

VILLAGE OF HAMERSVILLE
Village Council Meeting
July 17, 2023

229

The Council of the Village of Hamersville met in regular session at the Village Municipal Building on July 17, 2023 with all members present except Don Wilson.

Also, present was: Guy Sutton, Travis Stone, Jerry Siebert, Angela Marlow, Bev Coomer, Jesse Spencer, Justin Jones, Melissa Zahn, Sue McKinley and David Grimes.

Mayor Hill called the meeting to order at 7:10 p.m. and led everyone in the Pledge of Allegiance.

Motion by Mrs. Spencer, Seconded by Ms. Edwards to approve the regular meeting minutes of June 19, 2023. **Motion passed unanimously**

Motion by Mrs. Spencer, Seconded by Ms. Trumble to approve and pay the bills. **Motion passed unanimously.**

Public Participation

Ms. Sue McKinley presented information regarding the planning of an upcoming event on July 4, 2026 to celebrate the 250th anniversary of Brown County. The celebration to be held in Georgetown, Ohio however the planning committee would like participation from other villages in the county. She extended an invitation to the next planning committee meeting to be held July 19, 2023 at 7:00 p.m.

Mr. Jerry Siebert requested information about running for a village council position. Several council members expressed they would get with Mr. Siebert regarding the matter.

Mr. Justin Jones announced he had submitted his petition to the Board of Elections for the village mayor race in November 2023. Mr. Jones also expressed that he had reviewed 2022 meeting minutes and several questions regarding the K-9 officer training and compliance with training requirements. A discussion ensued between Mr. Jones, Chief Sutton and Captain Stone regarding the training the village K-9's has received.

Mr. Jones inquired if he could post his mayor candidacy on Facebook. Mayor Hill stated that Mr. Jones could do so however he could not post it on the village's Facebook page.

Ms. Coomer inquired if the credit card fees charged when making utility payments could be lowered. Mrs. Dufau explained the credit card processing company sets fee amount and receives the fees charges.

Ms. Coomer inquired about the playground equipment at the park. Mayor Hill and Mrs. Spencer expressed that the Hamersville Action Committee were handling the matter.

Ms. Marlow inquired if the village finance committee had met to discuss a proposed income tax. Mrs. Spencer reported that the committee had not met and the income tax was briefly discussed at a previous council meeting as a possible revenue option.

Ms. Marlow inquired if the village finance committee had met to discuss the suggestions from the village's last financial audit. Mrs. Spencer confirmed the finance committee had not yet met.

Ms. Marlow inquired about the open council seat and expressed that council was past due filling it as well as that there was more than one person interested in the position. Mayor Hill expressed that council would be addressing the matter later in the meeting.

Ms. Marlow expressed that she had not seen where a new central air conditioner unit was approved for the emergency service building. Chief Sutton stated the central air conditioner was installed when the building was initially renovated several years ago.

Ms. Marlow presented an attorney general's opinion regarding an individual being an administrator and police chief. She provided a copy of the AG's opinion to Solicitor Grimes.

Ms. Marlow expressed her appreciation to council for the drainage issue being repaired on her property.

Mrs. Melissa Zahn, Utility Clerk, presented a proposed form to address a payment plan for residents with a water leak. Ms. Trumble inquired who would evaluate the resident's ability to pay or how the plan would be determined. A discussion ensued regarding the matter with council requesting Mrs. Zahn draft and present a proposed policy for the issue.

Mayor's Report

Mayor Hill recommended council appoint Mr. Jerry Siebert to the vacant council position.

Resolution 23-17

Motion by: Mrs. Spencer

Seconded by: Ms. Edwards

To appoint Jerry Siebert to the vacant council seat, effective immediately. Mr. Siebert's term of office will expire December 31, 2023.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent

Mayor Hill administered the Oath of Office to Mr. Siebert.

Old Business

Mrs. Spencer reported she had submitted the letter of intent for grant funding to Brown County.

Mrs. Spencer reported she had been researching grant funding for a village sewer plant. She had spoken to Curtis Strickland with the Ohio Valley Regional Development regarding the matter as his organization assists with evaluations and grant funding. He had expressed to her that it is very difficult for small villages to secure funding for a sewer plant.

Mrs. Spencer the 2023 Appalachian Grant application period has already closed and that most grants require matching funds from the village. She recommended working on securing additional funding in order to have the village's matching funds. Ms. Marlow commented that the village had had a community development fund at one time but it had gotten put in the general fund. She suggested that a percentage be put in the fund for grant matching purposes.

Mr. Owsley reported the village July 4th event had been canceled due to inclement weather and recommended the recreation committee determine how they can prevent future events being canceled due to weather. A brief discussion ensued with Mrs. Spencer thanking Mr. Owsley for his hard work in preparing for the event.

Fiscal Officer's Report

Mrs. Dufau presented the following for council's approval:

- Re-appropriation resolution
- 2024 Tax Budget

Resolution 23-18

Motion by: Ms. Edwards

Seconded by: Ms. Trumble

To approve increasing the revenue budget per the amended revenue certificated dated July 11, 2023 as follows:

ARPA - Public Safety Grant

2153-424-0000	State - Pass Through Grant	\$163,967.22
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And to further approve the following appropriation for the increased revenue budget:

2153-110-100	Personal Services	\$141,806.00
2153-110-211	OPERS	\$ 19,852.84
2153-110-213	Medicare	\$ 2,308.38

Chief Sutton presented a contract renewal proposal for American Electric Power. He reviewed the details of the proposal with council which would extend the current electric contract through 2028. A lengthy discussion ensued regarding the proposal and future options for negotiations. Mr. Owsley recommended tabling the matter for further review. Mayor Hill recommended having the AEP representative attend the next council meeting for further discussion.

Mayor Hill requested an executive session to discuss an employee promotion.

Motion by: Ms. Edwards, seconded by: Mrs. Spencer, to go into executive session to discuss an employee promotion. Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent
Time Out: 8:40 p.m.

Motion by: Mrs. Spencer, seconded by: Ms. Edwards, to return to regular session. Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent
Time In: 9:38 p.m.

Mayor Hill expressed he and the village council had concerns regarding various employee positions in the future and felt the need to prepare for replacements. He recommended council approve promoting Melissa Zahn to assistant village administrator. Mrs. Zahn to complete a one (1) year probationary period while training with Mr. Sutton as well as increasing Mrs. Zahn hourly payrate to \$20.00 per hour effective July 23, 2023. He also recommended council approve advertising for a part-time utility clerk to train with Mrs. Zahn in order to replace her when promoted to village administrator.

Motion by: Ms. Edwards

Seconded by: Mrs. Spencer

To approve promoting Melissa Zahn to assistant village administrator. Mrs. Zahn to complete a one (1) year probationary period. Mrs. Zahn hourly payrate to be increased to \$20.00 per hour effective July 23, 2023.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent

Motion by: Mrs. Spencer

Seconded by: Ms. Edwards

Whereas, the Village Fiscal Officer, Sheila Dufau, has presented the proposed 2024 Tax Budget to the Village Council, and

Whereas, the Council of the Village of Hamersville has reviewed the proposed budget,

Therefore, be it resolved, that the proposed 2024 Tax Budget be approved and submitted to the Brown County Auditor's Office.

Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Seibert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent

Solicitor Grimes requested an executive session to discuss pending litigation.

Motion by: Mrs. Spencer, seconded by: Ms. Edwards, to go into executive session to discuss pending litigation regarding Marlow & Coomer vs. Village of Hamersville. Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent
Time Out: 9:46 p.m.

Motion by: Mrs. Spencer, seconded by: Ms. Edwards, to return to regular session. Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent
Time In: 9:52 p.m.

Resolution 23-21

Motion by: Ms. Edwards

Seconded by: Mrs. Spencer

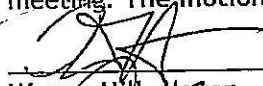
To approve the following litigation settlement for Marlow & Coomer vs. Village of Hamersville as presented to council by Solicitor David Grimes:

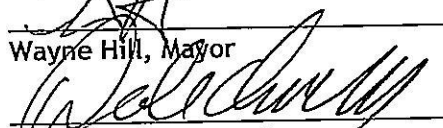
The Village of Hamersville shall pay the following sums within 21 days of the final approval by the Village of Hamersville:

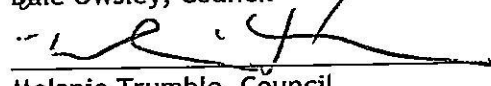
\$1,000.00 in statutory damages for the public records case
\$ 500.00 in statutory damages for the open meetings case
\$8,000.00 in attorney's fees for both cases
Court costs for both cases up to \$400.00. Any court costs in excess of \$4,000.00 shall be equally divided by the parties.

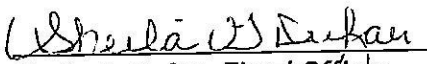
Vote: Ms. Edwards, Yes; Mr. Owsley, Yes; Mr. Siebert, Yes; Mrs. Spencer, Yes; Ms. Trumble, Yes; Mr. Wilson, Absent

There being no further business, Motion by: Ms. Trumble, Seconded by: Ms. Edwards, to adjourn the meeting. The motion passed unanimously.

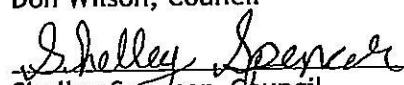

Wayne Hill, Mayor


Dale Owsley, Council

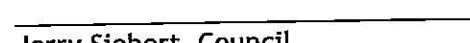

Melanie Trumble, Council


Sheila G. Dufau, Fiscal Officer


Don Wilson, Council


Shelley Spencer, Council


Mary Edwards, Council


Jerry Siebert, Council