

**MONDAY, SEPTEMBER 28, 2015**

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Commissioner Chairman Michael W. Rhoades and Member Diane L. Delaplaine; Robin Blinn, Administrative Clerk/Secretary; Patty Harter, Asst. Clerk/Secretary; Erik Martin w/Daily Advocate; Ryan Berry w/EarlyBird; Alex Mikos w/TIGER Radio; DC Citizen Fred Dean; and Tristan Weis, of Representative John Boehner's Office.

ABSENT: Vice Chairman Michael E. Stegall (Attending Event sponsored by Wayne Hospital Foundation (serves as a Board Member))

Mrs. Delaplaine moved to approve the reading of the minutes of Wednesday, September 23, 2015; motion seconded by Mr. Rhoades and both voted YEA.

**IN THE MATTER OF RESOLUTION (R-238-2015) EXAMINATION AND ALLOWANCE OF BILLS**

County Bills Approved

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

The attached vouchers dated September 28, 2015 for County Bills, including any "Then & Now" Certificates, in the amount of the General Fund \$ 8,988.35; Outside General Funds \$ 14,876.80; for a Grand Total of \$ 23,865.15; are hereby approved for payment.

Michael W. Rhoades

absent

Diane L. Delaplaine  
Board of Darke County Commissioners

**IN THE MATTER OF RESOLUTION (R-239-2015) SUPPORTING ISSUE ONE (LEGISLATIVE DISTRICTS)**

Resolution of the Board of County Commissioners of **Darke** County, Ohio, is supporting 'State Issue One' which creates a bipartisan, public process for drawing legislative districts.

The Board of County Commissioners of **Darke** County, Ohio, met in regular session on the 28<sup>th</sup> day of September, 2015, at the office of the Board of County Commissioners with the following members present:

Michael W. Rhoades

Diane L. Delaplaine

Mrs. Delaplaine moved the adoption of the following resolution:

**Whereas**, State Issue One ends the partisan process for drawing Ohio House and Senate districts, and replaces it with a bipartisan process with the goal of having district boundaries that are more compact and politically competitive; and

**Whereas**, State Issue One ensures a transparent process by requiring public meetings, public display of maps, and a public letter explaining any plan the Commission adopts by a simple majority vote; and

**Whereas**, State Issue One establishes the bipartisan Ohio Redistricting Commission, composed of 7 members including the Governor, the Auditor of State, the Secretary of State, and 4 members appointed by the majority and minority leaders of the General Assembly;

**Whereas**, State Issue One requires a bipartisan majority vote of 4 members in order to adopt any final district plan, and prevents deadlock by limiting the length of time any plan adopted without bipartisan support is effective; and

\*\*\*\*\*

R-239-2015 (cont.)

Now, Therefore, Be it Resolved, that the Board of County Commissioners of Darke County, Ohio, supports State Issue One which creates a bipartisan, public process for drawing legislative districts.

Mr. Rhoades seconded the above resolution and the vote upon its adoption resulted as follows:

Michael W. Rhoades (YEA)

YEA

Robin R. Blinn, Administrative Clerk/Secy

Diane L. Delaplaine (YEA) Darke County Board of Commissioners

IN THE MATTER OF RESOLUTION (R-240-2015) SUPPORTING ISSUE TWO (ADOPTING 'ANTI-MONOPOLY AMENDMENT' TO THE OHIO CONSTITUTION)

Resolution of the Board of County Commissioners of Darke County, Ohio, to support 'State Issue Two' which protects the initiative process from being used for personal economic benefit by adopting an anti-monopoly amendment to the Ohio Constitution.

The Board of County Commissioners of Darke County, Ohio, met in regular session on the 28th day of September, 2015, at the office of the Board of County Commissioners with the following members present:

Michael W. Rhoades

Diane L. Delaplaine

Mrs. Delaplaine moved the adoption of the following resolution:

Whereas, State Issue Two ensures that Ohio's constitution is not for sale and prohibits special interests from amending the constitution to create monopolies, oligopolies or cartels; and

Whereas, State Issue Two prohibits special interests from securing an amendment to our constitution that creates permanent preferential tax rates or commercial rights for themselves or for any business; and

Whereas, State Issue Two prohibits special interests from amending our Constitution to guarantee financial profits for themselves or get special economic privileges that are not available to other similarly situated persons or entities; and

Whereas, State Issue Two ensures that our constitution is used as intended by its framers for matters that benefit the broad public interest; and

Whereas, State Issue Two ensures that our constitution cannot be abused and corrupted by those interested in obtaining exclusive deals and special commercial benefits; and

Whereas, State Issue Two upholds our state's traditional spirit and traditional meaning of free commerce, fair trade and fair dealing; and

Now, Therefore, Be it Resolved, that the Board of County Commissioners of Darke County, supports State Issue Two which protects our constitution from monopoly interests.

Mr. Rhoades seconded the above resolution and the vote upon its adoption resulted as follows:

Michael W. Rhoades (YEA)

YEA

Robin R. Blinn, Administrative Clerk/Secy.

Diane L. Delaplaine (YEA) Darke County Board of Commissioners

IN THE MATTER OF RESOLUTION (R-241-2015) OPPOSING STATE ISSUE THREE (SALE OF MARIJUANA FOR RECREATIONAL & MEDICAL PURPOSES)

Resolution of the Board of County Commissioners of Darke County, Ohio, to oppose "State Issue Three" which grants a monopoly for the commercial production and sale of marijuana for recreational and medicinal purposes.

\*\*\*\*\*

The Board of County Commissioners of Darke County, Ohio, met in regular session on the 28<sup>th</sup> day of September, 2015; at the office of the Board of County Commissioners with the following members present:

Michael W. Rhoades

Diane L. Delaplaine

Mrs. Delaplaine moved the adoption of the following resolution:

**Whereas**, State Issue Three places in the Ohio Constitution a billion-dollar marijuana monopoly for a small group of wealthy investors, gives them exclusive rights to commercial marijuana profits in Ohio, and insulates them from any business competition or act of the legislature; and

**Whereas**, State Issue Three permits investors to set their own preferential tax rates directly in the Ohio Constitution, rates that cannot be changed by the legislature like those on beer, wine and tobacco; and

**Whereas**, State Issue Three puts our children at risk by legalizing marijuana-infused products like candy and cookies, which often have dangerously high levels of THC, and are highly tempting to children, including very young children; and

**Whereas**, State Issue Three establishes high limits on personal possession of marijuana which will expose children and underage high school and college students to marijuana; and

**Whereas**, State Issue Three proposes to flood Ohio with marijuana, allowing 1159 retail marijuana stores and allowing every adult to possess more than half a pound of marijuana, in addition to possessing four flowering marijuana plants at home; and

**Whereas**, State Issue Three poses severe public safety and workforce competitiveness concerns and will burden social service and drug treatment programs; and

**Now, Therefore, Be it Resolved**, that the Board of County Commissioners of Darke County, Ohio, **opposes** State Issue Three which grants a monopoly for the commercial production and sale of marijuana for recreational and medicinal purposes.

Mr. Rhoades seconded the above resolution and the vote upon its adoption resulted as follows:

Michael W. Rhoades (YEA)  
YEA

Diane L. Delaplaine (YEA)  
Darke County Board of Commissioners

Robin Blinn

Robin R. Blinn, Administrative Clerk/Secy.

**IN THE MATTER OF RESOLUTION (R-242-2015) TRANSFER OF APPROPRIATIONS (DARKE Co. ANIMAL SHELTER)**

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 Animal Shelter: Purchase of Incinerator (includes installation)**

|             |                 |                   |                 |                  |
|-------------|-----------------|-------------------|-----------------|------------------|
| \$ 5,000.00 | Other Operating | # 142-4400.538130 | Other Equipment | #142-4400.553040 |
|-------------|-----------------|-------------------|-----------------|------------------|

\*\*\*\*\*

Mrs. Delaplaine moved; and Mr. Rhoades seconded the resolution and <sup>both</sup> all voted as follows:

Michael W. Rhoades (YEA)  
YEA

Diane L. Delaplaine (YEA)  
Board of Darke County Commissioners

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

**IN THE MATTER OF AMENDMENT TO CONTRACT FOR IMPLEMENTATION OF THE DARKE COUNTY PY2014 CHIP PROGRAM TENANT-BASED RENTAL ASSISTANCE (TBRA) PROGRAM BY AND BETWEEN DARKE COUNTY BOARD OF COMMISSIONERS AND COMMUNITY ACTION PARTNERHIP OF THE GREATER DAYTON AREA-DARKE COUNTY (CAP) OFFICE**

Mrs. Delaplane moved to approve the 'Amendment to Contract'; motion seconded by Mr. Rhoades and both voted YEA.

**WHEREAS**, the County has, under the date of **January 20, 2015**, entered into a Grant Agreement with the State of Ohio, Ohio Development Services Agency, providing for financial aid to the County pursuant to the provisions of the Cranston-Gonzalez National Affordable Housing Act (NAHA), as amended to date; and

**WHEREAS**, the County has, under the date of **February 27, 2015**, entered into an Agreement with Darke County CAP for implementations services in connection with the County's PY 2014 CHIP Program project activity known as the Tenant-Based Rental Assistance Program (hereinafter referred to as TBRA) as shown in the County's CHIP Program Application dated June 2014, and the above-mentioned Grant Agreement #B-C-14-1AR-2 with the State of Ohio, Ohio Development Services Agency; and

**WHEREAS**, the County has, under the date of **August 18, 2015**, amended its Grant Agreement with the State of Ohio, Ohio Development Services Agency, providing for additional financial aid to the County pursuant to the provisions of the Cranston-Gonzalez National Affordable Housing Act (NAHA), as amended to date; and

**WHEREAS**, pursuant to Section 3 of the Contract between the County and Darke County CAP, the County is hereby notifying Darke County CAP that the County has received an additional \$106,000 in TBRA funding and \$10,600 in General Administration funding to enable Darke County CAP to serve an additional fifteen (15) households and receive an additional \$10,600 in administrative compensation in the event all \$106,000 in TBRA assistance is issued by Darke County CAP.

**NOW THEREFORE**, the above-mentioned parties in consideration for mutual promises and agreements do hereby agree as follows:

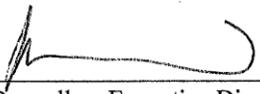
1. That the original Contract by and between the County and Darke County CAP dated February 27, 2015 is hereby amended as follows:
  - a. Darke County CAP is to serve an additional fifteen (15) households and receive an additional \$10,600 in administrative compensation in the event all of the additional \$106,000 in TBRA assistance is issued by Darke County CAP.
  - b. Darke County CAP is to now serve a total of thirty one (31) households and receive a total of \$21,200 in administrative compensation in the event the entire total of \$212,000 in TBRA assistance is issued by Darke County CAP.
2. All other provisions of the original Contract of February 27, 2015 shall remain in full force and effect.

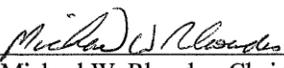
**THIS AMENDMENT TO AGREEMENT** is authorized by appropriate action of the **Darke County Board of Commissioners** as approved on September 28, 2015.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment to Contract on the date as shown on Page 1 of the foregoing.

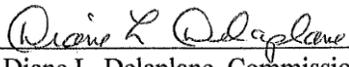
**COMMUNITY ACTION PARTNERSHIP OF THE GREATER DAYTON AREA**

**DARKE COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
John T. Donnellan, Executive Director

  
\_\_\_\_\_  
Michael W. Rhoades, Chairman

\_\_\_\_\_  
Michael E. Stegall, Vice Chairman

  
\_\_\_\_\_  
Diane L. Delaplane, Commissioner

**IN THE MATTER OF PAY INS**

|               |                           |                                    |             |
|---------------|---------------------------|------------------------------------|-------------|
| Pay In#081687 | Received of Solid Waste   | Tipping Fees – Maharg for August   | \$30.00     |
| Pay In#081688 | Received of Solid Waste   | Tipping Fees – Rumpke for August   | \$17,263.50 |
| Pay In#081689 | Received of Solid Waste   | Tipping Fees - Republic for August | \$26.58     |
| Pay In#081690 | Received of Solid Waste   | Tipping Fees - Republic for August | \$1,104.60  |
| Pay In#081715 | Received of Commissioners | Co.-Tower Rental – North Farm      | \$912.53    |

**IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS**

\*\*DC Citizen Fred Dean: Had a question on the purchase of the incinerator for the DC Animal Shelter. Wanted to know how much the incinerator is used/needed? The Commissioners advised him that Duane Sanning, Animal Control Officer, always tries to adopt the dogs out and has great success with his website and/or social media.

\*\*Erik Martin w/Daily Advocate: Wanted to know the Commissioner’s thoughts regarding their opposition with Issue 3, and their opinions on supporting Issue 1 & 2? The Commissioners voiced their concerns regarding that Issue. (Audible version can be heard on mp3 file 092815)

\*\*Ryan Berry w/Earlybird: Wanted to verify that Commissioner Stegall was in support of Issue 1 & 2 and voted to oppose Issue 3? Commissioners stated that that was correct.

\*\*Alex Mikos w/TIGER Radio: Wanted to know if we have done Resolutions or Letters in the past supporting ‘State Issues’ etc.? The Commissioners advised that they have but it has probably been awhile and maybe that’s why you don’t recall us doing them; cause they are far and in between. Mr. Mikos also asked if the Board was surprised when Speaker of the House John Boehner announced that he was resigning? Both Commissioners advised that they were. Mr. Mikos also wanted to know their thoughts etc. with his resignation. (Audible version can be heard on mp3 file 092815)

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

\_\_\_\_\_  
ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

\_\_\_\_\_  
PATRICIA S. HARTER, ASSISTANT CLERK/SECY.

\_\_\_\_\_  
MICHAEL W. RHOADES

\_\_\_\_\_  
**ABSENT**  
MICHAEL E. STEGALL

\_\_\_\_\_  
DIANE L. DELAPLANE,  
DARKE COUNTY BOARD  
OF COMMISSIONERS

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

\*\*None