

MONDAY, FEBRUARY 22, 2016

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Commissioner Chairman Michael E. Stegall, Vice Chairman Diane L. Delaplane and Member Michael W. Rhoades; Patty Harter, Asst. Clerk/Secretary; Jeff Marshall Community Development/Grants Coordinator; Erik Martin, w/Daily Advocate; Susan Hartley w/Earlybird; Alex Mikos w/TIGER Radio; and DC Citizen Rick Perdue.

ABSENT: Robin Blinn, Administrative Clerk/Secretary

Minutes of Wednesday, February 17, 2016: Mrs. Delaplane moved to approve the minutes as read; seconded by Mr. Rhoades and all voted YEA.

**IN THE MATTER OF RESOLUTION (R-42-2016) EXAMINATION AND ALLOWANCE OF BILLS**

County Bills Approved

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

The attached vouchers dated **February 18 & 22, 2016** for County Bills, including any "Then & Now" Certificates, in the amount of the General Fund **\$2,439.79 + \$28,653.40;** Outside General Funds **\$128,463.00;** for a Grand Total of **\$159,556.19;** are hereby approved for payment.

Michael Stegall

Diane L. Delaplane

Michael W. Rhoades  
Board of Darke County Commissioners

**IN THE MATTER OF RESOLUTION (R-43-2016) TRANSFER OF APPROPRIATION (COMM.'S/BUSINESS ADMIN., SOLID WASTE & ECONOMIC DEVELOPMENT)**

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:

FROM: TO:

Comm.'s/Bus. Admin. - Attend BWC Safety Congress in Columbus

\$200.00	Member/Dues	#001-1006.532030	Trv/Ldg/Meals	#001-1006.532000
\$500.00	Consultant	#001-1006.533012	Trv/Ldg/Meals	#001-1006.532000

Solid Waste - Moving to new building, remodeling expense

\$10,000.00	Mach & Equip. -\$5,000	#610.3020.520160	Building Maintenance	#610.3020.536000
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Economic Development - Land Development Survey

\$30,000.00	Expansion Project	#106-7050.538130	CIC Joint	#106-7050.560019
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Mrs. Delaplane moved; and Mr. Rhoades seconded the resolution and all voted as follows:

Michael Stegall (YEA)

Diane L. Delaplane (YEA)

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

Patty Harter  
Assistant Clerk/Secretary

**IN THE MATTER OF RESOLUTION (R-44-2016) REVENUE & APPROPRIATION INCREASES, FUND ADVANCE & FUND TRANSFER FOR DARKE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES (4 steps)**

**Revenue/Appropriations Increases (Step 1 of 4)**

We will receive special reimbursement from the Ohio Department of Developmental Disabilities for the reimbursement of 90% of the purchase price of a home in the community. Home will be \$85,000 plus \$350 for an appraisal to be paid from DD Capital Improvement Fund.

Est. Revenue Increase	\$ 76,815.00	Advance In	#340-4241.490000
Est. Revenue Increase	\$ 76,815.00	State Intgovt Reimb.	#340-4241.432025
Est. Revenue Increase	\$ 8,535.00	Transfer In	#340-4241.491000
<b>Total Revenue Increase...</b>	<b>\$162,165.00</b>		

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Approp. Increase.....	\$76,815.00	Advance Out	#340-4241.590000
Approp. Increase.....	\$85,350.00	Building Purchase	#340-4241.551000
<b>Total Approp. Increase...</b>	<b>\$162,165.00</b>		

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**Appropriation Increase (Step 2 of 4)**

Need to advance and transfer to Capital Improvement fund for purchase of house, didn't appropriate all estimated revenue January 2016.

Appropriation Increase	\$76,815.00	Advance Out	#148-4240.590000
Appropriation Increase	\$ 8,535.00	Transfer Out	#148-4240.591000
<b>Total Appropriation</b>	<b>\$85,350.00</b>		

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**Fund Advance (Step 3 of 4)**

Advancing Revenue to 340- Capital Improvement Fund till revenue is received from State

	From	To
\$ 76,815.00	(Advance Out) #148-4240.590000	(Advance In) #340-4241.490000
<b>\$76,815.00</b>	<b>Total</b>	

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**Fund Transfer (Step 4 of 4)**

Need to transfer to Capital Improvement Fund to cover portion of house purchase.

\$ 8,535.00	Transfer Out	#148-4240.591000	Transfer In	#340-4241.491000
<b>\$ 8,535.00</b>	<b>Total</b>			

Mr. Rhoades moved; and Mrs. Delaplaine seconded the resolution and all voted as follows:

Patty Hartig  
Patty Hartig, Assistant Clerk/Secy.  
February 22, 2016

Mikel Hood (YEA)  
Quinn R. Delaplaine (YEA)  
Michael Rhoades (YEA)  
Board of Darke County Commissioners

**IN THE MATTER OF CONTRACT CHANGE ORDER FOR PY14 CHIP REHAB. GRANT**

Mrs. Delaplaine moved to approve the following change order; seconded by Mr. Rhoades and all voted YEA.

OWNER (S) M/M Kent Mc Glinch  
ADDRESS 304 E. South St.  
CONTRACTOR Eicher Con. Services

**A. ADD ITEMS**

SECTION #	DESCRIPTION	PRICE (+)
	<u>Electrical Add CO/smoke alarm in Basement</u>	<u>100.00</u>
	ORIGINAL CONTRACT AMOUNT	\$ <u>44,900.00</u>
	ADDITIONS TO CONTRACT	\$ <u>100.00</u>
	DELETIONS TO CONTRACT	\$ <u>-0-</u>
	NEW CONTRACT AMOUNT	\$ <u>45,000.00</u>

APPROVED THIS 26 DAY OF January, 2016 BY:

Kent M. Delmich  
OWNER

Dawn M. Delmich  
OWNER

Paul E. Eche  
CONTRACTOR

David A. Ballinger  
CHP STAFF

**IN THE MATTER OF ADMINISTRATION AGREEMENT WITH MOTE & ASSOCIATES PY14 CDBG FOR VILLAGE OF NEW MADISON, NOT TO EXCEED \$10,000.00**

Mr. Rhoades moved to approve the agreement with Mote & Associates; seconded by Mrs. Delaplane and all voted YEA.

This Agreement entered into on the 22 day of February, 2016, by and between the Darke County Commissioners, 520 South Broadway, Greenville, Ohio, hereinafter referred to as the OWNER and Mote & Associates, Inc., whose office is located at 214 West Fourth Street, Greenville, Ohio, hereinafter referred to as the CONSULTANT.

CLAUSE I - PROJECT DESCRIPTION

Except as modified or otherwise provided, the CONSULTANT agrees to provide grant administration services, as authorized by the OWNER with Notice to Proceed inferred through the execution of this Agreement as stated in the Scope of Services contained in Exhibit 'A'.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, in duplicate, as of the day and year first above written.

Witness: Sharon A. Kimmelgarn

Mote & Associates, Inc.

By: Jerry L. McCluskey  
Title: President

Witness: Joseph Massee

Darke County Commissioners

By: Michael Rhoades  
By: Oraine R. Delaplane  
By: Michael W. Rhoades

EXHIBIT 'A'

**SCOPE OF SERVICES**

Description: This project will consist of improvements to the New Madison Water Treatment Plant to include the following components:

- Emergency generator and transfer switch;
- Motor control center with emergency dialer, remote access software, chlorine pump control, and water level transducer; and
- Replacement of electrical wiring and distribution panel with new switchgear.

The fee for Grant Administration Services shall be a not to exceed amount of \$10,000.00.

**PROJECT FEE SCHEDULE**

A. Grant Administration Services.....\$ 10,000.00

TOTAL LUMP SUM SERVICE FEES:.....\$ 10,000.00

\*\*Complete agreement can be seen in 16 Contracts and/or Grants file\*\*

**IN THE MATTER OF ENGINEERING AGREEMENT WITH MOTE & ASSOCIATES PY14 CDBG FOR VILLAGE OF NEW MADISON, NOT TO EXCEED \$25,000.00**

Mrs. Delaplane moved to approve the agreement with Mote & Associates; seconded by Mr. Rhoades and all voted YEA.

This Engineering Agreement entered into on the 22 day of February, 2016, by and between the Darke County Board of Commissioners, 520 South Broadway, Greenville, Ohio hereinafter referred to as the CONTRACTING AUTHORITY and Mote & Associates, Inc., whose office is located at 214 West Fourth Street, Greenville, Ohio, hereinafter referred to as the CONSULTANT for a project to occur within the Village of New Madison, Ohio hereinafter referred to as the VILLAGE.

**CLAUSE I - PROJECT DESCRIPTION**

Except as modified or otherwise provided, the CONSULTANT agrees to provide engineering services, as authorized by the CONTRACTING AUTHORITY with Notice to Proceed inferred through the execution of this Agreement as stated in the Scope of Services contained in Exhibit 'A'.

IN WITNESS WHEREOF, the parties hereto have caused this Engineering Agreement to be executed, in duplicate, as of the day and year first above written.

Witness: Charon A. Hemmelgarn Mote & Associates, Inc.  
By: Jerry L. McLannan  
Title: President

Witness: Jerry H. Maske Darke County Board of Commissioners  
By: Michael J. ...  
By: Quinn K. Delaplane  
By: Michael W. Rhoades

**EXHIBIT 'A'  
SCOPE OF SERVICES**

Description: The project involves improvements to the Water Treatment Plant including:  
1) Replacement of the emergency back-up generator and addition of an automatic transfer switch;  
2) Installation of an automatic plant control system with dialer;  
3) Electrical rewiring of the treatment plant including a new distribution panel; and  
4) Installation of new switchgear.

Project Location: Fairview Street, New Madison, Ohio  
A. Preliminary Engineering Services:

1. Conduct meetings with VILLAGE personnel to determine limits of this project.
2. Conduct meetings with funding sources.
3. Prepare preliminary design and preliminary cost estimate.

B. Field Engineering Services:

1. Perform underground utility and site investigation.
2. Research of existing utility construction plans and records.
3. Research VILLAGE records for property line information.
4. Establish base line and reference.
5. Perform all topographic surveys.
6. Perform any other field work necessary to develop detail construction plans.
7. All topographic observations will be performed with field measurements.

Work not included: property line surveying, excavation (if needed to verify utility depths, etc.), soil borings, and aerial photography.

PROJECT FEE SCHEDULE

A-C. Preliminary, Field & Design Engineering*	\$ 10,000
D. Bidding Process	\$ 3,000
E-F. Construction Observation and Staking	\$ 12,000
<b>TOTAL ENGINEERING FEES:</b>	<b>\$ 25,000</b>

\*\*Complete agreement can be seen in 16 Contracts and/or Grants file\*\*

**IN THE MATTER OF LEASE AGREEMENT BY AND BETWEEN GEOFFREY P. SURBER AND DARKE COUNTY COMMISSIONERS FOR RENTAL OF BUILDING FOR THE SOLID WASTE DEPARTMENT**

Mr. Rhoades moved to approve the following lease agreement; motion seconded by Mrs. Delaplaine and all voted YEA.

**1. DESCRIPTION:** 684 Wager Ave. Unit C

Situated in the City of Greenville, County of Darke, State of Ohio as follows:  
 Being a portion of a building located upon Lot 3450 in Highland Subdivision to the City of Greenville, Ohio, as the same is laid out and platted in the Plat of said Subdivision recorded in Volume 5 Page 271 of the Plat records of Darke County, Ohio.  
 Prior instrument references: ORV 399 Page 278-279  
 Deed Volume 477 Page 1499  
 Parcel No. F27-2-212-26-01-04-102-00 (Lot 3450)

**2. TERM:** To have and to hold the above described premises unto the LESSEE for a period of Five (5) years, commencing March 1, 2016, and concluding Five years thereafter on February 29, 2021.

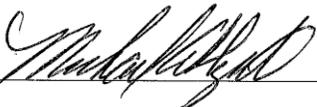
**3. RENT:** LESSEE shall pay to LESSOR as rent, during said term, a rental of Twenty Four Thousand Dollars (\$24,000), payable in equal monthly installments of Four Hundred Dollars (\$400), in advance, on the First Day of each and every month, commencing on the commencement date hereinbefore set forth

**IN WITNESS WHEREOF**, the parties who hereby represent that they are duly authorized herein, have hereunto affixed their signatures to this Lease as of the \_\_\_\_\_ day of February, 2016.

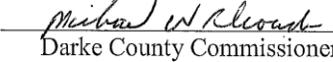
**LESSOR:**

**LESSEE:**

\_\_\_\_\_  
Geoffrey P. Surber

By: 

By: 

By:   
Darke County Commissioners

**STATE OF OHIO**

**SS:**

**DARKE COUNTY**

**BE IT REMEMBERED** that on \_\_\_\_\_, 2016, before me, a subscriber and notary public, for the County of Darke, personally came the above named LESSEE through Darke County Commissioners, its duly authorized Assistant Secretary who affixed his signature hereto in such capacity, represented his authority hereto and acknowledged the same to be his voluntary act and deed for the uses and purposed mentioned in the above Lease.

**IN TESTIMONY WHEREOF**, I have hereunto affixed my signature and seal on the day and year above written.

Approved as to form

  
Margaret B. Hayes

\*\*Complete Lease agreement can be seen in 2016 Contracts and/or Commissioners file.

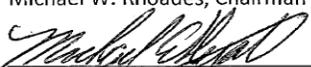
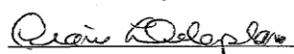
**IN THE MATTER OF DARKE COUNTY AIRPORT – HANGAR LEASE AGREEMENTS FOR 2016**

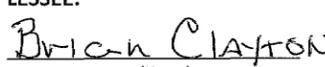
Mrs. Delaplane moved to approve the following agreement; motion seconded by Mr. Rhoades and all voted YEA.

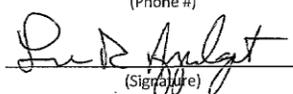
Lon Applegate, Greenville, Ohio and Brian Clayton, Kettering, Ohio

1. **TERM:** This Agreement shall commence on **1st** day of **January , 2016** and remain in effect for a period of twelve (12) months. Thereafter this Agreement shall continue in effect from month to month.
2. **RENT:** LESSEE shall pay LESSOR **\$155.00 per Month**, payable in advance not later than the first day of each month. There will be a \$20.00 late fee assessed for Rental payments received or postmarked later than the 10<sup>th</sup> of the month. There will be a \$35.00 fee assessed to the LESSEE if any check, given by the LESSEE for any payment due, is dishonored by the institution on which the check is drawn. LESSEE shall be offered a 5% discount for prepayment of 6 months' rent.
3. **DEPOSITS:** A deposit of one month's rent shall be made by the LESSEE at the time this Lease Agreement is signed. *(for LESSEE already occupying a hangar, a deposit will not be required)*
4. **PREMISES:** Premises leased under this Agreement shall be designated HANGAR # E.
5. **UTILITIES AND SERVICES:** LESSOR shall pay charges for utilities and services for electricity and any other utility services furnished to or consumed on the premises by LESSEE.

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**LESSOR:**  
 Darke County Board of Commissioners  
 520 South Broadway  
 Greenville, Ohio 45331  
  
 (937) 547-7370  
  
  
 Michael W. Rhoades, Chairman  
  
 Michael E. Stegall, Vice Chairman  
  
  
 Diane L. Delaplane

**LESSEE:**  
  
 Brian Clayton  
 (Name)  
 3525 Laurelwood Rd  
 (Address)  
 Kettering, Oh, 45409  
 (City, State, Zip)  
 937.361.1118  
 (Phone #)  
  
 Brian L. Clayton  
 (Print Name)

**LESSEE:**  
  
 Lon Applegate  
 (Name)  
 909 STRATFORD DR  
 (Address)  
 GREENVILLE, OHIO 45331  
 (City, State, Zip)  
 937.423-0808  
 (Phone #)  
  
 Lon R. Applegate  
 (Print Name)

**IN THE MATTER OF AUTHORIZATION OF MEETING EXPENSES (COMMUNITY DEVELOPMENT/GRANTS COORDINATOR & DARKE COUNTY SHERIFF**

Mr. Rhoades moved to approve the following requests; motion seconded by Mrs. Delaplane and all voted YEA.

#182-7007-538000 (MANDATORY)  
 Attending: PY2016 Community Development Program Application Training/ April 8, 2016/ ODOT Headquarters, Columbus, Ohio/ Jeff Marshall/ Transportation: \$70.00/ Meals: \$35.00/ Estimated Total for meeting: \$105.00

#001-6010.532010 (RECOMMENDED)  
 Attending: AR-15/M-16 Armorer School/ March 22-24, 2016/ Montgomery County Sheriff's Office Training Center/ Capt. Randy Linkous & Sgt. Shawn Trissel/ Meals: \$105.00 x 2/ Registration: \$475.00 x 2/ Estimated Total for meeting: #1,160.00

**IN THE MATTER OF PAY INS**

Pay In#084141	Received of Commissioners	Co. Airport-hangar rent – P. Ryan	\$90.00
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**IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS**

\*\*NONE\*\*

MRS. DELAPLANE MOVED TO ADJOURN; SECONDED BY MR. RHOADES AND ALL VOTED YEA. THE MEETING WAS ADJOURNED AT 1:46 P.M.

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MICHAEL E. STEGALL

**ABSENT**

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ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

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DIANE L. DELAPLANE

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PATRICIA S. HARTER, ASSISTANT CLERK/SECY.

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MICHAEL W. RHOADES  
DARKE COUNTY BOARD  
OF COMMISSIONERS

***IN THE MATTER OF FURTHER DISCUSSION BY THE BOARD***

\*\*All Commissioners met with Gracie Overholser, Director of Job & Family Services regarding updates.

\*\* Commissioner Rhoades attended a Communications meeting at EMA building.

\*\* Commissioners Stegall & Commissioner Delaplane met with Prosecuting Attorney Kelly Ormsby regarding the need for extra storage space.