

**COMMISSIONERS' MEETING
MINUTES SUMMARY
THURSDAY, OCTOBER 26, 2023
1:30 P. M.**

Saved as digital recording: CGS10-26-2023

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

Appointments

9:00 a.m. Bonnie VanGorden – Department of Job & Family Services
9:10 a.m. Rich Osgood, Rob England, and Dan Suerdieck – Department of Development
9:40 a.m. Michelle Green – M.C. Ag Society
9:50 a.m. Laura Bruns – Miami County Board of Elections
10:00 a.m. Administrator Update
1:30 p.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 October 24, 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. 23-10-1303

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. 23-10-1304

Mr. Simmons moved and Mr. Mercer seconded the motion to accept the attached quote from Tecta America, Huber Heights, Ohio, as requested by the Facilities Director and authorize the project of sealing the roof at the incarceration facility. Said company shall perform the following scope of work: preparation of all surfaces, seal all pop rivets, fasteners and all joint seams with Tuff Stuff sealant and reinforce all joint seams with generic fabric as required; clean metal panel seams (approximately 350 linear feet) and reseal with a topcoat of White Knight plus, additionally clean up all areas when completed. The cost shall not exceed \$6,125.00 (includes labor and material) and will be paid from Fund 001-060. Multiple quotes were received: Tecta America, Huber Heights, OH - \$6,125.00; Enterprise Roofing, Dayton, OH - \$8,700.00 and Cotterman & Company, Minster, OH - \$17,500.00. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-10-1060

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize and sign Amendment No. 4 (attached) to the Agreement with App Architecture, Englewood, Ohio for the Miami County Commerce Center Project (aka One Stop Shop), for additional professional design and engineering services due to the extension of project construction schedule generated by extended lead times, for a cost of \$7,500.00, to be paid from Fund 309-002, Project C0031. Total contract sum now being \$369,862.33. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-10-1305

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize and sign Change Order #12 (30R3) with Arcon Builders, Ltd., Arcanum, Ohio, for the *Miami County Commerce Center Project (aka One Stop Center)*, for an increase in the amount of \$21,710.00, for monthly general construction cost, extension due to unsuitable soils and lead time issues. The total contract amount now being \$6,983,305.01. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-10-1306

Mr. Mercer moved and Mr. Simmons seconded the motion to accept the attached quote from Saturn Electric, Dayton, OH, as requested by the Communications Center Director and authorize the purchase one (1) replacement automatic transfer switch (ATS) for the electrical system at the Communication Center. The equipment is original to the Center, which is 34 years old, and is no longer in production. The ATS is part of the electrical system for the Center that transfers the building power to the generator in the event of a power outage. The cost shall not exceed \$24,840.00 and will be paid from Fund 109. The Miami County Communications Center Board of Directors recommended the purchase of this replacement automatic transfer switch at the September 27, 2023 Board meeting. Multiple quotes were received: Saturn Electric, Dayton, OH - \$24,840.00; Ohio CAT - \$17,526.00 (installation separate with 42-44 week delivery time); and Area Wide Electric, No quote submitted. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-10-1307

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize the third and final release of all remaining funds in the sum of \$122,830.80 from the Irrevocable Letter of Credit submitted by Stony Brook Estates, LLC for the construction of Stony Brook Estates Subdivision No. 2, as recommended by the County Engineer. This release is a partial reduction of the referenced Irrevocable Standby Letter of Credit and does not constitute final acceptance of the constructed facilities or cancelation of the Letter of Credit. The remaining balance of the Irrevocable Letter of Credit in the sum of \$42,657.80 will fulfil the 10% maintenance bond for the guaranteed improvements. Further, sign the attached letter and direct the Clerk of the Board to mail said letter to Minster Bank. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-10-1308

Mr. Mercer moved and Mr. Simmons seconded the motion to request the Director of Transportation of the State of Ohio, to review the legal speed limit for Piqua-Lockington Road No. 199 to determine and declare a reasonable and safe legal speed limit, as requested by the County Engineer. The County Engineer is hereby directed, pursuant to Section 4511.21 O.R.C. to forward the completed speed studies for the 0.56 mile portion of roadway to the Director of ODOT. Further, if approval of said director is obtained, the Miami County Engineer is hereby instructed to erect the usual standard highway traffic signs indicating the recommended speed limits within the areas designated. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Westfall, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 23-10-1309

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize the County Engineer to obtain Statements of Qualifications from firms interested in providing professional services for the design of Piqua-Lockington Road Bridge No. 02.56 (MIA-CR199-02.56) (see attached Public Announcement) and to evaluate and rate those firms responding, pursuant to O.R.C. Section 153.65-71. The Piqua-Lockington Road Bridge No. 02.56 is in poor overall condition. The Board voted as follows upon roll call: Mr. Westfall, Yea; Mr. Simmons, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 23-10-1310

Mr. Mercer moved and Mr. Simmons seconded the motion to accept the petition for annexation and grant the annexation of 1.417 acres, more or less, (CITY OWNED PROPERTY) from Monroe Township, Miami County, Ohio to the City of Tipp City, Ohio, and to authorize the Clerk of the Board of County Commissioners of Miami County, Ohio to journalize the resolution. Further sign the mylar this date. The annexation meets the following criteria:

1. The territory described in the petition was authorized to be annexed to the City of Tipp City, Ohio, by Ordinance No. 46-23, dated October 16, 2023.
2. Jon Freeman, Law Director, Tipp City, OH, has been authorized to prosecute the proceedings necessary to effect the annexation.
3. The petition contains an accurate description and map of the territory to be annexed.
4. The entire territory to be annexed is owned by the City of Tipp, Ohio
5. The territory to be annexed is contiguous to the City of Tipp, Ohio.
6. The territory to be annexed is located entirely within the same County (Miami) as the City of Tipp, Ohio.

The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Mercer, Yea; Mr. Westfall, Yea.

RESOLUTION NO. 23-10-1311 Then and Now Certificates

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

RESOLUTION NO. 23-10-1312 through 23-10-1315 Transfers

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

RESOLUTION NO. 23-10-1316 Additional Appropriations

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

RESOLUTION NO. 23-10-1317 Signatures Only:

Certificate of Substantial Completion – AIA Document – Miami County Commerce Center – Commissioners
Payroll Change(s) – Sanitary Engineering

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 1:49 p.m. on this 26th day of October 2023.

Respectfully submitted:
Janelle S. Barga, Clerk

The Commissioners will be attending an Elected Officials luncheon today at the Smith's Boathouse, Troy @ 11:30 a.m.

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