

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, SEPTEMBER 24, 2013
9:00 A.M.**

Saved as digital recording: CGS09-24-13

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

Appointments

9:00 a.m. General Business
9:15 a.m. Zoning Hearings (4) - DOD

General Business

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

Mr. Evans moved and Mr. O'Brien seconded the motion to approve the minutes of the September 19, 2013 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 13-09-1283

Mr. O'Brien moved and Mr. Evans seconded the motion to authorize and sign the bills for the General Fund, Other Funds and Job & Family Services. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTION NO. 13-09-1284

Mr. Evans moved and Mr. O'Brien seconded the motion to accept the additional highway easement(s) for Tipp-Cowlesville Road No. 153, located in Section 10, Town 4, Range 6, Monroe Township, and Section 8 Town 4, Range 6, Monroe Township, Miami County, Ohio, as requested by the County Engineer. Carolyn J. Holden, has, by instrument recorded in Miami County Recorder's Deed Book, granted an easement for highway purposes. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 13-09-1285

Mr. O'Brien moved and Mr. Evans seconded the motion to authorize and sign the attached Memorandum of Understanding (MOU) with the Ohio Department of Rehabilitation and Correction, as requested by Municipal Court, for the provision of internet based training for probation standards and other in-service training. The Agreement will be in effect through June 30, 2015, and costs will be paid from Fund 001-183-83. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 13-09-1286

Mr. Evans moved and Mr. O'Brien seconded the motion to accept the attached quote from Foundation Excavating Systems, 5620 State Route 589, Fletcher, OH 45326, and authorize said company to remove the outside ropes course at the West Central Juvenile Facility. The cost of training and maintenance of the ropes course is no longer feasible and is no longer used. The project will include the removal of (8) 40' poles and their appurtenances, removal of (5) 30' poles and their appurtenances, and the holes will be filled, with seeding and mulch provided. The total cost shall not exceed \$5,800.00, which will be paid from Fund 309-002-47, with 100% reimbursement from the Ohio Department of Youth Services. Multiple quotes were received: T.C. Holzen Inc. - \$6,700.00 and Cooper's Blacktop - \$6,500.00. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTION NO. 13-09-1287

Mr. O'Brien moved and Mr. Evans seconded the motion to accept the quote, award the project, and sign the notice of award for the following demolition, clearance, and site restoration project:

Property Owners: Randall L. Sentman and Jennifer M. Sentman
Property Address: 1240 Eldean Road, Troy Ohio 45373
Loan/Grant Assistance: \$5,537.50 Direct Loan, 0% Interest, Ten Year Term
\$5,537.50 Grant with no repayment required
Demolition Contractor: M & T Excavating
Scope of Work: Demolition and Clearance of Real Property at a cost of \$11,075.00

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

RESOLUTION NO. 13-09-1288

Mr. Evans moved and Mr. O'Brien seconded the motion to levy the final special assessments for the construction of the Boone Hill properties of Concord Township Sewer Supply Improvement Area of the Miami County Sanitary and Water District Number One. The standard assessment is set at \$8,648.15 based on the total project costs and number of benefitting properties. For properties granting easements, the assessment is set at \$6,823.15, which includes considerations for the cost of the easement. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 13-09-1289

Mr. O'Brien moved and Mr. Evans seconded the motion to levy the final special assessments for the construction of the Phoneton Proper (Contract A) of Bethel Township Sewer Supply Improvement Area of the Miami County Sanitary and Water District Number One. The standard assessment is set at \$8,740.39 based on the total project costs and number of benefitting properties. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTION NO. 13-09-1290

Mr. Evans moved and Mr. O'Brien seconded the motion to levy the final special assessments for the construction of Crestview Estates (Formerly Sunshine Mobile Home Park (Contract B) properties of Bethel Township Sewer Supply Improvement Area of the Miami County Sanitary and Water district Number One. The standard assessment is set at \$194,355.00 based on the total project costs and number of benefitting properties. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 13-09-1291

Mr. O'Brien moved and Mr. Evans seconded the motion to levy the final special assessments for the construction of the Wiley Industrial Park of Bethel Township (Contract C) Sewer Supply Improvement Area of the Miami County Sanitary and Water District Number One. The standard assessment is set at \$14,810.47 based on the total project costs and number of benefitting properties. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO.13-09-1292

Mr. Evans moved and Mr. O'Brien seconded the motion to levy the final special assessments of the construction of the Process Equipment Company located at Studebaker Rd. and State Route 202 properties of Bethel Township (Contract D) Sewer Supply Improvement Area of the Miami County Sanitary and Water District Number One. The standard assessment is set at \$299,120.96 based on the total project costs. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTION NO. 13-09-1293

Mr. O'Brien moved and Mr. Evans seconded the motion to levy the final special assessments of the construction of the Bethel School Properties of Bethel Township (Contract E) Sewer Supply Improvement Area of the Miami County Sanitary and Water District Number One. The standard assessment is set at \$353,718.53 based on the total project costs and number of benefitting properties. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 13-09-1294

Mr. Evans moved and Mr. O'Brien seconded the motion to adopt this date the Miami County Personnel Policy Manual in its entirety, as prepared by Clemans, Nelson & Associates, Inc., for the Departments under the authority of the Board of Miami County Commissioners, and for those Departments under the authority of Elected Officials who choose to adopt said Personnel Policy Manual. This document will supersede the past Personnel Policy Manual and revisions to said document. Copies of the adopted Personnel Policy Manual will be distributed via CD. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 13-09-1295

Mr. O'Brien moved and Mr. Evans seconded the motion to acknowledge receipt of single county ditch petition filed on September 18, 2013 – petition to replace the Children's Home Drainage Tile, pursuant to R.C. Section 6131.04. The petition states that the construction of the improvement is necessary and will conducive to the public welfare. The petition states the nature and location of the work petitioned for: to replace, locate, clean, removed obstructions from, construct, reconstruct, straighten, deepen, widen and/or alter the Children's Home Drainage Tile, from Lefevre Road to Pleasant Run (Exhibit B – map describing the course and terminus of the proposed improvement). The petition contains a list of the names and addresses, where known, of all the owners of the land which the petitioner or county engineer claims will be benefited or damaged by the construction of the proposed improvement (refer to Exhibit A), and it has been signed by one or more owners as petitioners (Richard W. King, Petitioner). A 500-dollar bond was filed with the petition, pursuant to R.C. Section 6131.06. Further establish date of Tuesday, November 5, 2013 at 10:00 a.m. at the David L. Brown Youth Center, 291 S. Children's Home Road, Troy, Ohio to view said ditch, pursuant to R.C. Section 6131.07. Further authorize the Clerk of the Board to give notice by certified mail, with return receipt requested, of such date, time and place of view, to the owners named in the petition and of legal record on the date the petition was filed. Further set the date of Tuesday, January 7, 2014 at 9:30 a.m. in the Commissioners' Hearing Room, 201 W. Main Street, Troy, OH 45373 for the first hearing – date and time of the first hearing to be included in the notice announcing the view, pursuant to R.C. Section 6131.07. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTIONNO. 13-09-1296 Travel Training

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

RESOLUTION NO.13-09-1297 through 13-09-1301 Transfers

Mr. O'Brien moved and Mr. Evans 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. Cultice, Yea.

RESOLUTION NO. 13-09-1302 Zoning Hearing – Robert Ruhenkamp

Mr. Evans moved and Mr. O'Brien seconded the motion to approve Zoning Amendment #1667-06-13, filed by Robert Ruhenkamp, 908 Cardo Road, Fort Loramie, OH 45845, as per Amendment #1667-06-13, requesting permission to rezone and subdivide 2.05 acre tract from A-2, General Agriculture to R-1AAA Single Family Residential for the following property being a 100 acre tract located at 6345 Versailles Road, Piqua, Ohio, Section 4, Town 8, Range 5 of Newberry Township. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

RESOLUTION NO. 13-09-1303 Zoning Hearing – Zoning Hearing - David Flora
Mr. O'Brien moved and Mr. Evans seconded the motion to approve Zoning Amendment #1668-07-13 filed by David Flora, 6868 Marlin Road, Covington, OH 45318, as per Amendment #1668-07-13, requesting permission to rezone a 5.45 acre tract from A-1, Domestic Agriculture to R-1AAA Single Family Residential for the purpose of creating 2 residential lots, the following property being a 5.45 acre tract located at 6868 Marlin Road, Covington, Ohio, Section 4, Town 7, Range 5 of Newton Township. The Board voted as follows upon roll call: Mr. Cultice, Yea; Mr. Evans, Yea; Mr. O'Brien, Yea.

RESOLUTION NO. 13-09-1304 Zoning Hearing - Lane Farms LLC by Jeanie Bates
Mr. Evans moved and Mr. O'Brien seconded the motion to approve Zoning Amendment #1669-07-13 filed by Lane Farms LLC by Jeanie Bates, 1215 Snodgrass Road, Piqua, OH 45356, as per Amendment #1669-07-13, requesting permission to rezone a 1.5 acre tract from A-1, Domestic Agriculture to R-1AAA Single Family Residential and a 5.0 acre tract from A-1 Domestic Agriculture to A-2, General Agriculture for the following property being a 6.5 acre tract located at 1215 Snodgrass Road, Piqua, Ohio, Section 9, Town 1, Range 12 of Springcreek Township. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. O'Brien, Yea; Mr. Cultice, Yea.

RESOLUTION NO. 13-09-1305

Mr. O'Brien moved and Mr. Evans seconded the motion to approve Zoning Amendment #1666-06-13 filed by Miami County Zoning Commission, 510 W. Water Street, Suite 110, Troy OH 45373 as per Amendment #1666-06-13, requesting permission to amend Sections 1,3.02,5.07,6.06,6.07 B, 7.06,7.07 C,7.10,8.07,8.08,8.10,9.06,9.09,10.05, 10.06,10.07,10.09,11.07,12.07,12.08,12.09, 12.10,13.04 O, 13.07,13.09,13.10,14.02 D, 14.05 K, 14.08,14.09,14.10,15.03 B, 15.07,16.04 O, 16.07,17.06 I, 17.06 H, 17.06 I, 17.07 E, 17.07 H, 17.07 I, 17.08 E, 17.08 H, 17.08 I, 19.14 A. 11, 19.17 A. 13c, and 19.22 of the Miami County Zoning Resolution. The Board voted as follows upon roll call: Mr. O'Brien, Yea; Mr. Cultice, Yea; Mr. Evans, Yea.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 9:36 a.m. on this 24th day of September 2013.

Respectfully submitted:
Leigh M. Williams, Clerk/Commissioners' Administrator

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