

The Board of County Commissioners, Brown County, Ohio, met in regular session this 7th day of August 2019 with the following members present: Tony Applegate, President Daryll R. Gray, Member Barry L. Woodruff, 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. Woodruff, yea Mr. Gray, yea Mr. Applegate, yea

IN THE MATTER TO APPROVE THE BILLS

Motion moved by Mr. Gray to approve the following bills for payment. Second: Mr. Applegate.

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

DEPT	EXPENDITURE
AUDITOR	\$135.85
BOE	\$37.77
BUILDING DEPT	\$0
CLERK OF COURTS	\$0
COMMISSIONERS	\$474,884.32
COMMON PLEAS	\$3,458.40
CORONER	\$1,600.00
CSEA	\$1,287.25
DOG TAGS	\$7,049.02
E911	\$1,630.11
ECONOMIC DEVELOPMENT	\$4,681.48
EMA	\$453.16
ENGINEER HWY	\$14,725.44
ENGINEER OFFICE	\$3,981.23
ENGINEER SEWER & WATER	\$0
JFS	\$148,873.58
JURY COMMISSION	\$0
PROBATE/JUVENILE	\$5,113.75
LAW LIBRARY	\$0
MAINTENANCE	\$29,153.56
MUNICIPAL	\$0
PROSECUTOR	\$950.23
RECORDER	\$0
SHERIFF	\$28,498.33
TITLE	\$14,302.28
TREASURER	\$0
GRAND TOTAL	\$740,815.76

IN THE MATTER OF RESOLUTION – CONTRACT FOR REPAIRS - BROWN COUNTY COURTHOUSE

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

RESOLUTION NO. 08072019-1

CONTRACT FOR REPAIRS
BROWN COUNTY
COMMON PLEAS COURTHOUSE
O.R.C. § 305.25

The Board of County Commissioners of Brown County, Ohio, met on the 7th day of August, 2019, in regular session at the offices of said Board in the Administration Building, Georgetown, Ohio, with the following members present:

Tony Applegate, President
Daryll Gray, Member
Barry Woodruff, Member

The following resolution was presented by Mr. Woodruff, who moved its adoption, and seconded by Mr. Gray.

WHEREAS, the Brown County Board of Commissioners finds office renovations are required at the Brown County Common Pleas Courthouse, known as 101 S. Main Street, Georgetown Ohio 45121;

WHEREAS, the Board finds the proposal received from the solicitation is under the threshold for public bidding requirements;

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WHEREAS, the Board finds the existing exterior doors at the Common Pleas Courthouse are in need of replacement;

WHEREAS, the Board finds the replacement of the 4 exterior doors will increase heating and cooling efficiencies as well as security;

WEHEREAS, the Board finds the \$25,600.00 proposal from Tim Hayslip of Hayslip Construction with a work description for renovations;

WHEREAS, the Board finds it in the best interest of the County to enter into an agreement for door replacement services with Hayslip Construction for renovations of the Brown County Common Pleas Courthouse;

THEREFORE, BE IT RESOLVED: by the Board of Commissioners of Brown County, Ohio, that on the above findings, hereby selects Hayslip Construction as the contractor for said services;

THEREFORE, BE IT FURTHER RESOLVED, by the Board of Commissioners of Brown County, Ohio, that on the above findings hereby approves of and consents to the Agreement for office renovations, attached hereto and fully incorporated herein;

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

IN THE MATTER OF RESOLUTION – AUTHORIZING PARTICIPATION IN A SUBLEASE-PURCHASE ARRANGEMENT - BOE

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

RESOLUTION NO. 08072019-2

AUTHORIZING PARTICIPATION IN A SUBLEASE-PURCHASE ARRANGEMENT WITH THE OHIO SECRETARY OF STATE FOR THE PURPOSE OF ACQUIRING AND IMPLEMENTING VOTING MACHINES AND EQUIPMENT AND FINANCING CERTAIN COSTS THEREOF, A SUBLEASE-PURCHASE AGREEMENT EVIDENCING SUCH ARRANGEMENT, AND MATTERS RELATED THERETO.

WHEREAS, pursuant to Amended Substitute Senate Bill 135 of the 132nd Ohio General Assembly (as the same may be amended, modified, revised, supplemented or superseded from time to time, the "Act") and the financing program authorized thereunder (the "SoS Financing Program"), the Secretary of State of the State of the Ohio (the "Sublessor") is providing financing to Ohio counties for the acquisition of voting systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code ("ORC") Section 3506.01, together with associated allowable expenditures, as defined in the Act; and

WHEREAS, in accordance with ORC Section 3506.02, it has been determined that the equipment used by the citizens of the County of Brown, Ohio (the "Sublessee") to vote in federal, state and local elections shall be changed to that equipment described in the Proposal of Unisyn Voting Solutions, Inc. (the "Vendor") dated May 24, 2019 (the "Proposal"); and

WHEREAS, the Vendor has submitted a draft contract for the implementation of the Proposal to the Sublessee (the "Project Contract"), and the Sublessor has reviewed and approved the Project Contract (as it relates to the SoS Financing Program) and the Project Equipment (as hereinafter defined); and

WHEREAS, the Proposal requires the Sublessee to acquire certain voting machines and equipment (the "Project Equipment") and pay certain costs related to implementing the Proposal (along with the acquisition of the Project Equipment, the "Project") and this Board of County Commissioners of the Sublessee (the "Legislative Authority") desires to accept the Proposal, enter into the Project Contract, undertake the Project, and finance a portion of the cost of the Project by utilizing the provisions of the SoS Financing Program;

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

SECTION 1. It is hereby determined to be necessary, desirable and expedient, and in the best interests of the Sublessee and its citizens, for the Sublessee (i) to accept the Proposal, (ii) enter into the Project Contract, (iii) acquire the Project Equipment, and (iv) finance a portion of the costs of the Project Equipment (the "State-Financed Equipment") and other costs of the Project by participating in the SoS Financing Program.

SECTION 2. The Sublessee's participation in the SoS Financing Program shall be evidenced by a Sublease-Purchase Agreement between the Sublessor and the Sublessee (together with all exhibits and appendices thereto, the "Sublease"). At least two members of the Legislative Authority and the Sublessee's County Auditor (collectively, the "County Signers") are hereby separately and individually authorized, alone or with others, to execute and deliver the Sublease on behalf of the Sublessee in substantially the form presently on file with the Legislative Authority, which is hereby approved, with such

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changes not substantially adverse to the Sublessee as the County Signers may approve; the approval of such changes and that the same are not substantially adverse to the Sublessee shall be conclusively evidenced by the execution of the Sublease by the County Signers.

SECTION 3. All of the obligations of the Sublessee set forth and covenants made by the Sublessee under the Sublease are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Sublessee within the meaning of ORC Section 2731.01 et seq.

SECTION 4. Pursuant to the SoS Financing Program, the Sublessee shall not be required to make any scheduled payments towards the purchase of the State-Financed Equipment to the Sublessor or any other entity. To pay that portion of the cost of the Project not financed through the SoS Financing Program, there is hereby appropriated from the Sublessee's General Fund (i) the amount of \$30,214.00, and (ii) to pay the Sublessee's other obligations under the Sublease during this FY2019, the amount of \$30,214.00.

SECTION 5. The County Signers and other appropriate officers of the Sublessee, or any of them, are hereby separately and individually authorized and directed to (i) make the necessary arrangements with the Sublessor to establish the date, location, procedure and conditions for executing and delivering the Sublease, and delivering the Sublease to, the Sublessor, and (ii) give all appropriate notices and execute and deliver, on behalf of the Sublessee, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out, give effect to and consummate the transaction contemplated thereby in such forms as the official executing the same may approve, and to take all other steps necessary or appropriate to effect the due execution, delivery and performance of the Sublease pursuant to the provisions of this resolution. The Clerk of the Board of County Commissioners shall furnish to the Sublessor a true transcript of proceedings pertaining to the Sublease containing such information from the records of the Sublessee as is necessary to evidence or determine the regularity and validity of the authorization, execution and delivery of the Sublease. Each of the County Signers is hereby separately and individually designated to act as the authorized representative of the Sublessee for purposes of the Sublease until such time as the Legislative Authority shall designate any other or different authorized representatives for such purpose.

SECTION 6. The Sublease shall constitute a special obligation of the Sublessee. Nothing in the Sublease or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt, bonded indebtedness or a general obligation of the Sublessee. Neither the taxing power nor the full faith and credit of the Sublessee are pledged or shall be pledged for the payment or security of the Sublease, or any other related agreement or document.

SECTION 7. The Legislative Authority acknowledges that the Sublessor has obtained funds for the SoS Financing Program by utilizing a sublease-purchase / certificates of participation arrangement, and that the interest component of the Sublessor's lease payments thereunder is intended to be exempt from federal income taxation under the Internal Revenue Code of 1986, as amended and the regulations prescribed thereunder (the "Code"). The Legislative Authority hereby covenants that it will restrict the use of the State-Financed Equipment in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the Sublease is entered into, so that the interest portion of such lease payments by the Sublessor will not be subject to federal income taxation under the Code. Any County Signer or any other officer having responsibility with respect to the execution and delivery of the Sublease is authorized and directed to give an appropriate certificate on behalf of the Sublessee on the date of delivery of the Sublease, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the State-Financed Equipment and other matters under the Code.

SECTION 8. It is hereby determined that the terms of the Sublease and this resolution are in compliance with all legal requirements. If any section, paragraph, clause or provision of this resolution or the Sublease shall for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any remaining provisions of this resolution or the Sublease, respectively. Any provisions of any ordinance or resolution inconsistent with this resolution are hereby repealed, but only to the extent of such inconsistency; this provision shall not be construed as reviving any ordinance or resolution or any part thereof.

SECTION 9. It is found and determined that all formal actions of the Legislative Authority concerning and relating to the adoption of this resolution were adopted in an open meeting of the Legislative Authority, and that all deliberations of the Legislative Authority and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including ORC Section 121.22.

SECTION 10. This resolution shall take effect and be in force upon its adoption.

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

IN THE MATTER TO ENTER SUBLEASE- PURCHASE AGREEMENT – SOS - BOE

Motion moved by Mr. Gray to enter into a Sublease-Purchase Agreement between the Secretary of State of Ohio (Sublessor), 180 E. Broad Street, 16th Floor, Columbus, Ohio 43215, and the County of Brown (Sublessee) pursuant to Amended Substitute SB 135, sublessor will provide financing for the acquisition of voting systems in the sum of \$582,559.00. Second: Mr. Woodruff.

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

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IN THE MATTER TO ENTER PROFESSIONAL SERVICES AGREEMENT – RBM CONSULTING, LLC – BOE

Motion moved by Mr. Woodruff to enter into an agreement for professional services required to purchase the Hardware and Software from RBM Consulting, LLC, 5257 E. 10th Street, Indianapolis, IN 46219, agreement commences on August 7, 2019 through November 3, 2020 and will automatically renew every year without notice unless either Party provides written notice of termination 60 days prior. Second: Mr. Gray.

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

IN THE MATTER TO ENTER A SOFTWARE LICENSE AGREEMENT – UNISYN VOTING SOLUTIONS, INC. – BOE

Motion moved by Mr. Gray to enter a software license agreement with Unisyn Voting Solutions, Inc., for the applicable software licenses required for use with the new voting equipment from RBM Consulting, LLC. Second: Mr. Woodruff.

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

IN THE MATTER TO ADJOURN

Motion moved by Mr. Woodruff to adjourn this meeting with no further business before the Board this 7th day of August, 2019. Second: Mr. Gray

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

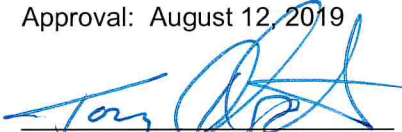
8/7/19

Commissioners attended a Brown County Land Reutilization Committee Meeting.

Commissioners met with Joey Boston, Efficiency Smart, to discuss energy efficiency rebates in county owned buildings.

Commissioners met with Jill Hall, Auditor, to discuss previous tax abatements.

Approval: August 12, 2019


Tony Applegate, President


Daryll Gray, Member


Barry Woodruff, Member


Sarah Beath, Clerk

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