

**Village of Higginsport  
Village Council Meeting  
December 9, 2024**

The Council of the Village of Higginsport met in regular session at the Village Municipal Building on Monday, December 9, 2024 at 6:00 p.m. with all members present except Drew Smith.

Also, present were: Fire Chief Rob Starrett, Police Chief Shawn Elliott, Linda Fester, Sandy Bear, Scott Wilburn, Michelle Wilburn, Dean Miracle, Eddie Crawford, Dylan Branham, Raegan Moon, and Leslee Hasenstab.

Mayor Bear called the meeting to order and led everyone in the Pledge of Allegiance.

**Police Department Report**

Chief Elliott reported on the following:

- Department statistics for November
- Shop With a Cop - to be held December 17, 2024.
- Village Christmas event will be held December 21, 2024. Donations for the event will be accepted until December 16, 2024.

**Sewer Department Report**

Mayor Bear reported that an itemized invoice from The Henry P. Thompson Co. had not yet been received for the lift station generator repair and generator rental.

**Resolution 24-27**

**Motion by: Mr. Null**

**Seconded by: Mr. Fester**

**WHEREAS**, the village sewer lift station generator is in need of repairs, and

**WHEREAS**, the sewer lift station requires a generator for operational purposes during power outages,

**THEREFORE, BE IT RESOLVED**, the Council of the Village of Higginsport approve the necessary generator repairs, and

**BE IT FURTHER RESOLVED**, that the following re-appropriation be approved for the expenditure for the repair:

From: 5201-930-930	Contingencies	\$12,250.00
To: 5201-549-430	Repairs/Maintenance	\$12,250.00

**Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes**

### **Fiscal Officer's Report**

Mrs. Dufau presented the 2025 temporary appropriations for Council's approval.

### **Resolution 24-28**

**Motion by: Mr. Null**

**Seconded by: Mrs. Adams**

To approve the following 2025 temporary appropriations:

General Fund	\$198,890.73
Fire Fund	\$154,577.49
Police Fund	\$ 21,999.57
Street Fund	\$ 25,070.03
State Highway Fund	\$ 1,437.61
Permissive Motor Vehicle	\$ 3,259.51
Parks & Recreation	\$ 1,637.74
Court Computer	\$ 6,770.82
Sewer Fund	\$ 116,203.66
Mayor's Court Fund	\$ 42,500.00
Drug Law Enforcement	\$ 3,078.00
K-9 Fund	\$ 675.00

**Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes**

### **Public Participation**

Mr. Dean Miracle expressed his appreciation to all that have helped with cleaning up the municipal (bank) building.

### **New/Old Business**

Mrs. Adams reported that she had spoken to vendor regarding installing an ATM machine at the municipal building. The vendor had expressed the approximate installation cost would be \$6,500.00 and that there would have to be enough transactions to justify his installation cost. After a brief discussion, it was consensus of Council to not pursue the matter further.

Mr. Fester reported on the following:

- Prus Construction has been hired as the project manager for the ballfield renovation project. They will be meeting with the project engineers on December 11, 2025.
- The \$50,000.00 capacity grant application has been submitted. The grant would be for IT needs such as computers, cameras, etc. The grant to be awarded in the spring.
- The final report and request for reimbursement for the Nature Works grant will be submitted in the next couple weeks.

Mr. Null reported quite a bit of clean-up has been completed at the municipal (bank) building.

Mr. Null also reported Council was still awaiting the proposed golf cart ordinance from the village solicitor. He also reported that he had ordered the golf cart decals. Mrs. Dufau inquired as to who would be issuing the permits as well as collecting the fee. A discussion ensued regarding the permits, fees as well the term of the permit and the golf cart inspections.

Mayor Bear inquired if Council was in agreement with scrapping the old file cabinets in the municipal (bank) building.

### **Fire Department Report**

Chief Starrett reported on the following:

- Department has been awarded the State MARCS grant for \$44,000.00. The grant monies are for radio fees and equipment.
- 2024 Department statistic report
- Grant application for \$15,000.00 funding for the purchase of fifteen new SCBA bottles.
- Department brush truck is currently having a few issues.
- Furnace in the firehouse/municipal building had to be repaired however recommends Council consider replacing the furnace due to its age and the difficulty in obtaining parts for repairs. Estimated cost for a new furnace is approximately \$5,000.00. Mr. Null suggested investigating other heat alternatives for the firehouse/municipal building that may be more cost efficient than the existing furnace system.

Chief Starrett presented the 2025 Lewis Township fire contract and explained the reduced amount in comparison to the 2024 fire contract. He also reviewed with Council the recent report issued by consultants retained by Lewis Township that reviewed the township's current fire and EMS contracts relating to service coverage of the township.

Chief Starrett reported that Lewis Township had hired a Fire Prevention Officer for the township. He also discussed the dispatching time with the Com Center that was also discussed in the consultant's report. He expressed that he had discussed with Ripley Fire Department the possibility of staffing one person on site (in the village) during the day.

### **Resolution 24-29**

**Motion by: Mr. Null**

**Seconded by: Ms. Wills**

To approve the 2025 Lewis Township fire contract. The annual contract amount to be \$25,000.00.

**Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, No; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes**

### **Additional Business**

Mrs. Dufau reported that Council needed to allocate/appropriate the remaining American Rescue Plan funds to be in compliance with the federal guidelines for the funding. A discussion ensued regarding the matter with consensus of Council to utilize the remaining funds for village building repairs

**Resolution 24-30**

*Authorizing Expenditure from American Rescue Plan Act Funds*

*Brown County, Ohio*

**Be It Resolved** by the Council of the Village of Higginsport

**WHEREAS**, this date, December 9, 2024, **Mr. Null** moved the adoption of the following Resolution:

**WHEREAS**, the Village has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

**WHEREAS**, Congress passed the Act effective March 11, 2021; and

**WHEREAS**, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

**WHEREAS**, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

**WHEREAS**, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

**WHEREAS**, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

**WHEREAS**, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

**WHEREAS**, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

**WHEREAS**, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

**WHEREAS**, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

**WHEREAS**, the Village Council has identified a project which, in the judgment of the Council, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

Village Buildings/Facilities Maintenance (the “Project”).

**NOW THEREFORE**, it is hereby RESOLVED by the Village Council that:

1. The Village elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: \$10,000.00

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- ☐ Police protection
  - Fire and emergency medical services
  - ☐ Road repair, maintenance and other transportation and safety services
  - Public infrastructure support
  - X General government administration and administrative facilities
  - ☐ Land use regulations and enforcement
  - Parks and recreational facilities and programs
  - ☐ Other
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4. Accordingly, the Project is in the best interests of the Village and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

**Ms. Wills** seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

**BE IT FURTHER RESOLVED:** that it is hereby found and determined that all formal actions of this Village concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Village Council, and that all deliberations of the Village Council and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Vote:** Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent;  
Ms. Wills, Yes

Chief Starrett addressed Council regarding clearing the village's alleys for the fire department to have access to river as he had notified Council at the November meeting regarding the issue. He shared a correspondence from the State Fire Marshal regarding establishing a fire lane to prevent people from blocking the alleys preventing fire department access to the river. Chief Elliott expressed that he would have the dock blocking river access on Olive Street out of the way by the weekend prior to the fire department's drill.

**Motion by: Mr. Fester, seconded by: Ms. Wills to approve and pay the bills. Motion passed unanimously**

**Motion by: Mr. Fester, seconded by: Mrs. Adams to approve the regular meeting minutes from November 11, 2024. Motion passed unanimously**

**Motion by: Mr. Adams, seconded by: Mrs. Adams to adjourn the meeting.**

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Lester Bear, Mayor

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Sheila G. Dufau, Fiscal Officer

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Kathy Adams, Council Member

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Matt Adams, Council Member

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Linda Wills, Council Member

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Scott Null, Council Member

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Mark Fester, Council Member

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Drew Smith, Council Member