

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, DECEMBER 22, 2015
9:00 A.M.
Saved as digital recording: CGS**

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

Appointments

9:00 a.m. General Business

9:05 a.m. Zoning Hearing (1) – Department of Development

General Business

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

Executive Session – Imminent Litigation

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

Mr. Cultice moved and Mr. O'Brien seconded the motion to approve the minutes of the December 17, 2015 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-12-1775

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

RESOLUTION NO. 15-12-1776

Mr. Cultice moved and Mr. O'Brien seconded the motion to release \$88,447.50 from the Irrevocable Standby Letter of Credit submitted by 3-GEN-D, LLC for the construction of Merrimont Subdivision No. 11, as requested by the Miami County engineer. This release is a partial reduction of the referenced Irrevocable Standby Letter of Credit and does not constitute final acceptance of the constructed facilities or cancelation of the Letter of Credit. Further direct the Clerk of the Board of Miami County Commissioners to notify Greenville National Bank, 2860 Alt. State Route 49 North, Arcanum, Ohio 45304, to issue a warrant in the sum of \$88,447.50 to Finrock Construction Inc., 301 Adams Street, P.O. Box 54, Covington, Ohio 45318 for the constructed facilities. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-12-1777

Mr. O'Brien moved and Mr. Cultice seconded the motion to acknowledge submission by the David L. Brown Youth Center (Miami County Juvenile Court) of the attached Ohio Department of Youth Services Juvenile Accountability Block Grant (JABG) Application, requesting \$16,666 (\$15,000 Federal Award; \$1,666 Local Match) (after the fact), and further accept and sign the attached Subgrant Award. The funding will be used for staff training, with the goal to be a "trauma-focused cognitive behavioral residential program". The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-12-1778

Mr. Cultice moved and Mr. O'Brien seconded the motion to authorize and sign the attached agreement with Clark County Juvenile Court/Clark County Department of Job & Family Services and Miami County Juvenile Court/David L. Brown Youth Center, which sets forth the terms and conditions between the parties for placement and related services for children who are in the care and/or custody of Clark County Juvenile Court/Job and Family Services of Clark County. The David L. Brown Youth Center agrees to provide placement and related services specified in each Individual Child Care Agreement (ICCA) for children in the care and custody of the Title IV-E Agency, and shall be consistent with current state and federal laws and regulations. The maximum amount payable pursuant to this contract is \$45,000. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-12-1779

Mr. O'Brien moved and Mr. Cultice seconded the motion to authorize and sign Change Order #1 to the contract with Miami and Erie Contractors Inc, for the "Kyle Park Handicapped Walkway Project" (City of Tipp City), for a reduction of \$9,019.50, as recommended by staff from the Miami County Department of Development and the City of Tipp City's Project Engineer. The new contract amount including this change order is \$84,680.50. The changer order (reduction) is a result of differences in quantities installed of the GeoGrid, the 6 inch aggregate base and the seeding and mulching line items from the original contract. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-12-1780

Mr. Cultice moved and Mr. O'Brien seconded the motion to authorize and sign Change Order #1 to the contract with VTF Excavating, LLC, for the "Covington Municipal Parking Lot Project" (Village of Covington), for a reduction of \$4,784.84, as recommended by Brice Schmitmeyer, P.E. of Access Engineering Solutions. The new contract amount including this change order is \$49,597.04. The change order (reduction) is a result of differences in quantities installed from those shown the original contract. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-12-1781

Mr. O'Brien moved and Mr. Cultice seconded the motion to amend Resolution No. 15-09-1214 and authorize the deletion of the below stated unpaid sewer rates and/or charges, that were previously 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, as they were all paid in full at the Sanitary Engineering Office between September 8, 2015 and December 11, 2015:

22.760.1

LYLE HEATH OWNER OF
103 WASHINGTON ST, CASSTOWN, OHIO, MIAMI COUNTY
PARCEL ID: F11-000620
FOR THE AMOUNT OF \$1,002.82;

22.765.3

JOHN TITUS OWNER OF
104 WASHINGTON STREET, CASSTOWN, OHIO, MIAMI COUNTY
PARCEL ID: F11-000360
FOR THE AMOUNT OF \$312.86;

22.165.2

JOSHUA AND AMY KESSLER OWNER OF
3860 BURTON ROAD, CASSTOWN, OHIO, MIAMI COUNTY
PARCEL ID: F10-008200
FOR THE AMOUNT OF \$1,330.54;

09.296.1

RANDY & EILEEN ALEXANDER OWNER OF
75 N WALNUT ST, FLETCHER, OHIO, MIAMI COUNTY
PARCEL ID: B05-001310
FOR THE AMOUNT OF \$747.49

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

RESOLUTION NO. 15-12-1782

Mr. Cultice moved and Mr. O'Brien seconded the motion to authorize and sign a contract with R.T. Industries, Inc., Troy, Ohio to provide workers for event and festival recycling pickup, as well as collecting the glass recycling containers at Miami County businesses in 2016, at a rate of \$10.94 per hour, per worker and \$14.00 per hour for the supervisor, at a total cost not to exceed \$7,500.00, to be paid from ORG 437. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-12-1783

Mr. O'Brien moved and Mr. Cultice seconded the motion to authorize and sign the attached contract with Accu-Medical Waste Service, Inc., Marietta, Ohio for the pickup and proper disposal of sharps needles, at the below named locations, at a cost not to exceed \$25.00 per 30 gallon container, for calendar year 2016, to be paid from ORG 437, at a total cost not to exceed \$500.00:

1. Miami County Sanitary Engineering Department
2. Miami County Public Health
3. Tipp City Police Department
4. Piqua Police Department
5. Miami County Sheriff's Office
6. Miami County Incarceration Facility

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

RESOLUTION NO. 15-12-1784

Mr. Cultice moved and Mr. O'Brien seconded the motion to appoint Lori Willoughby to the Tri-County Board of Recovery and Mental Health Services, term to become effective immediately and expire June 30, 2017. Ms. Willoughby will serve the unexpired term of Tom DeVault who resigned from said Board on November 1, 2015. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-12-1785 Then and Now Certificates

Mr. O'Brien 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. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-12-1786 Additional Appropriations

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

RESOLUTION NO. 15-12-1787 through 15-12-1789 Additional Certifications of Estimated Revenue and Additional Appropriations

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

RESOLUTION NO. 15-12-1790 through 15-12-1792 Reduction of Appropriations

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

RESOLUTION NO. 15-12-1793 through 15-12-1795 Transfers

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

RESOLUTION NO. 15-12-1796 Fund to Fund Transfers

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

RESOLUTION NO. 15-12-1797 Signatures Only:

Pay Request – Village of Covington Municipal Parking Lot - DOD

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

RESOLUTION NO. 15-12-1798

Mr. Cultice moved and Mr. O'Brien seconded the motion to provide for the current expenses and other expenditures of Miami County during the year ending December 31, 2016 by setting aside the attached sums and appropriating the expenditures to be made for and during the fiscal year. A copy is attached and on file in the Auditor and Commissioners' Offices. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-12-1799 Zoning Hearing – Martin Hardman

Mr. O'Brien moved and Mr. Cultice seconded the motion to approve Zoning Amendment #1706-10-15 filed by Martin Hardman, 6655 Union Shelby Road, Piqua, Ohio 45356 requesting permission to rezone a 1.877 acre tract from A-2, General Agriculture to R-1AAA, Single Family Residential for the following tract of land being a 67.56 acre tract located at 6655 Union Shelby Road, Piqua, Ohio 45356, Section 5, Town 1, Range 11 of Springcreek Township. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

ADDITION TO THE AGENDA:

RESOLUTION NO. 15-12-1800 Executive Session – Imminent Litigation

Mr. Cultice moved and Mr. O'Brien seconded the motion to enter into Executive Session at 9:17 a.m. for the purpose of Imminent Litigation. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

Mr. O'Brien moved and Mr. Cultice seconded the motion to adjourn from Executive Session at 9:32 a.m. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 9:32 a.m. on this 22nd day of December 2015.

Respectfully submitted:

Leigh M. Williams, Clerk/Commissioners' Administrator

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