

**COMMISSIONERS' MEETING  
MINUTES SUMMARY  
TUESDAY, JULY 2, 2019  
9:00 A. M.**

**Saved as digital recording: CGS07-02-19**

Gregory A. Simmons, President Present  
John F. Evans, Vice President, Present  
Ted S. Mercer, Member, Present

Appointments

9:00 a.m.      General Business  
9:05 a.m.      2020 Budget Hearing

General Business

Welcome and Pledge of Allegiance

Mr. Mercer moved and Mr. Evans seconded the motion to approve the agenda as presented. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

Mr. Evans moved and Mr. Mercer seconded the motion to approve the minutes of the June 27, 2019 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

**RESOLUTION NO. 19-07-938**

Mr. Mercer 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. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

**RESOLUTION NO. 19-07-939**

Mr. Evans moved and Mr. Mercer seconded the motion to award the 2019 Chip Seal and Fog Seal Program to Wagner Paving, Inc. of Laura, Ohio in the amount of \$156,173.00, as recommended by the Miami County Engineer. Further sign a contract with Wagner Paving, Inc. of Laura, Ohio for the 2019 Chip Seal and Fog Seal Program. The execution and signing of said contract and delivery of the same to Wagner Paving, Inc. shall serve as a Notice to Proceed for said Program. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 19-07-940

Mr. Mercer moved and Mr. Evans seconded the motion to authorize and sign the attached Subdivider's Agreement, Escrow Agreement and Record Plat for Stony Brook Estates, LLC for the construction of Stony Brook Estates Subdivision, Section 2 (containing 14 lots) as shown on the record plat, to be filed with the County Recorder of Miami County, as requested by the County Engineer. The Stony Brook Estates, LLC has submitted an approved Financial Guaranty in the amount of one hundred ten percent (110%) of the approved estimated construction cost, as shown on the Subdivider Escrow Agreement with Minster Bank. The Record Plat was approved by the Miami County Planning Commission on December 18, 2018 and by the Miami County Engineer on June 24, 2019. The construction drawings for said development were approved by the Miami County Engineer and Miami County Sanitary Engineer. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 19-07-941

Mr. Evans moved and Mr. Mercer seconded the motion to authorize and sign Change Order Nos. 1, 2, 3 & 4 (listed below) with Mechanical Systems of Dayton (MSD), Dayton, Ohio for the *West Central Juvenile Facility HVAC Upgrades (Chilled Water Piping) Re-Bid Project*:

Change Order No. 1: Delete chemical shot feeder from the chilled water system

\$876.79 Deduction

Change Order No. 2: Repair insulation on existing piping system

\$693.00 Addition

Change Order No. 3: Install a screen around the existing chiller for protection

\$5,338.41 Addition

Change Order No. 4: Furnish temporary cooling during chilled water installation

\$4,843.04 Addition

The change orders result in a total decrease in the amount of \$2.34 (remaining contingency). The final contract amount is \$130,941.66. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 19-07-942

Mr. Mercer moved and Mr. Evans seconded the motion to authorize and sign a Memorandum of Agreement with Kate Benton M.A. LPCC, Therapist, for the purpose of providing mental health services to residents of the West Central Juvenile Rehabilitation Facility and their families. The cost is \$650 per month, not to exceed \$7,800 for the term of July 1, 2019 through June 30, 2020.

The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 19-07-943

Mr. Evans moved and Mr. Mercer seconded the motion to authorize and enter into a contract with Dr. William N. Ginn, M.D. for the purpose of securing medical services for the Juveniles of the West Central Juvenile Rehabilitation Center. The cost is \$700.00 monthly, not to exceed \$8,400.00 for the term of the contract and is effective July 1, 2019 through June 30, 2020. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 19-07-944

Mr. Mercer moved and Mr. Evans seconded the motion to set the date to receive bids for the purchase of two (2) 2019 Ford Escape Titanium or similar vehicle (list of general specifications attached) for the Department of Development as Thursday, July 25, 2019 at 1:40 p.m. in the Commissioners' Office, Safety Building, Troy, Ohio and that pursuant to Section 307.86 and 307.87 ORC, the following advertisement be authorized to be published in the Dayton Daily News on the date of July 7, 2019, as well as on the County website. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 19-07-945

Mr. Evans moved and Mr. Mercer seconded the motion to set the date of Thursday, July 25, 2019 at 1:35 p.m. in the Commissioner's Hearing Room to hear the request for change in zoning for the following:

Keith Brown, Union Township

The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 19-07-946

Mr. Mercer moved and Mr. Evans seconded the motion to accept the attached quote from Mechanical Systems of Dayton (MSD), Dayton, Ohio and authorize said company to provide and install a 1 ton HVAC mini split system in the new IT room at the Incarceration Facility. As part of the video surveillance and locking system project at the Incarceration Facility, a new IT room is being constructed to store video servers and racks and the mini split HVAC system is needed. The cost shall not exceed \$4,276.00 and will be paid from Fund 001-060. Multiple quotes were received: Wagner Heating & Plumbing, Troy, Ohio - \$5,200; Waibel Energy Systems, Vandalia, Ohio - \$6,136. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 19-07-947

Mr. Evans moved and Mr. Mercer seconded the motion to authorize and sign the attached *Participation Agreement Regarding the Usage of the Agreement Between the County Commissioners Association of Ohio Service Corporation and West Publishing Corporation*, as requested by the Director of the Department of Job and Family Services. This Agreement will allow 2 child support staff and 2 fraud investigators at Job and Family Services to access the CLEAR system, a web based tool used to access public records data for location and asset information for non-custodial parents. This tool will assist staff in locating obligor parents in the Miami County child support caseload and will allow the fraud investigators to complete more thorough fraud investigations. There is an administrative fee of \$80 per user per year. The service fee for the period of June 1, 2019 through May 31, 2020 is \$29.97 per user per month and \$30.87 per user per month for the period of June 1, 2020 through May 31, 2021. The total cost per user for this agreement is \$439.64 for period of June 1, 2019 through May 31, 2020 and \$450.44 for the period of June 1, 2020 through May 31, 2021. The cost of this service for the child support case managers will be paid out of Fund 103 and the cost of this service for the Fraud Investigators will be paid out of Fund 106. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 19-07-948

Mr. Mercer moved and Mr. Evans seconded the motion to accept the attached quote from The Illusion Maker of Dalton, Pennsylvania and authorize said company to conduct fourteen (14) environmental assembly programs, per the attached schedule, at Miami County Elementary Schools in the fall of 2019, reaching approximately 2,300 elementary students in one (1) week, as requested by the Miami County Sanitary Engineering Department. The cost shall not to exceed \$5,320.00, which will be paid from Fund 437. The 2016-2030 Miami County Solid Waste District Plan includes goals that state the District will, "Provide informational and technical assistance on recycling, reuse, and composting opportunities" and the Miami County Solid Waste District has been providing recycling educational programs to Miami County elementary schools since 2007, by a private vendor. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 19-07-949

Mr. Evans moved and Mr. Mercer seconded the motion to authorize the Transit Department to dispose of the below listed obsolete and unfit vehicles which are no longer needed and have met their useful life, to Stoltz Motors, Troy, Ohio, for a total sale price of \$2,750.00, which includes pickup and haul away of said vehicle, pursuant to O.R.C. 307.12(B), and as requested by Sarah Baker, Miami County Transit Manager:

1. 2009 Ford Goshen Coach, VIN#1FDEE35L19DA50080, 257,510 miles (\$750)
2. 2009 Ford Goshen Coach, VIN#1FDEE35L29DA50086, 238,855 miles (\$1,000)
3. 2009 Ford Goshen Coach, VIN#1FDEE35L49DA50087, 264,274 miles (\$1,000); and

Two (2) other quotes were sought: Didier Auto Parts DBA Polings, Troy, Ohio - \$1,500; Urban Elsass & Son, Inc., Piqua, Ohio – unable to give an exact quote without weighing the metal on each vehicle; won't pick up vehicles. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 19-07-950

Mr. Mercer moved and Mr. Evans seconded the motion to authorize and sign Amendment No. 1 to the Agreement with Ap Architecture, Englewood, Ohio, for additional professional design and engineering services for the One Stop Shop as follows:

Completion of the development of a conceptual single line plan layout of each individual end-users space including common shared spaces with internal circulation routes.

Development of a conceptual Probable Cost of Construction for the proposed One Stop Center, approximately 13,600 SF for review. Conceptual cost budget would include the new building shell and all interior finished spaces. Site work would not be associated with this cost budget.

Meet with each end-user to review conceptual single line plan layout and confirm space sizes, related adjacencies.

Meet with County representatives to review possible site locations for the proposed new facility

The additional engineering services shall not exceed \$7,500, plus reimbursable expenses of an approximate \$50, to be paid from Fund 309-002, Project C0031 and then internally billed to Fund 153. Further sign the attached Amendment (No. 1) to the Professional Services Agreement. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 19-07-951

Mr. Evans moved and Mr. Mercer seconded the motion to approve the annexation petition filed on behalf of the following: Kevin S. Adkins and Patricia A. Adkins, Mary Jane Harrod and Robert Barnette, Michael K. LeCates, Russell S. Sowry and Sherry L. Sowry, Janet L. Bretland and Matthew R. Bretland, Donald F. Hetzler and Elizabeth M. Hetzler, Albert R. Mader and Joy M. Mader, by Albert R. Mader, surviving spouse, Mark J. Williams and Lita Williams, Carole E. Kerber, Trustee and Daniel J. Kerber, Trustee, Charles M. Bond, Trustee and Natalie A. Bond, Trustee, Kathie Holdeman, Thomas A. Brandenburg and Vikki M. Brandenburg, Denise G. Miller and Randall J. Miller, Jeffrey A. Fox and Brenda K. Fox, and Stephen S. Schmitz, Owners, Agent being Michael E. Gutmann, attorney with the law firm of McCulloch, Felger, Fite & Gutmann Co., LPA, 123 Market Street, Piqua, Ohio 45356, asking for the annexation of a portion of Staunton Township (18.102 acres +/-) to the City of Troy, Ohio. The Board of Miami County Commissioners finds based upon substantial, reliable and probative evidence on the whole record that each of the following statutory requirements and conditions for an expedited II annexation under Ohio Revised Code Section 709.023 have been met:

1. That the petition for annexation meets all the requirements set forth in, and has been filed in the manner provided by Ohio Revised Code 709.021; and
2. That the persons who signed the petition for annexation are owners of property located in the territory proposed to be annexed, and they constitute all owners in such territory; and
3. That the territory proposed to be annexed does not exceed 500 acres; and
4. That the territory proposed to be annexed shares a contiguous boundary with the City of Troy, Ohio, the municipality to which it is being annexed, for a continuous length of at least 5% of the perimeter of the territory proposed to be annexed; and
5. That the annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed to be annexed; and
6. That the City of Troy, Ohio, the municipality to which the territory is sought to be annexed, passed an ordinance in which it agrees to provide the territory proposed to be annexed certain municipal services.
7. That a street or highway will not be divided or segmented by the boundary line between the municipality and township as to create a road maintenance problem.

The Miami County Engineer's Office/Tax Map Department has submitted to the Board of Commissioners a letter dated June 20, 2019 stating that the map and legal description of the territory proposed for annexation meet their requirements and that 60% of the perimeter is along the current corporation line and it creates no unincorporated islands. Staunton Township has failed to submit an ordinance or resolution within 25 days of the petition filing, consenting or objecting to said annexation, which under ORC 709.023 constitutes as consent to the proposed annexation. Further sign the mylar this date. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 19-07-952 Travel Training

Mr. Mercer moved and Mr. Evans seconded the motion to approve the travel training as submitted. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 19-07-953 Then and Now Certificates

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

RESOLUTION NO. 19-07-954 through 19-07-955 Transfers

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

RESOLUTION NO. 19-07-956 Signatures Only:

Termination(s)

Payroll Change(s)

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

RESOLUTION NO. 19-07-957 2020 Budget Hearing

**BUDGET HEARING HELD**

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 9:36 a.m. on this 2<sup>nd</sup> day of July 2019.

Respectfully submitted:

Leigh M. Williams, Clerk

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