

**COMMISSIONERS' MEETING  
MINUTES SUMMARY  
THURSDAY, JANUARY 5, 2023  
1:30 P. M.**

**Saved as digital recording: CGS01-05-2023**

Ted S. Mercer, President, Present  
Wade H. Westfall, Vice President, Present  
Gregory A. Simmons, Member, Present

Appointments

9:00 a.m. No Morning Work Session  
1:30 p.m. Reorganization of the Board/General Business  
1:40 p.m. Executive Session – Certain Personnel Matters (Policies)

General Business

Welcome and Pledge of Allegiance

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

Mr. Westfall moved and Mr. Simmons seconded the motion to approve the minutes of the January 3, 2023 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

**PUBLIC COMMENT ON AGENDA ITEMS**

**RESOLUTION NO. 23-01-06**

Mr. Simmons moved and Mr. Mercer seconded the motion to elect Wade H. Westfall as President of the Board for the term of one (1) year, beginning today and ending at the organization meeting of the Board on or before the second Monday of January 2024. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Abstain.

**RESOLUTION NO. 23-01-07**

Mr. Westfall moved and Mr. Mercer seconded the motion to elect Gregory A. Simmons as Vice President of the Board for the term of one (1) year, beginning today and ending at the organization meeting of the Board on or before the second Monday of January 2024. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Abstain.

RESOLUTION NO. 23-01-08

Mr. Simmons moved and Mr. Westfall seconded the motion to set the meetings of the Board of Miami County Commissioners as follows: two general (regular) sessions – Tuesdays at 9:00 a.m. and Thursdays at 1:30 p.m.; one (1) Work Session each Thursday at 9:00 a.m. The Board reserves the right to change, add or delete regular meetings and work sessions, as it deems necessary. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-09

Mr. Westfall moved and Mr. Simmons seconded the motion to assign Commissioners representation to the various boards/committees as attached during 2023. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

Mr. Simmons moved and Mr. Westfall seconded the motion to adjourn from the Reorganization of the Board Meeting at : p.m. and Enter into General Business. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-10

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize and sign bills for all funds as submitted. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-11

Mr. Simmons moved and Mr. Mercer seconded the motion to establish the following formula for the one (1) cent sales tax, effective January 1, 2023:

75% General Fund	001
14% Central Communications	109
1% Super Fund Cleanup	124
10% Capital Improvement	309

The additional one-fourth of one percent sales tax (renewed on July 16, 2019 by Resolution Nos. 19-07-1005 and 19-07-1006) will be paid into the General Fund, Account #3123. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-12

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize the Miami County Engineer, when not required by law to use competitive bidding, to employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, maintenance (including mowing and spraying) or repair of roads, bridges, and culverts, under the jurisdiction of the Miami County Engineer, by force account during the calendar year of 2023. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-13

Mr. Simmons moved and Mr. Mercer seconded the motion to hereby authorize the Miami County Engineer to develop and administer the aforementioned permits for the calendar year of 2023 and to keep said permits with the permanent road records of Miami County, Ohio. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-14

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize the salary of Engineer with compensation in accordance with Section 325.14. The County Engineer has elected not to engage in private practice of engineering or surveying. The payment of Miami County for the pay period beginning January 1, 2023 and ending date of December 31, 2023 be made a charge of each two (2) weeks from the portion of the fund known as the Road Fund. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-15

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize and sign the attached Change Order No. 1 (Final) to the Agreement with Eagle Bridge Co., Sidney, OH as requested by the County Engineer, for the Frederick-Garland Road Bridge No. 7.67 Project (MIA-CR48-07.67) (OPWC Project No. DKY06), for an increase of \$48,880.44, which reflects a change in quantities and materials for said project. Total contract now being \$1,198,647.74. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-16

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize the County Engineer/Sanitary Engineer and Miami County Transit, in the name of Miami County, to participate in contracts of the Ohio Department of Transportation in the year 2023 for the purchase of machinery, materials, supplies or other articles pursuant to Section 5513.01 (B) ORC; to agree to be bound by all terms and conditions as the Director of Transportation prescribes and; to directly pay the vendor, under each such contract of the Ohio Department of Transportation in which the Miami County participates, for items it receives pursuant to the contract. Miami County agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Section 5513.01 (B) ORC. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-17

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize participation in the State of Ohio Cooperative Purchasing Program through the Department of Administrative Services in the Year 2023, pursuant to O.R.C. 125.04. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-18

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize membership and payment of annual dues to the National Association of Counties (NACo) in 2023. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government and exercise exemplary leadership in public service. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-19

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize the 2023 Miami Valley Regional Planning Commission dues (\$14,412.56) as calculated per the 2020 U.S. Census be paid as follows: 57% from Fund 0001, Dept. 002 and 43% from Fund 0102; and designate the appointments of Gregory A. Simmons and Paul Huelskamp as Members and Ted S. Mercer and Britt Havenar as Alternates to the MVRPC Board; and Paul P. Huelskamp as Member and Britt Havenar as Alternate to the MVRPC Technical Advisory Committee for 2023. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-20

Mr. Mercer moved and Mr. Simmons seconded the motion to designate Wade H. Westfall, President of the Board of Commissioners, as the Official Voting Representative of Miami County at the Annual Meeting of the County Commissioners Association of Ohio in 2023. Further, designate Gregory A. Simmons, Vice President of the Board of Commissioners, as the Alternate Voting Representative of Miami County. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-21

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize additional appropriations in all funds in an amount necessary to facilitate a 4.0% increase, in accordance with the 2023 budget approved by the Miami County Board of County Commissioners, to all wage and wage related accounts, subject to the following:

1. This increase does not apply to wages governed by a collective bargaining unit that are accounted for within Fund 001-231, Fund 001-231-56 and Fund 109. Wages governed by a collective bargaining unit will be adjusted upon contract ratification.
2. The increase applies to full time and part time wage accounts in all funds as well as PERS and Medicare, except as outlined in paragraph one.
3. This increase shall be allocated and apportioned by the Appointing Authority in accordance with and subject to any existing compensation plans which govern wages.
4. This increase is effective no sooner than December 24, 2022.

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

RESOLUTION NO. 23-01-22

Mr. Mercer moved and Mr. Simmons seconded the motion to declare intent to sell unneeded, obsolete or unfit for use for which it was acquired personal property, motor vehicles, road machinery, equipment, tools and furnishings by Internet Auction in calendar year 2023. The Board, on May 17, 2018, entered into the GovDeals Online Auction Memo of Understanding which allows the County to post assets for sale and for potential buyers to bid on these assets via an online auction system. The Board of Miami County Commissioners will post a notice of such internet auction(s) on a continuous basis through accessing the Miami County Website. Said assets for sale will be posted for 15 days including Saturdays, Sundays and legal holidays. The notice of such internet auction(s) will also be posted in the office of the County Auditor and office of the Board of Commissioners and the internet auction will be conducted in accordance with the terms and condition described in the document called "Online Sales – Terms & Conditions". Further, the Clerk of the Board is hereby ordered to take the steps necessary to implement this resolution including making arrangements for publication in the newspaper of a summary of the information contained in this resolution and for posting the required notices in the offices of the County Auditor and Board of Commissioners, as well as the Miami County website. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-23

Mr. Simmons moved and Mr. Mercer seconded the motion to hereby assign authority to Bonita VanGorden, Director of Miami County Department of Job and Family Services, to serve as the Board of Miami County Commissioners' designee and to transfer Child, Family, and Community Protective Allocation Funds from the PA Fund to the CSEA or PCSA Fund on behalf of Miami County Department of Job and Family Services for the period of January 1, 2023 through December 31, 2023. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-24

Mr. Mercer moved and Mr. Simmons seconded the motion to hereby assign authority to Bonita VanGorden, Director of Miami County Department of Job and Family Services, to serve as the Board of Miami County Commissioners' designee and to transfer the Income Maintenance Allocation from the PA Fund to the CSEA Fund on behalf of Miami County Department of Job and Family Services for the period of January 1, 2023 through December 31, 2023. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-25

Mr. Simmons moved and Mr. Mercer seconded the motion to hereby assign authority to Bonita VanGorden, Director of Miami County Department of Job and Family Services, to serve as the Board of Miami County Commissioners' designee and to transfer Kinship Caregiver Funds from the PA Fund to the PCSA Fund on behalf of Miami County Department of Job and Family Services for the period of January 1, 2023 through December 31, 2023. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-01-26

Mr. Mercer moved and Mr. Simmons seconded the motion to hereby assign authority to Bonita VanGorden, Director of Miami County Department of Job and Family Services, to serve as the Board of Miami County Commissioners’ designee and to sign inter-county adjustment agreements on behalf of Miami County Department of Job and Family Services for the period of January 1, 2023 through December 31, 2023. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-27

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize Rob Craft, Animal Shelter Director, to submit the attached Ohio Pet Fund grant application and authorize the President of the Board to sign said application requesting up to \$1,000.00 in funding. Each month four dogs and thirty cats are selected to be spayed or neutered. Pets that are spayed or neutered improve the adoptability of the animals. Said grant would be used to offset the shelter’s costs to spay and neuter dogs and cats. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-28

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize Charlotte Colley, Commissioners’ Administrator to sign the following attached Employment Verification(s):

<b>EMPLOYEE NAME</b>	<b>POSITION</b>	<b>DEPARTMENT</b>	<b>START DATE</b>	<b>PAY RATE</b>
Zachary Wagner	System Utility Tech 1	Sanitary Engineering	01/09/2023	\$20.00

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

RESOLUTION NO. 23-01-29

Mr. Simmons moved and Mr. Mercer seconded the motion to accept/sign the attached proposal from Transit 911 Public Transportation Consulting (Matthew M. Dutkevicz), Willoughby, Ohio and authorize said firm’s consulting services for the Miami County Transit Department for the purpose of assistance with management of Federal and State grant programs, Federal Program reporting requirements, Federal and State compliance reviews, staff training, and assuring that the local Transportation Improvement Plan (TIP) reflects Miami County Transit’s current service and financial operating and capital plans, including sources of federal, state and local funding. The cost for said services for calendar year 2023, ending December 31, 2023 is \$134.50 per hour, a rate of \$67.25 per travel hour and IRS approved mileage reimbursement, total cost not to exceed \$19,000. Said costs will be paid from Fund 191. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-01-30

Mr. Mercer moved and Mr. Simmons seconded the motion to sign a Janitorial Service Authorization Agreement (attached) with Environment Control Southwest Ohio Incorporated, Tipp City, Ohio, for janitorial services at the Miami County Transit Department, as requested by Sarah Baker, Miami County Transit Director. The janitorial services will include cleaning the whole facility other than the wash bay, once per week to maintain the physical appearance and cleanliness of the facility. The cost shall not exceed \$330.00 per month, which will be paid from Fund 191. The term of this Contract is January 1, 2023 through December 31, 2023. Multiple quotes were sought: Environment Control, \$330.00/Month; Integrity Service Group - \$585/Month; Pink Power Cleaning - \$722.00/Month (\$180.50/week). The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-01-31 through 23-01-33 Transfers

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

RESOLUTION NO. 23-01-34 Executive Session – Certain Personnel Matters (Policies)

Mr. Mercer moved and Mr. Simmons seconded the motion to enter into Executive Session at 1:58 p.m. for the purpose of Certain Personnel Matters (Policies). The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

Mr. Simmons moved and Mr. Mercer seconded the motion to adjourn from Executive Session at 2:46 p.m. **ACTION FOLLOWING EXECUTIVE SESSION:**

Mr. Mercer moved and Mr. Simmons seconded to move back into open session at 2:47 p.m. and moved to approve and adopt Resolution No. 23-01-35 Repealing Certain Previous Resolutions and Authorizing the Commissioners Administrator to Enter into Contracts for Goods and Services and Perform Certain Other Duties on Behalf of the Board of Miami County Commissioners within Certain Limits. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

MISCELLANEOUS BUSINESS

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 2:49 p.m. on this 5th day of January 2023.

Respectfully submitted:  
Janelle S. Barga, Clerk

*Ted S. Mercer will be sworn in by Honorable Judge Stacy Wall as Commissioner Today at 1:20 p.m.  
in the Commissioners Meeting Room*

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