

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, JANUARY 6, 2015
9:00 A.M.
Saved as digital recording: CGS**

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

Appointments

9:00 a.m. General Business

9:05 a.m. Executive Session – Personnel/Appointment of Staff

General Business

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

Bills

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 30, 2015 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. 15-01-01 DELETION

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. 15-01-02

Mr. Evans moved and Mr. Cultice seconded the motion to acknowledge the Auditor's Summary Revenue and Expenditure Reports for November 2014 (electronically). The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-01-03

Mr. Cultice moved and Mr. Evans seconded the motion to set the bond amount for the Juvenile Court Judge (Judge Dixon) to serve as clerk at \$40,000, pursuant to O.R.C. 2151.12. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-01-04

Mr. Evans moved and Mr. Cultice seconded the motion to authorize the execution of a joint application with Prosecutor Kendell to request the Miami County Court of Common Pleas to appoint a special prosecutor as determined by Prosecutor Kendell to represent Judge Dixon in the following matter: case of *Christopher R. Bucio, Esq., Roberts Kelly and Bucio LLP, Et. Al., Relators, vs. Judge W, McGregor Dixon, Miami County Prosecutor's Office, Neil Freund, Esq. and Jennifer D. Brumby, Respondents* (Second District Court Of Appeals Case No. 14CA-31) filed by the Relators for writs of prohibition and that the expenses of such special prosecutor shall be paid from county funds. Since both Prosecutor Kendell and Judge Dixon have been named as parties in the above indicated litigation, the Miami County Prosecutor's Office would have a "conflict of interest" in representing both Prosecutor Kendell and Judge Dixon in such matters. Pursuant to Ohio Revised Code Section 305.14 the Board and Prosecutor Kendell may jointly file an application with the Miami County Court of Common Pleas requesting the Court to appoint a "special prosecutor" whose sole authority will be to represent Judge Dixon in the previously indicated matters. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-01-05

Mr. Cultice moved and Mr. Evans seconded the motion to authorize the payment of the attached invoice from Wagner Plumbing and Heating, Troy, OH in the amount of \$8,212.22 (service dates being December 13-18, 2014), for the replacement of a 300 ft. section of gas line at the Animal Shelter (from the meter to the building). On December 11, 2014, it was reported that the Animal Shelter had a natural gas leak and Vectren shut off the main line to the building. Wagner Plumbing and Heating attempted to repair the existing gas line, however, with pipe that is approximately 45 years old and undersized, it could not be sleeved. The project included Vectren placing a new meter at the roadside and new regulators on the equipment. The invoice will be paid from Fund 105. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-01-06

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign the attached Amended Agreement with Candace Goodall, Architect, 211 Finsbury Lane, Troy, OH 45373 to perform plans examining services for the Department of Development, Building Regulations Division, at a cost of \$98.34 per hour, not to exceed \$66,000.00 for the period of January 1, 2015 through December 31, 2015, with costs to be paid from Fund 001, Dept. 051. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-01-07

Mr. Cultice moved and Mr. Evans seconded the motion to authorize the following Home Repair Project respecting the FY 2013 CHIP Grant Program (LMI property owners):

Property Owner:	Lawrence and Brenda Ginn
Property Address:	4728 N. Piqua-Troy Road, Troy Ohio 45373
Funding Agreement	Award/Purchase Order Amount: \$11,062.00
Contractor:	Bill Netzley Roofing
Scope of Work:	(1) Roof and Spouting Repair
Source of Funds:	FY 2013 CHIP, Home Repair, CDBG Funds - \$8,000.00 and CDBG Program Income Funds - \$3,062.00

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

RESOLUTION NO. 15-01-08

Mr. Evans moved and Mr. Cultice seconded the motion to accept the resignation of Karolyn Stipek, Legal Specialist at the Department of Job and Family Services, effective January 16, 2015. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-01-09

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign the attached Employee Requisition to fill the upcoming vacant position of full-time Legal Specialist at the Department of Job and Family Services, 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. 15-01-10

Mr. Evans moved and Mr. Cultice seconded the motion to authorize and sign the attached agreement with Norton Engineering, LLC, to provide design services for completing capital improvement design of operational improvements to the Miami County Transfer Station (Residential Drop-Off Area), total cost not to exceed \$24,700.00, which will be paid from Transfer Station Fund 437. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-01-11

Mr. Cultice moved and Mr. Evans seconded the motion to set the date of Thursday, January 29, 2015 at 1:45 p.m. local time in the Commissioners Hearing Room, to receive and publicly open bids for the Water Loop Connection at the Upper Valley Medical Center (UVMC), as requested by the Sanitary Engineering Department. A secondary water line is necessary to ensure continuous water supply to UVMC during construction of the CSX construction project on Eldean Road, which includes a water line relocation. Further authorize the attached legal ad to be placed in the Dayton Daily News on January 8, 2015, as well as on the County website. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-01-12

Mr. Evans moved and Mr. Cultice seconded the motion to accept the SFY 2015 Urban Transit Program Award from ODOT in the amount of \$59,366, as requested by the Transit Department. Said funds originate from ODOT's State Formula Program and will assist with operating expenses for the period of January 1, 2015 through December 31, 2015. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-01-13

Mr. Cultice moved and Mr. Evans seconded the motion to authorize and sign Change Order No. 4 (increase of \$1,268.00) with Staffco Construction, Inc. for the *HVAC System Upgrade and Renovation of Miami County Courthouse and Safety Building* project, with the final contract amount now being \$4,973,330.00. Said Change Order allows for material and labor for 3 bolt toilets in lieu of 4 bolt toilets. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-01-14

Mr. Evans moved and Mr. Cultice seconded the motion to designate and appoint Christopher Allen Grove as the Acting Coroner of Miami County, Ohio and designate the said Christopher Allen Grove to perform the duties of said office, effective at 12:00 o'clock A.M. on January 1, 2015, until such time as a successor is properly selected and qualified, pursuant to O.R.C. Section 305.02. Stephen A. Huffman, M.D., formerly the Coroner of Miami County, Ohio, has been elected to the 80th District Ohio House of Representatives, effective January 1, 2015, and the said Stephen A. Huffman, M.D. resigned his position as Coroner of Miami County, Ohio effective at 12:00 o'clock A.M. on January 1, 2015. Further authorize the Clerk of the Board, not more than seven days after the making of this appointment, to certify copies of this Resolution to the Board of Elections of Miami County, Ohio, and to the Ohio Secretary of State, pursuant to Section 3.02 of the Ohio Revised Code. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTIONNO. 15-01-15 Travel Training

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

RESOLUTION NO. 15-01-16 Then and Now Certificates

Mr. Evans moved and Mr. Cultice 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. 15-01-17 through 15-01-18 Transfers

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

RESOLUTION NO. 15-01-19 Signatures Only:

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

RESOLUTION NO. 15-01-20 Executive Session – Personnel/Appointment of Staff

Mr. Cultice moved and Mr. Evans seconded the motion to enter into Executive Session at 9:18 a.m. for the purpose of Personnel/Appointment of Staff. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

Mr. Evans moved and Mr. Cultice seconded the motion to adjourn from Executive Session at 10:35 a.m. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 10:35 a.m. on this 6th day of January 2015.

Respectfully submitted:

Leigh M. Williams, Clerk/Commissioners' Administrator

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