

**Village of Higginsport
Village Council Meeting
March 11, 2024**

The Council of the Village of Higginsport met in regular session at the Village Municipal Building on Monday, March 11, 2024 at 6:00 p.m. with all members present.

Also, present were: Fire Chief Rob Starrett, Police Chief Shawn Elliott, Zoey Garrett, Patrick Elliott, Chris Bishop, Linda Fester, Kelly Faas, Dean Miracle, Tricia Wood, Michelle Wilburn, Sandy Bear, Scott Wilburn and Dustin Smith.

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

Public Participation

Ms. Zoey Garrett, Ripley School Treasurer presented information regarding an upcoming tax levy renewal for Ripley Union Lewis School district. Ms. Garrett expressed the tax levy was a renewal and if passed it would not increase the taxes currently being paid by property owners.

Ms. Kelly Faas introduced herself and expressed that she would be running for the Brown County Treasurer position. She provided personal and professional experience and expressed her appreciation for support in the upcoming election.

Mr. Dustin Smith addressed Council regarding his property west of the village and the village's contact with him regarding the village's sewer requirements for his alleged campground. Mr. Smith expressed that there was not a campground on his property but that it was used as a seasonal recreational area for a couple weeks per month in the summer months by his family. He had been informed by the village that the cost to tap into the village's sewer system would be approximately \$18,000.00 and that it was not financially feasible for him to do so. A discussion ensued with Mr. Fester expressing that it was not that Council did not understand Mr. Smith's concerns regarding the costs but that the village had financial issues with their sewer cost and needed everyone to be in compliance. Mr. Null explained the village's current ordinance requires all properties with water service in the village be tapped into the village sewer system. Mr. Smith inquired what were the consequences if he does not tap into the sewer system as well as how long did he has to do so. Mayor Bear expressed he would follow-up with the village's former solicitor for answers to Mr. Smith's questions.

Police Department

Chief Elliott reported on the following:

- Check has been received from the Village of Sardinia for the purchase of the cruiser light bar.
- Citations have been issued to several properties in the village for clean-up and travel trailers in violation of the village ordinance.

Special Presentations

Mrs. Linda Fester presented new renderings of the proposed ballfield development. She reported that the proposed grant funding will be awarded April 1, 2024. Ms. Fester expressed should the project not be funded by the Appalachian Grant; it could possibly be funded through the Capital Budget Grant.

Mrs. Fester reported the Ohio River Way organization does river town reviews annually if Council would be interested in having it done. The purpose of the review is to identify strengths, weaknesses and to develop being marketable. A preliminary workshop will be

hosted by the Village of Ripley tentatively in April 2024, she highly recommended the village participate.

Ms. Tricia Wood reported on the recent America 250 group meeting. She provided information from the last meeting and reported that the meetings going forward would be individual committees for the event. The next schedule meeting to be April 24, 2024.

Old/New Business

Mr. Fester presented a proposed contract and resolution for re-hiring David Osborne, Jr. as village solicitor. He provided a copy to all council members and recommended tabling the matter until the April meeting in order for council to have time to review it.

Mr. Fester reported that the issues with receiving the Nature Work Grant funds have almost been resolved.

Mayor Bear reported the new electronic messaging sign has been received.

Mayor Bear reported he had received a phone call from the Board of Health regarding a complaint they had received from property owners at 111 Columbia Street as their sewer system was not working. Mayor Bear reported he and Mark Plymesser made the necessary repairs and recommended that the sewer pits and electric panels be locked with padlocks. A Discussion ensued regarding the matter.

Mayor Bear reported that the village paid \$150.00 to pump out the pit and recommended the property owner be billed for the costs. A discussion ensued regarding the costs of the repairs with general consensus of Council that the property owner be billed for the repair costs. Mrs. Dufau requested Mayor Bear provide her with the costs of labor and materials in order for her to prepare an invoice to send to the property owner.

Mayor Bear presented an emergency ordinance for increasing the village sewer rates.

Ordinance 2024-01

Motion by: Mr. Fester

Seconded by: Mr. Adams

AN ORDINANCE AMENDING ORDINANCE 2014-17 APPENDIX 1 AND DECLARING THE SAME AN EMERGENCY.

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

Mayor Bear requested Council establish committees for 2024. After a discussion, the following committees were established:

Parks, Recreation, Street, Police and Fire Committee

Kathy Adams	Dean Miracle
Drew Smith	Scott Wilburn
Mark Fester	Tricia Wood

Sewer Committee

Matt Adams
Drew Smith
Scott Null

Grant Committee

Mark Fester	Linda Fester
Scott Null	Connor Babb
Linda Wills	

Records Retention Committee

Lester Bear
Kathy Adams
Sheila Dufau
Tricia Wood

Mr. Dean Miracle inquired if the village had an ordinance or resolution with requirements for cleaning up the village. A discussion ensued with Chief Elliott confirming there were ordinances however a representative such as the mayor or a village administrator must first address the property owner regarding the matter before he can issue a citation for the violation. The discussion continued with general consensus of Council to appoint a part-time volunteer village administrator.

Resolution 24-06

Motion by: Mr. Null

Seconded by: Mrs. Adams

To appoint Dean Miracle a part-time village administrator. Mr. Miracle to perform said duties on a volunteer basis with no compensation.

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

Fire Department

Chief Starrett expressed his appreciation to Council for allowing him to return as village fire chief. He reported on the following:

- County Board of Health meeting in March 28, 2024 at 6:30 p.m. - a village representative is encouraged to attend.
- Lewis Township clean-up days are tentatively scheduled for the first weekend in April. Things will have to be taken to Rumpke as no dumpsters will be placed in the village.
- Annual Easter egg hunt will be Saturday, March 30, 2024 at 2:00 p.m.

Additional Business

Mr. Starrett addressed Council regarding the reduced sewer assessment that was approved in August 2023 for his property located at 606 Columbia Street. He expressed that he had incurred additional fees that were not originally acknowledged when he had negotiated the reduction with Council and requested their consideration to approve amending the amount to reflect refunding the additional county auditor fees. A brief discussion ensued regarding his request with general consensus of Council to honor the original agreed upon amount.

Resolution 24-07

Motion by: Mr. Null

Seconded by: Mr. Adams

WHEREAS, the Village Council previously approved Resolution# 23-29 on August 14, 2023 approving a reduction in the balance due for a sewer assessment for Parcel# 22-042560.0000 /606 Columbia Street. The resolution approved reducing the balance due for the sewer assessment to \$2,000.00, and

WHEREAS, a correspondence was submitted to the Brown County Auditor's office regarding the approval of the reduction and requesting it be corrected on the parcel's tax record, and

WHEREAS, upon receipt of the Village's correspondence the county auditor notified the Village they were legally unable to make the reduction on the tax records and would be required to collect the full assessment amount of \$4,891.93 and it would be the Village's responsibility to issue an overpayment refund to the property owners, and

WHEREAS, the Village has received payment from the county auditor for the net amount of \$4,402.74 (Gross amount \$4,891.93 - \$489.19 auditor fees) for the sewer assessment and per Resolution# 23-29 the Village has received an overpayment of \$2,402.74 for the sewer assessment,

THEREFORE, BE IT RESOLVED, that an overpayment refund for the sewer assessment in the amount of \$2,402.74 be issued to the property owner's, Robert and Dona Starrett, and

BE IT FURTHER RESOLVED, that the following re-appropriation be approved in order to issue said refund:

From: 5201-930-930	Contingencies	\$2,402.74
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To: 5201-549-690-0000	Other	\$2,402.74
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Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Yes; Ms. Wills, Yes

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

Motion by: Ms. Wills, seconded by: Mrs. Adams to approve the February 12, 2024 meeting minutes. **Motion passed unanimously.**

Motion by: Ms. Wills, seconded by: Mr. Smith, 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