

**COMMISSIONERS' MEETING  
MINUTES SUMMARY  
TUESDAY, JANUARY 29, 2019  
9:00 A. M.**

**Saved as digital recording: CGS01-29-19**

Gregory A. Simmons, President Present  
John F. Evans, Vice President, Present  
Member, Vacant

Appointments

9:00 a.m.      General Business

General Business

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

Authorize/Sign Employment Verification – Commissioner (Appointed) - Commissioners  
The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

Mr. Evans moved and Mr. Simmons seconded the motion to approve the minutes of the January 24, 2019 meeting and dispense with the oral reading. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Simmons, Yea; Third Seat, Vacant.

**RESOLUTION NO. 19-01-135**

Mr. Evans 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. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

**RESOLUTION NO. 19-01-136**

Mr. Evans moved and Mr. Simmons seconded the motion to accept the additional highway easements for Emerick Road No. 47 located in Section 29, Town 6, Range 5, Union Township, Miami County, Ohio, as requested by the County Engineer's Office. Keith E. Brown, Dwaine H. and Bernadine A. Bridenbaugh, have, by instrument recorded in Miami County Recorder's Official Record, granted easements for Highway purposes. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Simmons, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-137

Mr. Evans moved and Mr. Simmons seconded the motion to authorize and sign the attached *Electronic Recording Trusted Submitter Agreement and Addendum to the Electronic Recording Trusted Submitter Agreement*, on behalf of the Miami County Recorder, with Indecomm Holdings, Inc., dba Indecomm Global Services, Edison, New Jersey, for the provision of e-Recording services to submitters in Miami County. This will allow the Recorder to offer the recording of real property documents by electronic means providing for the receiving and transmitting of documents electronically in substitution for conventional paper documents and to assure that transactions are not legally invalid or unenforceable as a result of the use of available electronic technologies, to the mutual benefit of the parties of the transaction. Said Agreement expires December 31, 2019. The County will incur no costs under the terms of this Agreement. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-138

Mr. Evans moved and Mr. Simmons seconded the motion to authorize and sign the attached *Amendment to the First Amendment to the DocRouter Plus User Agreement* as requested by the Miami County Recorder, extending the term of the Agreement to December 31, 2019. Said Agreement allows for the use of ePN's e-Recording software, which electronically routes conveyance documents through the Tax Map Department, Engineer's Office and Recorder's Office. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Simmons, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-139

Mr. Evans moved and Mr. Simmons seconded the motion to accept the attached quote from Applied Concepts, Inc., Richardson, TX, under State Contract No. 800730, Index No. STS845, and authorize the Sheriff's Office to purchase two (2) Stalker dual radar units. The total cost shall not exceed \$2,790.00, including shipping and a 36 month warranty, and will be paid from Fund 01231. Said units will be used in patrol vehicles patrolling county roads on a daily basis insuring the safety of the motoring public. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-140

Mr. Evans moved and Mr. Simmons seconded the motion to set the date of Tuesday, February 19, 2019 at 9:05 a.m. in the Commissioners' Hearing Room to hear the request for change in zoning for the following:

Merlin Baker, Newton Township (2 Applications)

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

RESOLUTION NO. 19-01-141

Mr. Evans moved and Mr. Simmons seconded the motion to authorize participation in the ODOT Cooperative Purchasing Program for the purchase of three (3) LTV Transit Vehicles from Whitworth Bus Sales, Inc., Miamisburg, Ohio, under ODOT Contract #248-17, as requested by Miami County Public Transit Manager, Sarah Baker, and pursuant to Section 5513.01 O.R.C. The total cost shall not exceed \$205,758 (\$68,586 each) (see attached quote), which will be paid from Fund 191 (funded through capital grant funds). Miami County Public Transit is authorized to agree, in the name of the Miami County Commissioners, to be bound by all terms and conditions as the Director of Transportation prescribes. Miami County Public Transit is hereby authorized to agree in the name of the Miami County Commissioners to directly pay the vendor, under each such contract of the Ohio Department of Transportation in which the Miami County Commissioners participate, for items it receives pursuant to the contract. The Miami County Commissioners agree to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code Section 5513.01 (B). The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-142

Mr. Evans moved and Mr. Simmons seconded the motion to select and endorse Tim Reichard to the State Emergency Response Commission (SERC) for appointment to the Miami County Local Emergency Planning Committee (LEPC), term to expire August 14, 2019. The Miami County LEPC voted at their October 4, 2018 meeting to appoint Tim Reichard of Abbott Nutrition as a new member. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Simmons, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-143

Mr. Evans moved and Mr. Simmons seconded the motion to approve the Expedited Type 1 annexation petition filed on behalf of Meijer, (Michael L. Kinstle, Vice President Real-Estate), Agent being Jon Freeman, City of Tipp City Law Director, for the annexation of 160.304 acres, more or less, in Monroe Township to the City of Tipp City, Ohio, pursuant to Section 709.022 O.R.C. The Monroe Township Board of Trustees, Miami County, Ohio, the City of Tipp City, Ohio and Meijer (Owner) entered into an Annexation Agreement (see attached Agreement), pursuant to Section 709.192 O.R.C. The County Engineer's Office reviewed the map and legal description of the territory proposed for annexation, pursuant to Section 709.022 O.R.C., and has submitted a letter stating that the map and legal description of the territory proposed for annexation meet their requirements. Further sign the mylar and Certification document this date. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-144 Then and Now Certificates

Mr. Evans 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. Simmons, Yea; Third Seat, Vacant.

RESOLUTION NO. 19-01-145 -Additional Appropriations

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

RESOLUTION NO. 19-01-146 through 19-01-147 Transfers

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

RESOLUTION NO. 19-01-148

Mr. Evans moved and Mr. Simmons seconded the motion to designate and appoint Ted S. Mercer as an acting Commissioner of Miami County, Ohio, and designate the said Ted S. Mercer to perform the duties of said office, pursuant to O.R.C. Section 305.02, effective at 12:01 a.m. on Wednesday, January 30, 2019, until such time as a successor is properly selected and qualified. Further, direct the Clerk of the Board to certify copies of this Resolution to the Miami County Board of Elections and to the Ohio Secretary of State, pursuant to Section 3.02 of the Ohio Revised Code, within seven (7) days of the appointment. The Board voted as follows upon roll call: Mr. Simmons, Yea; Mr. Evans, Yea; Third Seat, Vacant.

**ADDITION TO THE AGENDA:**

RESOLUTION NO. 19-01-149

Mr. Evans moved and Mr. Simmons seconded the motion to authorize and sign the Employment Verification for Ted S. Mercer, Appointed Commissioner. Mr. Mercer's first day will be January 30, 2019 with an annual salary of \$75,963. The Board voted as follows upon roll call: Mr. Evans, Yea; Mr. Simmons, Yea; Third Seat, Vacant.

There being no further business to be transacted, the Board of Miami County Commissioners adjourned from the General Session at 9:13 a.m. on this 29th day of January 2019.

Respectfully submitted:  
Leigh M. Williams, Clerk

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