

MONDAY, JANUARY 2, 2017

ALL DARKE COUNTY OFFICES WERE CLOSED FOR OBSERVANCE OF THE NEW YEAR'S HOLIDAY.

WEDNESDAY, JANUARY 4, 2017

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Chairman Michael E. Stegall, Vice Chairman Matthew W. Aultman (replaced Diane L. Delaplane), and Member Michael W. Rhoades; Robin Blinn, Administrative Clerk/Secretary; Patty Harter, Asst. Clerk/Secretary; Susan Hartley w/Earlybird; Erik Martin, w/Daily Advocate; Alex Mikos w/TIGER and Darke Co. Citizen Fred Dean.

Minutes of Wednesday, December 28th, 2016: Mr. Rhoades moved to approve the minutes as read; motion seconded by Mr. Stegall and BOTH voted YEA.

IN THE MATTER OF RESOLUTION (R-1-2017) EXAMINATION AND ALLOWANCE OF BILLS

County Bills Approved

It was moved by Mr. Aultman and seconded by Mr. Rhoades that the following resolution be adopted

The attached vouchers dated January 4, 2017 for County Bills, including any "Then & Now" Certificates, in the amount of the General Fund \$ 204,830.39; Outside General Funds \$ 79,809.79; for a Grand Total of \$ 284,640.18; are hereby approved for payment.

Michael E. Stegall

Michael W. Rhoades

Matthew W. Aultman
Board of Darke County Commissioners

IN THE MATTER OF RESOLUTION (R-2-2017) FUNDING FOR PUBLIC DEFENDER COMMISSION FOR 2017 IN DARKE COUNTY, OHIO

WHEREAS, The Board of Darke County Commissioners, hereinafter referred to as "Commission", of the Darke County Public Defender Commission Agreement, contacted the Prosecuting Attorney for approval of and as to form of said Agreement between the "Commission" and the Indigent Legal Assistance Fund of West Central Ohio; and

WHEREAS, The Darke County Prosecuting Attorney advised the "Commission" of approval of said Agreement;

NOW THEREFORE, BE IT RESOLVED BY THE "Commission", of the Darke County Public Defender Commission, we

HEREBY, approve the signing of this Resolution for funding in 2017;

Mr. Rhoades moved the passage of this resolution, seconded by Mr. Aultman And all voted as follows:

Michael E. Stegall YEA

Michael W. Rhoades YEA

Matthew W. Aultman YEA

DARKE COUNTY BOARD OF COMMISSIONERS

Robin Blinn
Robin Blinn,
Administrative Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-3-2017) TRANSFER OF APPROPRIATIONS (DC COMMISSIONERS/CO. SEWERS AND DC CORONER)

WHEREAS, pursuant to R. C. 5705.38-40 and OAG Opinion #94-007; and

WHEREAS, Commissioners are requesting that appropriations, etc. be changed as follows, we therefore

RESOLVE, the following funds be changed as follows,

Appropriation line transfer use only:

FROM:

TO:

DC Comm.'s: to cover "expense Line" not set-up in budget

\$ 1,000.00	Facility Maintenance	#001-1517.536000	Gas/Natural	#001-1517.531000
\$ 1,000.00	"	#001-1517.536000	Electric	#001-1517.531010

DC Coroner: increase in dues

\$ 70.00	Other Operating	#001-2500.538130	Member Dues	#001-2500.532030
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Mr. Aultman moved; and Mr. Rhoades seconded the resolution and ALL voted as follows:

Michael W. Rhoades (YEA)
Michael W. Rhoades (YEA)
Matthew W. Ault (YEA)
 Board of Darke County Commissioners

Robin R. Blinn
 Robin R. Blinn
 Administrative Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-4-2017) FUND TRANSFER (COUNTY-CAPITAL IMPROVEMENT)

Fund Transfer

WHEREAS, Co. Auditor/Commissioners are requesting that the following "Fund Transfer" be completed: "Per Appropriations signed 12/28/16-Transferring to Capital Improvement Fund"; and

WE DO HEREBY RESOLVE, the following "Fund Transfer" be approved as follows:

\$ 500,000.00	Transfer Out	#001-8070.591000	Transfer In	#300-1063.491000
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Mr. Rhoades moved; and Mr. Aultman seconded the resolution and ALL voted as follows:

Michael W. Rhoades (YEA)
Michael W. Rhoades (YEA)
Matthew W. Ault (YEA)
 Board of Darke County Commissioners

Robin R. Blinn
 Administrative Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-5-2017) FUND ADVANCE-BACKS (2014 CHIP-CDBG GRANT)

Fund Advance-Backs:

WHEREAS, the Darke Co. Grants Dept. is requesting that the following "Fund Advance-Back" be completed and advanced back to #197-7018. (advancing revenue back to #197 CHIP Home Repays); and

WE HEREBY DO, the Darke Co. Commission Board, HEREBY RESOLVE, the following 'Advance Back' be advanced back as follows:

Original Advances done on: July 25, 2016 (R-184-2016)
 October 31, 2016 (R-282-2016)

\$ 12,465.77 From: #185-7010.590000 (Advance Out) To: #197-7018.490000 (Advance In)

Mr. Aultman moved; and Mr. Rhoades seconded the resolution and ALL voted as follows:

Robin Blinn
Administrative Clerk/Secretary

Mark A. ... YEA
Michael W. ... YEA
Mark W. ... YEA
 Darke County Board of Commissioners

IN THE MATTER OF RESOLUTION (R-6-2017) FUND TRANSFERS (DITCH MAINTENANCE) FOR DECEMBER 2016

WHEREAS, pursuant to R.C. 5705.38-40 and OAG Opinion #94-007, and WHEREAS, Ditch Maint. is requesting that funds be transferred within their appropriations, we therefore RESOLVE, the following funds be transferred to the Ditch Maint. Labor & Equip Fund:

11-015	57-01	Smith	\$32.00	11-435	65-05	Roberson	\$444.40
11-075	57-08	Maple Swamp	\$395.00	11-445	65-07	Heller	\$536.28
11-205	59-04	Mud Creek	\$566.00	11-605	77-04	Stillwater--Main	\$2,737.00
11-335	62-05	Flat Lake (T/O)	\$200.00	11-975	77-01	McLear	\$226.00
11-365	63-04	Ballinger Run	\$870.00	12-145	77-12	Middlefork-Stapleton	\$773.50
11-395	64-06	Breaden-Heistand	\$32.00	12-355	87-01	North Fork--Stillwater River	\$1,606.50
TOTAL.....							\$8,418.68

Mr. Rhoades moved the resolution
 and Mr. Aultman seconded the resolution;
 and ALL voted as follows:

Robin Blinn
 Robin Blinn
 Admin. Clerk/Secretary

Mark A. ... YEA
Michael W. ... YEA
Mark W. ... YEA
 DARKE COUNTY COMMISSIONERS

IN THE MATTER OF LEASE AGREEMENT BY AND BTWN BISH & BOYER, INC. AND DARKE COUNTY BOARD OF COMMISSIONERS FOR LEASING/RENTAL OF PROPERTY FOR THE COUNTIES VEHICLE MAINTENANCE DEPT.

THIS LEASE AGREEMENT is made and entered into this 4th day of January, 2017 by and between BISH & BOYER, INC., an Ohio Corporation whose address is 1137 Edgewater Dr. Troy, OH 45373, hereinafter referred to as "Lessor", and, DARKE COUNTY BOARD OF COMMISSIONERS, whose address is 520 South Broadway, Greenville, OH 45331, hereinafter referred to as "Lessee".

WITNESSETH:

THAT in consideration of the mutual covenants and agreements herein set forth, and other good and valuable consideration, Lessor does hereby demise and lease to Lessee, and Lessee does hereby lease from Lessor, the following described real estate, hereinafter referred to as the "Leased Premises":

Premises located in Section 2 of Greenville Township, Darke County, Ohio, and also being known as 5680 Meeker Road, Greenville, Ohio 45331, consisting of a 4,260 square foot commercial building, together with a non-exclusive right to the driveway and parking area surrounding it.

AGREEMENT (CONT.)

ARTICLE I-TERM

The term of this Lease shall be for a period of one (1) year commencing January 5, 2017 and ending on January 4, 2018 unless sooner terminated as herein provided. Lessee shall have the right and option to renew this Lease for an additional one (1) year period under terms and conditions to be negotiated at the time of the exercise of this option to renew. Lessee shall give Lessor at least sixty (60) days' notice of its intent to exercise this option to renew.

It is anticipated that Lessee will be moving its operations to a new location during the initial term of this Lease. Lessee may prematurely terminate its interest in this Lease for the sole purpose of moving its operations to a new location, by giving Lessor at least sixty (60) days' notice of its intent to terminate this Lease. Despite such notice, Lessee shall be responsible for the full monthly rent for any portion of any month in which the Lease has not been terminated.

ARTICLE II- RENT

It is agreed by and between the parties that the Lessee shall pay to the Lessor rent, without any prior demand therefor, and without any reduction or setoff whatsoever, payable monthly in installments of Seven Hundred Dollars (\$700.00) per month payable in advance, the first payment being payable January 5, 2017 and all subsequent months' payments being payable on the 5th day of each and every month thereafter during the term of this Lease or any extensions thereto. There shall be a 10% late fee added to any rent payment(s) made after the 15th of any month during the term of this Lease Agreement.

BISH & BOYER, INC., LESSOR

By Thomas Bish
THOMAS BISH, President

DARKE COUNTY BOARD OF COMMISSIONERS

Mike W. Rhoades
MIKE W. RHOADES, COMMISSIONER

Matthew W. Aultman
MATTHEW W. AULTMAN, COMMISSIONER

Mike E. Stegall
MIKE E. STEGALL, COMMISSIONER

STATE OF OHIO :
SS.
DARKE COUNTY:

Before me, a Notary Public, in and for said County and State, personally appeared the above named corporate officer of BISH & BOYER, INC., the Lessor herein, who acknowledged the signing of the foregoing instrument to be the free and voluntary act and deed of the corporation for the purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto affixed my name and official seal this day of January 5, 2017.

Robin R. Blinn
NOTARY PUBLIC

STATE OF OHIO:
SS.
DARKE COUNTY:

ROBIN R. BLINN
Notary Public-State of Ohio
My Comm. Exp. Feb. 26, 2019

Before me, a Notary Public, in and for said County and State, personally appeared the above named Members of the Darke County Board of Commissioners, the Lessee herein, who acknowledged the signing of the foregoing instrument to be their free and voluntary act and deed for the purposes therein mentioned.

AGREEMENT (CONT.)

IN TESTIMONY WHEREOF, I have hereunto affixed my name and official seal this day of
January 13, 2017.

Robin R. Blinn
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY: James S. Detling, Attorney at Law, Ohio Reg. No. 0042728, Detling, Harlan & Flichman, Ltd., 421 Public Square, Greenville, Ohio, 45331.

ROBIN R. BLINN
Notary Public-State of Ohio
My Comm. Exp. Feb. 26, 2019

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(ENTIRE AGREEMENT CAN BE SEEN IN FULL IN THE 2017 CONTRACT AND/OR COMMISSIONER'S FILES)

IN THE MATTER OF PAY IN'S

Pay In#089266	Received of Solid Waste	Tipping Fees (Nov. '16 Republic Service)	\$37.28
Pay In#089267	Received of Solid Waste	Tipping Fees (Nov. '16 Republic Service)	\$1,738.80
Pay In#089268	Received of Solid Waste	Tipping Fees (Nov. '16 Republic Service)	\$94.80
Pay In#089274	Received of Commissioners	Co.-Rental Rev. - '16 Crown Comm.-Jan. & Miami Co. rent	\$1,212.53
Pay In#089277	Received of Commissioners	Co. Airport-Hangar rent - Jan. thru July 2017 (#A5)	\$513.00
Pay In#089278	Received of Commissioners	Co. Airport-Hangar rent - A7, B2, B5 - Jan. '17	\$270.00
Pay In#089279	Received of Commissioners	Co. Veh. Maint.-charges for service (Gnv City)	\$1,241.69
Pay In#089281	Received of Commissioners	Co. Airport-Jan. hangar rent - B1 & H1 - L	\$175.00
Pay In#089308	Received of Commissioners	Co. Airport-Jan. hangar rent - A6, A0 & HL 1	\$255.00
Pay In#089309	Received of Commissioners	Co. Airport-Jan.-July '17 - Hangar rent - A7	\$513.00
Pay In#089310	Received of Commissioners	Co. Airport-Jan.-July '17 - Hangar rent - A10	\$598.50
Pay In#089311	Received of Commissioners	Co. Airport-Jan.-July '17 - Hangar rent - A1	\$598.50
Pay In#089340	Received of Commissioners	WAGC-Jan. '17 rent Edison Comm. College	\$8,988.02

IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS

**Erik Martin w/Daily Advocate: Question regarding the Village of New Madison Police Dept. giving up their "Police Service". Will there be increases in the Sheriff's Budget for them doing extra patrolling in that area? The Commissioners advised that there will be once everything is worked out between the Village & Sheriff. He also asked the Board what kind of projects is the county planning for 2017, as far as improvements? Commissioner Stegall advised that there isn't a specific project, but just keeping up on building repairs, purchasing cruisers, vehicles etc., anything that last more than 5 years can be purchased out of capital.

**DC Citizen Fred Dean: Wanted to know if there would be additional personnel put on at the Darke Co. Sheriff's Dept. to account for the Villages that are giving up their police services? Commissioner Rhoades advised that those details are still being worked out.

**Alex Mikos w/TIGER Radio: Had a question for Commissioner Aultman, how has it been so far? Comm. Aultman advised that it has been a learning experience so far.

MR. RHOADES MOVED TO ADJOURN AT 1:45 P.M.; SECONDED BY MR. AULTMAN AND ALL VOTED YEA.

MICHAEL E. STEGALL

ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

MATTHEW W. AULTMAN

PATRICIA S. HARTER, ASSISTANT CLERK/SECY.

**MICHAEL W. RHOADES,
BOARD OF DARKE CO. COMMISSIONERS**

IN THE MATTER OF FURTHER DISCUSSION BY THE BOARD

**All Commissioners met with Business Admin. John Cook and Asst. Pros. Atty. Margaret Hayes regarding the Aaron's Rents Facility.

**All Commissioners met with Richard Osgood, the new Director of Development for Miami County, for a meet and greet session.