

**COMMISSIONERS' MEETING
MINUTES SUMMARY
THURSDAY, JUNE 11, 2015
1:30 P.M.**

Saved as digital recording: CGS06-11-2015

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

Appointments

1:30 p.m. General Business
1:45 p.m. Bid Opening – Alcohol Monitoring Program – Municipal Court
2:00 p.m. Public Hearing #2 – PY 2015 Small Cities CDBG Funds for Community
 Development Allocation and Critical Infrastructure Programs - DOD
2:15 p.m. Executive Session – Personnel/Employment
2:30 p.m. Executive Session – Imminent Litigation
2:40 p.m. Executive Session – Pending Litigation

General Business

Mr. O'Brien moved and Mr. Cultice seconded the motion to approve the agenda as presented. 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 June 9, 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. 15-06-760

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. 15-06-761

Mr. Cultice moved and Mr. O'Brien seconded the motion to amend Resolution No. 15-03-293, travel/training request for Magistrate Scott Altenburger to attend a Domestic Abuse Issues Training for Mediators and Other Professionals in Columbus, Ohio (June 17-19, 2015) and authorize the change in hotel stay from Hilton Downtown Columbus to DoubleTree Suites, total hotel cost now being \$481.80 (previously \$372.13), as well as authorize the increase in parking from \$60.00 to \$66.00. A room has opened up at the DoubleTree Suites, which is directly across the street from the Supreme Court where said training is taking place. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-06-762

Mr. O'Brien moved and Mr. Cultice seconded the motion to authorize the release of the sum of \$196,031.50 from the Escrow Agreement submitted by Merrimont Development Corporation for the construction of Merrimont Subdivision No. 10, as requested by the County Engineer. Construction work to date has been reviewed and approved by the Subdivider's Engineer and appropriate County Departments. This release is a partial reduction of the referenced Escrow Agreement and does not constitute final acceptance of the constructed facilities or cancelation of the Escrow Agreement. Further authorize the Clerk of the Board to notify New Carlisle Federal Savings Bank, 5129 S. County Road 25A, Tipp City, Ohio 45371, to issue a warrant in the sum of \$196,031.50 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. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-06-763

Mr. Cultice moved and Mr. O'Brien seconded the motion to set the date of Thursday, July 9, 2015 at 2:00 p.m. in the Commissioners' Hearing Room to receive and publicly open bids for the Engineer's 2015 Center Line and Edge Line Striping and Center Line Layout Program. Further authorize the attached legal ad to be placed in the Dayton Daily News on the Date of June 18, 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. 15-06-764

Mr. O'Brien moved and Mr. Cultice seconded the motion to set the date of Thursday, July 9, 2015 at 1:45 p.m. in the Commissioners' Hearing Room to receive and publicly open bids for the Engineer's 2015 Chip Seal and Fog Seal Program. Further authorize the attached legal ad to be placed in the Dayton Daily News on the Date of June 18, 2015, as well as on the County website. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-06-765

Mr. Cultice moved and Mr. O'Brien seconded the motion to authorize and sign an agreement with the Miami County Recovery Council to provide an adolescent outreach program for youth referred by the Court during the period of July 1, 2015 through June 30, 2017. Services will include substance abuse outreach to the Court involved youth utilizing a mutually agreed upon curriculum. The cost is \$200.00 per session, not to exceed \$10,000.00 per year, which shall be paid from Fund 118-185. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-06-766

Mr. O'Brien moved and Mr. Cultice seconded the motion to accept the FY 2016 Community Corrections Act Grant Award in the amount of \$152,971.00 for Pre-Trial Services & ISP/Female Outreach Programs, as requested by Municipal Court, and further sign the attached Grant Agreement to be forwarded to the Ohio Department of Rehabilitation and Corrections. Said funding will cover a portion of three employee's salaries from June 20, 2015 through June 18, 2016. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-06-767

Mr. Cultice moved and Mr. O'Brien seconded the motion to accept the attached quote from WS Electronics, under State Contract (Schedule Number 534302, Index Number STS-073) and authorize the Communication Center to purchase one (1) Analog/Digital Repeater (\$1,399.33), one (1) Compact Duplexer (\$344.39), one (1) antenna system (\$381.64) and installation and grounding (\$400), total cost not to exceed \$2,525.36, which will be paid from Fund 109. The Miami County Communication Center Board of Directors approved said purchase on May 27, 2015. When the tower was removed from the roof of the Safety Building to accommodate the needs of the of the back public safety radio system, the VHF repeater for the Facilities Maintenance Department was moved to the new tower site. The move caused a significant reduction in the reception of the portable radios used by the Facilities staff in the Safety Building. The purchase of a repeater and ancillary equipment is necessary to fix the problem. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-06-768

Mr. O'Brien moved and Mr. Cultice seconded the motion to authorize and sign a Waiver of Priority (subordination of mortgage) and agree to hold a second and third mortgage lien on the property located at 224-226 Manning Street, Piqua, Ohio, owned by Sullenberger Rentals, LLC. Sullenberger Rentals, LLC and Mutual Federal Savings Bank of Sidney, Ohio are requesting that the Board subordinate its mortgages in favor of Mutual Federal Savings Bank of Sidney, Ohio. Sullenberger Rentals, LLC received a rental rehabilitation loan under FY 2013 CHIP on March 31, 2015, and also signed a promissory note and mortgage ensuring the property owners repay all the direct loan to the Board. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-06-769

Mr. Cultice moved and Mr. O'Brien seconded the motion to authorize and sign a Memorandum of Understanding (MOU) with the Village of Bradford, respecting the Miami County's FY 2014 CDBG Small Cities Community Development Allocation Program, for the Bradford Inflow and Infiltration Planning Study, in which the Village received \$10,000 of the County's FY 2014 CDBG funds providing a local match in the amount of \$15,000. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 15-06-770

Mr. O'Brien moved and Mr. Cultice 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, 2015 through June 30, 2016) and an additional \$75 per month per user for unlimited access to the location data. The total cost per user for this Agreement is \$980, which will be paid from Fund 103. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-06-771

Mr. Cultice moved and Mr. O'Brien seconded the motion to execute a joint application with Miami County Prosecuting Attorney Anthony E. Kendell to request the Miami County Court of Common Pleas to appoint Daniel T. Downey, Esq. to act as a special prosecutor in the matter of *Tina Waymire vs. Miami County Sheriff's Office, c/o John F. Evans, c/o Richard L. Cultice, c/o John W. O'Brien* (United States Southern District of Ohio Case No. 3:15-CV-00159). Said FLSA claim and related claims requires the services of an attorney specializing in handling such claims. Further execute a "Contract of Services" with Daniel T. Downey, Esq. and the law firm of Fishel Hass Kim Albrecht LLP. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTIONNO. 15-06-772 Travel Training

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

RESOLUTION NO. 15-06-773 Then and Now Certificates

Mr. Cultice moved and Mr. O'Brien 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. 15-06-774 through 15-06-775 Additional Appropriations

Mr. O'Brien moved and Mr. Cultice 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. 15-06-776 through 15-06-778 Transfers

Mr. Cultice moved and Mr. O'Brien 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. 15-06-779 Bid Opening – Alcohol Monitoring Program – Municipal Court
BIDS OPENED AND AWARD DEFERRED

RESOLUTION NO. 15-06-780 Public Hearing #2 – PY 2015 Small Cities CDBG Funds for
Community Development Allocation and Critical Infrastructure Programs – DOD
PUBLIC HEARING HELD

RESOLUTION NO. 15-06-781 Executive Session – Personnel/Employment

Mr. O'Brien moved and Mr. Cultice seconded the motion to enter into Executive Session at 2:11 p.m. for the purpose of Personnel/Employment. 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 adjourn from Executive Session at 2:40 p.m. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

RESOLUTION NO. 15-06-782 Executive Session – Imminent Litigation

Mr. O'Brien moved and Mr. Cultice seconded the motion to enter into Executive Session at 2:40 p.m. for the purpose of Imminent Litigation. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Evans, Yea; Mr. Cultice, Yea.

Mr. Cultice moved and Mr. O'Brien seconded the motion to adjourn from Executive Session at 2:44 p.m. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Cultice, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 15-06-783 Executive Session – Pending Litigation

Mr. O'Brien moved and Mr. Cultice seconded the motion to enter into Executive Session at 2:44 p.m. for the purpose of Pending Litigation. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. O'Brien, Yea; Mr. Evans, Yea.

Mr. Cultice moved and Mr. O'Brien seconded the motion to adjourn from Executive Session at 3:02 p.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 3:02 a.m. on this 11th day of June 2015.

Respectfully submitted:

Leigh M. Williams, Clerk/Commissioners' Administrator

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