SUPPORT FOR THE WEST FORK OF EAGLE CREEK
WATERSHED BALANCED GROWTH PROJECT**

WHEREAS: The Brown County Commissioners have become aware of a Watershed Balanced Growth Grant available from the Ohio Lake Erie Commission and the Ohio Water Resources Council; and
WHEREAS: The Brown County Commissioners as member of the Brown County Planning Commission and committed to the planned conservation and balanced growth of the county; and
WHEREAS: The Brown County Soil and Water Conservation District has prepared the West Fork of Eagle Creek Watershed Balanced Growth Grant with the intent to prepare a Watershed Balanced Growth Plan incorporating multiple municipalities within Brown County; and
WHEREAS: The West Fork of Eagle Creek Watershed Balanced Growth Plan is designed to evaluate and identify Priority Conservation Areas within the West Fork of Eagle Creek watershed to protect and maintain the integrity of our natural resources, while identifying Priority Development Areas within the Eagle Creek watershed to promote growth and development for the county; and
WHEREAS: The completed West Fork of Eagle Creek Watershed Balanced Growth Plan will enhance local plans and complete goals for the balanced growth of our community.
NOW, THEREFORE BE IT RESOLVED, that the Brown County Commissioners support the West Fork of Eagle Creek Watershed Balanced Growth Grant being submitted by the Brown County Soil and Water Conservation District; and
BE IT FURTHER RESOLVED, that the Brown County Commissioners will faithfully participate in this joint land use planning effort of the Brown County Soil and Water Conservation District and faithfully take into consideration the results of the final West Fork of Eagle Creek Watershed Balanced Growth Plan in accordance with the laws of the State of Ohio and the wishes of county citizens for the benefit of the community.
BE IT FURTHER RESOLVED that on November 9, 2009 the Brown County Commissioners forward this resolution to the Ohio Lake Erie Commission and the Ohio Water Resources Council.

IN THE MATTER TO RECESS MEETING

Motion moved by Mr. Jennings to recess this meeting until Thursday, November 10, 2009, to conduct further business. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

*Mr. Jennings and Mr. Geschwind attended the Wellhead Protection meeting held at Brown County Rural Water.
Mrs. Paeltz attended the Connect Ohio meeting held at Southern Hills Career & Technical Center.*

IN THE MATTER TO RECONVENE MEETING

Motion moved by Mr. Geschwind to reconvene the regular on Thursday, November 10, 2009 at 12:10 p.m. with the following members present: Second: Mr. Jennings.

With all in favor, the motion carried.

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

November 10, 2009

IN THE MATTER TO APPROVE BILLS

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

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

| | | |
|------|---------------------------------|---------------------|
| A00 | COUNTY | \$22,759.73 |
| B01 | DOG & KENNEL | \$1,134.45 |
| B10A | PROSECUTOR DTAC | \$337.47 |
| H10 | CHILD SUPPORT ENFORCEMENT AGENC | \$6,072.65 |
| M60 | FELONY DELINQ CUSTODY & CARE | \$406.22 |
| T88 | GEAR UP GRANT | \$20,702.77 |
| C43 | COMMON PLEAS MEDIATION FEES | \$500.00 |
| C45 | COMMON PLEAS SPECIAL WORKS | \$1,426.00 |
| A45 | TRAVEL & TOURISM | \$381.00 |
| A90B | CHIP GRANT-2008 | \$642.65 |
| C80 | PROBATION SERVICES FUND | \$6.39 |
| K01 | AUTO & GAS | \$8,780.91 |
| H01 | JOB & FAMILY SERVICES | \$97,042.94 |
| S50 | CHILDRENS SERVICES | \$3,376.84 |
| | | <u>\$163,570.02</u> |

IN THE MATTER OF APPROPRIATION CHANGE
COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of the Brown County Board of Elections for the following appropriation changes: Second: Mr. Jennings.

Decrease 3a4 Equipment by \$1,000.00 and Increase 3a6a Contract Services-Poll workers by \$1,000.00
Decrease 3a8 Advertising & Printing by \$1,417.64 and Increase 3a6a Contract Services-Poll workers by \$1,417.64

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION CHANGE
COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Lisa Spiller, Assistant Clerk, for the following appropriation change: Decrease 1h1 Audits by \$17,000.00 and Increase 1a11d Other Expenses by \$17,000.00. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Matt Wagner with Keramida met with the Commissioners and Sonja Cropper, Travel & Tourism, regarding the Rankin Road Grant Application.

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-JUVENILE COURT SPECIAL
PROJECTS FUND

Motion moved by Mr. Jennings to approve the request of William Carkeek, Court Administrator, for a supplemental appropriation of unappropriated C23 Juvenile Court Special Projects funds in the amount of \$12,600.00 into C23-4 Other. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 10, 2009

11/05/09

Alan Lindeman with Perfection Group and Matt Cline with Issacs Specialty Roof Systems met with Mrs. Paeltz and Mr. Jennings concerning a new roof needed for the Adult Detention Center.

Mrs. Paeltz attended the YWCA Circle of Women luncheon held in Batavia, Ohio.

Mrs. Paeltz attended the 4H Achievement Night Ceremony held at the Southern Hills Career Center.

11/06/09

Mrs. Paeltz attended the CCAO Fiscal Economic Development Infrastructure Committee meeting in Columbus, Ohio.

11/7/09

Mrs. Paeltz attended the Chamber of Commerce Reverse Raffle held in Georgetown, Ohio.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day. Second: Mr. Jennings.

ROLL CALL VOTE

- Mrs. Paeltz, yea
- Mr. Jennings, yea
- Mr. Geschwind, yea

Approval: November 16, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

November 10, 2009

Brown County Commissioner's Office
800 Mt. Orab Pike
Georgetown, Ohio 45121
November 16, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 16th day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member-absent due to jury duty

Rob Wilson, Communication Center Director, updated the Commissioners on grant funding.

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF APPROPRIATION CHANGE
AUTO & GAS FUND

Motion moved by Mr. Jennings to approve the request of Todd Cluxton, Brown County Engineer, for the following appropriation change: Decrease K12b Control & Service by \$5,000.00 and Increase K12a Materials by \$5,000.00. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER TO APPROVE REVISED IV-D
SERVICE CONTRACT-BETWEEN CSEA AND DAVID
WILSON

Motion moved by Mr. Jennings to approve the revised IV-D Service Contract between the Brown County Child Support Enforcement Agency and David D. Wilson. (See page 351 of this journal for the original contract) Mr. Wilson will act as Hearing Officer in administrative modification process and administrative paternity and will issue all paperwork in regard to his duties for the unit rate of \$80.00 per hearing for a total contract cost of \$14,400.00. His duties shall not exceed one day per week or 4 days per month. He shall also handle all Mistake of Fact hearings set on his docket. This agreement will be effective from October 1, 2009 through September 30, 2010. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF SOFTWARE SUPPORT
AGREEMENT FOR 2010 WITH MACDONALD
FRIEDBERG CARR AND DIXON

Motion moved by Mr. Jennings to enter into a Continuing Software Support Agreement for 2010 with MacDonald Friedberg Carr and Dixon, 213 Summit Street, Upper Sandusky, Ohio 43351, based upon the recommendation of Doug Green, Brown County Auditor. They will provide the software and support services for the following programs: Budgetary and Treasurer's General Ledger, Computer Assisted Mass Appraisal, Dog Registration, Manufactured Homes Tax Accounting, Payroll, Personal Property Tax Accounting, Real Estate Tax Accounting. The monthly fee is \$2,820.00 and the agreement shall be in effect from January 1, 2010 through December 31, 2010. (See complete agreement on file) Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

November 16, 2009

IN THE MATTER OF CONFLICT OF INTEREST
FOR BROWN COUNTY MENTAL HEALTH BOARD
MEMBER MAUREEN KILEY

Motion moved by Mr. Jennings that due to a conflict of interest, Maureen Kiley, board member for Brown County Community Board of Alcohol, Drug Addiction & Mental Health Services, will no longer serve on that board. Board members cannot be employees of Medicaid providers. This is based upon the recommendation of Steve Dunkin, Executive Director for Brown County Community Board of Alcohol, Drug Addiction & Mental Health Services. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

Elizabeth Scott, Regional Director for the Governor's Office, met with Mrs. Paeltz, Mr. Jennings, Kelly Cole-Economic Development Director and Roger Adkins-Brown County Planning Commission member. Rail development, state funding for county projects, Public Works, TRAC, and broadband were discussed. Mr. Geschwind and Ron Bulow-Planning Commission member entered the meeting.

Mr. Geschwind entered the regular meeting.

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Jennings to enter into Executive Session with A.J. Hensel and Jeff Knapp with the County Risk Sharing Authority (CORSA) to discuss pending litigation. Second: Mr. Geschwind. Session began at 11:35 a.m.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO LEAVE EXECUTIVE
SESSION

Motion moved by Mr. Jennings to leave Executive Session. Second: Mr. Geschwind. Session ended at 12:18 p.m.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Ken Poston with Poston & Associates and Donna Crowe with United HealthCare met with the Commissioners to review the medical and dental claims history from April 09 through October 09.

IN THE MATTER OF AGREEMENT BETWEEN
THE FOP AND THE BROWN COUNTY SHERIFF'S
OFFICE LIEUTENANTS AND SERGEANTS

Motion moved by Mr. Jennings to sign the agreement between the Fraternal Order of Police, Ohio Labor Council, Inc. and the Brown County Sheriff for the Lieutenants and Sergeants labor unit. The agreement is effective January 1, 2009 through March 31, 2020. (See complete agreement on file) Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 16, 2009

Mr. Jennings left the meeting.

IN THE MATTER TO RECESS MEETING

Motion moved by Mr. Geschwind to recess this meeting until Tuesday, November 17, 2009, to conduct further business. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Geschwind, yea

The Commissioners held a meeting with Elected Officials at the Communication Center. Present for the meeting: Municipal Court Judge Joseph Worley, Sheriff Dwayne Wenninger, Prosecutor Jessica Little and Engineer Todd Cluxton.

The Brown County Planning Commission held their monthly meeting.

IN THE MATTER TO RECONVENE MEETING

Motion moved by Mr. Jennings to reconvene the regular on Tuesday, November 17, 2009 at 12:10 p.m. with the following members present: Second: Mrs. Paeltz.

With all in favor, the motion carried.

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President

**IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION – MUNICIPAL COURT
PROBATION SERVICES FUND**

Motion moved by Mr. Jennings to approve the request of Judge Joseph M. Worley, Municipal Court, for a supplemental appropriation of unappropriated C80 Municipal Court Probation funds in the amount of \$12,000.00 into C80-2 Salaries. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER TO RECESS MEETING

Motion moved by Mr. Jennings to recess this meeting to attend the Small Counties Meeting with Highland, Adams, and Clinton County in Hillsboro, Ohio.. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER TO RECONVENE MEETING

Motion moved by Mr. Jennings to reconvene the meeting at 3:30 p.m. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

November 17, 2009

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Judge Scott T. Gusweiler, Common Pleas Court, for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$2,800.00 into 2b12d Other Expenses. This is needed to pay investigator fees and evaluations. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

IN THE MATTER OF APPROPRIATION CHANGES-
COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of Tina Meranda, Clerk of Courts, for the following appropriation changes: Second: Mrs. Paeltz.

Decrease 2g2 Salaries by \$300.00 and Increase 2g3 Supplies by \$300.00
Decrease 2g18 PERS by \$300.00 and Increase 2g3 Supplies by \$300.00

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

11/10/09

Mr. Jennings and Rob Wilson, Communication Center Director, attended the Huntington Township Trustees meeting.

11/11/09

The Commissioners attended Georgetown Jr./Sr. High Schools' Veteran's Day program.

11/12/09

The Brown County Solid Waste Authority held their monthly meeting.

Mrs. Paeltz attended the 2009 Ohio Summit on Children held in Columbus, Ohio.

Mr. Jennings attended the Ohio Valley Resource Conservation and Development Full Council meeting held in Chillicothe, Ohio.

11/13/09

Mrs. Paeltz attended the CORSA Board meeting in Columbus, Ohio.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Jennings to adjourn this meeting with no further business before the Board this day. Second: Mrs. Paeltz.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea

Approval: November 18, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

November 17, 2009

Brown County Commissioner's Office
800 Mt. Orab Pike
Georgetown, Ohio 45121
November 18, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 18th day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

The Commissioners held a Loss Control Meeting with Lisa Spiller-Assistant Clerk, Jamie Berry-Building Inspector, Dennis Sharp-Maintenance Supervisor, Reggie McKenzie-Chief Dog Warden, Steve Dick-Health Dept., Todd Cluxton-Engineer and Scott Moore-Engineer's Office.

The Commissioners attended the Seniors Alive Breakfast held at the Brown County General Hospital.

The Commissioners met with Brown County Extension Office educators Becky Cropper, David Dugan and Kathy Jelly.

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. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO APPROVE BILLS

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

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

| | | |
|------|---------------------------------|--------------|
| A00 | COUNTY | \$131,444.61 |
| B01 | DOG & KENNEL | \$425.76 |
| GG90 | TREAS/PREPAYMENT FUND | \$163.00 |
| J01 | REAL ESTATE ASSESSMENT | \$15.00 |
| K60 | EMERGENCY MANAGEMENT | \$1,149.98 |
| A45 | TRAVEL & TOURISM | \$55.00 |
| A90B | CHIP GRANT-2008 | \$18,505.75 |
| C23 | JUVENILE COURT SPECIAL PROJECTS | \$297.13 |
| M60 | FELONY DELINQ CUSTODY & CARE | \$3,715.00 |
| P34 | SOLID WASTE DISTRICT/HB 592 | \$87,235.90 |
| T10 | COMMUNITY DEVELOPMENT & BLOCK G | \$12,752.86 |
| H10 | CHILD SUPPORT ENFORCEMENT AGENC | \$150.69 |
| C60 | CERTIFICATE OF TITLE ADM FUND | \$1,460.91 |
| A25 | E-911 1/4% SALES TAX | \$8,606.99 |
| B10 | TREASURER DTAC | \$664.62 |
| C40 | COMMON PLEAS COURT COMPUTER. | \$1,321.97 |
| C30 | COUNTY COURT COMPUTERIZATION | \$438.43 |
| A10 | COUNTY CAPITAL IMPROVEMENT FUND | \$12,032.20 |
| K01 | AUTO & GAS | \$23,050.45 |
| A70 | CONCEALED HANDGUN LICENSE FUND | \$210.00 |
| H01 | JOB & FAMILY SERVICES | \$14,589.25 |
| S50 | CHILDRENS SERVICES | \$7,855.00 |
| | | \$326,140.50 |

November 18, 2009

**IN THE MATTER OF PROCLAMATION-NATIONAL
HOME CARE MONTH NOVEMBER 2009**

Motion moved by Mr. Geschwind to record as a matter of record the following Proclamation presented by Mrs. Paeltz on November 17, 2009 at the Home Care Office in Georgetown, Ohio. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

**Proclamation
National Home Care Month
November, 2009**

Whereas, home care services offers the right of aged and disabled citizens to continue to stay at home in independence, even in the face of major health problems, and

Whereas, home care means having a high quality of life making available skilled nurses and personal care attendants who assist the disabled person in getting out of bed, dressing, and performing other personal maintenance for the comfort of their patient, and

Whereas, Brown County General Hospital offers a team of 46 licensed professionals who offer the best in home care services as their daily mission as they serve the areas of Brown, Adams, Clinton, Highland and Clermont counties, and

Whereas, the President of the United States, Barack Obama, has praised homecare workers and lauded this a most noble profession, therefore

It is resolved, that we as the Brown County Commissioners, do declare November as National Home Care Month, a time to recognize the importance of the duties of these professionals and praise them for the support they offer to families in need of assistance with a loved one.

**IN THE MATTER TO ACCEPT RETIREMENT
BARBARA BRUAN- CSEA DIRECTOR**

Motion moved by Mr. Jennings to accept the retirement of Barbara Bruan as Brown County's Director of Child Support Enforcement effective December 1, 2009. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

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

Motion moved by Mr. Geschwind to approve the request of Judge Joseph Worley, Municipal Court, for the following appropriation change: Second: Mr. Jennings.

Decrease 2g7 Witness fees by \$200.00 and Increase 2g3a Attorney fees by \$200.00

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 18, 2009

IN THE MATTER OF POST CERTIFICATE
PURCHASE ORDER (S)

Motion moved by Mr. Jennings to approve the following Post Certificate Purchase Order(s). (Funds not encumbered in a timely manner). Second: Mr. Geschwind.

| <u>Fund/Dept.</u> | <u>Vendor</u> | <u>Code</u> | <u>Amount</u> |
|---------------------------|----------------|-------------|---------------|
| COUNTY GENERAL-MUNI COURT | THOMAS GRENNAN | 2G3A | \$253.00 |

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF POST CERTIFICATE
PURCHASE ORDER (S)

Motion moved by Mr. Geschwind to approve the following Post Certificate Purchase Order(s). (Funds not encumbered in a timely manner). Second: Mr. Jennings.

| <u>Fund/Dept.</u> | <u>Vendor</u> | <u>Code</u> | <u>Amount</u> |
|---------------------------|---------------|-------------|---------------|
| COUNTY GENERAL-MUNI COURT | SECURE ALERT | 2g5 | \$900.00 |

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-EMERGENCY MANAGEMENT
FUND

Motion moved by Mr. Geschwind to approve the request of Jane Cahall, EMA Director, for a supplemental appropriation of unappropriated K60 Emergency Management funds in the amount of \$15,500.00 into K60-10 Other Expenses. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Geschwind to enter into Executive Session with Beverly Gallimore, Clerk, to discuss personnel. Second: Mr. Jennings. Session began at 11:35 a.m.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO LEAVE EXECUTIVE SESSION

Motion moved by Mr. Geschwind to leave Executive Session. Second: Mr. Jennings. Session ended at 12:00 p.m.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 18, 2009

IN THE MATTER OF EXECUTIVE SESSION

Motion moved by Mr. Geschwind to enter into Executive Session with Susan Smith, employee with the Department of Child Support Enforcement, to discuss personnel. Second: Mr. Jennings. Session began at 3:10 p.m.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO LEAVE EXECUTIVE SESSION

Motion moved by Mr. Jennings to leave Executive Session. Second: Mr. Geschwind. Session ended at 3:45 p.m.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO ADJOURN

Motion moved by Mr. Jennings to adjourn this meeting with no further business before the Board this day. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Approval: November 16, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

November 18, 2009

Brown County Commissioner's Office
800 Mt. Orab Pike
Georgetown, Ohio 45121
November 23, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 23rd day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

**IN THE MATTER OF APPROPRIATION CHANGE
CSEA FUND**

Motion moved by Mr. Geschwind to approve the request of Barbara Bruan, Director of Child Support Enforcement Department, for the following appropriation changes to pay the health insurance premium for the remainder of the year: Second: Mr. Jennings.

Decrease H10-5 Supplies by \$3,600.76 and Increase H10-11 Other Expenses by \$3,600.76
Decrease H10-4 Equipment by \$1,000.00 and Increase H10-11 Other Expenses by \$1,000.00
Decrease H10-10 Contract Repair by \$500.00 and Increase H10-11 Other Expenses by \$500.00
Decrease H10-2 Travel by \$2,900.00 and Increase H10-11 Other Expenses by \$2,900.00
Decrease H10-9 Contract Services by \$6,500.00 and Increase H10-11 Other Expenses by \$6,500.00

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

**IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-YOUTH SERVICES SUBSIDY
FUND**

Motion moved by Mr. Jennings to approve the request of William Carkeek, Court Administrator for Probate/Juvenile, for a supplemental appropriation of unappropriated M50 Youth Services funds in the amount of \$1,059.20 into M50-1 Salaries.
Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

**IN THE MATTER TO ACCEPT RETIREMENT
NOTICE OF BEVERLY GALLIMORE AS
COMMISSIONER'S CLERK**

Motion moved by Mr. Geschwind to accept the retirement notice of Beverly Gallimore as Clerk for the Board of Commissioners effective February 1, 2010. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 23, 2009

IN THE MATTER TO RECORD CERTIFICATE OF RESULT OF ELECTION FOR MRDD TAX LEVY

Motion moved by Mr. Jennings to record as a matter of record the following Certificate Result of Election received from the Brown County Board of Election. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Certificate of Result of Election on Tax Levy in Excess of the Ten Mill Limitation

Revised Code, Secs. 3501.011; 3506.83; 5705.19-5705.25

The State of Ohio, BROWN County, ss.

To: _____

We, the undersigned, Board of Elections of said County, do hereby certify that the GENERAL Election held in

BROWN COUNTY in said County, on the 3RD day of NOVEMBER, 2009 on the question of levying a tax in excess of the ten mill limitation, for the benefit of said subdivision

PROVIDING ADDITIONAL FUNDS FOR THE BROWN COUNTY BOARD OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, FOR CONTINUING MAINTENANCE AND OPERATION OF SCHOOLS, for the purpose of TRAINING CENTERS, WORKSHOPS, CLINICS, AND RESIDENTIAL FACILITIES FOR PEOPLE WITH MENTAL RETARDATION AND/OR DEVELOPMENTAL DISABILITIES

Said tax being 2 A REPLACEMENT OF TWO EXISTING LEVIES

RECEIVED NOV 20 2009

at a rate not exceeding ONE (1) mill for each one dollar of valuation, which amounts to TEN CENTS (\$0.10) for each one hundred dollars of valuation, for

A CONTINUING PERIOD OF TIME COMMENCING IN 2009 FIRST DUE IN CALENDAR YEAR 2010.

Total number of votes cast:

TWELVE THOUSAND FIVE HUNDRED EIGHTY-FIVE (12,585)

For the Tax Levy:

SEVEN THOUSAND SIX HUNDRED EIGHT (7,608)

Against the Tax Levy:

FOUR THOUSAND NINE HUNDRED SEVENTY-SEVEN (4,977)

as the same appears by the Abstract of Votes duly certified and signed by us and deposited in our office.

IN WITNESS WHEREOF, We have hereunto subscribed our names officially, at

GEORGETOWN, Ohio, this

17TH day of NOVEMBER, 2009

Signatures of Board of Elections members: Chairman, Board of Elections

Attest: Sue M. Santosh, Director.

BROWN County, Ohio.

November 23, 2009

IN THE MATTER TO RECORD CERTIFICATE OF RESULT OF ELECTION FOR PUBLIC LIBRARY TAX LEVY

Motion moved by Mr. Geschwind to record as a matter of record the following Certificate Result of Election received from the Brown County Board of Election. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Certificate of Result of Election on Tax Levy in Excess of the Ten Mill Limitation

Revised Code, Secs. 3501.011; 3505.33; 5705.19-5705.25

The State of Ohio, BROWN County, ss.

To: _____

We, the undersigned, Board of Elections of said County, do hereby certify that the GENERAL Election held in

BROWN COUNTY in said County, on the 3RD day of NOVEMBER, 2009, on the question of levying a tax in excess of the ten mill limitation, for the benefit of said subdivision

for the purpose of PROVIDING PUBLIC LIBRARY SERVICES

RECEIVED NOV 20 2009

BROWN COUNTY BOARD OF COMMISSIONERS

Said tax being AN ADDITIONAL TAX

at a rate not exceeding ONE (1) mill for each one dollar of valuation, which amounts to TEN CENTS (\$0.10) for each one hundred dollars of valuation, for FIVE (5) YEARS, COMMENCING IN 2009 FIRST DUE IN CALENDAR 2010

Total number of votes cast: TWELVE THOUSAND SEVEN HUNDRED TWENTY-SEVEN (12,727) For the Tax Levy: SIX THOUSAND NINE HUNDRED FIFTEEN (6,915) Against the Tax Levy: FIVE THOUSAND EIGHT HUNDRED TWELVE (5,812)

as the same appears by the Abstract of Votes duly certified and signed by us and deposited in our office.

IN WITNESS WHEREOF, We have hereunto subscribed our names officially, at GEORGETOWN

Ohio, this 17TH day of NOVEMBER, 2009

Signatures of Board of Elections members: Bill Huber (Chairman), Greg Hall, Ralph C. Walker

Attest: Sue McIntosh, Director

BROWN County, Ohio.

November 23, 2009

**IN THE MATTER OF MOU-BETWEEN BROWN
COUNTY COMMISSIONERS AND FOP, OLC, INC.**

Motion moved by Mr. Jennings to enter into the following Memorandum of Understanding between the Brown County Commissioners/Communication Center and the Fraternal Order of Police, OLC, Inc. concerning the bargaining unit employees Agreement. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into on the 24th day of November, 2009 between the Brown County Commissioners/The Brown County Communications Center (the Employer) and the Fraternal Order of Police, OLC, Inc. (the Union) for the purpose of amending and modifying the Collective Bargaining Agreement commonly referred to as the "Agreement," which is currently in effect from January 1, 2009 through December 31, 2011.

The parties agree:

1. that the Union will withdraw immediately the unfair labor practice charge filed with the State Employment Relations Board which has been assigned Case No. 09-ULP-0500245;
2. that the Union will withdraw immediately the grievance and request for arbitration that has been assigned Case No. 09-02895 by the Federal Mediation and Conciliation Service and which has previously been scheduled for an arbitration hearing to take place on November 23, 2009;
3. that the Agreement referenced above is incorporated into this Memorandum of Understanding as if fully rewritten;
4. that all Articles and Sections of the Agreement not specifically modified and amended by this MOU as stated below shall continue in full force and effect until the expiration of the Agreement and until successors agreements have been negotiated between the parties;
5. this Agreement satisfies the re-opener requirements regarding insurance only for 2010; and
6. that Section 28 of the Agreement is hereby amended and modified as follows:

**ARTICLE 28
HOSPITALIZATION**

- A. The Brown County Commissioners will offer medical insurance coverage for eligible bargaining unit employees pursuant to the same terms and conditions as insurance is offered to all other non-bargaining, General Fund Brown County employees, except where such terms and conditions are expressly modified by this Article. Effective April 1, 2009, the Brown County Commissioners will contribute the same amount for each employee's monthly health care premiums as is contributed to other non-bargaining County General Fund employees for coverage, except that the County shall contribute a minimum of seventy percent (70%) of the monthly premium toward the cost of the employee's insurance premium. It is agreed and understood that the schedule of benefits for bargaining unit employees electing insurance coverage shall be the same as procured by the Board of County Commissioners and set forth for all other Brown County non-bargaining General Fund employees, including all conditions, payments and premium contributions as specified or required by individual carriers/providers of the health insurance plan and/or the County.

In the event the County utilizes a Health Savings Account ("HSA"), the County will partially fund the HSA of bargaining unit employees electing coverage in the following amounts:

Single Coverage: \$1260
Employee and Spouse: \$2500
Employee and Child: \$2500
Family: \$2500

The County's portion of the employee's HSA will be funded in pro-rata monthly contributions. Any employee who begins their employment after January 31 in any calendar year will receive their pro-rata monthly contributions only for the months for which they were employed.

(Continued on the next page)

November 24, 2009

CONTINUED FROM THE PREVIOUS PAGE

In the event it is necessary to raise the HSA deductible amounts in effect on April 1, 2009 for cost containment purposes, the Employer will meet in good faith, consider options and discuss the effects of the change(s) with the Union upon the written request of the Union. Written request from the Union must be presented within fourteen (14) calendar days of the notice of the change.

Additionally, the Brown County Commissioners will match up to an additional forty dollars (\$40) per month of employee contributions to the HSA up to a maximum of four hundred eighty dollars (\$480) per year.

It is further agreed and understood that during the term of this Agreement, such individual carriers/providers may, through no fault of the Employer, Union, or employees cease coverage. Should such occur, any employee adversely affected shall be given the opportunity to enroll with an alternative carrier with the appropriate premium rates subject to the premium rate applied herein or to waive coverage and receive an appropriate pro-rata amount of the waiver of coverage payment.

Additionally, it is agreed and understood that during the term of this Agreement specific carriers/providers under the plan may unilaterally institute payments or conditions which modifications will be required for subscription to that carrier/provider.

A bargaining unit employee's eligibility to obtain County health insurance benefits is based upon the following:

1. An employee who is on the active payroll (receives pay) for a period of five (5) days in any month is entitled to this benefit.
 2. An employee who does not receive pay for at least five (5) days in any month will be responsible for payment of the total premium due for continued hospitalization coverage.
- B. The Brown County Commissioners will continue to provide a \$10,000 AD & D policy in conjunction with the hospitalization policy as stated in paragraph A above.
- C. The Brown County Board of Commissioners shall be the sole arbiters of the carrier of the Brown County hospitalization plan.
- D. The Employer shall continue to try to make available to bargaining unit members and their eligible dependents substantially similar group health and hospitalization insurance coverage and benefits. The Employer reserves the right to change or provide alternate insurance carriers, health maintenance organizations, or benefit levels or to self-insure as it deems appropriate for any form or portion of insurance coverage referred to in this Article. The Employer will not be responsible for changes unilaterally imposed by an insurance provider in benefits, co-payment provisions or deductibles so long as the Employer uses its best efforts to minimize changes by incumbent insurance providers from one plan year to another. Should the group and hospitalization insurance coverage and benefits change, the Employer, upon written request of the Union, agrees to meet in good faith, consider options and discuss the effects of the changes. Written request from the Union must be presented within fourteen (14) calendar days of the notice of the change.
- E. The Employer reserves the right to institute cost containment measures relative to insurance coverage, so long as it tries to maintain a substantially similar level of benefits. Such changes may include, but are not limited to, mandatory second opinions for elective surgery, pre-admission and continuing admission review, preferred provider provisions, prohibition on weekend admissions except in emergency situations, and mandatory out-patient elective surgery for certain designated surgical procedures. Should the group and hospitalization insurance coverage and benefits change, the Employer, upon written request of the Union, agrees to meet in good faith, consider options and discuss the effects of the changes. Written request from the Union must be presented within fourteen (14) calendar days of the notice of the change.
- F. The extent of coverage under the insurance policies referred to in this Agreement shall be governed by the terms and conditions set forth in said policies or plans. Any questions or disputes concerning said insurance policies or plans or benefits thereunder shall be resolved in accordance with the terms and conditions set forth in said policies or plans and shall not be subject to the grievance and arbitration procedure set forth in this Agreement. The failure of any insurance carrier(s) or plan administrator(s) to provide any benefit for which it has contracted or is obligated shall result in no liability to the Employer, nor shall such failure be considered a breach by the Employer of any obligation undertaken under this or any other Agreement. However, nothing in this Agreement shall be construed to relieve any insurance carrier(s) or plan administrator(s) from any liability it may have to the Employer, bargaining unit member or beneficiary of any bargaining unit member.

(Continued on the next page)

November 24, 2009

CONTINUED FROM THE PREVIOUS PAGE

- G. Employees who are eligible for the County's health insurance and waive coverage and at the completion of twelve (12) months without coverage shall receive a payment of one thousand dollars (\$1000) per year by way of separate check. Employees will be required to show they have proof of health insurance coverage to be eligible for payment. Additionally, in order to be eligible for the waiver payment of \$1000, the employee must establish that they are not receiving medical insurance benefits through another family member working for Brown County. In the event that the employee opts back into the coverage during the twelve (12) month period, the employee will be paid a pro-rata portion of the bonus for each month during which he/she opted out of coverage. Employees who are not enrolled in the Health Plan shall be eligible for payment on April 1 of each year, provided that they are otherwise eligible pursuant to the above terms.
- H. The Parties agree to reopen this Article and Article 32 - Wages for 2011 with all the procedures of ORC 4117.14 where applicable.

Judge Scott Gusweiler, Common Pleas Court, met with the Commissions concerning the operations of his court.

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-PROSECUTOR'S VICTIMS
ASSISTANCE FUND

Motion moved by Mr. Geschwind to approve the request of Jessica Little, Brown County Prosecuting Attorney, for a supplemental appropriation of unappropriated T30 Prosecutor's Victims Assistance funds in the amount of \$1,432.00 into T30-1 Salaries. This is needed for the 27th pay of 2009. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-PROSECUTOR'S DTAC
FUND

Motion moved by Mr. Jennings to approve the request of Jessica Little, Brown County Prosecuting Attorney, for a supplemental appropriation of unappropriated B10a Prosecutor's DTAC funds in the amount of \$7,065.76 into B10-1 Salaries. This is needed for the 27th pay of 2009. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION
CHANGE-DOG & KENNEL FUND

Motion moved by Mr. Geschwind to approve the request of Lisa Spiller, Assistant Clerk, for the following appropriation change: Decrease B10 Health and Life Insurance by \$2,500.80 and Increase B2 Salaries by \$2,500.80. This is needed for the 27th pay of 2009. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-ADDITIONAL PAY FUND
(27TH PAY)

Motion moved by Mr. Jennings to approve a supplemental appropriation of unappropriated A22 Additional Pay (27th) funds in the amount of \$90,000.00 into A22-18 Transfer Out. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 24, 2009

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-SPECIAL PROJECTS MUNI
COURT FUND

Motion moved by Mr. Geschwind to approve the request of Judge Joseph M. Worley, Municipal Court, for a supplemental appropriation of unappropriated C90 Special Projects funds in the amount of \$5,643.04 into C90-2 Salaries-Magistrate. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF APPROPRIATION CHANGE
COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve the request of the Brown County Board of Elections for the following appropriation change: Decrease 3a6 Contract Services by \$222.61 and Increase 3a7 Travel by \$222.61. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Dorothy Ferris met with the Commissioners concerning the FAA projects for the Brown County Airport.

IN THE MATTER OF APPROPRIATION CHANGE
CDBG FUND

Motion moved by Mr. Geschwind to approve the request of Dorothy Ferris, CDBG Coordinator, for the following appropriation change: Decrease T10I2 Supplies by \$2,000.00 and Increase T10I1 Salaries by \$2,000.00. This is needed for the 27th pay in 2009. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO RECESS MEETING

Motion moved by Mr. Jennings to recess this meeting until Tuesday, November 24, 2009, to conduct further business. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Mrs. Paeltz and Mr. Jennings attended the OSU Advisory Committee Meeting held at the Extension Office in Georgetown, Ohio.

IN THE MATTER TO RECONVENE MEETING

Motion moved by Mr. Jennings to reconvene the regular on Tuesday, November 24, 2009 at 8:50 a.m. with the following members present: Second: Mr. Geschwind.

With all in favor, the motion carried.

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

November 24, 2009

IN THE MATTER TO APPROVE BILLS

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

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

| | | |
|------|---------------------------------|-------------------|
| A00 | COUNTY | \$22,627.39 |
| B01 | DOG & KENNEL | \$603.12 |
| B10A | PROSECTUOR DTAC | \$1,023.03 |
| B15 | INDIGENT DRIVERS ALCOHOL (IDA) | \$1,200.00 |
| C90 | SPECIAL PROJECTS FUND MUNICIPAL | \$8.80 |
| C80 | PROBATION SERVICES FUND | \$110.85 |
| C30 | COUNTY COURT COMPUERIZATION | \$2,380.00 |
| C45 | COMMON PLEAS SPECIAL WORKS | \$425.00 |
| H10 | CHILD SUPPORT ENFORCEMENT AGENC | \$601.19 |
| C20 | JUVENILE COURT COMPUTERIZATION | \$26.25 |
| C23 | JUVENILE COURT SPECIAL PROJECTS | \$290.00 |
| B10 | TREASURER DTAC | \$64.87 |
| J01 | REAL ESTATE ASSESSMENT | \$8,452.08 |
| A45 | TRAVEL & TOURISM | \$885.18 |
| T20 | ECONOMIC DEVELOPMENT FUND | \$62,437.60 |
| C40 | COMMON PLEAS COURT COMPUTER. | \$119.95 |
| K01 | AUTO & GAS | \$26,382.74 |
| H01 | JOB & FAMILY SERVICES | \$3,372.10 |
| S50 | CHILDRENS SERVICES | \$1,350.00 |
| T60 | BROWN CO FAMILY/CHILDRENS FIRST | <u>\$2,904.66</u> |
| | | \$135,264.81 |

IN THE MATTER TO RECORD JUDGMENT ENTRY -WILLIAM REDWINE CIVIL CASE (EUBANKS ROAD IN PERRY TOWNSHIP)

Motion moved by Mr. Jennings to record the following Judgment Entry. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE COURT OF COMMON PLEAS
CIVIL DIVISION
BROWN COUNTY, OHIO

CERTIFIED COPY
COURT COMMON PLEAS
BROWN COUNTY, OHIO
CLERK, TINA M. MERANDA
DEPUTY *Tina M. Meranda*

09 NOV 20 2:11:30

WILLIAM H. REDWINE, JR., et. al.
Plaintiff(s)

Case No: 20020448
R. ALAN CORBIN
VISITING JUDGE

RECEIVE
NOV 23 2009
BROWN COUNTY BOARD OF COMMISSIONERS

vs.

BOARD OF PERRY TOWNSHIP
TRUSTEES, et. al.
Plaintiff(s)

JUDGMENT ENTRY

This matter came before the Court this 20th day of November, 2009, to journalize the findings of the jury for the trial on the merits commencing October 26th, 2009 and concluding October 30th, 2009. The court finds that the parties are properly before the court and that the

(Continued on the next page)

November 24, 2009

CONTINUED FROM THE PREVIOUS PAGE

court has jurisdiction over the parties and the subject matter. The Court finds the verdict/interrogatory forms were properly completed and signed by the jury, and furthermore, upon the request of Plaintiffs' counsel, each member of the jury panel was polled in open court to verify their decision as to each interrogatory. This Court approves and adopts the factual findings of the jury as contained in the verdict/interrogatory forms, attached hereto and fully incorporated by reference. Accordingly, this Court finds that Eubanks Road, also known as Township Road 108, is a public road that does cross Plaintiffs' property from the western end of plaintiffs' property to the eastern end of the plaintiffs' property.

Upon consideration of the Plaintiffs' Amended Complaint, the Answer of the Defendant Board of Perry Township Trustees, and the Answers of the Intervening Defendants, Elmer W. Eubanks, Nicholas R. Holden, Diana L. Smith, fka as Diana L. Holden, Donovan Kelley, aka Donovan Kelley, Sr., Donovan Kelley, Jr., and Robyn Kelley, Plaintiffs' cause of action to quiet title and for declaratory judgment is found not well taken and is DENIED. Plaintiffs' cause of action for trespass against the Intervening Defendants is denied. Plaintiffs' cause of action for a violation of 42 U. S. §1983 against the Defendant Perry Township Board of Trustees is denied.

The counterclaims of Elmer W. Eubanks for public and prescriptive easements are found well taken and are granted. The counterclaim of Nicholas R. Holden and Diana L. Smith, fka Diana L. Holden for a public easement is found well taken and is granted. The counterclaims of Donovan Kelley, aka Donovan Kelley Sr., Donovan Kelley, Jr., and Robyn Kelley for public, and implied easements are found well taken and are granted.

IT IS THE ORDER OF THIS COURT that the amended complaint is dismissed with prejudice.

IT IS THE FURTHER ORDER OF THIS COURT that it is hereby declared that Eubanks Rd., also known as township road 108 is a public road that crosses plaintiffs' property from the western end of plaintiffs' property to the eastern end of plaintiffs' property. It is hereby declared that Nicholas R. Holden, Elmer W. Eubanks, Donovan Kelley, Donovan Kelley Jr., Robyn Kelley, and the general public have a prescriptive easement to use the part of Eubanks Rd which crosses plaintiffs' property from the western end of plaintiffs' property to the eastern end of plaintiffs' property. It is further declared that Elmer W. Eubanks, personally and as the owner of the property described in the deed found at vol. 129, page 257 has a prescriptive easement to use the part of Eubanks Rd. which crosses plaintiffs' property from the western end of plaintiffs' property to the eastern end of plaintiffs' property and it is further declared that such easement shall run with the land described in said deed of Elmer W. Eubanks, also known as Elmer

(Continued on the next page)

November 24, 2009

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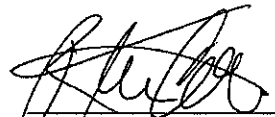
Eubanks, and shall benefit said land of Elmer W. Eubanks. It is further declared that Donovan Kelley, personally and as the owner of the property described in the deed found at O.R. Book 263, page, 1665 and Donovan Kelley Jr., and Robyn Kelley personally and as the owners of the property described in the deed found at vol. 277, page 151 have an implied easement to use the part of Eubanks Rd. that crosses plaintiffs' property from the western end of plaintiffs' property to the eastern end of plaintiffs' property and it is hereby further declared that such implied easement shall run with the land and shall benefit the property mentioned in said deeds.

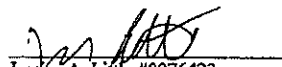
IT IS THE ORDER OF THIS COURT the Clerk of Courts shall cause a certified copy of this entry to be recorded with the Brown County Recorder, and filed with the Brown County Auditor, the Brown County Engineer, and the Brown County Board of Commissioners. This entry shall be indexed in the Brown County Records according to the Plaintiffs' names, William H. Redwine, Jr., and Patsy Fay Redwine, and referencing their prior instruments of title at Volume 215, Page 760, Volume 199, Page 6, and Volume 191, Page 473, the Defendant's name Board of Trustees of Perry Township, Intervening Defendant Elmer Eubanks, aka Elmer W. Eubanks, and referencing his prior instrument of title at Volume 129, Page 257, Intervening Defendants Nicholas R. Holden and Diana L. Smith, fka Diana L. Holden, and referencing their prior instruments of title in Official Records Volume 338, Page 1263, 1264, 1265, and 1269, Intervening Defendant Donovan Kelley, aka Donovan Kelley, Sr., referencing his prior instruments of title at Official Records Book 263, Page 1665, and Deed Book 198, Page 491, and Intervening Defendants Donovan Kelley, Jr., and Robyn Kelley, and referencing their prior instrument of title at Volume 277, Page 151.

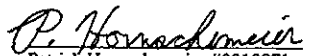
All at plaintiffs' costs.

Until further Order.

Approved: 11-20-09


B. Alan Corbin
Visiting Judge


Jessica A. Little #0076423
Counsel for Defendant
Board of Perry Township Trustees


Patrick Hornschemeier #0019871
Counsel for Intervening Defendants

(DID NOT ENDORSE)
Richard Uhle, Jr., 0022072 R.R.C.
Counsel for Plaintiffs

CC: Jessica Little, Counsel for Defendant
Richard Uhle, Jr., Counsel for Plaintiffs
Patrick Hornschemeier, Counsel for Intervening Defendants

November 24, 2009

IN THE MATTER TO ENTER INTO LEASE
AGREEMENT WITH DOLLAR LEASING CORP.
TO FINANCE CAD SYSTEM FOR THE
COMMUNICATION CENTER

Motion moved by Mr. Geschwind to enter into a Municipal Equipment Lease with Dollar Leasing Corp, 1301 E. 9th Street, Tower at Erieview, Cleveland, Ohio 44114 to purchase the Computer Aided Dispatch (CAD) System from Alert Tracking Systems (see page 360 of this journal for proposal).

| | |
|---------------------------------------|--------------------|
| AlertS Software | \$36,400.00 |
| Interfaces | \$18,500.00 |
| AlertS Services | \$28,200.00 |
| Maintenance/Support Fees(years 2 & 3) | <u>\$22,600.00</u> |
| Total equipment costs | \$105,600.00 |

Schedule of rental payments- 3 yearly payments of \$38,074.00 with Brown County owning the software after the three annual payments. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO ACCEPT RESIGNATION
OF ANDREW GILL-JOB & FAMILY SERVICES
EMPLOYEE

Motion moved by Mr. Jennings to accept the resignation of Andrew Gill, Job & Family Services employee, effective November 27, 2009. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO APPOINT SUSAN SMITH
AS INTERIM DIRECTOR OF CSEA

Motion moved by Mr. Jennings that due to the retirement of Barbara Bruan as Director of Brown County Department of Child Support Enforcement effective December 1, 2009, the Commissioners appoint Susan Smith as Interim Director effective: December 1, 2009 at 12:01a.m. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-MENTAL HEALTH/408 FUND

Motion moved by Mr. Geschwind to approve the request of Deanna J. Vietze, Business Manager for the Brown County Board of Alcohol, Drug Addiction and Mental Health Services, for a supplemental appropriation of unappropriated T52 MH/408 funds in the amount of \$3,990.48 into T52-9 PERS. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

November 24, 2009

IN THE MATTER OF AGREEMENT WITH
DOWNES FISHEL HASS KIM LLP FOR
HUMAN RESOURCES MANAGEMENT

Motion moved by Mr. Jennings to enter into a Contract for Services with Downes Fishel Hass Kim LLP, 400 South Fifth Street, Suite 200, Columbus, Ohio 43215-5492 to assist the county in human resource management, civil service administration, labor relations and other matters. They will be compensated at the hourly rate of one hundred seventy dollars (\$170.00). This contract is effective November 24, 2009 through December 31, 2010. (See complete agreement on file) Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

11/19/09

Mr. Geschwind attended the Brown County Chamber of Commerce monthly meeting in Georgetown, Ohio.
Mrs. Paeltz attended the OVRDC (Ohio Valley Regional Development Commission) Executive Committee meeting in Waverly, OH

11/20/09

Mrs. Paeltz attended the CCAO (County Commissioners Association of Ohio) Board of Trustee Meeting in Columbus, Ohio.

11/28/2009

Mr. Jennings and Mrs. Paeltz participated in the Mt. Orab Christmas parade.

IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Approval: November 30, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

November 24, 2009

Brown County Commissioner's Office
800 Mt. Orab Pike
Georgetown, Ohio 45121
November 30, 2009

The Board of County Commissioners, Brown County, Ohio, met in regular session this 30th day of November 2009 with the following members present:

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

IN THE MATTER OF PREVIOUS MINUTES

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

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-E911 ¼% SALES TAX
FUND

Motion moved by Mr. Geschwind to approve the request of Rob Wilson, Director of the Brown County Communication Center, for a supplemental appropriation of unappropriated A25 E11 ¼% Sales Tax funds in the amount of \$25,000.00 into A25-1 Salaries. This is needed for this department's 27th pay period for 2009. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF PUBLIC NOTICE FOR
APPLICATIONS FOR THE BROWN COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES

Motion by Mr. Jennings to authorize the Brown County Board of Developmental Disabilities to place the following Public Notice in the local paper for two consecutive weeks. Second by Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

PUBLIC NOTICE
APPLICATIONS FOR THE BROWN COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES

The Brown County Board of Developmental Disabilities will be accepting letters of application from interested citizens of Brown County to serve on the Board of Directors. There are two vacant seats to fill:

Both seats are Commissioner Appointments with terms beginning January 2010 and ending of December 2013. New members may be appointed to three consecutive terms of four years each.

One of the two appointments must also fulfill the requirement of an immediate family member of an Individual eligible for adult services the Developmental Disabilities Board.

Resumes or letters of interest can be mailed to: Brown County Board of Developmental Disabilities, 9116 Hamer Road, Georgetown, Ohio 45121.

November 30, 2009

IN THE MATTER TO RECORD COURT ORDER
TO TRANSFER FUNDS FROM A22 27TH PAY FUND
TO A00 COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to record as a matter of record the following Court Order. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea



FILED

09 NOV 25 PM 2:12

TINA M. MERANDA
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
GENERAL DIVISION
BROWN COUNTY, OHIO

IN THE MATTER OF: :
TRANSFER OF FUNDS : JOURNAL ENTRY
: :
: :

CERTIFIED COPY
COURT COMMON PLEAS
BROWN COUNTY, OHIO
CLERK TINA M. MERANDA
DEPUTY B. Jennings
11-25-09 ^{Rep}

It appears to the Court that the Brown County Board of Commissioners has requested a transfer of funds;

IT IS HEREBY ORDERED that the following transfer of funds shall be as follows:

\$90,000.00 from the A22 27th Pay Fund to the A00 County General fund

IT IS SO ORDERED.

JUDGE SCOTT T. GUSWEILER 11/25/09 date

IN THE MATTER OF FUND TO FUND TRANSFER
FROM A22 27TH PAY FUND TO A00 COUNTY
GENERAL FUND

Motion moved by Mr. Jennings to approve the following fund to fund transfer: From 27th Pay fund A22-18 Transfer Out in the amount of \$90,000.00 to County General fund 470 Transfer In in the amount of \$90,000.00. . Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

This transfer of funds will be used to pay County General fund employees for the 27th pay period for the year 2009. This 27th pay occurs approximately every 10-11 years.

November 30, 2009

IN THE MATTER TO APPOINT ROBERT CROSS
AS REPRESENTATIVE FOR PRE-DISCIPLINARY
HEARING-COMMUNICATION CENTER EMPLOYEE

Motion moved by Mr. Geschwind to adopt the following resolution. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Be it Resolved, that the Brown County Board of Commissioners hereby appoints Robert Cross with Cross Management Consulting to represent Brown County at the pre-disciplinary hearing for a Communication Center employee as recommended by Rob Wilson, Communication Center Director. The hearing is scheduled for Thursday, December 3, 2009 at 10:00 a.m. at the Communication Center.

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Jennings to approve a supplemental appropriation of unappropriated A00 County General funds in the amount of \$1,268.91 into 6a5 Repairs. This amount was reimbursed from CORSA for repairs to wrecked 2006 Sheriff's cruiser. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER OF SUPPLEMENTAL
APPROPRIATION-COUNTY GENERAL FUND

Motion moved by Mr. Geschwind to approve the request of the Brown County Board of Elections for a supplemental appropriation of unappropriated A00 County General funds in the amount of \$1,520.00 into 3a6 Contract Services. This is needed to pay for software subscription fees. Second: Mr. Jennings.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO ADVERTISE FOR RESUMES
FOR THE COMMISSIONER'S CLERK POSITION

Motion moved by Mr. Jennings to advertise the following. Second: Mr. Geschwind.

ROLL CALL VOTE
Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Accepting Resumes for the Position of
Clerk for the Brown County Board of Commissioner

The Brown County Board of Commissioners are accepting resumes for a full-time Clerk for the Brown County Board of Commissioners. The Clerk is in charge of all aspects of the Commissioners meetings, taking and recording minutes, reviewing subdivisions, road closings, annexations, budgetary and health insurance administration. This position requires self-motivation, organizational, communication, supervising skills and knowledge of county government functions.

Requirements: Knowledge of Public sector accounting and purchasing procedures, Excel spreadsheets and Works database. Passing a drug test prior to hiring and submitting to a criminal background check.

This is a salaried and classified position that is overtime exempt and may require evenings and weekends. Benefits including PERS, sick and vacation leave, holidays and health plan and is subject to a 365-day probationary period. The salary is commensurate with qualifications and experience. A complete job description may be obtained from the Brown County Commissioners Office, phone number 937-378-3956

Submit resumes to the Brown County Commissioners, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121 or fax to 937-378-6324 or email to browncco@bright.net by 4:00 p.m. December 11, 2009.

November 30, 2009

IN THE MATTER OF REAPPOINTMENT OF
SHAYNA HANSEL TO THE BROWN COUNTY
BOARD OF DEVELOPMENTAL DISABILITIES

Motion moved by Mr. Geschwind to approve the reappointment of Shayna Hansel, 957 Lorelei Drive, Fayetteville, Ohio 45118 to the County Board of Development Disabilities. (See page 389 of this journal for original appointment) She fulfills the requirement of ORC 5126.0211 and Section 3 of SB 10. This appointment fulfills the specific requirement of family relationship to a person eligible for Development Disabilities services. Her four-year term is effective January 1, 2010 through December 31, 2013. The Brown County Board of Developmental Disabilities requested the appointment. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

IN THE MATTER TO RECESS MEETING

Motion moved by Mr. Jennings to recess this meeting until Tuesday, December 1, 2009, to conduct further business. Second: Mr. Geschwind.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

4:00 p.m. The Commissioners performed an audit on cash receipts for the Child Support Enforcement Dept. due to the retirement of Barbara Bruan, Director and the appointment of an interim director.

12/1/09

Mr. Jennings and Mr. Geschwind met with Sheriff Dwayne Wenninger and Chief John Schadle to discuss inmate population.

Mrs. Paeltz attended the United Way Program Review meeting in Batavia, Ohio.

Judge Joseph Worley, Municipal Court, met with the Commissioners concerning court operations.

IN THE MATTER TO RECONVENE MEETING

Motion moved by Mr. Jennings to reconvene the regular meeting on Tuesday, December 1, 2009 at 3:50 p.m. with the following members present: Second: Mr. Geschwind.

With all in favor, the motion carried.

Mrs. Margery Paeltz, President
Mr. Ralph Jennings, Vice President
Mr. William R. Geschwind, Member

IN THE MATTER TO ADJOURN

Motion moved by Mr. Geschwind to adjourn this meeting with no further business before the Board this day. Second: Mr. Jennings.

ROLL CALL VOTE

Mrs. Paeltz, yea
Mr. Jennings, yea
Mr. Geschwind, yea

Approval: December 2, 2009

Beverly Gallimore
Beverly Gallimore, Clerk

Margery Paeltz
Margery Paeltz, President

Ralph Jennings
Ralph Jennings, Vice President

William R. Geschwind
William R. Geschwind, Member

December 1, 2009

BEGIN JOURNAL 47