

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Chairman Michael E. Stegall, Vice Chairman Diane L. Delaplane and Member Michael W. Rhoades; Robin Blinn, Administrative Clerk/Secretary; Patty Harter, Asst. Clerk/Secretary; County Engineer Jim Surber; Engineer employees Mark Wogoman & Shane Coby; Susan Hartley w/Earlybird; Erik Martin and Carolyn Harmon w/Daily Advocate; and bidders Kim Reese w/Reese Electric and Ed Flora of Flora Excavating.

Minutes of Monday, November 21, 2016: Mrs. Delaplane moved to approve the minutes as read; motion seconded by Mr. Rhoades and ALL voted YEA.

IN THE MATTER OF RESOLUTION (R- 309-2016) 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 November 23, 2016, for County Bills, including any

"Then & Now" Certificates, in the amount of the General Fund \$ 101,130.96;

Outside General Funds \$ 175,433.78; for a Grand Total of \$ 276,564.74;

are hereby approved for payment.

Michael E. Stegall

Diane L. Delaplane

Michael W. Rhoades
Board of Darke County Commissioners

IN THE MATTER OF SEALED RE-BIDS/PROPOSALS FOR THE CONSTRUCTION OF MOORMAN'S FIRST ADDITION DITCH

Whereas, on October 17, 2016, the Board of Darke County Commissioners received a request from County Engineer Jim Surber to "Fix the Date" for receiving of sealed bids/proposals for project known as construction of the "Moorman's First Addition Ditch"; also stating a mandatory pre-bid meeting to be held at the ditch on Wed., Oct. 16, 2016, @ 9:00 a.m.; and

Whereas, based on the "Notice" that was received; the Commissioners fixed the date of opening the sealed bids on October 31, 2016, at 1:30 p.m.; and there was two (2) sealed bids/proposals received, but County Engineer stated after the reading of the bids by the Clerk, that both bids were over the Engineer's estimate; the Commissioners then moved to accept as received only, pending verification of County Engineer Jim Surber; and

Whereas, the Commissioners then received a letter from the Engineer stating that the bids were over the 10% and the project would have to be rebid; and

Whereas, the Clerk of the Board, received a new "Notice" from the County Engineer fixing the date of November 23, 2016, at 1:30 p.m. for the rebidding of the project, with the Engineer's new estimate of \$48,790.00; and Whereas today, the Clerk has received four (4) bids and the bids were opened in order as received and are stated as follows:

Flora Excavating, Greenville, OH	(rcvd. 11/23/16 @ 9:43 a.m.)	\$42,227.00;
Jutte Excavating, Inc., Ft. Recovery, OH	(rcvd. 11/23/16 @ 10:59 a.m.)	\$47,759.75
FinFrock Construction, Covington, OH	(rcvd. 11/23/16 @ 11:28 a.m.)	\$49,900.00
Reese Electric, Inc., Versailles, OH	(rcvd. 11/23/16 @ 12:59 a.m.)	\$42,605.00

After the reading of the bids; Mrs. Delaplane moved to approve the receiving of bids only, pending recommendation of County Engineer Jim Surber; motion was seconded by Mr. Rhoades and all voted YEA.

IN THE MATTER RESOLUTION (R-310-2016) TRANSFER OF APPROPRIATIONS (VARIOUS)

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:

R-310-2016 (CONT.)

DC Commissioners: to cover year end expenses

\$ 500.00	Consultant	#001-1509.533012	Personal Sundries	#001-1509.520105
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DC Home: to cover salary for remainder of year

\$ 8,000.00	Food	#146-4300.520060	Salary PT	#146-4300.510030
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DC Comm.'s/Co. Zoning: to cover salary/benefits for remainder of year

\$ 2,500.00	Consultant	#001-1509.533012	Salary	#001-6320.510020
\$ 30.00	Consultant	#001-1509.533012	Medicare	#001-6320.511010
\$ 5.00	Health Insurance	#001-8031.511000	Health Insurance	#001-6320.511000
\$ 400.00	PERS	#001-8031.511020	PERS	#001-6320.511020
\$ 1.00	Health Insurance	#001-8031.511000	Bene. Admin. Fee	#001-6320.511085

DC Juvenile Court: to cover salary expenses through end of year; to cover vehicle expenses; & cover detention expenses through the end of the year

\$ 337.50	M & E -\$5000.	#001-2201.520160	Salary	#001-2201.510020
\$ 348.42	Tvl/Ldg/Meals	#001-2201.532000	Salary	#001-2201.510020
\$ 11,141.25	Other Operating	#126-2206.538130	Vehicle	#126-2206.553010
\$ 11,141.25	"	#311-2305.538130	"	#311-2305.553010
\$ 7,000.00	Other Operating	#429-2289.538130	Secured Detention	#429-2282.533030

DC Sheriff: transfer needed to cover veterinary expenses (K-9)

\$ 800.00	M & E -\$5000.	#001-6010.520160	K-9 Expenses	#001-6010.520095
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Mr. Rhoades moved; and Mrs. Delaplane seconded the resolution and ALL voted as follows:

Michael K. Rhoades (YEA)

Quinn K. Delaplane (YEA)

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

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

IN THE MATTER OF RESOLUTION (R-311-2016) FUND ADVANCE (DARKE CO. SHERIFF)

WHEREAS, Darke Co. Sheriff/Commissioners are requesting that the following "Fund Advance" be completed: "to advance revenue to #163 'bulletproof' vest grant (till revenue is rcvd. from Grant (will advance back when grant received))"; and

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

\$ 20,800.00	From: #001-8070.590000 (Advance Out)	To: #163-6012.490000 (Advance In)
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Mrs. Delaplane moved; and Mr. Rhoades seconded the resolution and ALL voted as follows:

Michael K. Rhoades (YEA)

Quinn K. Delaplane (YEA)

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

Robin Blinn
Robin Blinn,
Administrative Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-312-2016) FUND ADVANCE-BACK (GRANTS-2014 CHIP/CDBG)

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

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

2014 CHIP/CDBG Grant..... Original Advance done on 7/25/16 (R-184-2016)

\$7,648.00 From: #185-7010.590000 (Advance Out) To: #197-7018.490000 (Advance In)

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

Robin R. Blinn Administrative Clerk/Secretary

Michael E. Stegall (YEA) Diane L. Delaplane (YEA) Michael W. Rhoades (YEA) Darke County Board of Commissioners

IN THE MATTER OF RESOLUTION (R-313-2016) APPROVAL OF A STATE AIRPORT MATCHING GRANT APPLICATION FOR THE DARKE COUNTY AIRPORT AND SIGNING OF CONTRACT

The Board of County Commissioners of Darke County, Ohio, met in regular session on the 23rd day of November, 2016, 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, the Board of County Commissioners, Darke County, Ohio operates the Darke County Airport, and

WHEREAS, the Board has applied for a grant under Fiscal Year 2017 Ohio Airport Matching Grant Program, and,

WHEREAS, the Ohio Department of Transportation, Office of Aviation has agreed to provide grant funds to the County 5 percent of the eligible costs, up to a maximum of \$5,807 in State funds to be applied to the eligible costs associated with the project funded by FAA Grant Number 3-39-0082-002-2016 , and,

WHEREAS, the Board of Commissioners of Darke County are required to approve the terms and conditions of the loan, and

WHEREAS, the Prosecutor has approved the terms and conditions as to form,

WHEREAS, this board is authorized by Ohio Revised Code Section 307.20 to provide for the airport; now, therefore, be it

RESOLVED, by the Board of Commissioners of Darke County, Ohio, all of its members elected thereto concurring, that they are authorized to enter into the Grant agreement with the Ohio Department of Transportation in the amount of \$5,807 for the Darke County Airport; and be it further

RESOLVED, as follows:

SECTION ONE: That the Grant Agreement between the Ohio Department of Transportation, Office of Aviation and the Board of County Commissioner's, Darke County, Ohio Darke County Airport FAA Grant Number 3-39-0082-002-2016 be and hereby is approved.

SECTION TWO: That the Commissioner's be and hereby are authorized to execute said Grant Agreement on behalf of this board and to take all actions necessary for the implementation of the same.

SECTION THREE: That a copy of this resolution be given to Carol Ginn, Fiscal Officer for Darke County so that she may prepare a 'Certificate of Available Resources' in accordance with the terms of this grant agreement.

Commissioner Rhoades seconded the resolution and ALL voted as follows:

Michael E. Stegall (YEA) Diane L. Delaplane (YEA) Michael W. Rhoades (YEA) Darke County Board of Commissioners

Robin R. Blinn Administrative Clerk/Secretary

GRANT CONTRACT (CONT.)

OHIO DEPARTMENT OF TRANSPORTATION

Office of Aviation

Ohio Airport Maintenance Grant Contract

ODOT Project No. MI7-44

In consideration of the mutual covenants, promises, representations, and warranties set forth herein, the State of Ohio, Department of Transportation and the

Darke County Board of Commissioners

agree as follows:

SECTION 1: PURPOSE

- 1.1 The purpose of this Contract is to provide financial assistance from ODOT to the Grantee in accordance with the Criteria.
1.2 The Grant Funds obtained through this Contract shall be used to provide a portion of the Total Project Cost for the project after Land Ownership Reimbursement Allowances, if any, are expended.

SECTION 2: SCOPE OF PROJECT

Design thrshld reloc., update ALP, AGIS survey

SECTION 3: FUNDING

- 3.1 The Grantee shall apply all Grant Funds provided under this Contract to the total project cost incurred in the performance of the PROJECT.
3.2 The Project costs are as follows:
Total Project Cost: \$116,134
Total Local Share: \$5,806
Total Federal Share: \$104,521
Total State Share: \$5,807
3.3 ODOT agrees to provide Grant Funds to the Grantee 5 percent of the eligible costs, up to a maximum of \$5,807 in State funds. This maximum amount reflects the funding limit for the project, and ODOT will not increase the ODOT grant amount to reflect any change orders that might increase the FAA grant amount. Unless otherwise provided for, funds through ODOT shall be applied only to the eligible costs associated with the project funded by FAA Grant Number 3-39-0082-002-2016

(SECTION 3.3 THRU 7.24 CAN BE SEEN IN FULL IN THE Co. COMM.'S Co. AIRPORT AND/OR '16 CONTRACT FILES)

7.23 OFFER AND EFFECTIVE DATE

When transmitted by ODOT to the Grantee, this document shall constitute an offer which shall expire if it is not accepted, executed and returned to ODOT by the Grantee within fifteen working days of such transmittal, unless an extension is granted by the Office of Aviation at the request of the Grantee. This Contract shall become effective on the date signed by the Director of ODOT, and the obligations of the parties hereunder shall then begin.

7.24 REPRESENTATIONS AND WARRANTIES MADE BY GRANTEE

The Grantee hereby restates, confirms and incorporates by reference the Standard Assurances and all other statements, representations, covenants and agreements contained in the Grantee's Application for Grant Funds issued pursuant to the Criteria. The Grantee hereby represents and warrants that the amount set forth in Article II, Section 3.2 is the Total Project Cost is the Total Project Cost.

7.25 EXECUTION

The Grantee hereby represents that it is one of the following, with full power and authority to enter into this Contract: A regional airport authority established under Chapter 308 of the Code; a port authority established under Chapter 4582 of the Code; the State; a municipality; a county; or a township on an island.

This Contract may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Any party hereto may deliver a copy of its counterpart signature page to this Contract via fax or email. Each party hereto shall be entitled to rely upon a facsimile signature of any other party delivered in such a manner as if such signature were an original.

FOR THE GRANTEE:

Executed this 23rd day of November, 2016.
By: X Michael E. Stegall X Diane L. Delaplane X Michael W. Rhoades
Michael E. Stegall Diane L. Delaplane Michael W. Rhoades
Title: Board of Darke County Commissioners

(ALL SIGNATURES CAN BE SEEN IN AIRPORT/'16 CONTRACT FILES WHEN OBTAINED)

IN THE MATTER OF AMENDED PROPOSAL AVIGATION EASEMENT AND TREE CLEARING AT THE DARKE COUNTY AIRPORT WITH STANTEC

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

Stantec proposes to complete the following items of work that are required to obtain permission to clear trees that are obstructions from within the Runway 9 Protection Zone:

A. Avigation Easement Services

1. **Prepare Avigation Easement.** Prepare a standard FAA Avigation Easement over the portion of the Dapore property that is located within the proposed Runway 9 Protection Zone (based on the extended runway). The easement will contain a description of the easement area and a plan and profile drawing. This drawing will show the approach surface above the Runway Protection Zone, the approximate elevation of the existing ground, the elevations of the trees that are located on the Dapore property that penetrate the approach surface, and the height restrictions at each corner of the Dapore property. We will forward a draft copy to the County and the FAA for review and will make any revisions that are required.
2. **Coordination of Appraisal.** We will prepare a solicitation for proposals for appraisal services for the County. The solicitation will include the required FAA contract clauses, a copy of the proposed appraisal agreement, a copy of FAA appraisal requirements, a copy of the title report (which we assume will be prepared by the County Prosecutor), and a copy of the proposed Avigation Easement. We will forward a draft copy of this information to the County for review and we will make any required revisions. Upon approval by the County, we will forward the solicitation and other information to five appraisers and request that they submit proposals to the County. Once the appraiser has been selected by the County, we will coordinate execution of the agreement and the appraisal process. A copy of the appraisal report will be submitted to the County and, on approval by the County, we will submit a copy to the Review Appraiser.
3. **Coordination of Review Appraisal.** Once the name of the appraiser is known, we will prepare a solicitation for proposals for the review appraisal for the County. The solicitation will include the name of the selected appraiser, the required FAA contract clauses, a copy of the proposed review appraisal agreement, a copy of FAA review appraisal requirements, a copy of the title report prepared by the County, and a copy of the proposed Avigation Easement. We will forward a draft copy of this information to the County for review and we will make any required revisions. Upon approval by the County, we will forward the solicitation and other information to four appraisers and request that they submit proposals to the County. Once the review appraiser has been selected, we will coordinate execution of the agreement and the review appraisal process. A copy of the review appraisal report will be submitted to the County for acceptance and negotiations (we assume that the Commissioners will perform negotiations).

B. Design Services.

1. **Tree Clearing Plan and Specs.** We will prepare a plan and specifications for the required tree clearing. The plan will show the location of the trees to be removed. The specifications will cover the clearing, seeding and mulching. We will also prepare a draft solicitation letter for proposals, FAA contract clauses, federal wage rates, and any other FAA required documents. A draft copy of these documents will be forwarded to the County for review and comment. Any required revisions will be made and a final set forwarded to the County.

(SECTIONS C, D & E CAN BE SEEN IN FULL IN THE Co. AIRPORT AND/OR '16 CONTRACT FILES)

The maximum fee, not to be exceeded without prior approval by the COUNTY, will be \$17,700.

Approved as to form:
Magaret B. Hays
 Asst. Pros. Atty.

X Michael E. Stegall
X Diane L. Delaplane
X Michael W. Rhoades
 Board of Darke County Commissioners

IN THE MATTER OF RATE OF PAY CHANGES FOR COMMUNITY DEVELOPMENT/GRANTS DEPT. ADMINISTRATIVE ASSISTANT AND ANIMAL CONTROL OFFICER

Mrs. Delaplane moved to approve the following "Rate of Pay Changes"; motion seconded by Mr. Rhoades and all voted YEA.

This is to notify you that effective **November 27, 2016**, the rate of pay for **Sally J. Keiser, Administrative Assistant**, in the Office of the **Community Development/Grants Department** will be changed from **\$13.50** per hour to **\$14.00** per hour to be paid **Bi-Weekly**.

WITNESS MY HAND AND OFFICIAL SEAL THIS 23rd DAY OF November 2016.

SIGNED *Michael Stolt*

TITLE Chairman

DATE 11/23/16

This is to notify you that effective **December 11, 2016**, the rate of pay for **Brittany L. Dabe, Animal Control Officer** will be changed from **\$12.50** per hour to **\$13.00** per hour to be paid **Bi-Weekly**.

WITNESS MY HAND AND OFFICIAL SEAL THIS 23rd DAY OF November 2016.

SIGNED *Michael Stolt*

TITLE Chairman

DATE 11/23/16

IF CIVIL SERVICE EMPLOYEE, COMPLETE THE FOLLOWING:

APPROVED BY: *Michael Stolt*

Oris Rhoades

Michael Rhoades

Darke County Board of Commissioners

IN THE MATTER OF PAY INS

Pay In#088672	Received of Commissioners	Co.-Juv./Probate Crt. – postage reimb.of mass mailings	\$1,362.60
Pay In#088703	Received of Commissioners	Co. Veh. Maint. Dept.-charges for services (Sheriff & JFS)	\$3,204.68

IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS

**None

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

MICHAEL E. STEGALL

ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

DIANE L. DELAPLANE

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 County Coroner, Co. Treasurer, and DC Soil & Water, all separately, for their 2017 Appropriations.

**Commissioner Rhoades and Grants Consultant Susan Laux had a conference call with the Federal Aviation Administration (FAA) regarding the Darke Co. Airport.