WEDNESDAY, SEPTEMBER 30, 2015

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Commissioner Chairman Michael W. Rhoades; Vice Chairman Michael E. Stegall; and Member Diane L. Delaplane; Robin Blinn, Administrative Clerk/Secretary; Patty Harter, Asst. Clerk/Secretary; Margaret Hayes, Asst. Pros. Atty.; Becky Martin, Director of Board of Elections; Ed Curry, BOE Board Member; Erik Martin w/Daily Advocate; Ryan Berry w/Early Bird; Alex Mikos w/TIGER Radio; and DC Citizen Matt Jordan.

Mrs. Delaplane moved to approve the reading of the minutes of Monday, September 28, 2015; motion seconded by Mr. Rhoades and both voted YEA.

IN THE MATTER OF RESOLUTION (R-243-2015) EXAMINATION AND ALLOWANCE OF BILLS

County Bills Approved

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

The attached vouchers dated September 30, 2015 for County Bills, including any "Then & Now" Certificates, in the amount of the General Fund $ 15,214.58; Outside General Funds $ 78,352.18; for a Grand Total of $ 93,566.76; are hereby approved for payment.

Board of Darke County Commissioners

IN THE MATTER OF RESOLUTION (R-249-2015) AUTHORIZING DARKE COUNTY TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND SIGNING MEMORANDUM OF UNDERSTANDING

The Board of County Commissioners of Darke County, Ohio, met in regular session on the 30th day of September, 2015, with the following members present: Michael W. Rhoades, Michael E. Stegall and Diane L. Delaplane.

Commissioner Delaplane moved the adoption of the following resolution:

WHEREAS, Ohio's Cooperative Purchasing Act. (AM. Sub. H.B. No. 100), as signed into law on December 4, 1985; and,

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials; now therefore,

BE IT RESOLVED BY THE DARKE COUNTY COMMISSIONERS:

Section 1. That the DARKE COUNTY BOARD OF ELECTIONS hereby requests authority in the name of the Darke County Commissioners to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

Section 2. That the Darke County Board of Elections is hereby authorized to agree in the name of the Darke County Commissioners to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of Darke County Commissioners participation in the contract. Further, that the Darke County Board of Elections does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by ORC 125.04.

****

Section 3. That the Darke County Board of Elections is hereby authorized to agree In the name of the Darke County Commissioners to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the Darke County Board of Elections does hereby agree to directly pay the vendor;

RESOLUTION MUST BE APPROVED, DATED AND FILED WITH THE OFFICE OF COOPERATIVE PURCHASING PRIOR TO USE OF A CONTRACT.
ADDITIONALLY, THE PAYMENT OF THE APPROPRIATE ANNUAL FEE MUST BE MADE PRIOR TO CONTRACT USE.

Commissioner Stegall seconded the resolution and all voted as follows:

DARKE COUNTY BOARD OF COMMISSIONERS

Michael W. Rhoades YEA

Michael E. Stegall YEA

Diane L. Delaplane YEA

Resolution adopted this 30th day of September, 2015.

Attest:
Administrative Clerk/Secy.

****

MEMORANDUM OF UNDERSTANDING

Purpose

1. This Memorandum of Understanding ("MOU") between the Ohio Department of Administrative Services ("DAS"), the Darke County Board of Elections ("Board"), and the Darke County Commissioners ("County") is to document the roles and responsibilities of each party in complying with the requirements set forth in Section 207.63 of Amended Substitute House Bill 64, the State Operating Budget.

2. Specifically, it is the goal of the DAS, the Board, and the County to document in this MOU their mutual understandings concerning the use of the funding provided by Section 207.63 of Amended Substitute House Bill 64, the State Operating Budget, and appropriation item 100668 for Fiscal Years 2016 and 2017.

Legal Authority

1. This MOU is being entered into in accordance with Section 207.63 of Amended Substitute House Bill 64, the State Operating Budget.

2. Section 207.63 of Amended Substitute House Bill 64, in relevant part, states: "The board shall enter into a memorandum of understanding with the county commissioners and the Department of Administrative Services concerning [the purchase of the selected electronic pollbooks and any other necessary equipment] and is responsible for fifteen per cent of the purchase costs of those pollbooks as determined by the Department of Administrative Services and Secretary of State under this section."

Definitions

1. "Electronic pollbook" means "an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location"' that is certified for use in Ohio pursuant to *Ohio Revised Code* §3506.05.

2. "Any other necessary equipment" means any software, hardware, peripheral, license agreement, service or maintenance agreement or integration with the Board's voter registration system that is essential for the implementation, fully functional operation and legal use of the electronic pollbooks.

****

MOU (CONT.)

Terms of Agreement

1. The Board will select a certified electronic pollbook and any other necessary equipment from the list of certified electronic pollbooks and equipment and their corresponding price provided to the Board from the DAS state term contract for electronic pollbooks (RS900816, Index MAC109). Pursuant to *Ohio Revised Code §125.04,* the Board must be an active member of the DAS Cooperative Purchasing Program in order to make a purchase referencing the DAS state term contract.

2. The County will be responsible for selecting the equipment and paying the total invoice cost of the electronic pollbooks and any other necessary equipment to the vendor. The Board will notify the DAS in writing of its selection and of the exact quantity of electronic pollbooks and equipment the Board will purchase.

3. The DAS will provide the County with funding to reimburse 85% of the total purchase cost for electronic pollbooks and any other necessary equipment selected by the Board, up to the amount of the Board's allocation of the funding provided by Section 207.63 of Amended Substitute House Bill 64 and appropriation item 100668 as appears in the Electronic Pollbook Fund Allocations by County report, which is attached as Exhibit 1 and incorporated by reference herein. Any unexpended, unencumbered portion of the Board's allocation at the end of State Fiscal Year 2016 will be available for the Board to procure certified electronic pollbooks and any other necessary equipment in State Fiscal Year 2017.

4. For purchases of electronic pollbooks made against the DAS state term contract, the notification to the DAS shall consist of a letter from the Board requesting reimbursement with a copy of an executed purchase order referencing the contract. For purchases of electronic pollbooks made prior to the effective date of the DAS state term contract, the notification to the DAS shall consist of a letter from the Board requesting reimbursement with a copy of the paid invoices and proof of payment for certified electronic pollbooks. Any letter requesting reimbursement must be received by the DAS no later than 30 days prior to the end of State Fiscal Year 2017.

General Provisions

1. If there is a change in the law necessitating a change in this MOU, the DAS shall immediately notify the Board and the County and all parties shall re-evaluate the MOU to ensure its compliance with the law.

2. This MOU is effective upon signature of all parties and shall remain in effect as required by state law.

3. This MOU is subject to Section 126.07 of the Ohio Revised Code.

4. This Agreement may be modified or amended provided that any such modification or amendment is in writing and is signed by all of the parties to this Agreement. Said amendment shall be effective upon the execution by all of the parties.

5. If any provision of this MOU should be found illegal, invalid, or otherwise void, it shall be considered severable. The remaining provisions shall not be impaired, and the MOU shall be interpreted, to the extent possible, to give effect to the parties' intent.

6. This MOU is entered into through the actions of the Board of Elections pursuant to a motion of the Board of Elections approving this MOU and authorizing and directing the signator to execute this agreement on behalf of the Board (the minutes reflecting the motion or other record of the motion is attached as Exhibit 2) and the Board of County Commissioners pursuant to Resolution of the Board approving this MOU and authorizing and directing the signator to execute this agreement on behalf of Board (the Resolution is attached as Exhibit 3).

The Department of Administrative Services, the Darke County Board of Elections, and the Darke County Commissioners, indicate their agreement with the above provisions and further agree that the interest if each is in compliance with Section 207.63 of Amended Substitute House Bill 64, the State Operating Budget, by signing below a copy of this Memorandum of Understanding.

Darke County Board of Commissioners:

Michael W. Rhoades	9-30-15 Date
Michael E. Stegall	9/30/15 Date
Diane L. Delaplane	9/30/2015 Date

IN THE MATTER OF RESOLUTION (R-244-2015) TRANSFER OF APPROPRIATIONS (VARIOUS DEPTS.)

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 Commissioners: Installation of cameras @ Airport, & future expenses; Housing of prisoners for July 2015

$ 4,000.00	Other Operating	#001-1509.538130	Mach & Equipment - $5000	#001-8000.520160
$ 13,365.00	"	"	Intergovernmental Agree.	#001-6010.538040

****

DC Engineer: Need additional funds for equipment

$ 15,000.00	Road Contracts	#137-3110.536030	M & E - $5000.	#137-3110.520160

****

DC Pros. Atty.: Need additional monies to cover remainder of year

$ 700.00	Other Operating	#001-1300.538130	Subscriptions & Pub.	#001-1300.532020

****

DC Solid Waste District: Adjusting of line amounts (cover Rumpke bills)

$ 32,000.00	Contracts	#610-3020.533030	Recycling Drop Boxes	#610-3020.538110

****

Mr. Stegall moved; and Mrs. Delaplane seconded the resolution and all voted as follows:

YEA
YEA
YEA

Board of Darke County Commissioners

Robin R. Blinn,
Administrative Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-245-2015) REVENUE & APPROPRIATION INCREASES (COUNTY AUDITOR-2ND HALF SETTLEMENT)

WHEREAS, the Board of Darke County Commissioners are requesting that the following **"Revenue/Appropriation Increases"** be changed; and

WE DO HEREBY RESOLVE, the following 'increases' be changed as follows:

To cover State Fees – 2nd half settlement

Estimated Revenue Increase	$ 29.75	Re Adm Fee	Acct. #001-1165.410015
TOTAL Revenue Increase.....	$ 29.75		
Appropriation Increase	$ 29.75	State Adm Fee	Acct. #001-1165.538002
TOTAL Appropriation Increase.....	$ 29.75		

Mrs. Delaplane moved; and Mr. Stegall seconded the resolution and ALL voted as follows:

YEA
YEA
YEA

Board of Darke County Commissioners

Robin Blinn,
Administrative Clerk/Secy.

IN THE MATTER OF RESOLUTION (R-246-2015) AWARDING FY 2014 CHIP REPAIR GRANTS

The below listed resident(s) of Darke County have made proper application to the FY 2014 CHIP Repair and Sewer grant program; and they are qualified to receive a grant in the amount(s) indicated below, said grants are thereby awarded;

Steven Gibboney
New septic- $9,250.00
Not to exceed $16,000.00

Mr. Stegall moved the Resolution.

Mrs. Deleplane seconded the resolution and all voted as follows:

✓ All voted YEA.

Michael W. Rhoades -Chairman

Michael E. Stegall - Vice-chairman

Diane L. Deleplane - Member

DARKE COUNTY COMMISSIONERS

Robin Blinn, Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-247-2015) FUND TRANSFERS (DITCH MAINTENANCE)

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:

11-125	58-07	George Shields	$3,941.50
11-335	62-05	Flat Lake (T/O)	$41.00
11-875	76-04	Whitewater Waterway--E Fork	$686.00
11-925	76-18.	Mississinawa	$51.00
11-965	76-24	York	$452.00
11-995	77-03	Bridge Creek	$970.00
11-405	65-01	Millers Fork Lateral	$593.00
11-415	65-03	W J Ross	$542.00
11-625	77-07	Swamp Creek	$272.00
12-295	82-02	Pansing	$1,712.50
12-355	87-01	North Fork--Stillwater River	$2,332.30
12-405	88-02	Feltshans-Baker	$1,547.00
		TOTAL:	$13,140.30

Mrs. Deleplane moved the resolution

and Mr. Stegall seconded the resolution;
and all voted as follows:

YEA

YEA

YEA

DARKE COUNTY COMMISSIONERS

Robin Blinn
Admin. Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-248-2015) FUND ADVANCE (CHIP HOME REPAYS)

Fund Advance

WHEREAS, Commissioners are requesting that the following "Fund Advance" be completed: *"Need to advance revenue to #185-2014 CHIP CDBG Grant till revenue is received"; and*

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

Grants: Need to advance revenue to #185-2014 CHIP CDBG Grant (till revenue is rcvd.)

$ 8,500.00	From: #197-7018.590000 (Advance Out)	To: #185-7010.490000 (Advance In)

****

Mr. Stegall moved; and Mrs. Delaplane seconded the resolution and all voted as follows:

Michael W Rhoades YEA
Michael E Stegall YEA
Diane L Delaplane YEA

Robin Blinn,
Administrative Clerk/Secretary

Board of Darke County Commissioners

IN THE MATTER OF AUTHORIZATION OF MEETING EXPENSES (COUNTY AUDITOR)

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

#001-1110.532000 (MANDATORY)
Attending: 2015 Ohio Weights & Measures Fall Training School/Reynoldsburg, OH/Nov. 17 & 18, 2015/Geoff Surber
Meals: $70.00/Registration-Parking: $40.00/Estimated total for meeting: $110.00

IN THE MATTER OF PAY INS

Pay In#081746	Received of Commissioners	Co. Life Insurance-employer share life insurance	$1,232.70
Pay In#081768	Received of Commissioners	Co. Health Insurance-Employee share – J. Walker	$355.88
Pay In#081769	Received of Commissioners	Co. Health Insurance-Employee share	$46,797.56
Pay In#081779	Received of Commissioners	Co. Airport-UDF Sept./Oct. 2015-Hangar rent	$130.00

IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS

**Ryan Berry w/Earlybird: Had a question for Becky Martin w/BOE wanting to know about the special election that will have to happen due to Congressman Boehner resigning from his position. How much of a cost is it to the county etc.? The Commissioners, along with Becky Martin stated that there will be a cost and could be quite costly. Ms. Martin spoke, along w/BOE Board Member Ed Curry, that hopefully they will be able to possibly put some precincts together and maybe could be some costs savings there.

MR. STEGALL MOVED TO ADJOURN; SECONDED BY MRS. DELAPLANE AND ALL VOTED YEA. THE MEETING WAS ADJOURNED AT 1:44 P.M.

MICHAEL W. RHOADES

MICHAEL E. STEGALL

ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

DIANE L. DELAPLANE,
DARKE COUNTY BOARD
OF COMMISSIONERS

PATRICIA S. HARTER, ASSISTANT CLERK/SECY.

IN THE MATTER OF FURTHER DISCUSSION BY THE BOARD

**NONE