

**COMMISSIONERS' MEETING
MINUTES SUMMARY
TUESDAY, SEPTEMBER 12, 2023
9:00 A. M.**

Saved as digital recording: CGS09-12-2023

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

Appointments

9:00 a.m. General Session

General Business

Welcome and Pledge of Allegiance

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

Mr. Simmons moved and Mr. Mercer seconded the motion to approve the minutes of the September 7, 2023 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-09-1084

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

RESOLUTION NO. 23-09-1085

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize and sign Change Order #10 to the agreement with Arcon Builders, Ltd., Arcanum, Ohio, for the *Miami County One Stop Center Project (aka Commerce Center)*, for an increase in the amount of \$40,670.01, as recommended by Project Engineers from APP Architecture and the Miami County Facilities Director, as follows:

Change Proposal No. 10 (30R2): Monthly general construction cost extension due to unsuitable soils and lead time issues;

\$23,500.00 Addition

Change Proposal No. 10 (34R): Add Owner-furnished signage and pond work to contract (electrical scope only);

\$17,170.01 Addition

The contract amount now being \$6,956,742.00. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-09-1086

Mr. Mercer moved and Mr. Simmons seconded the motion to release (3rd release) the sum of \$150,466.50 from the Escrow Agreement with the 3-GEN-D, LLC for the construction of Emerson Crossing Subdivision, Section 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 Greenville National Bank, 846 W. Main Street, Troy, Ohio 45373 to issue a warrant in the sum of \$150,466.50 to Balsbaugh Excavating, 5405 Phillipsburg Union Road, Englewood, Ohio 45322 for the constructed facilities. A balance of \$483,945.50 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. 23-09-1087

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize Miami County Public Transit Director, Sarah Baker, to file an application for the SFY 2025 US DOT Federal Transit Administration (FTA) fund grants, with ODOT and further authorize the Transit Director to furnish additional information as ODOT may require in connection with this application. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-09-1088

Mr. Mercer moved and Mr. Simmons seconded the motion to acknowledge receipt of the Auditor's Summary Revenue Reports and Summary Expenditure Reports (electronically) for the month ending August 31, 2023. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-09-1089

Mr. Simmons moved and Mr. Mercer seconded the motion to acknowledge receipt of the certified statement from the Miami County Prosecuting Attorney, pursuant to O.R.C. 309.16. The statement shall specify the number of criminal prosecutions pursued to final conviction and sentence under his official care during the preceding year. In such statement the prosecuting attorney shall name the parties to each prosecution, the amount of fine and costs assessed in each case, the number of recognizance forfeited, and the amount of money collected in each case. On September 8, 2023, Prosecuting Attorney, Anthony E. Kendell, filed said certified statement with the Board of Miami County Commissioners. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-09-1090

Mr. Mercer moved and Mr. Simmons seconded the motion to acknowledge receipt of a proposal submitted on September 7, 2023, by the County Recorder, Jessica Lopez, for the maintenance and support of their land records software (and related services) as well as for the acquisition, service and maintenance of software, hardware and equipment in the Recorder's Office and Microfilm Department for calendar year 2024. Further, to set the date of Thursday, September 21, 2023 at 1:40 p.m. in the Commissioners' Hearing Room, in which to meet with the Recorder to review said proposal. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-09-1091

Mr. Simmons moved and Mr. Mercer seconded the motion to acknowledge receipt of the Sheriff's Monthly Expense Account for the period ending August 31, 2023, as prescribed under Section 325.07 of the Ohio Revised Code. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-09-1092

Mr. Mercer moved and Mr. Simmons seconded the motion to enter into a Local Jail Capital Project Grant Agreement with the Ohio Department of Rehabilitation and Correction, on behalf of the Miami County Sheriff's Office. On June 1, 2023, by Resolution No. 23-06-618, the Board of Miami County Commissioners acknowledged and accepted the grant award in the amount of \$175,000.00 to be used for appropriating funds for costs associated with capital improvements to Miami County Jail, as more fully described in Exhibit A 'Project Description'. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-09-1093

Mr. Simmons moved and Mr. Mercer seconded the motion to set the date of Tuesday, October 17, 2023 at 9:05 a.m. in the Commissioners' Meeting Room, Safety Building, 201 W. Main Street, Troy, Ohio to receive sealed proposals for the Miami County Sheriff's Office Jail Needs Assessment and Master Planning Project. A mandatory pre-proposal conference will be held on Tuesday, October 3, 2023 at 2:00 p.m. at the Miami County Incarceration Facility. Further authorize the attached legal ad to be placed in the Dayton Daily News on Sunday, September 17, 2023, as well as on the County website. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-09-1078

Mr. Mercer moved and Mr. Simmons seconded the motion to amend (2nd) Resolution No. 23-08-1021, dated August 28, 2023 and authorize Municipal Court to purchase one (1) Ohio Community Supervision System (OCSS) and Go-Live with Kiosk database, with the annual support cost to be paid from Fund 135-135183 – not from Fund 1127-1127183, as previously approved. All other costs provisions shall remain. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-09-1094 through 23-09-1096 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. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-09-1097 Signatures Only:

Agreement(s): Sign Revised Separation Agreement, Release and Waiver – Children Services Administrator – Job & Family Services;

Termination(s) – Sanitary Engineering Dept.

Mr. Mercer moved and Mr. Simmons seconded the motion to approve the signatures only 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 September 2023.

Respectfully submitted:
Beth A. Booher, Assistant Clerk

The Commissioners will attend the Miami Valley Veteran's Museum Ribbon Cutting & Reception, 2245 S. Co. Rd. 25A, Troy, OH Today starting at 3:30p.m.

The Commissioners will attend the Miami County Council Meeting on Wednesday, September 13th at 7:00 p.m. at Heritage Hall, Lost Creek Reserve, 2385 St. Rt. 41, Troy, OH

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