

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, JULY 12, 2022
9:00 A. M.**

Saved as digital recording: CGS07-12-2022

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

Appointments

9:00 a.m. General Session

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 July 7, 2022 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 22-07-829

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

RESOLUTION NO. 22-07-830

Mr. Westfall moved and Mr. Simmons seconded the motion to award the bid and authorize the purchase of (256) new Unication G4 P25 Voice Activated Pages from Leavitt Communications, LLC, Paradise Valley, AZ for the Communication Center, as recommended by the Communication Center Director, Jeffrey Busch. Leavitt Communications, LLC came in as the lowest and best responsible bidder. Cost shall not exceed \$148,608.00, to be paid from ARPA Fund 198. The Communication Center shall bear cost of any associated extended warranties and/or additional costs associated with the pagers. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 22-07-831

Mr. Simmons moved and Mr. Westfall seconded the motion to establish the date of Tuesday, August 2, 2022 at 9:05 a.m. in the Commissioners' Hearing Room, Safety Building, Troy, Ohio to receive and open bids for the Engineer's 2022 Chip Seal Program and further authorize the attached legal ad to be placed in the Dayton Daily News on Thursday, July 14, 2022, as well as on the County website, pursuant to Section 307.86 and 307.87 ORC. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 22-07-832

Mr. Westfall moved and Mr. Simmons seconded the motion to release the sum of \$116,040.50 (Sixth Release) from the Escrow Agreement with the North Branch Land Company, LLC for the construction of North Branch Pass Subdivision, Phase 2, as requested by the County Engineer. 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 Monroe Federal Savings & Loan Association, 24 E. Main Street, P.O. Box 119, Tipp City, Ohio 45371 to issue a warrant in the sum of \$116,040.50 to Balsbaugh Excavating, 5405 Phillipsburg Union Road, Englewood, Ohio 45322 for the constructed facilities. A balance of \$210,007.75 shall remain in said Escrow Agreement for completion of the guaranteed improvements. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 22-07-833

Mr. Simmons moved and Mr. Westfall seconded the motion to authorize the President of the Board, Ted S. Mercer, to electronically sign an Ohio Public Works Commission (OWPC) Project Grant Agreement for capital improvement funds in the amount of \$400,000.00 for the replacement of the Owens Road Bridge No. 1.67 in Newton Township, as requested by the Miami County Engineer. On June 17, 2021, by Resolution 21-06-777, the Board of Miami County Commissioners authorized the Miami County Engineer to apply to the Ohio Public Works Commission for capital improvement funds for the replacement of the Owens Road Bridge No. 1.67 in Newton Township, and in a letter, the Ohio Public Works Commission informed the Board of Miami County Commissioners that funding, in the amount of \$400,000 for said aforementioned project, had been approved. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 22-07-834

Mr. Westfall moved and Mr. Simmons seconded the motion to authorize and sign a Contract (attached) with the Miami County Juvenile Court and the Hittle House, Columbus, Ohio, a juvenile residential facility, for the provision of placement and related services for placement of a minor child in the care and custody of the Title IV-E Agency (Miami County Juvenile Court), as consistent with current state and federal laws and regulations. The effective date is July 1, 2022 through December 31, 2023. The cost shall not exceed \$300.00 per diem (\$50,000.00 max. per contract). Costs to be paid from Fund 01285. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 22-07-835

Mr. Simmons moved and Mr. Westfall seconded the motion to authorize and sign the execution of a joint application (Petition), pursuant to Ohio Revised Code sections 305.14, 5901.03 and 307.698, along with Miami County Prosecuting Attorney Anthony E. Kendell to petition the Miami County Court of Common Pleas to appoint Thomas E. Dysinger, Esq., Simon J. Patry, Esq., Kathryn M. Huffman, Esq. and Ryan A. Liddy, Esq. of the law firm of *Dysinger & Patry, LLC*; to act as special prosecutors and provide necessary legal services related to establishing and running, a non-profit board, to undertake a veteran's service outreach program to address the challenges that veterans face, including homelessness, unemployment, education, physical handicaps, self-esteem issues, and poor mental health, including but not limited to, depression, and suicide. It is found to be necessary for Miami County Veteran's Services Commission (VSC) to obtain specialized legal services to create and advise the non-profit board undertaking the contemplated veteran's outreach services. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 22-07-836

Mr. Westfall moved and Mr. Simmons seconded the motion to award the Shenandoah Sewer Upgrade Project to Brumbaugh Construction, Inc. of Arcanum, Ohio, in an amount not to exceed \$113,853.00 which will be paid from ARPA Fund 198 (Restricted Infrastructure) and further sign a contract with said company, as requested by the Sanitary Engineer. On June 7, 2022, by Resolution No. 22-06-686, the Board of Miami County Commissioners opened bids and deferred award until such time as the bids were reviewed by the Sanitary Engineer to determine if all specifications were met and a recommendation could be made. The execution and signing of said contract and delivery of the same to Brumbaugh Construction, Inc., Arcanum, Ohio shall serve as a Notice to Proceed with construction of said project. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 22-07-837

Mr. Simmons moved and Mr. Westfall seconded the motion to authorize and sign a Memorandum of Agreement (attached) with Darke County Recovery Services and the Miami County West Central Juvenile Detention Center (WCJDC), for the provision of on-site assessment and counseling services to residents detained at the WCJDC. Costs are \$47,220 annually or \$3,935 monthly, which will be paid from Fund 128, for the period of July 1, 2022 through June 30, 2023. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 22-07-838

Mr. Westfall moved and Mr. Simmons seconded the motion to acknowledge receipt of the Auditor's Summary Revenue Report and Summary Expenditure Report (electronically) for the months of May 31, 2022 and June 30, 2022. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 22-07-839

Mr. Simmons moved and Mr. Westfall seconded the motion to acknowledge receipt of the Sheriff's Monthly Expense Account for the period ending June 30, 2022, as prescribed under Section 325.07 of the Ohio Revised Code. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 22-07-840 Then and Now Certificates

Mr. Westfall 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. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 22-07-841 through 22-07-843 Transfers

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

RESOLUTION NO. 22-07-844 Additional Appropriations

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

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 9:16 a.m. on this 12th day of July, 2022.

Respectfully submitted:
Janelle S. Barga, Clerk

*The Commissioners will be presenting the State of the County at the Tipp City Senior Center,
528 N. Hyatt St, Tipp City Today at 11:30am*

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