

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

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

Also, present were: Police Chief Shawn Elliott, Dustin Faul, Tina Germann, Duanne Germann, Patrick Elliott, Dean Miracle, Sandy Beair, Linda Fester, Annie Osborne, D.J. Osborne, Drew Smith, Scott Wilburn, Michelle Wilburn, Wanda Crawford, Eddie Crawford, Rob Starrett, Chris Bishop, Raegan Moon, Anthony Moon, Dylan Branham, Peggy Wood, Tricia Wood and Scott Thomas.

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

Mayor Beair called for nominations to fill the vacant council seat.

Mr. Fester made a motion to nominate Mr. Dean Miracle for the position.

Mr. Null expressed that he thought the vacant seat had to be advertised. Mr. Crawford stated Council had thirty days to fill the position. Mr. Null recommended advertising the position. Mr. Beair expressed that the public had been aware of the upcoming vacant seat since the November 2023 election results.

Mrs. Adams made a motion to nominate Mr. Andrew (Drew) Smith for the position. Ms. Wills seconded the motion.

Chief Elliott expressed that Mr. Smith was a volunteer firefighter for the village fire department and could not accept the position if he was being compensated for his volunteer position. Mr. Smith expressed that he would decline compensation for his volunteer position in order to accept the council seat.

Mrs. Adams inquired as to why Mr. Miracle had not run for a council seat if he had been interested in the position. Mr. Miracle expressed that he had not attended enough meetings and did not feel he was informed enough at the time to run in November 2023.

Mr. Beair called for a vote for the motion and second made to nominate Mr. Andrew Smith.

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

Mayor Beair and Chief Elliott administered the oath of office to Mr. Smith and he took a seat at the council table.

Mayor Beair recommended Council appoint Rob Starrett as village fire chief effective March 1, 2024.

Motion by: Mr. Adams, seconded by: Ms. Wills to appoint Rob Starrett as village fire chief effective March 1, 2024. Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, No; Mr. Null, Yes; Mr. Smith, Abstain; Ms. Wills, Yes

Old Business

Mr. Patrick Elliott inquired as to what is being done for a village fire chief in Mr. Starrett's absence. Mayor Bear reported that the fire department lieutenants would be cover all duties until March 1, 2024.

Chief Elliott provided a couple business matters that Council would need to address. One being establishing a Board of Public Affairs as the ORC requires such when a village has a public utility. The other was establishing a Records Retention Committee.

Mr. Fester reported that he had ask many people as to whether the village was a statutory or charter village. Several had confirmed that it is a statutory village however it appears that there are areas of operation that are completed as either. He expressed that when applying for grants it will require the village to operate consistently.

Mayor Bear reported the elevator company had looked at the elevator and will be providing an estimate for the repairs that need to be completed. They had also contacted the state elevator inspector and all is good with the state for now.

Mayor Bear presented a resolution regarding the demolition of the old school building. Solicitor Osborne reported the landbank will file all of the necessary paperwork with the state but the village was required to pass a resolution on the matter. Solicitor Osborne stated that the building would be demolished, taken to green space and the property would still belong to the property owner.

Resolution 24-01

Motion by: Mr. Null

Seconded by: Mr. Fester

A resolution in support of and for the demolition of the Old Higginsport School located inside the corporation limits of the Village of Higginsport, Ohio and the Declaration of such to be an Emergency.

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

Mayor Bear reported that the electric in the municipal (bank) building had been checked and would like to have Duke Energy check the electric meters for possible issues.

New Business

Mr. Miracle inquired if the village would be increasing sewer rates. Mayor Bear reported that the village was not yet ready to raise the rates. Mrs. Wanda Crawford if the village was going to address the campers in town and inquired if they were hooked up to village sewer.

Mr. Starrett presented the 2023 fire department statistics.

Ms. Wills inquired if the church would be leasing the modular building for 2024. Mr. Scott Wilburn reported the church would not be leasing the building and inquired what council would like to do with the building. A discussion ensued to possibly utilizing it as a community building and/or renting it to the public for private events which would generate revenue for the village. Mayor Bear recommended tabling the matter until the next council meeting.

Ms. Wills confirmed the village's receipt of Solicitor Osborne's resignation effective January 31, 2024. Solicitor Osborne expressed that he would complete the outstanding cases relating to the demolition of the school as well as a pending case in Brown County regarding the guardrail. He also would transition all village information to the new village solicitor.

Mr. Fester expressed that he did not have contact information for all council members and requested a list of everyone's contact information.

Mr. Fester expressed that he thought the village should have a 1-3-5-10 year plan. He stated that he would open his home for a meeting after the March council meeting to discuss the plan further and that Council needed to work together for the value of grants and the community.

Ms. Wills advised that a president for council needed to be approved for 2024.

Motion by: Ms. Wills, seconded by: Mr. Smith to appoint Mr. Matt Adams as Council President for 2024.

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

Mrs. Dufau advised Council that the following business matters needed to be approved for fiscal year 2024:

- Mayor's Court Magistrate
- Adopting the Ohio Revised Code
- Adopting the Ohio Basic Code

Motion by: Ms. Wills, seconded by: Mr. Adams to approve retaining Nick Ring as mayor's court magistrate for 2024 with Mr. Ring's compensation to remain at \$575.00 per month.

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

Motion by: Ms. Wills, seconded by: Mrs. Adams to adopt the Ohio Revised Code for 2024.

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

Motion by: Ms. Wills, seconded by: Mrs. Adams to adopt the Ohio Basic Code for 2024.

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

Solicitor Osborne requested an executive session to discuss a legal matter.

Motion by: Mr. Null, seconded by: Mr. Fester to go into executive session to discuss a legal matter. **Motion passed unanimously. Time Out: 6:59 p.m.**

Motion by: Mr. Null, seconded by: Ms. Wills to return to regular session. **Motion passed unanimously. Time Returned: 7:10 p.m.**

Motion by: Ms. Wills, seconded by: Mrs. Adams to approve the regular meeting minutes of December 11, 2023. **Motion passed unanimously.**

Motion by: Ms. Wills, seconded by: Mrs. Adams to approve the special meeting minutes of December 27, 2023. **Motion passed unanimously**

Motion by: Ms. Wills, seconded by: Mrs. Adams to pay the bills. **Motion passed unanimously.**

Police Department Report

Chief Shawn Elliott reported that the village needed to enter into a prisoner housing contract with Brown County. The village would be charged \$90.00 per day to house a prisoner in the Brown County jail if necessary.

Resolution 24-02

Motion by: Ms. Wills

Seconded by: Mr. Fester

To approve and authorize Police Chief Shawn Elliott to enter into a prisoner housing agreement with the Brown County Sheriff at a cost of \$90.00 per day per prisoner.

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

Chief Elliott briefly reviewed possible police grants that he would be applying for.

Motion by: Ms. Wills, seconded by: Mrs. Adams, to adjourn the meeting. **Motion passed unanimously.**

Lester Beair, 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