

August 12, 2009

The Board of County Commissioners, Highland County, Ohio, met this day in Regular Session with Mr. Wilkin, Mr. Horst, and Mr. Heaton present. At 8:30 a.m. the minutes of the previous session were approved as written.

MOTION

Mr. Horst moved, seconded by Mr. Heaton, to approve payment of Bill File No. 09-31. The vote resulted as follows:

Mr. Wilkin, yea; Mr. Horst, yea; and Mr. Heaton, yea.

The total amount paid was \$411,525.68. The amount paid from the General Fund only was \$52,737.59. A list of all bills paid is on file in the Commissioners' office.

Resolution No. 09-242

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on the August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED that the said Board of Highland County Commissioners, Highland County, Ohio, accept the bid of Cox Paving, Inc. for the Engineer's project **RECONSTRUCT T.R. 331-A (HIGHROCK RD)**, in the amount of \$307,951.54.

Mr. Heaton seconded the Resolution and the vote called upon its adoption, resulted as follows:

Mr. Heaton, yea; Mr. Horst, yea; and Mr. Wilkin, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Judge Greer, Probate & Juvenile Courts, to approve travel expenses to the Ohio Judicial Conference Annual Meeting on September 17 and 18, 2009 in Columbus, Ohio. Approximate expense will be \$390.00.

Resolution No. 09-243

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on the August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Highland County Commissioners, that the said Board approve for Judge Greer to travel to Columbus, Ohio on September 17 and 18, 2009, to attend the Ohio Judicial Conference Annual Meeting. Approximate expenses will be \$390.00: Registration \$270.00, Mileage \$0, Accommodations \$120.00, and Meals \$0. No General Fund money will be used for this expense.

Mr. Heaton seconded the Resolution and the vote called upon its adoption, resulted as follows:

Mr. Heaton, yea; Mr. Horst, yea; and Mr. Wilkin, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Sheriff Ward to appropriate additional funds to Employee Salaries from the Methamphetamine Initiative Grant. The Sheriff noted that the request is for appropriation only and not a request for additional county funds.

Resolution No. 09-244

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on the August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Commissioners, that the said Board authorize additional appropriation within the Sheriff's Budget:

From: Un-appropriated funds (from Methamphetamine Initiative Grant),

To: 0190-A006-A02.006, Sheriff, Employee Salaries, in the amount of \$3,324.67.

Mr. Heaton seconded the Resolution and the vote called upon its adoption, resulted as follows:

Mr. Heaton, yea; Mr. Horst, yea; and Mr. Wilkin, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioner received a request from Judge Greer, Probate & Juvenile Courts, to approve travel expense for the Court Investigator to attend the Court Investigator’s Conference on October 26, 2009 in Columbus, Ohio. Estimated expense is \$384.00.

Resolution No. 09-245

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on the August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Highland County Commissioners, that the said Board approve for Gail Gilliland to travel to Columbus, Ohio on October 25 and 26, 2009, to attend the Court Investigators' Conference. Approximate expenses will be \$384.00: Registration \$160.00, Mileage \$70.00, Accommodations \$154.00, and Meals \$0. No General Fund money will be used for this expense.

Mr. Heaton seconded the Resolution and the vote called upon its adoption, resulted as follows:

Mr. Heaton, yea; Mr. Horst, yea; and Mr. Wilkin, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Chuck Biggert, Superintendent, Highland County Board of MRDD, for an additional appropriation and advance from MRDD General Fund to the Reserve Fund.

Resolution No. 09-246

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Highland County Commissioners, that the said Board authorize additional appropriation and advance from the MRDD General Fund:

From: Un-appropriated funds,
To: 0310-S000-S33.085, Board of Mental Retardation, Advances Out, in the amount of \$40,000.00

AND

From: 0310-S000-S33.085, Board of Mental Retardation, Advances Out
To: S-08, MRDD Reserve Balance Account, in the amount of \$40,000.00.

Mr. Heaton seconded the Resolution, and the roll called upon its adoption, the vote resulted as follows:

Mr. Heaton; yea, Mr. Horst; yea and Mr. Wilkin; yea

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Chuck Biggert, Superintendent, Highland County Board of MRDD, for an additional appropriation and transfer from the MRDD General Fund to the Construction Debt Retirement fund.

Resolution No. 09-247

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Highland County Commissioners, that the said Board authorize additional appropriation and transfer from the MRDD General Fund:

From: Un-appropriated funds,
To: 0310-S000-S32.080, Board of Mental Retardation, Transfers Out, in the amount of \$18,238.56

AND

From: 0310-S000-S32.080, Board of Mental Retardation, Transfers Out
To: O-09, MRDD Construction Debt Retirement, in the amount of \$18,238.56

AND

Additional Appropriation to 2009-O009-O02.000, MRDD Construction Debt Retirement, Interest, in the amount of \$8,171.10.

Mr. Heaton seconded the Resolution, and the roll called upon its adoption, the vote resulted as follows:

Mr. Heaton; yea, Mr. Horst; yea and Mr. Wilkin; yea

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

Resolution No. 09-248

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on August 12, 2009 with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Highland County Commissioners, that the said Board authorize additional appropriation within the Lakeside Sewer budget:

From: Un-appropriated funds,

To: 3050-P050-P07.075, Lakeside Sewer, Contracts/Services, in the amount of \$2,000.00

Mr. Heaton seconded the Resolution, and the roll called upon its adoption, the vote resulted as follows:

Mr. Heaton; yea, Mr. Horst; yea and Mr. Wilkin; yea

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Debbie Robbins, Director, Highland County Department of Job & Family Services, to transfer funds from CSEA Administrative Account to Public Assistance.

Resolution No. 09-249

The Board of County Commissioners of Highland County, Ohio, met in Regular Session on August 12, 2009, with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HEREBY RESOLVED, by the Board of Commissioners, that the said

Board authorize a transfer from CSEA Administrative Acct. (C-45 transfers-out) to Public Assistance Acct., in the amount of \$7,321.20 for the Child Support Enforcement Agency Program for the period of July 2009.

Mr. Heaton seconded the Resolution and the roll called upon its adoption, the vote resulted as follows:

Mr. Heaton, yea; Mr. Horst, yea; and Mr. Wilkin, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Sheriff Ward to authorize the Sheriff's Office to apply for a DARE grant for the period of August 2009 to June 2010.

Resolution No. 09-250

The Highland County Board of Commissioners, Highland County, Ohio, met in Regular Session on August 12, 2009, with the following members present:

Thomas Horst, Shane Wilkin, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

WHEREAS, the Highland County Sheriff and his staff, have in the past successfully executed a DARE Program, and

WHEREAS, as we believe that the DARE Program is very beneficial to our county school system, no

BE IT HERBY RESOLVED, by the Board of Commissioners, that the said Board authorizes the Highland County Sheriff to apply for and if awarded, enter into agreement to administer a DARE grant through the Office of the Attorney General for the school year period beginning August 2009 to June 2010.

Mr. Heaton seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Mr. Horst, yea; Mr. Wilkin, yea; and Mr. Heaton, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

LETTER

The Board of Commissioners received a request from Judge Judkins, Highland County Court, to authorize a transfer from the County Court Computer Research Fund to County Court Supplies.

Resolution No. 09-251

The Highland County Board of Commissioners, Highland County, Ohio, met in Regular Session on August 12, 2009, with the following members present:

Thomas Horst, Shane Wilkin, and Gary Heaton.

Mr. Horst moved the adoption of the following:

RESOLUTION

BE IT HERBY RESOLVED, by the Board of Commissioners, that the said Board authorize a transfer to the County Court fund:

From: 0604-S011-S01.000, County Court Computer Research Fund
To: 0604-S011-S02.080, Transfers Out, in the amount of \$1,500.00.

And

From: 0604-S011-S02.080, Transfers Out,
To: 0150-A002-G03.040, County Court Supplies, in the amount of \$1,500.00.

Mr. Heaton seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Mr. Horst, yea; Mr. Wilkin, yea; and Mr. Heaton, yea.

Adopted August 12, 2009

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio

Resolution No. 09-252

A Resolution Naming the Highland County Commissioner's Appointment to the District 15 Public Works Integrating Committee

Effective Date: September 28, 2009

Whereas, Chapter 164.04, Division A6 of the Ohio Revised Code defines membership to the District 15 Public Works Integrating Committee (PWIC), and

Whereas, such definition states: "... one (member) shall be appointed (to the 30 member committee) by each board of county commissioners..."

Now, therefore, be it resolved by the Highland County Commissioners:

Section 1: That the Highland County Commissioners hereby appoint Highland County Engineer, Dean Otworth, to serve on the District 15 Public Works Integrating Committee for a term of three (3) years beginning September 28, 2009; and

Section 2: That the appointed individual will serve this three (3) year term in its entirety unless he/she submits a formal letter of resignation to the District 15 Coordinator’s office, and

Section 3: That the appointed individual will serve on the county subcommittee and participate in the county review and prioritization of OPWC assisted projects in his/her county, and

Section 4: That the appointed individual will attend in person approximately two (2) to four (4) Full Integrating Committee meetings annually.

Adopted August 12, 2009

<u>Debbie Sansone</u> Deputy Clerk	Shane Wilkin Thomas Horst <u>Gary Heaton</u> Board of Commissioners Highland County, Ohio
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I hereby certify this to be a true and correct copy of Resolution No. 09-252.

Debbie Sansone
Deputy Clerk

Resolution No. 09-253 (Supersedes Resolution No. 08-235)

WHEREAS, the Highland County Board of Commissioners actively supports and currently participates in the economic development district activities of the Ohio Valley Regional Development Commission (OVRDC) and one of OVRDC’s key roles as an Economic Development District is to help affected communities respond to adverse economic situations such as plant closures; and

WHEREAS, Highland County and its Board of Commissioners has been adversely effected economically by the announcement of the DHL business closure (ABXAir and ASTAR), which is located in Wilmington, Ohio and which employs over 1,500 persons in Highland County; and

WHEREAS, the Ohio Valley Regional Development Commission is preparing an Economic Development Administration application of \$150,000 for a planning grant under the Economic Adjustment Grant Program to provide economic adjustment planning, coordination and technical assistance to a 3-county target area (Clinton, Fayette and Highland) which will be submitted to the Economic Development Administration for possible funding; and

WHEREAS, one of the requirements specified by the Economic Development Administration for such planning grants is that the applicant provides documentation of matching funds of at least 25 percent (\$50,000) of the projects costs, and that Highland County’s share of the matching funds has been calculated based on their share of the total income of affected terminated employees.

NOW, THEREFORE BE IT RESOLVED, that the Highland County Board of Commissioners hereby *authorizes an appropriation of funds in the amount of \$8,400* as participating local match funds for the first year of this EDA economic adjustment planning grant and these funds will be made available to OVRDC upon the announcement of the approval of said economic adjustment planning grant by the Economic Development Administration.

Mr. Horst moved the adoption of the Resolution and the motion was seconded by Mr. Heaton.

The Highland County Board of Commissioners hereby adopts this resolution on the 12th day of August 2009.

<u>Debbie Sansone</u>	Shane Wilkin Thomas Horst <u>Gary Heaton</u>
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Deputy Clerk

Board of Commissioners
Highland County, Ohio

Resolution 09-253A

The Board of County Commissioners of the County of Highland, Ohio, met in regular session on the 12th day of August, 2009, at the office of said board with the following members present:

Shane Wilkin, Thomas Horst, and Gary Heaton.

COUNTY OF HIGHLAND, OHIO

RESOLUTION NO. 09-253A

RESOLUTION AUTHORIZING THE ISSUANCE OF \$180,408 CHILDREN'S SERVICES TAX ANTICIPATION NOTES, HIGHLAND COUNTY, OHIO

WHEREAS, pursuant to an ordinance heretofore duly adopted by the Board of County Commissioners, County of Highland, Ohio (hereinafter called the "Board"), an election was held on February 3, 2009, under the provisions of §5705.24 of the Ohio Revised Code, upon the question of levying a tax in excess of the ten-mill limitation, for the purpose of providing additional funds for the support of Children's Services in Highland County, and the care and placement of children, at a rate not exceeding nine tenths of one (0.9) mill for each one dollar (\$1.00) of valuation for a five year period of time, at which election more than a majority of the electors voting on said proposition voted in favor thereof; and

WHEREAS, the Board deems it necessary to anticipate a fraction of the proceeds of such tax levy, in accordance with the provisions of §5705.24 of the Ohio Revised Code, and issue notes maturing over a period of five (5) years in anticipation of the levy and collection of said taxes in the amount of \$180,408, which amount does not exceed fifty per cent (50%) of the total estimated proceeds of the levy to be collected during the five years from 2010 through 2014, both inclusive;

WHEREAS, this Board of County Commissioners heretofore requested the County Auditor to issue his certificate as to the maximum maturity of the obligations hereinafter referred to, and said County Auditor heretofore certified to this Board such maximum maturity of obligations as five (5) years;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Highland, Ohio:

SECTION 1. That it is necessary to issue and sell tax anticipation notes of Highland County in the principal sum of \$180,408, for the purpose of providing additional funds for the support of Children's Services in Highland County, and the care and placement of children.

SECTION 2. That said notes of Highland County shall be issued in the principal sum of \$180,408, for the purpose aforesaid under authority of the general laws of the State of Ohio, particularly the Section 5705.24 of the Revised Code. Said bonds shall be dated August 12, 2009, and shall not bear any interest and shall mature on August 12, 2010.

SECTION 3. The Notes shall be of such number and denomination as may be requested by the purchaser. The Notes may be callable prior to maturity as set forth in the Note.

SECTION 4. That said Notes shall be executed by at least two members of the Board of County Commissioners and by the County Auditor, and have affixed the County Auditor's seal. The Notes shall be designated "Children's Services Tax Anticipation

Notes" and shall express upon their faces the purpose for which they are issued pursuant to Section 5705.24 of the Ohio Revised Code and this resolution.

SECTION 5. Said Notes shall be sold to Darrell L. Tissot, at a price of par value of the Notes in accordance with his offer to purchase, which is hereby accepted, and the proceeds from such sale, shall be paid into the proper fund and used for the purpose stated in Section 1 herein, and for no other purpose.

SECTION 6. That for the payment of said Notes, the proceeds of said additional tax levy shall be and are hereby appropriated each year, to the extent necessary.

SECTION 7. That during the period while the Notes run there shall be levied upon all of the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually, as approved by the electors of Highland County at the election held on February 3, 2009, said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal of the Notes when and as the same falls due.

SECTION 8. That the Board of County Commissioners and any other officer is hereby authorized to execute any document deemed necessary by bond counsel to carry out purposes authorized by this Resolution.

SECTION 9. This Board of County Commissioners hereby finds and determined 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 of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

SECTION 10. The clerk of this board of county commissioners is hereby directed to forward a copy of this resolution to the County Auditor.

PASSED this 12th day of August, 2009

Debbie Sansone

Deputy Clerk, Board of County Commissioners Highland County, Ohio

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution passed by the Board of County Commissioners of Highland County, Ohio, on the 12th day of August, 2009.

Debbie Sansone

Deputy Clerk of said Board

Dated: August 12, 2009

CERTIFICATE AND RECEIPT

The undersigned, County Auditor and Fiscal Officer of Highland County, Ohio, hereby certifies and acknowledges receipt this day of a certified copy of a resolution passed by the Board of County Commissioners of said county on August 12, 2009, authorizing the issuance of Children's Services Tax Anticipation Notes in the principal sum of \$180,408.

Dated: 8/21/09


County Auditor

Certified By: Debbie Sansone, Deputy Clerk
For Rosalind Newman
Highland County Board of Commissioners, Clerk

Journal No: 42, Page No. 359

MEETING

Jeremy Shaffer, Mayor, Village of Lynchburg, met with the Board of Commissioners to present the village's first Comprehensive Plan. The Plan was developed by the Clinton County Regional Planning Commission in conjunction with the University of Cincinnati School of Planning. The plan can be viewed at the Commissioners' office.

MEETING

Frank Leone, Environmental Engineering Services (EES), met with the Board of Commissioners to discuss complaints from the residents at Lakeside concerning their tax assessment for the new sewer system. Some residents mistakenly thought the assessment would be interest free. A letter was prepared and will be sent to all Lakeside residents, along with a fact sheet, to clarify the assessment.

Mr. Leone also informed the Board that the Southside Sewer Project (Babington) is complete except for final testing. See letter below regarding monthly billing for the RFL-Southside Sewer project.

BID OPENINGS

Sealed bids were opened and read aloud for Resurfacing Ellis Road in Clay Township. This is a Block Grant project. Present for both bid openings, in addition to the Board and the Deputy Clerk, were Jim Franke, Cox Paving; Bill Maser, Miller-Mason Paving; and Dean Otworth, County Engineer. The bids were as follows:

Cox Paving Leesburg, Ohio	\$ 30,606.00
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Miller-Mason Paving Hillsboro, Ohio	\$ 31,800.00
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Sealed bids were opened and read aloud for Resurfacing Pied Piper Parkway in Paint Township. This is a Block Grant project. The bids were as follows:

Cox Paving Leesburg, Ohio	\$ 40,715.00
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Miller-Mason Paving Hillsboro, Ohio	\$ 36,209.00
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The Engineer will review bids before the Board of Commissioners makes the awards.

MEETING

Dan Cowdrey, Economic Development Director, met with the Board of Commissioners regarding the Airport. The Prosecutor sent C. F. Airtronics, who leases space at the airport, a 30-day termination notice for unpaid rent.

MOTION

At 10:37 a.m., Mr. Horst moved, seconded by Mr. Heaton, to leave Regular Session and enter into Executive Session for the purpose of discussing land acquisition. Present for the discussion, in addition to the Board and the Deputy Clerk, were Dan Cowdrey, Director, Economic Development, and Dean Otworth, County Engineer. Roll call was answered by Mr. Wilkin, yea; Mr. Horst, yea; and Mr. Heaton, yea. At 11:15 a.m., the Board returned to Regular Session.

MEETING

Stephanie Cruea, former County employee, met with the Board of Commissioners to introduce herself and present her resume. The Board thanked Ms. Cruea for meeting with them.

MEETING

Darrell Tissot, Children Services Board Member, met with the Board of Commissioners to discuss paying the foster parents for July and August. The Board will discuss this matter with Children Services and thanked Mr. Tissot for meeting with them.

LETTERS

The Board of Commissioners signed a letter to the Office of Telecommunications and Information Applications in support of the Ohio Rural Community Assistance Partnership's (RCAP) application for broadband stimulus funds.

Mr. Wilkin signed a letter to Fifth Third Bank explaining the procedure for acquiring Department of Development funds for the Economic Development Program to assist C-Mold Acquisition, LLC.

The Board of Commissioners sent a letter to Babington, LLC informing them that monthly billing for the RFL-Southside sewer project will begin in September 2009.

The Board of Commissioners sent a letter to all Lakeside residents explaining the tax assessment for the sewer upgrade in their subdivision. A Fact Sheet was attached to the letter.

REPORTS

The Board of Commissioner received the following reports:

- Children Services – Minutes from August meeting
- Sheriff – Out-of-County Housing of Prisoners, Inmate reimbursements
- Sheriff – Weekly Inmate Count

MOTION

At 11:25 a.m., Mr. Horst moved to adjourn. Mr. Heaton seconded the motion. The vote resulted as follows:

Mr. Wilkin, yea; Mr. Horst, yea; and Mr. Heaton, yea.

WHEREUPON, the Board of Highland County Commissioners will meet in Regular Session on Wednesday, August 19, 2009.

Debbie Sansone
Deputy Clerk

Shane Wilkin
Thomas Horst
Gary Heaton
Board of Commissioners
Highland County, Ohio