

**Village of Higginsport
Village Council Meeting
April 8, 2024**

The Council of the Village of Higginsport met in regular session at the Village Municipal Building on Monday, April 8, 2024 at 6:00 p.m. with all members present.

Also, present were: Police Chief Shawn Elliott, David Osborne, Jr., Annie Osborne, Duanne Germann, Tina Germann, Linda Fester, Michell Wilburn, Sandy Bear, Scott Wilburn and Chris Bishop.

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

Public Participation

Mrs. Tina Germann inquired if all council members had taken the required ethics training and if not when did it have to be completed. Mayor Bear and Mr. Fester confirmed that had completed the training. Mrs. Dufau confirmed that all elected officials must complete the required training during the period of their four-year elected term.

Mrs. Germann inquired the status of the quotes for the village insurance coverage and offered to assist with obtaining insurance quotes. Mrs. Dufau confirmed that she had not yet received the insurance quotes she had requested.

Mrs. Germann inquired if all of the new street signs had been installed. Mr. Null reported that the village was still awaiting delivery of additional signs.

Mrs. Germann expressed her appreciation to those that were working to correct the odor issue with the village's sewer plant.

Mayor Bear reported that Mr. Plymesser has been work due to medical reason and had returned but with work restrictions. Mayor Bear reported he had informed Mr. Plymesser could not return to work until he had a medical release to return to full duty.

Mayor Bear reported that Mr. Greg Wilson had been performing duties at the village sewer plant during Mr. Plymesser's absence. Mayor Bear presented a quote from Mr. Wilson for taking over the sewer plant operations. Mr. Fester reported that he had met with Mr. Wilson who showed him the duties he would perform if hired as well as the reports he would complete. Mr. Fester reported that Mr. Wilson works with an individual that does grant writing for sewer projects and the next round of grant funding would be in August/September 2024. A discussion ensued regarding hiring Mr. Wilson to replace Mr. Plymesser. Chief Elliott recommended the sewer committee meet with Mr. Plymesser to discuss his future plan regarding his position with the village. After additional discussion, it was general consensus of Council to schedule a sewer committee meeting with Mr. Plymesser on Friday, April 12, 2024 at 1:00 p.m. and to further schedule a special council meeting for Friday, April 12, 2024 at 5:00 p.m. to discuss entering into a sewer operations contract with Mr. Greg Wilson.

Mrs. Germann inquired if Council had any suggestions for getting village residents involved with volunteer work in the village when not all council members participate. A discussion ensued regarding the various village projects that needed to be completed as well as the need for additional volunteer workers.

Ms. Wills inquired if the property owner at 111 Columbia Street had been billed for the sewer repairs completed on the property. Mayor Bear reported that he had not yet had time to get the information together.

Mr. Duanne Germann presented renderings of the new playground equipment set-up and reported the equipment installation would be started the following week.

Mr. Scott Wilburn reported the electrical inspection had been completed for the new electronic messaging sign. Mrs. Linda Fester expressed her appreciation to Mr. Wilburn for volunteering to install the electric for the sign. Mrs. Fester reported that Mr. Null, Chief Elliott and Mrs. Michelle Wilburn will administrate the sign content.

Mrs. Fester reported on the following:

- The tourism portion of the Appalachian Grant program is tentatively scheduled to be awarded May 20, 2024.
- Grant application for the Capital Budget Grant has been submitted
- Ohio River Way - Rivertown Review Workshop will be April 24, 2024 in Ripley from 9:00 a.m. to 3:15 p.m. RSVPs are due by April 15, 2024.
- Brown County Steering Committee has requested she become a member of the committee.

Old Business

Mayor Bear inquired if Council desired to enter into an employment contract with David J. Osborne, Jr. for the village solicitor position.

Mr. Osborne expressed to Council that he had two additional stipulations that were not in the proposed written employment contract.

1. That due to his agreement to providing services at a low hourly pay rate that no other village employees would be given a pay raise.

And

2. There would be no future incidents similar to the one in which Council did not take his advice or recommendations which resulted in him previously resigning from his village solicitor position in December 2023.

Mr. Fester inquired if Mr. Osborne would cap his annual pay as Mr. Osborne had previously stated he would. Mr. Osborne expressed that he would not be willing to do so as the number of work hours needed were unknown.

Mr. Osborne again expressed that although his additional stipulations were not written in the employment contract, he wanted Council's word that there would not be another incident. Mr. Matt Adams and Mr. Drew Smith expressed that they were not present in December. Mr. Osborne expressed the incident was in regards to the fire contract renewal. A brief discussion ensued regarding the previous matter.

Resolution 24-08

Motion by: Mr. Fester

Seconded by: Mr. Adams

WHEREAS, the Village of Higginsport, Ohio is required to have a Solicitor, and

WHEREAS, the Village of Higginsport, Ohio desires to hire a Solicitor,

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Higginsport, Brown County, Ohio, by a majority of all members elected and thereto concurring that:

Section 1: The Village of Higginsport hereby declares that an emergency exists in relation to the lack of having an acting Solicitor.

Section 2: The Village of Higginsport hereby desires to create an employee position for Solicitor, in which the Solicitor will be paid via a W@.

Section 3: The Village of Higginsport sets the hourly pay rate for the position of Solicitor at \$11.00 per hour.

Section 4: The Village of Higginsport shall perform the actions listed in the Solicitor job description and ORC Section 705.11.

Section 5: This resolution is hereby declared an emergency and it is found to be in the best interests of the residents of Higginsport, Ohio that this resolution take effect at the earliest time allowed by law.

Section 6: That it is found and determined that all formal actions of the Village Council for Higginsport, Ohio 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

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

Police Department

Chief Elliott reported on the following:

- State Fire Marshall's office is investigating a house fire in the village. Once the investigation is complete the house will be torn down.
- Status of mayor's court citations and lidar camera violations
- Some property owners have been cited for ordinance violations and they have begun cleaning up the properties.

Old/New Business

Mr. Null reported he had received several phone calls regarding the recent sewer rate increases. He expressed that the recent rate increases were not implemented fairly across the board in relation to residential versus business accounts. He requested the sewer committee meet to discuss the matter.

Ms. Wills reported that Mayor Bear had requested she obtain a quote from T & M Mowing for mowing the village cemetery for the 2024 mowing season. Ms. Wills reported the quote received was for \$4,500.00 which was the same amount that T & M Mowing had charged for the 2023 mowing season. Mayor Bear expressed that it had been his hope that he and volunteers would be able to perform the cemetery but that it was not feasible to do so.

Resolution 24-09**Motion by: Mr. Null****Seconded by: Mr. Smith**

To approve hiring T & M Mowing for the 2024 cemetery mowing season at a cost of \$4,500.00 for the season and to further approve the following re-appropriations:

From: 1000-930-930 Contingencies \$4,500.00

To: 1000-240-349 Contracted Services \$4,500.00

Vote: Mrs. Adams, Abstain, Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Yes; Mr. Wills, Yes

Mrs. Dufau reported that Mayor Beair had requested obtaining a credit card for village purchases. She expressed that Mayor Beair had agreed to be the personal guarantor for the credit card and if Council approved doing so, they would have to adopt a credit card policy as required by the ORC. A brief discussion ensued regarding the matter including the possible credit limit for the card.

Resolution 24-10**Motion by: Mr. Fester****Seconded by: Mr. Null**

To approve applying for a village credit card through Merchant's National Bank with a credit limit of \$2,500.00.

Vote: Mrs. Adams, Abstain, Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Yes; Mr. Wills, Yes

Mrs. Beair reported that she had contacted A & A Safety regarding possible returning the "no parking" signs the village had previously purchased from them at a cost of \$18.00 per sign. She reported that A & A Safety would only refund \$6.00 per sign and requested Council consider listing them for sale on Marketplace in hopes of selling them for more than the return refunded price. A brief discussion ensued with the general consensus of Council to try to sell the signs on Marketplace.

Ms. Wills inquired as to what Council desired to do with the community center (modular building). A brief discussion ensued resulting in no definite plans for the building.

Mayor Beair reported that the fire extinguishers at the municipal building and sewer plant needed inspected and serviced. A brief discussion ensued with Mr. Smith agreeing to obtaining the costs to do so.

Mayor Beair reported that a portion of the sidewalk at Gaines Street near the park had washed out and a portion of the drainage ditch had collapsed. A discussion ensued regarding repair options.

Motion by: Mr. Fester, seconded by: Mr. Null to pay the bills. Motion passed unanimously.

Motion by: Mr. Fester, seconded by: Mr. Null to approve the March 11, 2024 meeting minutes. Motion passed unanimously.

Mayor Bearir requested an executive session to discuss a personnel matter.

Motion by: Mr. Fester, seconded by: Ms. Wills to go into executive session to discuss a personnel matter. **Motion passed unanimously. Time Out: 7:50 p.m.**

Motion by: Ms. Wills, seconded by: Mr. Null to return to regular session. **Motion passed unanimously. Time Returned: 8:26 p.m.**

Motion by: Ms. Wills, seconded by: Mr. Null, to adjourn the meeting. **Motion passed unanimously.**

Lester Bearir, Mayor

Sheila G. Dufau, Fiscal Officer

Kathy Adams, Council Member

Matt Adams, Council Member

Linda Wills, Council Member

Scott Null, Council Member

Mark Fester, Council Member

Drew Smith, Council Member