

Brown County Commissioner's Office  
800 Mt. Orab Pike  
Georgetown, Ohio 45121  
January 27, 2010

The Board of County Commissioners, Brown County, Ohio, met in regular session this 27th day of January 2010 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. 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	\$26,135.40
B01	DOG & KENNEL	\$1,027.40
A25	E-911 1/4% SALES TAX	\$7,042.38
K60	EMERGENCY MANAGEMENT	\$888.41
B20	PROBATE INDIGENT GUARDIANSHIP F	\$679.00
A26	ENHANCED 911 SURCHARGE	\$641.88
T88	GEAR UP GRANT	\$1,419.42
K05	EMERGENCY PLANNING FUND	\$86.00
H10	CHILD SUPPORT ENFORCEMENT AGENCY	\$179.00
B10	TREASURER DTAC	\$677.36
D11	TREAS/PREPAYMENT INTEREST FUND	\$338.68
B10A	PROSECUTOR DTAC	\$169.18
A90B	CHIP GRANT-2008	\$99.95
K01	AUTO & GAS	\$4,576.88
H01	JOB & FAMILY SERVICES	\$14,368.74
S50	CHILDRENS SERVICES	\$6,538.00
	TOTAL	\$64,867.68

IN THE MATTER OF PERSONNEL-NEW HIRE  
BROWN COUNTY DOG WARDEN

Motion moved by Mr. Jennings to employ Bill Frazier, 579 Shinkles Ridge Rd. Georgetown, Ohio 45121 as the full-time Brown County Dog Warden. His date of hire is January 27, 2010, at a starting annual salary of \$23,000.00 with a 365 probationary period. The Dog Warden position is a salaried, unclassified position with full benefits. Second: Mr. Geschwind.

ROLL CALL VOTE

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

January 27, 2010

**IN THE MATTER OF EMERGENCY MAINTENANCE  
AND REPAIR OF TOWNSHIP ROADS**

Motion moved Mr. Geschwind to approve the following request for Emergency Maintenance and Repair of Township Roads, pursuant to section 5535.08 of the Ohio Revised Code, contributions may be made by agreement between the Commissioners and the Engineer in the amount of \$200.00. Second: Mr. Jennings.

Pike Township                      Gargonia Rd.                      \$200.00

**ROLL CALL VOTE**

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

**IN THE MATTER OF PERSONNEL ACTION -  
ACCEPT RETIREMENT NOTICE OF LINDA VANCE  
FROM JOB & FAMILY SERVICES**

Motion moved by Mr. Jennings to accept the notice of retirement received from Linda Vance. She will retire from Brown County Job & Family Services effective January 31, 2010. Second: Mr. Geschwind.

**ROLL CALL VOTE**

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

**IN THE MATTER OF PERSONNEL ACTION --  
ACCEPT RESIGNATION OF KATRINA MCCRAY  
COMMUNICATION CENTER DISPATCHER**

Motion moved by Mr. Geschwind to approve the request of Rob Wilson, Communication Center Director, to accept the resignation of Katrina McCray, Dispatcher, effective January 25, 2010. Second: Mr. Jennings.

**ROLL CALL VOTE**

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

**IN THE MATTER OF REQUEST TO FILL THE  
VACANCY OF COMMUNICATION CENTER  
DISPATCHER**

Motion moved by Mr. Jennings to approve the request of Rob Wilson, Communication Center Director, to fill the vacancy created by the resignation of Katrina McCray, dispatcher. Second: Mr. Geschwind.

**ROLL CALL VOTE**

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

*Phil DiCiero, Benefits Network, Donna Crowe, United Healthcare and Ken Poston, Poston & Associates, Inc. met with the Commissioners to discuss health insurance options and rates.*

**IN THE MATTER TO RECESS**

Motion moved by Mr. Jennings to recess this meeting, January 27, 2010 at 5:00 p.m. until Thursday, January 28, 2010. Second: Mr. Geschwind.

**ROLL CALL VOTE**

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

**January 27, 2010**

IN THE MATTER TO RECONVENE

Motion moved by Mr. Jennings to reconvene the meeting Thursday, January 28, 2010 at 8:30 a.m. Second: Mr. Geschwind.

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

IN THE MATTER OF PETITION FOR ANNEXATION  
INTO THE VILLAGE OF MT ORAB (173.90 ACRES)

Motion moved by Mr. Geschwind to enter upon the journal the following petition for Annexation received in this office on January 26<sup>th</sup>, 2010 from Richard L. Goettke, Mt. Orab Village Solicitor. Second: Mr. Jennings.

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

PETITION FOR ANNEXATION

RECEIVED  
JAN 26 2010

BROWN COUNTY BOARD  
OF COMMISSIONERS

To: The Board of County Commissioners  
Brown County, Ohio

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

A. There are three owners of the real estate in the territory proposed for annexation. They are William B. Lucas, Trustee and James R. Lucas, Trustee, William B. Lucas and Lisa Lucas, husband and wife, and James R. Lucas, an unmarried person. The three owners have signed the petition below and have dated their signatures.

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

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

The territory proposed for annexation does not exceed acres.

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

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

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

If a street or highway will be divided or segmented by  
January 28, 2010

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

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

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

Date: 9/7/2009

Wm B Lucas TRUSTEE  
William B. Lucas, Trustee

Date: 8/27/2009

James R. Lucas, TRUSTEE  
James R. Lucas, Trustee

Date: 9/7/2009

Wm B Lucas  
William B. Lucas

Date: 8/27/2009

James R. Lucas  
James R. Lucas

Date: 9/7/09

Lisa M. Lucas  
Lisa Lucas

January 28, 2010

**Annexation of 171.348 Acres**  
 Situate in **2<sup>d</sup> Survey** Military Survey No. 3343 and 3344, Sterling Township, Brown County, Ohio and being 40.179 Acres (identified as Parcel No. 370715680000) of which 0.026 Acres in the right-of-way of (Rahling Road) conveyed to William B. Lucas and James R. Lucas, Co-Trustees in Official Record 325, page 669; and being 12.871 Acres (identified as Parcel No. 370720940000) in the right-of-way of (Rahling Road) conveyed to William B. Lucas and James R. Lucas, Co-Trustees in Official Record 58, page 735; and being 47.059 Acres (southerly tract) of which 0.165 Acres are in the right-of-way of Eastwood Road C-101 and of which 0.865 Acres are in the right-of-way of Greenbush-Cobb Road T-128) conveyed to William B. Lucas and James R. Lucas, Co-Trustees in Official Record 59, page 795; and being 48.598 Acres (of which 0.950 Acres are in the right-of-way of Greenbush-Cobb Road T-128) identified as Parcel No. 370715660100 conveyed to William B. Lucas and James R. Lucas in Official Record 305, page 737; and being 16.443 Acres in State Route No. 32 conveyed to the State of Ohio in Deed Book 160, page 291, Deed Book 160, page 472, Deed Book 161, page 575 and in Deed Book 165, page 571 in the Brown County, Ohio Recorder's Office and being bounded and more particularly described as follows:

Beginning at a mag nail set in the centerline of Eastwood Road C-101 on the existing corporation line of the Village of Mt. Orab at the northeastern corner of Harry E. Biell, Jr.'s 8.69 Acre tract as recorded in Deed Book 98, page 633 in the Brown County, Ohio Recorder's Office;

Thence from said beginning point and with the line of said Biell for the next two (2) courses:

North 73 degrees 05 minutes 15 seconds West a distance of 463.95 feet to a 1" iron pin set;

South 14 degrees 54 minutes 38 seconds West a distance of 724.04 feet to a spike found in the centerline of Greenbush Cobb Road T-128;

Thence with the centerline of said Greenbush Cobb Road T-128 for the next seven (7) courses:

North 62 degrees 55 minutes 54 seconds West a distance of 682.74 feet to a mag nail found;

North 67 degrees 16 minutes 48 seconds West a distance of 106.11 feet to a mag nail set;

North 70 degrees 30 minutes 57 seconds West a distance of 96.54 feet to a mag nail set;

North 72 degrees 51 minutes 01 seconds West a distance of 462.20 feet to a mag nail found;

North 72 degrees 45 minutes 45 seconds West a distance of 739.06 feet to a mag nail found;

North 80 degrees 25 minutes 40 seconds West a distance of 568.28 feet to a mag nail found;

North 80 degrees 24 minutes 23 seconds West a distance of 510.07 feet to a mag nail found corner to Jack E. Galtskill and Thomas L. Galtskill;

Thence with the line of said Galtskill and Galtskill and continuing with the line of William B. Lucas and James R. Lucas's 49.521 Acre tract North 15 degrees 38 minutes 32 seconds East a distance of 1379.35 feet to a 5/8" iron pin found on the southerly limited access right-of-way line of State Route No. 32;

Thence crossing said State Route No. 32 North 16 degrees 39 minutes 43 seconds East a distance of 238.09 feet to a 1/2" iron pin found on the northerly limited access right-of-way line of said State Route No. 32, corner to Patricia J. Lucas, Trustee;

Thence with the line of said Patricia J. Lucas, Trustee for the next three (3) courses:

North 16 degrees 59 minutes 06 seconds East a distance of 11.81 feet to a 1/2" iron pin found;

North 72 degrees 02 minutes 51 seconds West a distance of 158.09 feet to a 5/8" iron pin found;

North 17 degrees 50 minutes 05 seconds East a distance of 810.10 feet to a 5/8" iron pin found corner to Lot 10 of Rutherford Subdivision;

Thence with the line of said Lot 10 of Rutherford Subdivision and continuing with the line of the Ruffert of Lot 2 of Rutherford Subdivision South 72 degrees 45 minutes 55 seconds East a distance of 2573.74 feet to a 5/8" iron pin found on the line of Sally J. Barber and M. Dale Cox;

Thence with the line of said Barber and Cox South 15 degrees 35 minutes 26 seconds West a distance of 312.64 feet to a 1/2" iron pin found corner to Herbert A. Morgan;

Thence with the line of said Herbert A. Morgan and continuing with the line of Gerald H. and Naomi Barnett South 13 degrees 30 minutes 53 seconds West a distance of 377.02 feet to a 1" iron pin set;

Thence continuing with the line of said Barnett South 72 degrees 55 minutes 46 seconds East a distance of 632.15 feet to a 1" iron pin set on the northerly limited access right-of-way line of said State Route No. 32;

Thence continuing with the line of said Barnett and with the northerly limited access right-of-way line of said State Route No. 32 North 13 degrees 42 minutes 00 seconds East a distance of 189.70 feet to a 1" iron pin set;

Thence continuing with the line of said Barnett and continuing with the northerly limited access right-of-way line of said State Route No. 32 and continuing with the line of Hillsboro Dream Homes, Inc. South 69 degrees 33 minutes 41 seconds East a distance of 187.73 feet to a 1" iron pin found;

Thence continuing with the northerly limited access right-of-way line of said State Route No. 32 and with the line of said Hillsboro Dream Homes, Inc. and continuing with the line of Lot 1 of Morgan's Subdivision South 6 degrees 04 minutes 49 seconds West a distance of 250.80 feet to a 1" iron pin found;

Thence continuing with the northerly limited access right-of-way line of said State Route No. 32 and continuing with the line of said Lot 1 of Morgan's Subdivision South 26 degrees 04 minutes 04 seconds East a distance of 97.44 feet to a 1" iron pin found on the said existing corporation line of the Village of Mt. Orab;

Thence crossing said State Route No. 32 and with the said existing corporation line of the village of Mt. Orab South 5 degrees 57 minutes 39 seconds West a distance of 275.97 feet to a 1" iron pin found on the southerly limited access right-of-way line of said State

Route No. 32 corner to Lot 3 of Hale Property Subdivision;

Thence continuing with the said existing corporation line of the village of Mt. Orab and with the southerly limited access right-of-way line of said State Route No. 32 and with the line of said Lot 3 of Hale Property Subdivision for the next two (2) courses:

South 69 degrees 12 minutes 34 seconds West a distance of 89.13 feet to a 1" iron pin found;

South 12 degrees 56 minutes 41 seconds West a distance of 250.20 feet to a 1" iron pin found;

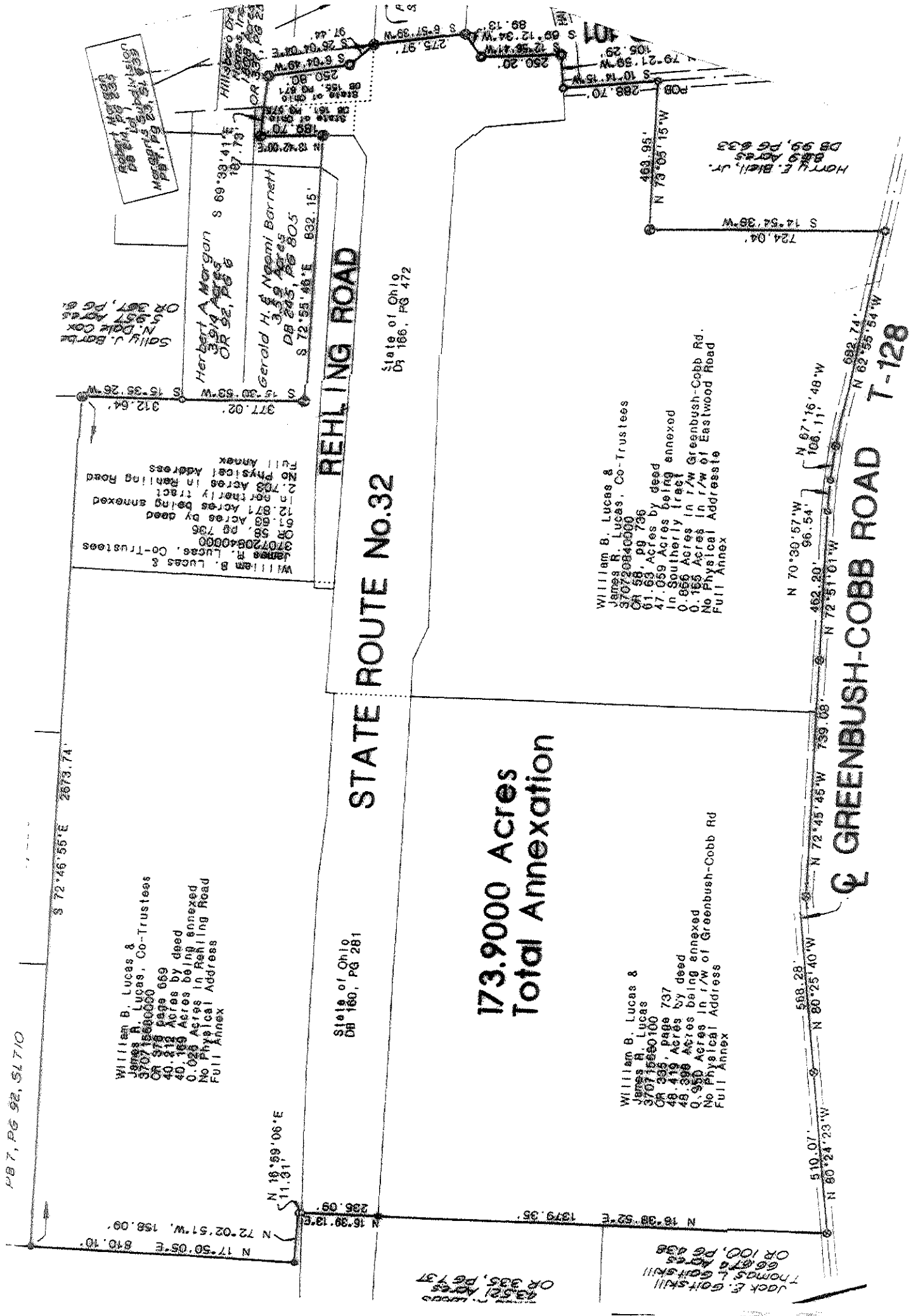
Thence continuing with the said existing corporation line of the village of Mt. Orab and continuing with the southerly limited access right-of-way line of said State Route No. 32 North 79 degrees 21 minutes 59 seconds West a distance of 105.29 feet to a spike found in the centerline of said Eastwood Road C-101;

Thence continuing with the said existing corporation line of the village of Mt. Orab and with the centerline of said Eastwood Road C-101 South 10 degrees 14 minutes 15 seconds West a distance of 288.70 feet to the place of beginning CONTAINING

171.348 ACRES, more or less, subject, however to all legal highways and easements of record. Bearings are based on Ohio State Plane Coordinates, Ohio South 5402; all other bearings are based upon angles and distances measured in the field.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 03 August 2009.

January 28, 2010



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

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Description</u>
William B. Lucas, Trustee James R. Lucas, Trustee 109 Driftwood Drive Lexington, SC 29072	37-071568-0000 37-072084-0000	40.212 A 61.63 A
William B. Lucas Lisa Lucas 2813 Crittwoods Court Cincinnati, Ohio 45244	37-071568-0100	48.419 A
James R. Lucas 109 Driftwood Drive Lexington, SC 29072	37-071568-0100	48.419 A

IN THE MATTER OF EMERGENCY MAINTENANCE  
AND REPAIR OF TOWNSHIP ROADS

Motion moved Mr. Jennings to approve the following request for Emergency Maintenance and Repair of Township Roads, pursuant to section 5535.08 of the Ohio Revised Code, contributions may be made by agreement between the Commissioners and the Engineer in the amount of \$200.00. Second: Mr. Geschwind.

Union Township	T-0232	DeVore Rd.	\$200.00
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ROLL CALL VOTE

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

**Allen Freeman, from D&S Consulting LLC, met with the Commissioners to discuss government funding. Greg Theiler, Benovation, Ken Poston, Poston & associates, Inc., Mitch Sharp, Director of Job and Family Service, Babe Beasley and Sherry Durbin of Job and Family Service, met with the Commissioners to discuss health insurance options and rates.**

**1/26/10**

**Mrs. Paeltz and Mr. Jennings attended the ABCAP Workforce Board Meeting.**

**Mrs. Paeltz, Mr. Jennings and Mr. Geschwind met with Ralph Fox CVSO, and the Board of Brown County Veterans Services.**

**Mrs. Paeltz attended the Georgetown Fire Departments Fire Chiefs Meeting.**

**1/28/2010**

**Mr. Jennings and Mr. Geschwind met with Robert Sander, Human Resource Director, in Batavia Ohio, to discuss the present health insurance being used in Clermont County.**

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.

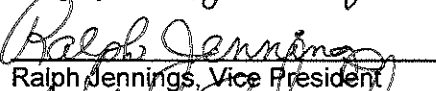
ROLL CALL VOTE

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

Approval: February 1, 2010

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Jean Rickey, Clerk

  
Margery Paeltz, President

  
Ralph Jennings, Vice President

  
William R. Geschwind, Member

January 28, 2010