

The Board of County Commissioners, Brown County, Ohio, met in regular session this 18th day of March 2020 with the following members present: Barry L. Woodruff, President Daryll R. Gray, Member Tony Applegate, 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. Applegate

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

IN THE MATTER TO ENTER AGREEMENT - QUADIENT

Motion moved by Mr. Applegate to enter an agreement with Quadient Leasing USA, Inc. for a Postage Meter Rental Agreement, Maintenance Agreement and an Online Services and Software Agreement in the amount of \$186.30 per month, for 60 months. Postal meter will be used by 11 county offices. Second: Mr. Gray.

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

IN THE MATTER OF RESOLUTION TO ACCEPT BID FOR THE SALE OF FORFEITED REAL PROPERTY AT 10707 EASTSIDE ROAD

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

RESOLUTION NO. 03/18-2020-2

The Board of County Commissioners, Brown County, Ohio, met in regular session on the 18th day of March, 2020, with the following members present:

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

Mr. Gray moved for the adoption of the following Resolution:

RESOLUTION ACCEPTING BID FOR THE SALE OF FORFEITED REAL PROPERTY AT 10707 EASTSIDE ROAD, IN CLARK TOWNSHIP, BROWN COUNTY, OHIO, AND AUTHORIZING MARY McMULLEN, ASSISTANT PROSECUTING ATTORNEY TO EXECUTE THE CLOSING DOCUMENTS FOR SAID PROPERTY

WHEREAS, pursuant to an agreed forfeiture in Brown County Court of Common Pleas Case No. CRI2018-2095 and Quit Claim Deed recorded on August 19, 2020, JLJ Asset Management III, LLC, an Ohio limited liability company, did transfer title to certain property located at 10707 Eastside Road, in Clark Township, Brown County, Ohio, the same being identified by Parcel Identification Number 03-002436.0200 (the "Property") to the Brown County Board of County Commissioners, FBO the Brown County Drug and Major Crimes Task Force; and

WHEREAS, the Board of County Commissioners was advised by the Brown County Drug and Major Crimes Task Force that the Property is not needed for use by the Brown County Drug and Major Crimes Task Force; and

WHEREAS, property forfeited through a court order may be sold without appraisal at a public auction, to the highest bidder for cash following notice of the proposed sale given in accordance with Ohio Law; and

WHEREAS, on the 5th day of February, 2020 the Board of County Commissioners adopted Resolution No. 02052020-2 directing that the Property was to be sold to the highest bidder for cash, with the minimum bid being \$50,000.00, at public auction to be held on the 14th day of March, 2020 at 10707 Eastside Road, in Clark Township, Brown County, Ohio, and

March 18, 2020

WHEREAS, the said auction was conducted and the Board of County Commissioners desires to accept the highest bid received in the amount of \$120,000.00 from Lisa Hensley-Boggs, 3290 Musgrove Road, Williamsburg, Ohio 45176, from whom the Board of County Commissioners received a deposit of \$5,000.00; and

WHEREAS, the Board of County Commissioners in adopted Resolution No. 02052020-2 further authorized the President of the Board of County Commissioners to execute a Deed transferring the Property to the successful bidder; and

WHEREAS, the Board of County Commissioners desires that Mary McMullen, Assistant Prosecuting Attorney, be authorized to execute all closing documentation on behalf of the Board of County Commissioners for the closing of the sale of the said Property; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Brown County, Ohio, with at least two-thirds of its members concurring as follows:

SECTION I

That the Board of County Commissioners of Brown County, Ohio hereby accepts the bid of \$120,000.00, submitted by Lisa Hensley-Boggs for the real estate described in Exhibit "A" and in conformity with the bid specifications and all other legal requirements pursuant to and in compliance with Ohio Revised Code Sections 2981.12, 307.09 and 307.10.

SECTION II

That the Board of County Commissioners of Brown County, Ohio hereby authorizes Mary McMullen, Assistant Prosecuting Attorney, to execute all closing documents on behalf of the Board of County Commissioners for the closing of the sale of the said Property.

SECTION III

That the Board of County Commissioners hereby authorizes the Office of the Prosecuting Attorney of Brown County, Ohio to undertake to close upon the sale of the Property as identified above and to carry out all necessary transactions to close said contract and convey the appropriate deed therefore.

SECTION IV

That the Board of County Commissioners, Brown County, Ohio hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Applegate seconded the motion and on roll call, the vote resulted as follows:

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

March 18, 2020



IN THE MATTER OF RESOLUTION TO ACCEPT BID FOR THE SALE OF FORFEITED REAL PROPERTY 12697 HEATON ROAD

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

RESOLUTION NO. 03/18/2020-3

The Board of County Commissioners, Brown County, Ohio, met in regular session on the 18th day of March, 2020, with the following members present:

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

Mr. Applegate moved for the adoption of the following Resolution:

RESOLUTION ACCEPTING BID FOR THE SALE OF FORFEITED REAL PROPERTY AT 12697 HEATON ROAD, IN EAGLE TOWNSHIP, BROWN COUNTY, OHIO, AND AUTHORIZING MARY McMULLEN, ASSISTANT PROSECUTING ATTORNEY TO EXECUTE THE CLOSING DOCUMENTS FOR SAID PROPERTY

WHEREAS, pursuant to an agreed forfeiture in Brown County Court of Common Pleas Case No. CRI2018-2256 and Quit Claim Deed recorded on March 20, 2019, Delbert Malott did transfer title to certain property located at 12697 Heaton Road, in Eagle Township, Brown County, Ohio, the same being identified by Parcel Number 07-006880.0200 (the "Property") to the Brown County Board of County Commissioners, FBO the Brown County Drug and Major Crimes Task Force; and

WHEREAS, the Board of County Commissioners was advised by the Brown County Drug and Major Crimes Task Force that the Property is not needed for use by the Brown County Drug and Major Crimes Task Force; and

WHEREAS, property forfeited through a court order may be sold without appraisal at a public auction, to the highest bidder for cash following notice of the proposed sale given in accordance with Ohio Law; and

WHEREAS, on the 5th day of February, 2020 the Board of County Commissioners adopted Resolution No. 02052020-2 directing that the Property was to be sold to the highest bidder for cash, with the minimum bid being \$5,000.00, at public auction to be held on the 14th day of March, 2020 at 12697 Heaton Road, in Eagle Township, Brown County, Ohio; and

March 18, 2020

WHEREAS, the said auction was conducted and the Board of County Commissioners desires to accept the highest bid received in the amount of \$12,500.00 from Courtney Hatfield, 7125 Old U.S. 68, Georgetown, Ohio 45121, from whom the Board of County Commissioners received a deposit of \$5,000.00; and

WHEREAS, the Board of County Commissioners in adopted Resolution No. 02052020-2 further authorized the President of the Board of County Commissioners to execute a Deed transferring the Property to the successful bidder; and

WHEREAS, the Board of County Commissioners desires that Mary McMullen, Assistant Prosecuting Attorney, be authorized to execute all closing documentation on behalf of the Board of County Commissioners for the closing of the sale of the said Property; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Brown County, Ohio, with at least two-thirds of its members concurring as follows:

SECTION I

That the Board of County Commissioners of Brown County, Ohio hereby accepts the bid of \$12,500.00, submitted by Courtney Hatfield for the real estate described in Exhibit "A" and in conformity with the bid specifications and all other legal requirements pursuant to and in compliance with Ohio Revised Code Sections 2981.12, 307.09 and 307.10.

SECTION II

That the Board of County Commissioners of Brown County, Ohio hereby authorizes Mary McMullen, Assistant Prosecuting Attorney, to execute all closing documents on behalf of the Board of County Commissioners for the closing of the sale of the said Property.

SECTION III

That the Board of County Commissioners hereby authorizes the Office of the Prosecuting Attorney of Brown County, Ohio to undertake to close upon the sale of the Property as identified above and to carry out all necessary transactions to close said contract and convey the appropriate deed therefore.

SECTION IV

That the Board of County Commissioners, Brown County, Ohio hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Gray seconded the motion and on roll call, the vote resulted as follows:

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

March 18, 2020

IN THE MATTER OF RESOLUTION TO VACATE SHORT STREET – UNION TWP.

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

RESOLUTION NO. 03182020-1
Vacating Public Road with Petition
ORC Sec 5553.045

The Board of County Commissioners of Brown County, Ohio met in regular session on the 18th day of March 2020, in the office of the Board with the following members present:

Barry L. Woodruff, President
Daryll R. Gray, Member
Tony Applegate, Member

Mr. Gray moved the adoption of the following Resolution:

WHEREAS, at the request of the Union Township Board of Trustees along with their Resolution dated February 13, 2020 from said Board in Union Township, Brown County, received by the Brown County Commissioners' Office on February 18, 2020 have requested the vacation of all of Short Street in the un-incorporated Village of Levanna D.B. A1, Page 43, D. Walker's M.S. No 1348, Union Township, Brown County, Ohio;

WHEREAS, that the 4th day of March 2020 be fixed as the date when said Board viewed the proposed improvements, on which date they met at 10:45 a.m. on Short Street in Union Township; and be it further;

WHEREAS, that the 16th day of March 2020 be fixed as the date for a final hearing thereof, which hearing was at the office of the Board at 9:30 a.m. until 9:35 a.m., none of the abutting land owners were present at the public hearing on March 16, 2020 in support of the vacation of Short Street, further, no land owners were present to dispute the vacation and be it further;

WHEREAS, that the Clerk of this Board has given written notice of the time and place for such viewing and hearing to any and all abutting land owners briefly stating the character of said proposal and delivered by regular mail;

WHEREAS, Todd Cluxton, Brown County Engineer, approved the closure of Short Street;

THEREFORE, BE IT RESOLVED, The Brown County Board of Commissioners approves the request of the Union Township Trustees to vacate all of Short Street as described above.

Mr. Applegate second the Resolution and the roll being called upon its adoption the vote resulted as follows:

Tony Applegate, yea Daryll R. Gray, yea Barry L. Woodruff, yea

IN THE MATTER OF GRANT AGREEMENT AMENDMENT – JUVENILE COURT

Motion moved by Mr. Applegate to approve the request of Mike Pride, Fiscal Officer, Probate Juvenile Court, for approval of a Realignment of Funds increasing the Department of Youth Services Grant Total Program Costs from \$412,359.59 to \$434,916.45. Second: Mr. Gray.

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

IN THE MATTER OF SUPPLEMENTAL APPROPRIATION – BOARD OF COMMISSIONERS

Motion moved by Mr. Gray to approve the request of Sarah Beath, Clerk, for a supplemental appropriation of unappropriated funds from CGF 1000 in the amount of \$16,387.54 into 1000-1000-52133 *Transfer Out*. Mr. Applegate.

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

IN THE MATTER OF TRANSFER OF FUNDS – BOARD OF COMMISSIONERS

Motion moved by Mr. Applegate to approve the request of Sarah Beath, Clerk, for a transfer of funds from 1000-1000-52133 *Transfer Out* in the amount of \$16,387.54 into 2525-4002-40547 *Transfer In*. Said funds are the Engineer's Sewer & Water District Salary for 1 year. Second: Mr. Gray.

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

March 18, 2020

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. Applegate, yea Mr. Gray, yea Mr. Woodruff, yea

DEPT	EXPENDITURE
AUDITOR	\$76.19
BOE	\$469.06
BUILDING DEPT	\$50.34
CLERK OF COURTS	\$0
COMMISSIONERS	\$19,936.05
COMMON PLEAS	\$430.75
CORONER	\$0
CSEA	\$0
DOG TAGS	\$0
E911	\$2,591.37
ECONOMIC DEVELOPMENT	\$0
EMA	\$21.45
ENGINEER HWY	\$94,960.80
ENGINEER OFFICE	\$5,594.55
ENGINEER SEWER & WATER	\$0
JFS	\$43,734.27
JURY COMMISSION	\$0
PROBATE/JUVENILE	\$1,314.42
LAW LIBRARY	\$0
MAINTENANCE	\$3,021.47
MUNICIPAL	\$0
PROSECUTOR	\$1,387.66
RECORDER	\$0
SHERIFF	\$7,706.15
TITLE	\$0
TREASURER	<u>\$2,123.80</u>
GRAND TOTAL	\$183,418.33

IN THE MATTER TO ADJOURN

Motion moved by Mr. Applegate to adjourn this meeting with no further business before the Board this 18th day of March, 2020. Second: Mr. Gray.

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

Approval: March 20, 2020



 Barry Woodruff, President



 Daryll Gray, Member



 Tony Applegate, Member



 Sarah Beath, Clerk

March 18, 2020