

BCC

MINUTES

3/21/2023

**REGULAR SESSION #19 TUESDAY, MARCH 21, 2023 9:53 A.M.**

**MEMBERS PRESENT: JUDY DODGE, DEBBIE LIEBERMAN, AND CAROLYN RICE**

**STAFF PRESENT: Michael Colbert, Amy Piner, Kery Gray, Melissa Sutter, and Emily Bradford.**

**CALL TO ORDER: COMMISSIONER DEBORAH LIEBERMAN**

**ROLL CALL: CLERK, BOARD OF COUNTY COMMISSIONERS**

23-0388 RESOLUTION AUTHORIZING APPROPRIATION AMENDMENTS BY TRANSFER AS INDICATED ON THE ATTACHED REPORT AND MADE A PART HEREOF. J.D. - C.R. - D.L.

23-0389 RESOLUTION AUTHORIZING ADDITIONAL APPROPRIATIONS AS INDICATED ON THE ATTACHED REPORT AND MADE A PART HEREOF. J.D. - C.R. - D.L.

23-0390 RESOLUTION AUTHORIZING APPROPRIATION DECREASES AS INDICATED ON THE ATTACHED REPORT AND MADE A PART HEREOF. J.D. - C.R. - D.L.

Commissioner Dodge moved to recess the Regular Meeting at 9:55 a.m. to Executive Session to discuss Appointments, Dismissals, Promotions, Job Postings, Negotiations, Resignations, Discipline, Pending Litigation, Employments, Real Estate, and Economic Development and was seconded by Commissioner Rice. Upon call of the roll, the following vote resulted: Mrs. Rice, aye; Ms. Dodge, aye; Mrs. Lieberman, aye; Carried.

The Executive Session to discuss Appointments, Dismissals, Promotions, Job Postings, Negotiations, Resignations, Discipline, Pending Litigation, Employments, Real Estate, and Economic Development was called to order at 9:56 a.m.

Minutes – Executive Session – Personnel Matters – Michael B. Colbert

Personnel Actions were presented by Michael B. Colbert. The actions included postings, fulltime regular appointment, wage continuation, amendment, promotion (within department), reinstate from separation, temporary pay supplement, administrative leave with pay, termination (voluntary), seasonal end, rescind, and other miscellaneous personnel matters.

The Commissioners reviewed the actions.

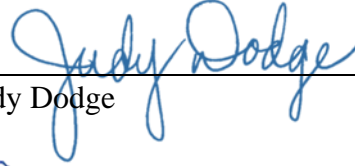
The Executive Session adjourned at 10:55 a.m.

The Regular Session reconvened at 10:56 a.m.

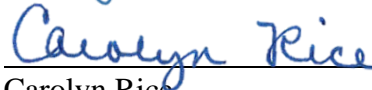
No further business to come before the Board, Commissioner Lieberman adjourned the meeting at 10:57 a.m.



Deborah A. Lieberman, President



Judy Dodge



Carolyn Rice

I hereby certify that the foregoing is a true and correct copy of the minutes of the Regular Meeting of the Board of County Commissioners held at 9:53 a.m. Tuesday, March 21, 2023.



Emily Bradford, Clerk  
Board of County Commissioners  
Montgomery County, Ohio



**Executive Session – March 21, 2023**

**Minutes- Executive Session – Personnel Matters – Michael Colbert**

Personnel Actions were presented by Michael Colbert. The actions included, Postings, Fulltime Regular Appointment, Wage Continuation, Amendment, Promotion (Within Department), Reinstatement from Separation, Temporary Pay Supplement, Administrative Leave with Pay, Termination (Voluntary), Seasonal End, Rescind.

Commissioners reviewed the actions.

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Executive Session ended at 10:55.

**REGULAR SESSION #20 TUESDAY, MARCH 21, 2023 1:30 P.M.**  
**MEMBERS PRESENT: JUDY DODGE, CAROLYN RICE, AND DEBORAH A. LIEBERMAN**

**COMMISSIONER DEBORAH A. LIEBERMAN CALLED THE MEETING TO ORDER AT 1:30 P.M.**

**ROLL CALL: Clerk, Board of County Commissioners**

**PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.**

The Board met in Regular Session pursuant to adjournment with the following members present: Deborah A. Lieberman, Carolyn Rice, and Judy Dodge.

Brian Baker, Animal Care & Control Crew Leader, brought Mary Puppins, a one-year-old pitbull mix, to the Commission meeting. Mary Puppins, as well as many of her four-legged friends, are available for adoption at the Animal Resource Center. Adoption fees are only \$20 and the dogs will be neutered/spayed and microchipped to ensure maximum safety and health for the pet. Mr. Baker mentioned that the week of April 9<sup>th</sup> through April 15<sup>th</sup> is National Animal Care and Control Officer Appreciation Week. The Animal Care and Control officers at the Animal Resource Center work tirelessly each day to ensure the safety and safe return of hundreds of dogs in Montgomery County each year. The Commissioners thanked Mr. Baker and the employees at the Animal Resource Center for their dedication to the animals at the ARC.

Clerk of Courts Mike Foley served as the Chairperson for last year's United Way Workplace Giving Campaign, which ran through the month of September. He thanked the Montgomery County employees for donating their time and money to make this campaign a success. He also thanked Elle Sollenberger and the steering committee for the work they do to brainstorm and implement inventive and creative fundraising ideas. The workplace events raised double the proceeds from the previous year. The total contribution raised by Montgomery County employees was \$66,268. Tom Kelley, Antoinette Hampton, and Stephanie Morris attended the meeting on behalf of the United Way of Greater Dayton and Mr. Foley thanked them for providing the necessary tools for a successful campaign. Mr. Kelley thanked the Commissioners, Administration, and staff for trusting the United Way to fulfill their mission by helping families improve their lives. The Commissioners thanked Mr. Foley, Mr. Kelley, and all volunteers who worked hard each year to guarantee a successful campaign.

- 23-0391 RESOLUTION APPROVING REVISIONS TO THE MONTGOMERY COUNTY PERMISSIVE TAX FUNDING MUNICIPAL REIMBURSEMENT PROGRAM MANUAL. J.D. - C.R. - D.L.
- 23-0392 RESOLUTION AUTHORIZING THE HONORARY DESIGNATION FOR A PERIOD OF TWO YEARS OF A SECTION OF NORTH DIXIE DRIVE IN BUTLER TOWNSHIP AS "VETERANS PARKWAY." J.D. - C.R. - D.L.
- 23-0413 RESOLUTION REJECTING THE LOWEST BID FOR THE MONTGOMERY

COUNTY ENGINEER'S OFFICE SALT BARN PROJECT AND AUTHORIZING AN AGREEMENT WITH OUTDOOR ENTERPRISE AT THEIR LOWEST AND BEST BID OF \$758,905.00. THE TERM OF THIS AGREEMENT SHALL BE FROM THE DATE OF EXECUTION BY ALL PARTIES AND SHALL TERMINATE DECEMBER 31, 2023. J.D. - C.R. - D.L.

23-0393 RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE MONTGOMERY COUNTY SHERIFF'S OFFICE AND MARK STEGEMOLLER PREA CONSULTANT LLC AT A COST NOT TO EXCEED \$5,500 TO CONDUCT THE PRISON RAPE ELIMINATION ACT AUDIT FOR THE MONTGOMERY COUNTY JAIL. C.R. - J.D. - D.L.

23-0394 RESOLUTION AUTHORIZING THE APPROVAL OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE MONTGOMERY COUNTY SHERIFF AND THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION-CIVILIAN UNIT EFFECTIVE JANUARY 1, 2023 THROUGH AND INCLUDING DECEMBER 31, 2025 C.R. - J.D. - D.L.

23-0395 RESOLUTION AUTHORIZING AN AGREEMENT WITH SADLER-NECAMP FINANCIAL SERVICES, INC., D.B.A. SOFTTEC, TO PROVIDE THE COURT THE DOCKET DISPLAY & CHECK-IN MODULES FOR THE MONTGOMERY COUNTY JUVENILE COURT'S JUVENILE CASE MANAGEMENT SYSTEM (JCS) FOR A TOTAL OF \$26,100.00. THE MODULE TO BE PURCHASED AND INSTALLED BY DECEMBER 31, 2023. J.D. - C.R. - D.L.

The minutes, having been provided to each Commissioner in written form, were received and Mrs. Rice moved to approve the minutes of the meetings on March 14, 2023, seconded by Ms. Dodge and they were approved as written. Mrs. Rice, aye; Mrs. Lieberman, aye; Ms. Dodge, aye: Carried.

23-0396 RESOLUTION AUTHORIZING THE PAYMENT OF 990 VOUCHERS FOR A GRAND TOTAL OF \$5,401,853.93 FOR THE PERIOD ENDING MARCH 21, 2023, AND APPROVING CERTAIN CERTIFICATES OF THE COUNTY AUDITOR; AND RECOGNIZING THE PAYMENT OF BILLS AUTHORIZED BY THE COUNTY ADMINISTRATOR OR HIS DESIGNEE. C.R. - J.D. - D.L.

23-0397 RESOLUTION AUTHORIZING PAYMENT OF ALL REIMBURSEMENTS AND EXPENSES FOR THE PERIOD ENDING MARCH 21, 2023. C.R. - J.D. - D.L.

23-0398 RESOLUTION ACCEPTING THE OATH OF OFFICE FOR KARL KEITH, COUNTY AUDITOR FOR MONTGOMERY COUNTY, IN ACCORDANCE WITH OHIO REVISED CODE 319.02. C.R. - J.D. - D.L.

23-0399 RESOLUTION APPROVING ALL PERSONNEL ACTIONS INCLUDED ON

THE SUMMARY LIST ATTACHED HERETO AND MADE A PART HEREOF AND RECOGNIZING THE PERSONNEL ACTION(S) AUTHORIZED BY THE COUNTY ADMINISTRATOR OR HIS DESIGNEE. J.D. - C.R. - D.L.

- 23-0400 RESOLUTION SELECTING THE BID AND AUTHORIZING AN AGREEMENT WITH BECKER CONSTRUCTION FOR THE MONTGOMERY COUNTY JAIL LOBBY SECURITY PROJECT AT SOLE BID OF \$94,850.00. THE TERM OF THIS AGREEMENT SHALL BE FROM THE DATE OF EXECUTION BY ALL PARTIES AND SHALL TERMINATE SEPTEMBER 1, 2023. J.D. - C.R. - D.L.
- 23-0401 RESOLUTION AMENDING RESOLUTION NO. 21-0174 WHICH AUTHORIZED EXECUTION OF A PURCHASE AGREEMENT WITH VERIZON CONNECT FLEET USA LLC, NOW KNOWN AS VERIZON CONNECT, FOR A SUBSCRIPTION FOR VEHICLE TRACKING FOR THE MONTGOMERY COUNTY ENVIRONMENTAL SERVICES DEPARTMENT BY ADDING AN ADDITIONAL 10 SUBSCRIPTIONS FOR A TOTAL OF 210 VEHICLE TRACKING SUBSCRIPTIONS. J.D. - C.R. - D.L.
- 23-0402 RESOLUTION AUTHORIZING CHANGE ORDER NO. ONE TO THE PREVIOUSLY AUTHORIZED AGREEMENT, AUTHORIZED BY RESOLUTION NO. 22-1358, DATED AUGUST 30, 2022, WITH BECKER CONSTRUCTION INC., GENERAL CONTRACTOR, FOR THE MONTGOMERY COUNTY ADMINISTRATION BUILDING 9TH FLOOR RENOVATION PROJECT, FOR AN INCREASE IN THE WORK SCOPE OF \$44,453.00 FROM THE PRESENT CONTRACT PRICE OF \$1,355,500.00 TO THE REVISED CONTRACT PRICE OF \$1,399,953.00. J.D. - C.R. - D.L.
- 23-0403 RESOLUTION AUTHORIZING MONTGOMERY COUNTY ENVIRONMENTAL SERVICES TO ACCEPT THE SUB-DIVIDER'S CONTRACT FROM RESTAURANT HOLDING LLC FOR THE TACO JOHN'S DEVELOPMENT. C.R. - J.D. - D.L.
- 23-0404 RESOLUTION AUTHORIZING MONTGOMERY COUNTY ENVIRONMENTAL SERVICES TO ACCEPT THE OFFICIAL CHECK FOR THE MAD RIVER ROAD SANITARY SEWER EXTENSION DEVELOPMENT IN THE AMOUNT OF \$5,000.00. C.R. - J.D. - D.L.
- 23-0405 RESOLUTION AUTHORIZING AN AMENDMENT NO. 1 TO RESOLUTION NO. 21-1209 WITH STANTEC CONSULTING SERVICES, INCORPORATED FOR PREPARATION OF DETAILED CONSTRUCTION PLANS AND SPECIFICATIONS FOR PROJECT NO. 130026-27, SANITARY SEWER HYDRAULIC MODELING AND FLOW MONITORING, BY ADDING \$372,769.00 TO THE ORIGINAL AMOUNT OF \$876,060.00 FOR A TOTAL OF \$1,248,829.00 DUE TO A CHANGE IN THE SCOPE OF WORK. C.R. - J.D. - D.L.

- 23-0406 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH OUTDOOR ENTERPRISE, LLC FOR CONSTRUCTION OF PROJECT NO. 130026-25, RV DUMP STATION TO EXTEND THE TERM OF THE AGREEMENT FROM MARCH 31, 2023 TO JUNE 30, 2023, AT NO ADDITIONAL COST TO THE COUNTY. REVISE PO 220003871 TO REFLECT NEW DATE. C.R. - J.D. - D.L.
- 23-0407 RESOLUTION AUTHORIZING AN AGREEMENT WITH OHIO STATE UNIVERSITY EXTENSION, MONTGOMERY COUNTY, FOR PURPOSES PRESCRIBED IN OHIO REVISED CODE (ORC) SECTION 3335.36 AT A COST NOT TO EXCEED \$223,770. THE TERM OF THIS AGREEMENT SHALL BE FROM THE DATE OF EXECUTION THROUGH DECEMBER 31, 2023. J.D. - C.R. - D.L.
- 23-0408 RESOLUTION AMENDING THE TERMS OF THE COUNTY OF MONTGOMERY, OHIO HEALTH CARE FACILITES REVENUE BONDS, SERIES 2009 (COMMUNITY BLOOD CENTER) TO PERMIT USE OF SOFR IN LIEU OF LIBOR IN THE COMPUTATION OF INTEREST RATES. J.D. - C.R. - D.L.
- 23-0409 RESOLUTION AUTHORIZING AN AGREEMENT WITH COUNCIL FOR CLOTHES THAT WORK TO PROVIDE JOB READINESS BASIC SKILLS WORKSHOPS FOR EMPLOYABLE YOUTH OF MONTGOMERY COUNTY IN AN AMOUNT NOT TO EXCEED \$49,500 THROUGH DECEMBER 31, 2023. C.R. - J.D. - D.L.
- 23-0410 RESOLUTION AUTHORIZING A DELEGATION OF ACTIVITIES AGREEMENT WITH THE MIAMI VALLEY FAIR HOUSING CENTER, IN AN AMOUNT NOT TO EXCEED \$100,000.000 FOR THE PROVISION OF FAIR HOUSING SERVICES IN MONTGOMERY COUNTY, OHIO, THROUGH FEBRUARY 15, 2024. C.R. - J.D. - D.L.
- 23-0411 RESOLUTION AUTHORIZING THE APPOINTMENT OF SYLVIE STEWART TO THE MONTGOMEY COUNTY REENTRY COUNCIL TO FILL AN UNEXPIRED TERM, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2024. J.D. - C.R. - D.L.
- 23-0412 RESOLUTION AUTHORIZING THE REAPPOINTMENT OF STEPHANIE KEINATH AS A MEMBER OF THE BOARD OF TRUSTEES OF THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT FOR A TERM BEGINNING FEBRUARY 1, 2023 THROUGH JANUARY 31, 2025. J.D. - C.R. - D.L.

**COMMENTS BY ADMINISTRATOR:**

Mr. Colbert thanked all who came to the Legislative Luncheon at the Employment Opportunity



Center on Monday, March 20, 2023. Along with many of the department directors and local elected officials, state representatives, a member of the Ohio Board of Education, and representatives from Governor DeWine's Office, the State Auditor's Office, Secretary of State, and State Treasurer's Office were in attendance. He was pleased they were able to attend and hear about some of the county's priorities and challenges.

#### COMMENTS BY COMMISSIONERS:

Commissioner Lieberman announced that the Spring Job Fair will take place Thursday, April 27<sup>th</sup> from noon to 4 p.m. at the University of Dayton Arena. Interested individuals can register online at [TheJobCenter.org](http://TheJobCenter.org). More employers can get involved by going to the link on the website to sign up for a booth. There are also Job Fair Readiness Workshops set to take place for interested job seekers. There will be two sessions and they will take place on Tuesday, April 11<sup>th</sup> at 10 a.m. and 1 p.m. at The Job Center – 1111 Edwin C. Moses Blvd. in Dayton. Participants can expect to learn job search skills, get assistance building resumes, and work on mock interviews.

Commissioner Dodge mentioned that Job & Family Services employees are decorating postcards this week with words of encouragement to be included in the Dayton Foodbank's Good-to-Go Backpack program for children facing food insecurity. The goal is to provide nutritious snacks along with the notes to let children know they are special and that the community cares about them. Eliminating hunger and poverty is a key priority for Family Assistance and Children Services caseworkers, as it is with the Board of County Commissioners. She thanked those JFS employees for their efforts. March is also Social Work Month. She and the Commissioners appreciate the hard work of the social workers employed by Children Services. The county is currently hiring caseworkers and people can apply at [www.mcoho.org](http://www.mcoho.org).

Commissioner Rice announced that the Recycled Art Contest is currently taking place at the Environmental Learning Center. K-12 students in Montgomery County are encouraged to create a unique piece of art from recyclable materials. Students may submit individually or as a team of two or four. The deadline to register the sculpture is April 8<sup>th</sup> and completed sculptures must be dropped off at the Boonshoft Museum of Discovery on Thursday, May 4<sup>th</sup>. More information about the program is available at [www.mcoho.org/ELCContestsandProjects.org](http://www.mcoho.org/ELCContestsandProjects.org).

There being no further business to come before the Board, Commissioner Dodge made a motion to adjourn the meeting at 2:19 p.m., seconded by Commissioner Rice. Motion carried.

  
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Deborah A. Lieberman, President

  
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Judy Dodge

  
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Carolyn Rice

I hereby certify that the foregoing is a true and correct copy of the minutes of the Regular Meeting of the Board of County Commissioners held at 1:30 p.m. Tuesday, March 21, 2023.



Emily Bradford, Clerk  
Board of County Commissioners  
Montgomery County, Ohio