

**COMMISSIONERS' MEETING  
MINUTES SUMMARY  
THURSDAY, FEBRUARY 6, 2020  
1:30 P. M.**

**Saved as digital recording: CGS02-06-2020**

John F. Evans, President, Present  
Ted S. Mercer, Vice President, Present  
Gregory A. Simmons, Member, Present

Appointments

1:30 p.m.      General Business  
1:35 p.m.      Executive Session – Personnel/Compensation

General Business

Welcome and Pledge of Allegiance

Mr. Simmons moved and Mr. Mercer seconded the motion to approve the agenda as presented, with the following addition:

Appointment with Mike Marion (Sheriff's Office) and Adam Emswiler (IT Department)  
to discuss the *Miami County – Detention Electronics, Video Surveillance and  
Access Control Project*

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

Mr. Mercer moved and Mr. Simmons seconded the motion to approve the minutes of the February 4, 2020 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 20-02-163

Mr. Simmons moved and Mr. Mercer 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. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 20-02-164

Mr. Mercer moved and Mr. Simmons seconded the motion to authorize and sign the attached Amendment to the Equivant Software Maintenance Agreement (original Agreement dated April 23, 2019, Resolution No. 19-04-567), as requested Shawn Peeples, Clerk of Courts Chief Deputy, which replaces in its entirety *Schedule 1 – Software Maintenance Fee Schedule*. Said Amendment was requested as the original maintenance agreement did not include or address who specifically will pay for CV2Go and Jury Trac, as these were additional services requested by Common Pleas and Municipal Courts. Database support was also not included in the original maintenance agreement. The below listed annual Municipal Court costs for CV2GO and Jury Trac will be paid from Fund 164 and below listed annual Common Pleas Court costs for CV2GO and Jury Trac will be paid from Fund 189:

	CV2GO	Jury Trac	Total
Year 2 Muni	\$1,297.80	\$2,674.40	\$3,972.20
Year 3 Muni	\$1,336.73	\$2,754.63	\$4,091.36
Year 2 CP	\$1,452.00	\$2,674.40	\$4,126.40
Year 3 CP	\$1,495.56	\$2,754.63	\$4,250.19

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

RESOLUTION NO. 20-02-165

Mr. Simmons moved and Mr. Mercer seconded the motion to authorize and sign a Subdivider’s Agreement with North Branch Land Company, LLC, as requested by the County Engineer, for the construction of North Branch Pass Subdivision, Phase 1 (containing 26 lots), as shown on the record plat, to be filed with the Miami County Recorder. Further authorize and sign a Subdivider Escrow Agreement with Monroe Federal Savings & Loan Association and the North Branch Land Company, LLC for the construction of North Branch Pass Subdivision, Phase 1, to be filed with the Miami County Recorder. Further authorize and sign a Record Plat of North Branch Pass Subdivision, Phase 1. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 20-02-166

Mr. Mercer moved and Mr. Simmons seconded the motion to amend Resolution No. 19-12-1820, as requested by the Sanitary Engineering Department, and authorize and award one (1) additional 2019-2020 School Year Educational Waste Reduction Grant as follows:

Karen Janney	LT Ball Intermediate (Tipp City Exempted Village Schools)	Montgomery County Environmental Learning Center Field Trip	\$500.00
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The total 2019-2020 School Year Educational Waste Reduction Grant cost shall not to exceed \$5,433.07 (including the additional grant), which will be paid from Fund 437. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

RESOLUTION NO. 20-02-167

Mr. Simmons moved and Mr. Mercer seconded the motion to declare the 446 Dominion AccuVote TSX Units, 4 Dominion AccuVote OS Units and 1 Dominion Key Card Tool (see attached list) on the inventory of the Miami County Board of Elections obsolete or unfit for the use for which it was acquired, pursuant to O.R.C. 307.12(I) and authorize the Board of Elections to dispose of said voting system equipment to Accurate IT Services (see attached Statement of Work). On September 24, 2019, the Miami County Board of Elections voted and declared the old voting system obsolete. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 20-02-168

Mr. Mercer moved and Mr. Simmons seconded the motion to approve the annexation petition filed on behalf of the Troy City School Board of Education, Patricia A. Harshbarger Trustee and Linda F. Rocco, Owners, Agent being Michael A. Rieman, attorney with the law firm of Dungan & LeFevre, 210 West Main Street, Troy, Ohio 45373, asking for the annexation of a portion of Concord Township (43.591 acres +/- collectively – 3 parcels) to the City of Troy, Ohio. The Board of Miami County Commissioners finds based upon substantial, reliable and probative evidence on the whole record that each of the following statutory requirements and conditions for an expedited II annexation under Ohio Revised Code Section 709.023 have been met:

1. That the petition for annexation meets all the requirements set forth in, and has been filed in the manner provided by Ohio Revised Code 709.021; and
2. That the persons who signed the petition for annexation are owners of property located in the territory proposed to be annexed, and they constitute all owners in such territory; and
3. That the territory proposed to be annexed does not exceed 500 acres; and
4. That the territory proposed to be annexed shares a contiguous boundary with the City of Troy, Ohio, the municipality to which it is being annexed, for a continuous length of at least 5% of the perimeter of the territory proposed to be annexed; and
5. That the annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed to be annexed; and
6. That the City of Troy, Ohio, the municipality to which the territory is sought to be annexed, passed an ordinance in which it agrees to provide the territory proposed to be annexed certain municipal services; and
7. That a street or highway will not be divided or segmented by the boundary line between the municipality and township as to create a road maintenance problem.

The Miami County Engineer's Office/Map Department has submitted to the Board of Commissioners a letter dated January 13, 2020 stating that the map and legal description of the territory proposed for annexation meet their requirements, that 38% of the perimeter is along the current corporation line and it creates no unincorporated islands. Concord Township has failed to submit an ordinance or resolution within 25 days of the petition filing, consenting or objecting to said annexation, which under ORC 709.023 constitutes as consent to the proposed annexation. Further sign the mylar this date. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 20-02-169 Travel Training

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

RESOLUTION NO. 20-02-170 Then and Now Certificates

Mr. Mercer 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. Evans, Yea; Mr. Mercer, Yea; Mr. Simmons, Yea.

RESOLUTION NO. 20-02-171 through 20-02-175 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. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

RESOLUTION NO. 20-02-176 Additional Certifications of Estimated Revenue and Additional Appropriations.

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

RESOLUTION NO. 20-02-177 Signatures Only:

Payroll Change(s)

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

RESOLUTION NO. 20-02-178 Executive Session – Personnel/Compensation

Mr. Mercer moved and Mr. Simmons seconded the motion to enter into Executive Session at 1:57 p.m. for the purpose of Personnel/Compensation. The Board voted as follows upon roll call: Mr. Mercer, Yea; Mr. Simmons, Yea; Mr. Evans, Yea.

Mr. Simmons moved and Mr. Mercer seconded the motion to adjourn from Executive Session at 2:22 p.m. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Mr. Mercer, Yea.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 2:22 p.m. on this 6<sup>th</sup> day of February 2020.

Respectfully submitted:  
Leigh M. Williams, Clerk

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