

**COMMISSIONERS' MEETING  
MINUTES SUMMARY  
THURSDAY, DECEMBER 11, 2014  
1:30 P.M.**

**Saved as digital recording: CGS12-11-114**

John W. O'Brien, President, Present  
John F. Evans, Vice President, Present  
Richard L. Cultice, Member, Present

Appointments

1:30 p.m.      General Business  
1:45 p.m.      Public Hearing #2 – Transfer Station Fee Adjustment  
2:15 p.m.      Ginny Shrimplin - CORSA

General Business

Mr. Cultice moved and Mr. Evans seconded the motion to approve the agenda as presented, with the addition as follows:

2:45 p.m.      Executive Session – Imminent Litigation

The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

Mr. Evans moved and Mr. Cultice seconded the motion to approve the minutes of the December 4, 2014 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

**RESOLUTION NO. 14-12-1694**

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign bills for all funds as submitted. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

**RESOLUTION NO. 14-12-1695**

Mr. Evans moved and Mr. Cultice seconded the motion to accept the attached quote from Global GovEd and authorize Common Pleas Court to purchase two (2) HP ProDesk 400 G1 Desktop PC Computers, one (1) 22" Class Widescreen Edge Monitor, and one (1) 24" Class Widescreen Edge Monitor, for Magistrate Altenburger and Hannah Parshall and two (2) HP ProDesk 400 G1 Desktop Computers and one (1) HP LaserJet Pro 400 M401n Black and White Printer for Judge Gee and Ashley Silvers. The total cost shall not exceed \$2,828.07, which will be paid from Special Projects Fund 0189-181. Data Board approved said purchase on November 26, 2014. Two other quotes were also received for Magistrate Altenburger and Hannah Parshall from CDW-G - \$1,485.65; MNJ Technologies Public Sector LLC - \$1,447.89, as well as two quotes for Judge Gee and Ashley Silvers from GovConnection, Inc. - \$1,486.27; CDW-G - \$1,426.86. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1696

Mr. Cultice moved and Mr. Evans seconded the motion to accept the attached quote from Brower Stationers, Troy, Ohio and authorize the Common Pleas Court to purchase six (6) HON2092SR11T mid-back leather chairs, for Judge Lindeman's courtroom, approved by Judge Elect Pratt, total cost not to exceed \$1,770.00 (including delivery and assembly) which will be paid from Fund 0001-181. Two other quotes were received: MY Office Design, Sidney, OH- \$1,794.00; Francis Office Supply, Piqua, Ohio - \$2,154.00. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1697

Mr. Evans moved and Mr. Cultice seconded the motion to accept the quote (attached) from Brower Stationers, Troy, Ohio and authorize the Common Pleas Court to purchase one (1) HON2091SR11T executive high-back leather chair, one (1) HON2092SR11T mid-back leather chair, and seven (7) HON2093SR11T guest leather chairs for Magistrate Beers' courtroom, total cost not to exceed \$2,623.00 (including delivery and assembly), which will be paid from Fund 0001-181. Two other quotes were received: Office World.com - \$2,642.50; Francis Office Supply, Piqua, Ohio - \$3,041.00. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1698

Mr. Cultice moved and Mr. Evans seconded the motion to authorize the emergency work of pump house repairs and installation of a new water line at the David L. Brown Youth Center. The first well attempt by Wiley Water Systems, Inc. (authorized by Resolution No. 14-11-1648 on November 25, 2014) failed, and Facilities and Operations Director, Chris Johnson, recommends foregoing any further attempt and recommends using the existing well on the west side of the road, which has a good flow rate. The following is the recommended course of action:

1. Authorize Lewis Electric, Troy, Ohio to trench, bore and restore the electrical service from the pump house, under the road surface to the east side ditch line. This will get the well operational and the rental generator can be removed. The cost shall not exceed \$8,500.00, which will be paid from Fund 122.
2. Authorize Wiley Water Systems, Inc., Union City, IN to coordinate with Lewis Electric to establish a new water line from the pump house to the David L. Brown Youth Center, a length of approximately 500 ft. This waterline has ruptured each winter the past 3 years and is in poor condition. This is just a modification to the emergency work authorized on November 25, 2014 by Resolution No. 14-11-1648 – no additional funds are being requested. Total cost for said repairs not to exceed \$14,000 and to be paid from Fund 122.

The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1699

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign the attached Memorandum of Agreement/Agreement to Purchase Services with the Darke County Recovery Services dba Recovery and Wellness Centers of Midwest Ohio (RWC) for the purpose of providing mental health assessment and liaison services on behalf of Court referred clients.

COST: The Court will pay RWC \$250.00 for each client identified and referred by the Court. The Court will pay RWC \$90.00 per hour for liaison information provided by RWC, typically for those clients currently active in the Mental Health System in which no additional Mental Health Assessment is indicated. Costs will be paid from Fund 001-183-82-4389. The effective date of the Agreement is January 1, 2014 through December 31, 2015. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1700

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign an Addendum to Memorandum of Agreement with the Miami County Recovery Council for Outpatient Probation Services (High Risk Offenders), as requested by Municipal Court. Said Addendum is necessary to allow for changes to billing due to new Medicaid Laws. Articles 5 through 7 have been added , along with wording modifications made in Article 9. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1701

Mr. Evans moved and Mr. Cultice seconded the motion to acknowledge receipt of the Sheriff's monthly Expenses Account for the period ending November 30, 2014, as prescribed under Section 325.07 of the Ohio Revised Code. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice Yea.

RESOLUTION NO. 14-12-1702

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign the attached Employee Requisition to fill the new position of part-time Animal Control Officer at the Animal Shelter, at a pay rate of \$11.88 per hour. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1703

Mr. Evans moved and Mr. Cultice seconded the motion to accept the proposal submitted by SSC Consulting on September 4, 2014 (Resolution No. 14-09-1241) and further sign the attached Agreement with said company. Six (6) proposals were received and evaluated by members of an internal committee that will be involved in parts of the proposed project, and SSC Consulting was selected as the best proposal/company and provided the most advantageous pricing model. SSC Consulting provided estimates for each of the four major phases of the proposed project:

911 Phone System Upgrade to an NG911 Phone System	\$12,740.00
Communication Center Physical Upgrade	\$19,900.00
Tower Space Lease Plan Development	\$14,275.00
EDACS/P25 System Upgrade	\$134,550.00

Said costs will be paid from Fund 309-002 C0027, and costs for consulting on the telephone system upgrade and related mapping upgrades will be reimbursed from Fund 1110, with the remaining project costs being reimbursed from Fund 109. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1704

Mr. Cultice moved and Mr. Evans seconded the motion to accept the tentative agreement and enter into a Memorandum of Understanding with the Fraternal Order of Police/Ohio Labor Council, Inc. (Miami County Communications Center) to modify sections 21.2 and 21.3 of the Collective Bargaining Agreement between the Miami County Commission and the FOP/Ohio Labor Council, the bargaining unit for the dispatchers which are necessary to implement a 12-hour schedule for a trial period of 12 pay periods, with the pay period beginning on or about January 4, 2015 and ending on June 20, 2015, as a trial basis. Said modifications have the potential to provide significant additional time off on weekends, as compared to current rotating day off schedules, resulting in more time off, which in turn may relieve stress and improve retention, as well as reduce use of leave on weekends, evenings, and allow the Communication Center to concentrate staffing levels during the busiest time periods. When fully staffed, there will also be one 10-hour schedule that would cover weekend, evenings, allowing the Center to concentrate staffing levels during the typically busiest time periods. The MOU requires that both parties mutually agree to any continuation of the MOU after June 20, 2015. It also provides that if staffing shortages make the schedule unworkable, both parties agree to revert to the current contract language, thus, the Director would then determine a schedule based on the immediate needs of the County. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1705

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign Change Order #1 (attached) to the contract with VTF Excavating, LLC, for the "Spring Street Reconstruction Project" (Village of Covington), for an addition of \$92,134.81, as recommended by staff from the Miami County Department of Development, Village of Covington, and the Project Engineer. Said change order is a result of adding the reconstruction of South Ludlow Street, from Spring Street to 350 feet South of Spring Street to the project. This includes the complete street reconstruction along with curbing, sidewalks, sanitary sewer, storm sewer and other miscellaneous work. The new contract amount including this change order is \$2,043,618.58.00. The Village of Covington is responsible for the payment of Change Order #1. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1706

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign the attached *Enterprise Software Agreement* with Wentworth Technologies, LLC, dba. CitiForce, Brunswick, Ohio, as requested by the Department of Development, which will be used to improve the current building permit application process. The cost of the CitiForce program is \$14,350.00 with a monthly license/maintenance fee of \$1,049.00, with costs to be paid from Fund 001-051. Data Board approved said purchase on November 26, 2014. Multiple quotes were received: Accela - \$157,410.00; Blueprince - \$127,875.00 plus recurring costs. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1707

Mr. Evans moved and Mr. Cultice seconded the motion to accept the attached quote from Lynn Imaging, Lexington, KY and authorize the Department of Development to purchase one (1) WideTEK 36C Optical Scanner including a 12-month extended warranty, delivery and installation. Said scanner will aid in the Department of Development's effort to go paperless in terms of building permit application and processing. The total cost shall not exceed \$8,684.00, which will be paid from Fund 01051. Data Board approved said purchase on November 26, 2014. Two other quotes were received: Priority Engineering - \$8,990.00; GEI WideFormat - \$10,983.00. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1708

Mr. Cultice moved and Mr. Evans seconded the motion to accept the attached quote from MNJ Technologies and authorize the Department of Development to purchase one (1) HP ProDesk 400 computer and monitor and one (1) HP ProBook 450 laptop with 3-year extended warranty, total cost not to exceed \$1,504.11, which will be paid from Fund 001-051. Data Board approved said purchase on November 26, 2014. Two other quotes were received: CDW-G - \$1,512.27 and GovConnection - \$1,548.78. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1709

Mr. Evans moved and Mr. Cultice seconded the motion to authorize publication of the attached combined notice for FY 2014 Small Cities CDBG Community Development Allocation Program for Finding of No Significant Impact on the environment (FONSI) for Environmental Assessment, as well as reveal the intent to ask for release of CDBG funds. Said advertisement will be placed in the Dayton Daily News on December 15, 2014. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1710

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign the attached Contract with Access 2 Interpreters, who will provide telephone interpreting services and written document translation services for Limited English Proficient (LEP) customers during the period of October 1, 2014 through September 30, 2015, with two 1-year additional renewals based upon satisfaction of services and availability of funds. This service will be used on an as needed basis (costs are outlined in Appendix I of said Contract) and costs will be paid from Fund 106. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1711

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign the Employment Verification for Katherine Goettemoeller, Eligibility/Referral Specialist I for the Department of Job and Family Services. Ms. Goettemoeller's first day will be December 29, 2014 at a pay rate of \$13.12 per hour. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1712

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign an *Agreement to Purchase Assessment and Treatment Services for Juvenile Sex Offenders* (attached) with Benton Counseling and Consulting Services, LLC, Cable, Ohio, to provide outpatient sex offender treatment services on behalf of Court referred juveniles and their families during 2015. COST: \$300.00 for each group therapy session, total cost not to exceed \$15,000.00, which will be paid from Fund 001-185. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea;

RESOLUTION NO. 14-12-1713

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign an agreement (attached) with the Miami County Recovery Council, to provide a tobacco prevention education program for youth referred by Juvenile Court during 2015. Services will include a tobacco prevention educational program for youth utilizing a mutually agreed upon curriculum. COST: \$200.00 per session, not exceed \$1,200.00, which will be paid from Fund 001-185. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1714

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign an agreement with the Miami County Recovery Council to provide a shoplifter's education program for youth referred by Juvenile Court during 2015. Services will include screening of all referrals, and an educational youth program utilizing a mutually agreed upon curriculum. COST: \$500.00 per program, not exceed \$5,000.00 per year, which shall be paid from Fund 001-185. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1715

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign an agreement with the Miami County Recovery Council to provide substance abuse outreach for youth referred by the court during 2015, utilizing a mutually agreed upon curriculum. COST: \$500.00 per program, not to exceed \$6,000.00 per year, which shall be paid from Fund 001-185. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1716

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign a Customer Service/Support Agreement with Henschen and Associates, Inc. for software and hardware support for Probate Court's court database system. The total value of this agreement is for \$5,000.00. This agreement shall remain in effect until the total value (\$5,000.00) has been depleted or until the agreement is canceled by either party. Should the agreement be canceled, Henschen and Associates, Inc. shall refund the unused dollars. The cost will be paid from Fund 001-168. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1717

Mr. Evans moved and Mr. Cultice seconded the motion to amend Resolution No. 14-08-1177 dated August 26, 2014 and add the following unpaid sewer rate and/or charges, together with penalties, to be certified to the Auditor of Miami County, Ohio, for placement on the property tax list and duplicate of Miami County, Ohio, for collection in the same manner as taxes:

25.150.1

DOUG ISHMAEL OWNER OF

2125 S CO RD 25-A, TROY OHIO, MIAMI COUNTY

FOR THE AMOUNT OF \$345.80

Said charge was left out of the original resolution approved by Resolution No. 14-08-1177. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1718

Mr. Cultice move d and Mr. Evans seconded the motion to establish a Tax Certificate Administration Fund, as requested by the Auditor. Said Fund will be used for administrative costs associated with administering tax liens, in accordance with O.R.C. 5721.31 (E). The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO 14-12-1719

Mr. Evans moved and Mr. Cultice seconded the motion to authorize the IT Department to purchase the following equipment/services due to damage related to the lightning strike on August 2, 2014 (refer to Resolution No. 14-08-1106):

GCI

Two (2) video converters necessary for the video cameras in Judge Nasal's area, total cost not to exceed \$97.90

Garber Electric

Repair and replacement of Courthouse fire alarm panel, total cost not to exceed \$985.00

Rieck Services

Repair and replacement of HVAC chiller electronics control module at Safety Building, total cost not to exceed \$5,428.84

The total cost shall not exceed \$6,511.74, which will be paid from Fund 309-002 Project C0002. Data Board approved said items on November 26, 2014. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea;

RESOLUTION NO. 14-12-1720

Mr. Cultice moved and Mr. Evans seconded the motion to accept the attached quote from N-able Technologies, Inc., Ottawa, Ontario, Canada and authorize the IT department to purchase a network monitoring platform system for active monitoring for the purpose of pinpointing accuracy of failures in the servers and network equipment. The system will be able to have near-instant alerting of any failed or degraded network equipment, and is able to be configured to perform self-healing steps that trigger automatically in the event of a failure to attempt to correct the situation instantly, and if this situation fails, the system will activate the alerting protocols, so that the IT department is capable of fixing the issue. Said system also has the capability of generating reports which accurately predict when additional storage will be needed and already have it in place. Using collected data, it will be possible to make better PC and server purchases by knowing exactly how powerful a PC needs to be based on historical usage. This system will apply toward network audits in the management and disaster recovery and be integrated into continuation of operations plans for all agencies systems being monitored. The longer the product is used, the better the actual health of the network can be calculated. N-able is a direct seller of their product, and would qualify as a sole source provider. A discount will be honored as long as the purchase can be made by December 19, 2014. Perpetual licensing for up to 750 devices includes reports, help desk system, and remote assistance. The EMA department has contacted ODPS and has gotten approval to use EMPG funds to cover some costs, an amount that is still being determined and will be reimbursed after the initial purchase. Said costs will be further offset by reduction in comparable expenses to vendors and equipment leases in the following year. Data Board approved said purchase on November 26, 2014 and the total cost for the project is \$35,625 and will be paid from Fund 309-002, Project C0002. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1721 Then and Now Certificates

Mr. Cultice moved and Mr. Evans seconded the motion to approve the then and now certificates as submitted. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12-1722 Additional Certifications of Estimated Revenue and Additional Appropriations

Mr. Evans moved and Mr. Cultice seconded the motion to approve the additional certifications of estimated revenue and additional appropriations as requested. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1723 through 14-12-1728 Additional Appropriations

Mr. Cultice moved and Mr. Evans seconded the motion to approve the additional appropriations as requested. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1729 through 14-12-1734 Reduction of Appropriations

Mr. Evans moved and Mr. Cultice seconded the motion to approve the reduction of appropriations as requested. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea

RESOLUTION NO. 14-12-1435 through 14-12-1747 Transfers

Mr. Cultice moved and Mr. Evans seconded the motion to approve the transfers as requested. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 14-12-1748 Fund to Fund Transfers

Mr. Evans moved and Mr. Cultice seconded the motion to approve the fund to fund transfers as requested. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 14-12-1749 Signatures Only:

Payroll Change – Maintenance

Termination – Job and Family Services

Mr. Cultice moved and Mr. Evans seconded the motion to approve the signatures only as requested. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 14-12- 1750 Public Hearing #2 – Transfer Station Fee Adjustment – Sanitary Engineering

**PUBLIC HEARING HELD**

**ADDITION TO THE AGENDA:**

RESOLUTION NO. 14-12-1751 Executive Session – Imminent Litigation

Mr. Evans moved and Mr. Cultice seconded the motion to enter into Executive Session at 2:37 p.m. for the purpose of Imminent Litigation. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

Mr. Cultice moved and Mr. Evans seconded the motion to adjourn from Executive Session at 3:44 p.m. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at p.m. on this 11<sup>th</sup> day of December 2014.

Respectfully submitted:

Leigh M. Williams, Clerk/Commissioners' Administrator

*Full minutes of the proceedings from this meeting have been digitally recorded.*