

The Board of County Commissioner, Brown County, Ohio, met in regular session this May 6, 2013 with the following members present. Mr. Tony Applegate, President, Mr. Barry Woodruff, Member Mr. Daryll Gray, Member

IN THE MATTER OF PREVIOUS MINUTES

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

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

IN THE MATTER OF PROCLAMATION – NATIONAL NURSES WEEK

Motion moved by Mr. Gray to adopt the following Proclamation. The Commissioners visited Southwest Health Care, in Georgetown, Ohio for the reading of the proclamation. Second: Mr. Woodruff.

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

Proclamation

Whereas, The nearly 3.1 million registered nurses in the United States comprise our nation's largest health care profession, and

Whereas, The depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings, and

Whereas, The American Nurses Association, as the voice for the registered nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care, and

Whereas, A renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources, and

Whereas, Professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients, and

Whereas, The demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services, and

Whereas, That more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and

Whereas, The cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future, and

*Whereas, Along with the American Nurses Association, Southwest Regional Medical Center has declared the week of May 6-12 as NATIONAL NURSES WEEK with the theme **Delivering Quality and Innovation in Patient Care** in celebration of the ways in which registered nurses strive to provide safe and high quality patient care and map out the way to improve our health care system, therefore be it*

Resolved, That we, the Commissioners of Brown County, ask that all residents of this community join us in honoring the registered nurses who care for all of us, and be it further

Resolved, That the residents of Brown County celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week, but at every opportunity throughout the year.

IN THE MATTER OF PERSONNEL – PAY OUT OF SHERIFF'S OFFICE EMPLOYEE

Motion moved by Mr. Woodruff to approve the request of Dwayne Wenninger, Brown County Sheriff, to pay out John Fetters who retired from the Brown County Sheriff's Office on April 30th, 2013. Accumulated vacation leave (160) hours and accumulated sick leave (240) hours to be paid from A15-1 (Accumulated Leave Fund Pay Out). Second: Mr. Gray.

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

IN THE MATTER OF APPLICATION FOR APPOINTMENT OF SPECIAL PROSECUTING ATTORNEY

Motion moved by Mr. Gray upon the recommendation of Jessica Little, Brown County Prosecutor, to file an application to the Brown County Common Pleas Court for an Application for Appointment of Special Prosecuting Attorney per ORC 305.14 (A). This request is to appoint C. David Warren, Esq. 6001 E. Clinton St., Albany, Ohio 45710, as a special assistant prosecuting attorney to represent Brown County and the State of Ohio in public business, to wit: mediation/dispute resolution, investigations, protocol development, and possible court actions. Second: Mr. Woodruff.

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

May 6, 2013

IN THE MATTER OF AGREEMENT – SPECIAL PROSECUTING ATTORNEY

Motion moved by Mr. Gray to enter into an agreement with C. David Warren, Esq., 6001 E. Clinton St., Albany, Ohio to perform the functions of Special Brown County Prosecuting Attorney for the amount of \$125.00/hour, portal to portal, up to a maximum of \$6,000.00 to represent the State of Ohio and Brown County which will include not only investigations and possible court actions but also including any mediation services which may be beneficial to be paid from County General Funds. The Brown County Prosecutor will be responsible for any necessary expenses (i.e, transcripts, witness fees, etc.).
Second: Mr. Woodruff.

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

IN THE MATTER OF SUBGRANT AGREEMENT – BROWN COUNTY CHILD SUPPORT ENFORCEMENT AGENCY

Motion moved by Mr. Woodruff to enter into a Subgrant Agreement with the Ohio Department of Job & Family Services for State Fiscal Years 2014 and 2015. This agreement establishes the terms and conditions for the Brown County Child Support Enforcement Agency for receipt of funding for the July 1, 2013 through June 30, 2015 biennium. (See complete contract on file). Second: Mr. Gray.

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

IN THE MATTER OF NOTICE TO BIDDERS – BROWN COUNTY ENGINEER – 2013 AGGREGATE

Motion moved by Mr. Gray to approve the request of Todd Cluxton, Brown County Engineer, to advertise for the following Notice to Bidders for the 2013 Aggregate. Second: Mr. Woodruff.

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

NOTICE TO BIDDERS

(Pursuant to 307.87 ORC)

Sealed bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the Office of the Clerk of the Board in the County Administration Building until 9:00 a.m. on May 29, 2013 for the purchase of aggregate for road construction and paving as follows.

2013 AGGREGATE:	#2
	#4
	#57
	#67
	#8
	#9
	#304
	#411

The quality and analysis of all aggregate materials shall be in accordance with the latest edition of the State of Ohio Department of Transportation Construction and Materials Specifications Item 703.

The method of measurement for payment shall be by the ton.

It is expressly understood that the purpose of this bid solicitation is to obtain unit price contracts for the purchase of aggregate material on force account projects for the 2013 calendar year until June 1, 2014 in any quantity and at any time during the contract period.

Bidding forms may be obtained at the Office of the Brown County Engineer, or at www.browncountyengineer.org. Bidders must use the printed forms provided therefore as none others will be accepted. Bidding documents shall be fully executed and must contain the full name of each person or company submitting the bid.

Bidders must use the printed forms provided as none others will be accepted.

Each bid must contain the full name of each person or company submitting the bid. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the OWNER at Brown County Commissioners, Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121.

Each bidder shall file with the bid a bond or certified check drawn on a solvent bank in an amount that is indicated in the Information To Bidders, which is based on the average annual usages indicated in the proposal forms. In accordance with ORC 307.89 a Performance Bond will not be required for this contract.

Terms of purchase shall be net in 30 days after receipt of invoice and acceptance by the County Engineer.

The right is reserved to reject any and all bids. The contract will be awarded to the lowest and best bidder.

Bids will be opened and read at 10:15 a.m. on May 29, 2013.

By order of the Board of Brown County Commissioners, Brown County, Ohio.

IN THE MATTER OF NOTICE TO BIDDERS – BROWN COUNTY ENGINEER – ASPHALT EMULSION

Motion moved by Mr. Gray to approve the request of Todd Cluxton, Brown County Engineer, to advertise for the following Notice to Bidders for the RS-2 Asphalt Emulsion Project. Second: Mr. Woodruff.

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

NOTICE TO BIDDERS

(Pursuant to 307.87 ORC)

Sealed bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the office of the Clerk of the Board in the County Administration building until 9:00 a.m., May 29, 2013, for furnishing, delivering, and applying as directed by the Brown County Engineer the following bituminous materials:

DESCRIPTION	RS-2	Asphalt Emulsion
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The quality and analysis of all bituminous materials shall be in accordance with the State of Ohio Department of Transportation Construction and Materials Specifications Item 702, **except as herein amended.**

The method of measurement for payment and the equipment for delivery and application shall be in accordance with the latest edition of the State of Ohio Department of Transportation Construction and Materials Specifications.

It is expressly understood that the purpose of this bid solicitation is to obtain unit price contracts for the furnishing, delivery, and application of liquid bituminous material on force account projects for the 2013 calendar year in any quantity and at any time during the contract period. Bidders are advised that this includes supplying asphalt in 400 to 500 gallon quantities every 2 to 5 days to re-supplying the county patching distributor.

Bidders are advised that Prevailing Wages are part of the Contract Documents.

Bidding forms may be obtained at the Office of the Brown County Engineer, or at www.browncountyengineer.org Bidders must use the printed forms provided therefore as none others will be accepted. Each bid shall be fully executed and must contain the full name of each person or company submitting the bid. Please include 4 copies of bid. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to the OWNER at **Brown County Commissioners, Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121.**

Each bidder shall file with the bid a bond or certified check drawn on a solvent bank in an amount that is indicated in the Information to Bidders, which is based on the average annual usages indicated in the proposal forms.

Terms of purchase shall be net in 30 days after receipt of invoice and acceptance by the county Engineer.

The right is reserved to reject any and all bids. The contract will be awarded to the lowest and best bidder or bidders per the Information for Bidders.

Bids will be opened and read at 10:00 a.m. on May 29, 2013.

By order of the Board of Brown County Commissioners, Brown County, Ohio.

May 6, 2013

IN THE MATTER OF NOTICE TO BIDDERS – BROWN COUNTY ENGINEER – 2013 BROWN COUNTY PAVING PROJECTS

Motion moved by Mr. Gray to approve the request of Todd Cluxton, advertise for the following Notice to Bidders for the 2013 Brown County Paving Projects. Second: Mr. Woodruff.

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

NOTICE TO BIDDERS

Sealed bids will be received by the Board of County Commissioners of Brown County, at Georgetown, Ohio, at the Office of the Clerk of the Board in the County Administration Building, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121 until 9:00 a.m. on Wednesday, June 5, 2013, for:

2013 Brown County Paving Projects

Bidding forms may be obtained at the Office of the Brown County Engineer, or by visiting our website, www.browncountyengineer.org, and click on the bids tab. Bidders must use the printed forms provided therefore as none others will be accepted. Bidding documents shall be fully executed and must contain the full name of each person or company submitting the bid.

The work shall meet the State of Ohio Department of Transportation Construction and Material Specifications dated January 1, 2005, including appropriate changes and Supplemental Specifications in effect as of the contract date.

Bidding procedures, time of completion, and bonding requirements shall be as detailed in the Information for Bidders.

The right is reserved to reject any and all Bids. The Contract will be awarded to the lowest and best bidder.

Bids will be opened and read at 10:00 a.m. on Wednesday, June 5, 2013.

By order of the Board of Brown County Commissioners, Brown County, Ohio.

IN THE MATTER OF RESOLUTION – HOUSE BILL 59

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

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

Resolution No. 05062013

Resolved by the Board of County Commissioners of Brown County, that

WHEREAS, the Ohio Recorders' Association has proposed HB 59 in the Ohio General Assembly that R.C 317.321, whereby a county recorder may submit a written proposal for funding to a board of county commissioners for either or both of the following: (1) The acquisition and maintenance of imaging and other technological equipment, and associated expenses and contract services therefor; or (2) To reserve funds for the office's future technology needs if the county recorder has no immediate plans for the acquisition of imaging and other technological equipment or services, of not more than eight dollars of the base fee collected for filing or recording a document be placed in a special fund in the county treasury designated as "general fund moneys to supplement the equipment technology needs of the county rec order for a period of one year from the date the proposal is approved by commissioners; and

WHEREAS, under HB 59 as presented, the Ohio Recorders' Association proposal removes that authority of the board of county commissioners to reject or modify this proposal and instead causes such funds to be mandatory upon request; and

WHEREAS, under HB 59 as presented, the Ohio Recorders' Association proposal includes language whereby which commissioners would be unable to diminish funding for expenses of the recorder's office which would invite unnecessary and costly litigation when a remedy of a writ of mandamus already exists; and

(Continued on next page)

May 6, 2013

WHEREAS, under HB 59 as presented, the Ohio Recorders' Association proposal is a serious abrogation of commissioners' budget and appropriating authority and the board of county commissioners represents the appropriate discretion for making such appropriations.

NOW, THEREFORE, BE IT RESOLVED THAT this Board hereby expresses our **OPPOSITION** to the Ohio Recorders' Association proposal included within HB 59 in its present form.

IN THE MATTER OF CONTRACTS – MOVING OHIO FORWARD GRANT

Motion moved by Mr. Gray to enter into contract with Dale Bonar Jr., Bonar Construction & Excavation, 3485 Loudon Road, Georgetown, Ohio 45121 for the following demolition of blighted unsafe structures paid through the Moving Ohio Forward Grant received from the Ohio Attorney General's Office. Second: Mr. Woodruff.

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

220 N. Main Street, Ripley, OH \$23,450.00

5/3/13

Commissioner Barry Woodruff and Commissioner Daryll Gray attended the National Day of Prayer in Georgetown, Ohio.

5/6/13

The Commissioners met with Susan Smith, Director, Brown County Child Enforcement Agency, to discuss operation of the Brown County Child Enforcement Agency.

The Commissioners met with Beverly Kelbaugh, OSU Extension, to discuss operation of the OSU Extension.

The Commissioners met with Robert Henry, Secured Roofing, to discuss roofing.

The Commissioners met with James Berry, Brown County Building Department, to discuss operation of the Brown County Building Department.


IN THE MATTER TO ADJOURN

Motion moved by Mr. Gray to adjourn this meeting with no further business before the Board this day May 6th, 2013.

Second: Mr. Woodruff.

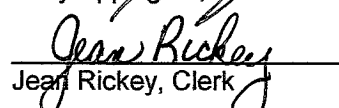
ROLL CALL VOTE: Mr. Gray, yea Mr. Woodruff, yea Mr. Applegate, yea

Approval: May 8th, 2013


Tony Applegate, President

absent
Barry Woodruff, Member


Daryll Gray, Member


Jean Rickey, Clerk

May 6, 2013