

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, JULY 31, 2018
9:00 A. M.**

Saved as digital recording: CGS07-31-2018

John W. O'Brien, President Present
Gregory A. Simmons, Vice President, Present
John F. Evans, Member, Present

Appointments

9:00 a.m. General Business
9:15 a.m. Final Hearing – Gallamar Ditch Project – Engineer's Office
1:30 p.m. Executive Session – Personnel/Appointment of Staff

General Business

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

Mr. Simmons moved and Mr. Evans seconded the motion to approve the minutes of the July 26, 2018 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 18-07-935

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

RESOLUTION NO. 18-07-936

Mr. Simmons moved and Mr. Evans seconded the motion to accept the attached quote from iWorQ, Logan, UT and authorize the Department of Development to purchase permit software applications/services – iWorQ Permit Program (\$25,000) and iWorQ Onsite Backup (\$1,000), total cost not to exceed \$26,000 through August 1, 2019, which will be paid as follows: \$20,500 from Fund 01051, \$2,750 from Fund 01051029 (Darke County), and \$2,750 from Fund 01051033 (Shelby County). Data Board approved said purchase/agreement on July 25, 2018. Further sign the attached Service Agreement with iWorQ. Multiple quotes were received for a permit software provider: Accela - \$48,000 per year; View Point - \$57,600 per year. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Simmons, Yea; Mr. Evans Yea.

RESOLUTION NO. 18-07-937

Mr. Evans moved and Mr. Simmons seconded the motion to authorize and sign the attached Home Written Agreement respecting PY 2017 CHIP Owner Rehabilitation Project loan funding for the following property:

Property Address: 914 Fountain Street Troy, OH. 45373

Property Owner: Bonnie Archie

Loan Award/Purchase Order Amount: \$16,315.00 (HOME Funds)

Loan Terms: 75% forgivable deferred loan that declines 15% in each of the first five (5) years. After five years the remaining balance due is \$4,328.75 that has a 99-year term. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 18-07-938

Mr. Simmons moved and Mr. Evans seconded the motion to authorize and sign the attached *Participation Agreement Regarding the Locate Non-Custodial Parent Service Primarily Focused on Prison Data Program of the County Commissioners Association Service Corporation*, as requested by the Director of the Department of Job and Family Services. The location services for prison data will be performed by Appriss Corporation by and between the County Commissioners' Association (CCAO), the Miami County Department of Job and Family Services and the Ohio Child Support Enforcement Agency Director's Association. This Agreement will allow 2 child support staff to access JusticeXchange, a web based tool used for location information for individuals that are currently or may have been incarcerated. Staff will have access to prison data from 37 different states and 92% of all jail beds in Ohio. This tool will assist staff in locating Obligor parents in Miami County Child Support caseload. There is a one-time administrative fee of \$80 per user for the contract period (July 1, 2018 through June 30, 2019) and an additional \$80 per month per user for unlimited access to the location data. The total cost per user for this Agreement is \$1,040.00, which will be paid from Fund 103. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 18-07-939

Mr. Evans moved and Mr. Simmons seconded the motion to set the date to receive bids for the Brandt Waterline Loop Project as Thursday, August 16, 2018 at 1:45 p.m. in the Commissioners' Hearing Room, Safety Building, Troy, Ohio and further authorize the attached legal advertisement to be published in the *Dayton Daily News* on Thursday, August 2, 2018, as well as on the County website. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 18-07-940

Mr. Simmons moved and Mr. Evans seconded the motion to reject all bids received on July 17, 2018 under Commissioners' Resolution No. 17-11-1510 for the Transfer Station Tipping Floor Removal and Replacement (Slab Renovation) Project. The Miami County Sanitary Engineer has reviewed the bids submitted and recommends all bids be rejected and the project re-bid since all bids received exceeded the Engineer's project cost estimate (\$206,000) by more than the allowable 10%. Specifications including a new estimated project cost have been prepared and the Miami County Sanitary Engineer has requested a date be set to receive bids for said Project Re-Bid. Further set the date to receive bids for the Transfer Station Tipping Floor Removal and Replacement (Slab Renovation) Project Re-Bid as Tuesday, August 21, 2018 at 9:05 a.m. in the Commissioners' Hearing Room, Safety Building, Troy, Ohio and further authorize the attached legal advertisement to be published in the *Dayton Daily News* on Thursday, August 2, 2018, as well as on the County website. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 18-07-941

Mr. Evans moved and Mr. Simmons seconded the motion to accept the attached proposal from O.R. Colan Associates, LLC of Columbus, Ohio, along with the attached fee structure, and authorize said firm's property acquisition services, total cost not to exceed \$7,250.00, to be paid from Fund 124, as requested by the Sanitary Engineering Department. The Miami County Sanitary Engineering Department wishes to pursue the option of purchasing property located within the immediate vicinity of the Department. O.R. Colan Associates was the only firm to submit a statement of qualification specializing in property acquisitions, pursuant to the County's request for Statements of Qualifications for Professional Services during calendar year 2018. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 18-07-942

Mr. Simmons moved and Mr. Evans seconded the motion to approve the annexation petition filed on behalf of Jane H. Delcamp, Owner, Agent being Alan M. Kappers of the law firm Dungan & LeFevre Co., L.P.A., for the annexation of a portion of Concord Township (10.284 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; and
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/Map Department has submitted to the Board of Commissioners a letter dated June 26, 2018 stating that the map and legal description of the territory proposed for annexation meet their requirements, that 21% of the perimeter is along the current corporation line and it creates no unincorporated islands, and that this territory will remain a part of Concord Township. Concord 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. O'Brien, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 18-07-943

Mr. Evans moved and Mr. Simmons seconded the motion to hereby approve construction of the "Caldwell Group Reconstruction Project" as well as uphold the revised assessment schedule provided by the Miami Soil & Water Conservation District which was mailed to the property owners by first class mail pursuant to Resolution No. 18-06-776. Further authorize the Miami Soil and Water Conservation District to let the project for public bid, acting as the contracting agent for said project. A public hearing was held on July 26, 2018 in the Commissioners Hearing Room on said project/revised assessments. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 18-07-944 Travel Training

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

RESOLUTION NO. 18-07-945 Then and Now Certificates

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

RESOLUTION NO. 18-07-946 Additional Appropriations

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

RESOLUTION NO. 18-07-947 through 18-07-949 Transfers

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

RESOLUTION NO. 18-07-950 Signatures Only:

Payroll Change(s)

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

RESOLUTION NO. 18-07-951 Public Hearing –Caldwell Group Reconstruction – Engineer's Office

PUBLIC HEARING HELD

RESOLUTION NO. 18-07-952 Executive Session – Personnel/Appointment of Staff

Mr. Evans moved and Mr. Simmons seconded the motion to enter into Executive Session at 1:29 p.m. for the purpose of Personnel/Appointment of Staff. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

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

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 3:32 p.m. on this 31st day of July 2018.

Respectfully submitted:
Leigh M. William, Clerk

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