

IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of April, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the practice of using "Then and Now Certificates" has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of "Then and Now Certificates", does hereby approve the following:

<u>Check #</u>	<u>Amount</u>	<u>Vendor</u>
382593	\$ 239.65	City of St. Mary's
382608	\$ 531.35	Perry ProTech
382616	\$ 2,560.00	Susan Harrod
382624	\$ 165.00	Pitney Bowes
382647	\$ 210.17	Konica Minolta
382668	\$ 240.00	Treasurer of State
382668	\$ 4,200.00	Treasurer of State
382685	\$ 1,462.01	Prenger Implement Store, Inc.
382753	\$ 159.00	US Bank
382787	\$ 200.00	Treasurer, State of Ohio

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
8th day of
April, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: County Auditor

IN THE MATTER OF AUTHORIZING AARON MAASSEL, ATTORNEY, TO REPRESENT THE AUGLAIZE COUNTY AT THE REVOLVING LOAN FUND PROCEEDINGS AND COMPLY WITH ALL REGULATIONS FOR THE REVOLVING LOAN TO ACS REAL ESTATE LCC AND TMA, INC.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of April, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize County has established a Revolving Loan Fund (RLF) to assist with the Economic Development growth to businesses of Auglaize County; and,

WHEREAS, Auglaize County has agreed to make a Revolving Loan to ACS Real Estate, LLC and TMA, Inc. in the maximum principal amount of \$200,000.00; and,

WHEREAS, the loan amount will be \$146,500.00; and,

WHEREAS, once an application for economic development loan funds has been submitted certain procedures, as mandated by the Ohio Department of Development Office of Housing and Community Partnership (OHCP), must take place; and,

WHEREAS, said procedures include the filing of security interests, performing loan closings and any other legal issues associated with said loan; and,

WHEREAS, it is the recommendation by the OHCP that the loan proceedings be overseen by the legal counsel for Auglaize County or an appointed representative thereof; and,

WHEREAS, it is the recommendation of the Anchor Financial Services that the Board of County Commissioners appoint Aaron Maassel, Attorney, 1168 North Main Street, Bowling Green, OH 43402, to represent said Auglaize County Revolving Loan.

THEREFORE BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize Aaron Maassel, Attorney, to represent the Auglaize County Revolving Loan Fund proceedings and comply with all state regulations for the Auglaize County Revolving ACS Real Estate, LLC and TMA.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of ~~the~~ Resolution as follows:

Adopted this
8th day of
April, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS AND AWARDING THE BID TO TUMBUSCH CONSTRUCTION INC. FOR THE CDBG F.Y. 2013 ALLOCATION/NEIGHBORHOOD REVITALIZATION GRANT PROJECT: "VILLAGE OF WAYNESFIELD NORTH WESTMINSTER STREET IMPROVEMENT", USING FY '13 CDBG ALLOCATION/NEIGHBORHOOD REVITALIZATION FUNDS; AND AUTHORIZING THE EXECUTION OF CONTRACT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of April, 2014.

Commissioner Spencer moved the adoption of the following:
RESOLUTION

WHEREAS, in Resolution #14-148 dated March 13, 2014, the Board of County Commissioners set this date, March 27, 2014 at 11:00 a.m. as the date and time to receive and open bids for Village of Waynesfield's North Westminster Street Improvement Project to be funded through FY 2013 CDBG Allocation and Revitalization Programs; and,

WHEREAS, Project Manager, Craig Mescher, from Access Engineering Solutions, did open two (2) bids for said project; same being as follows:

From: Miller Contracting Group Inc.	Bid
17359 SR 66, Ottoville, OH 45876	\$893,781.50
Tumbusch Construction, Inc.	
401 Stachler Dr., St. Henry, OH 45883	\$805,026.02

Estimate - \$825,000.00

and,

WHEREAS, those present at the time of the bid opening were: Clerk Esther Leffel, Waynesfield Administrator Fred Rowe; Access Engineering Solutions, Craig Mescher and two bidders; and,

WHEREAS, the Board presented the bids, as received, to Access Engineering Solutions, for review, requesting that upon the completion of said review a letter of recommendation as to bid award be submitted to the Board; and,

WHEREAS, Access Engineering Solutions submitted a letter of recommendation to award the bid to Tumbusch Construction Inc. of St. Henry, Ohio, who appears to be the lowest, responsible bidder.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby document the receipt and opening of the above mentioned bids for the Village of Waynesfield's North Westminster Street Improvement Project being funded with F.Y. '13 CDBG Allocation/NRG Programs; and,

BE IT FURTHER RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby award the bid for the Village of Waynesfield's North Westminster Street Improvement Project to Cotterman & Company Inc. in the amount of \$805,026.02, using FY '13 CDBG Allocation/NRG Program funding; and.

BE IT STILL FURTHER RESOLVED, that said Board of County Commissioners does authorize contract and sustaining documentation to be prepared for this award; and does further authorize the execution of the project contract by the Board of County Commissioners.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
8th day of
April, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman Yes
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula Yes
Don Regula

- ✓cc: Poggemeyer Design Group – Gayle Flaczynski
- Bidders ✓✓
- ✓Access Engineering Solutions
- ✓Village of Waynesfield

County Commissioners Office
Auglaize County, Ohio
April 8, 2014

NO. 14-190

IN THE MATTER OF AUTHORIZING THE SUBMISSION OF AN APPLICATION AND ENVIRONMENTAL REVIEW – CATEGORICALLY EXCLUDED (CE) DOCUMENTATION TO THE STATE OF OHIO, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS AND EXECUTION OF LOAN DOCUMENTS ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS FOR ITS REVOLVING LOAN FUND.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of April, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize County has agreed to make a Revolving Loan to ACS Real Estate, LLC and TMA, Inc. in the maximum principal amount of \$200,000.00; and,

WHEREAS, the loan amount will be \$146,500.00.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Auglaize County, Ohio does hereby approve the loan documents as presented; and,

BE IT FURTHER RESOLVED that the Board does authorize the President of the Board of County Commissioners to execute said loan documents; and,

BE IT FURTHER RESOLVED that said loan documents be hereto attached and thus become a part of this Resolution.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
8th day of
April, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula Yes
Don Regula

cc: Anchor Financial Services



Office of Housing and Community Partnerships
RLF Grant/Loan Review Report Form

Economic Development Loan
Infrastructure Grant

Application No. (For OHCP Use Only)

Grantee: Auglaize County
Contact Person: Beth E. Granger
Telephone: 419-222-0130
E-mail: bgranger@anchorsba.com
Fax: 419-222-8211

Applicant/Business: ACS Real Estate, LLC / Thermal Maintenance /
FTI #: 46-5131297/46-5120257 NAICS: 238310
Name of Borrower: Kyle/Emily Goubeaux
Title: Owner
Address: 920 Rosewood Creek Drive
City: Troy
State: Ohio Zip+4: 45373

Date Environmental Review Submitted:

PROJECT DESCRIPTION (include a description of all activities in the project not just funded activities)

Retention Expansion New Business

New Square Footage to be built or leased:

The project is a change of ownership for the business. The business purchase price totals \$750,000. Of that price, \$146,500 is for fixed assets - real estate and equipment.

COST ESTIMATE Attach an itemized cost estimate.

Have you verified the cost estimates and are costs reasonable? Yes No

FUNDABILITY (include all project costs in the project not just funded activities)

Table with columns: Use, Source, Total, % of Total, Rate, Term, Collateral (LB, ME)

If project includes purchase of machinery and/or equipment, list the cost of installation
What percent of the equipment costs is installation 0.00% % None - includes existing M&E

Is this project subject to federal Labor Standards? Yes No
If "no" explain why not? No new construction in the project.

Personal Guarantee Yes No
Keyman Life Insurance Yes No
Other:

Total Project Amount: \$750,000
Private Funds Maximized: Yes No
All Private Funds Committed Amount: \$453,500 60.5 %

Equity Maximized: Yes No
Equity Amount: \$150,000 20%
Type of Gap (Complete a or b as appropriate)
a. Financing Gap: \$146,500
Amount of CDBG Request: \$146,500
Amount of CDBG Approved:
b. Rate of Return Gap:
Rate of Return w/ Assistance:
Rate of Return w/o Assistance:

Verification of other private/public funding: Yes No
Has the borrower agreed to terms in writing: Yes No

Briefly explain how the amount, rate, and term of assistance is "appropriate" in terms of making the project financially feasible:

State assistance is a major factor in the advancement of this project. A large amount of capital is necessary to purchase the business. Funding is already committed by Huntington Bank and the seller. Gap financing is necessary to obtain the fixed assets of the project. Auglaize County RLF is offering \$146,500 payable over a 10 year term at a 4.25% interest rate, an amount consistent with the borrower's needs at a rate appropriate given the current rate environment and the tax revenue the project will generate to Federal, state, and local government.

NATIONAL OBJECTIVE DETERMINATION

Existing FTE Jobs:	<table border="1"><tr><td>8</td></tr></table>	8	Retained:	<table border="1"><tr><td>6</td></tr></table>	6
8					
6					
FTE Jobs Created:	<table border="1"><tr><td>0</td></tr></table>	0	Retained:	<table border="1"><tr><td>4</td></tr></table>	4
0					
4					
LMI FTE Jobs Created:	<table border="1"><tr><td>0</td></tr></table>	0			
0					
% LMI FTE Jobs Created/Retained:			67%		

LMI Verification Method: _____
 Agency (name) Anchor Financial Services

Employer Screening

MBE

WBE

OTHER PUBLIC BENEFITS TO BE DERIVED

Repayments will be added to the RLF fund to be relent to future borrowers.

ACQUISITION/RELOCATION ACTIVITIES

Check all the items listed below that apply to the entire scope of the project:

- Acquisition of Easements
- Acquisition of Vacant Land
- Acquisition of Land and Building
- Donation of Property or Easements

Value Determined By:

- Appraisal
- Appraisal and Review Appraisal
- Person in the Field Knowledgeable of Value
- Waiver Appraisal (value less than \$10,000)

Rehabilitation (type of structure and previous use: _____)

Demolition of:

- Residential
- Non-Residential

Persons Name and Title _____

If any of the above are checked, attach a completed "Acquisition Relocation Questionnaire" with this Report Form and attachments. The form is located on OHCP's website at <http://www.odod.state.oh.us/cms/uploadedfiles/CDD/OHCP/OHCPAcq-RelocationQuestionnaire.pdf> By completing this Questionnaire, potential Uniform Relocation and Real Property Policies Act of 1970 as amended liability can be identified. Grantees who identify a potential liability in this area should contact OHCP before finalizing the project cost and implementing the project.

None of the above listed items apply to the project.

I hereby certify that the above information is true and correct to the best of my knowledge, and is based upon the required "Appropriate Analysis" and "National Objective" determination.

John N Bergman
 Signature (Chief Elected Official)

John N. Bergman
 Typed Name

President, Auglaize Co. Bd of Commission
 Title

April 8, 2014
 Date

Have the applicant (or user), related companies, or any officers:

- a. Been convicted of a felony? Yes No
- b. Been convicted of or enjoined from any violation of state or federal securities law? Yes No
- c. Been a party to any consent order or entry with respect to an alleged state or federal securities law violation? Yes No
- d. Been a defendant in a civil or criminal action? Yes No

If you have answered yes to any of the above please attach a separate sheet as an explanation.

As an authorized agent of the Applicant, I hereby submit this Financial Assistance Application. I understand that any false statement in this record may subject the Applicant Company and Signer to criminal prosecution. I understand that additional information may be requested. I also understand that this document in no way constitutes a commitment of funds by the State of Ohio for any of its programs.

I hereby represent and certify that I have reviewed the information contained in the Financial Assistance Application, the Ohio Job Creation Tax Credit Supplemental Information and the foregoing and attached information, to the best of my knowledge and belief, is true, complete and accurately describes the proposed project for which the tax credit is being sought. I am aware of Ohio Revised Code Sections 9.66(C) and 2921.13(D)(1) which outline penalties for falsification which could result in the return of all credits/monies received and the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months. I further agree to inform the Authority of any changes in the foregoing information which may occur prior to the time the applicant and the Chairman of the Authority execute a Tax Credit Agreement. Further, I hereby authorize the Ohio Department of Development to contact the Ohio Environmental Protection Agency to confirm statements contained within this application and to review applicable confidential records.

The undersigned, on behalf of the applicant, understands and acknowledges that even though the information contained in this application, or which may hereafter be communicated to the Authority, contains confidential and proprietary information, it may be subject to public disclosure during deliberations of the Authority at public meetings regarding the project, in the minutes of the Authority's public meetings, and in circumstances described in Ohio Revised Code Section 122.17(G). Further, I hereby authorize the Ohio Department of Development and the Authority to release to the public the name of our business entity, the identity of our business entity's parent, a description of the project, the location of the project, the number of jobs we are committing to create and retain, the amount of our capital investment in the project, and the business entity's contact person and office address and telephone number.

<u>Company Signature</u>	Kyle Goubeaux	President	
<i>John N Bergman</i>	<u>Typed Name</u>	<u>Title</u>	<u>Date</u>
<u>Community CEO Signature</u>	John Bergman	Commission President	4/8/14
(if applicant)	<u>Typed Name</u>	<u>Title</u>	<u>Date</u>
	Julie Jurosic	Dir. Corporate Development	
<u>Other Signature</u>	<u>Typed Name</u>	<u>Title</u>	<u>Date</u>



**CERTIFICATION OF
DETERMINATION OF SUBSEQUENT EXEMPTION FOR A
CATEGORICAL EXCLUSION PROJECT**

The Auglaize County Board of Commissioners requests that the State of Ohio release Federal funds under Section 104 (g) of Title I of the Housing and Community Development Act of 1974, as amended; Section 288 of Title II of the Cranston Gonzales National Affordable Housing Act (NAHA), as amended; and/or Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended; to be used for the following projects:

Project Name
(if applicable)/

<u>Activity Name</u>	<u>Location</u>	<u>Activity No.</u>	<u>Activity Amt.</u>	<u>Grant Agreement No.</u>
Thermal Maintenance Acquisition, Inc.	13444 Cemetery Rd., Wapakoneta, OH	Purchase real estate	\$125,000	RLF
		Purchase equipment	\$21,500	RLF

An Environmental Review Record (ERR) has been prepared for each of the projects listed above by the Auglaize County Board of Commissioners. The environmental review records are on file and available for the public's examination and copying, upon request, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays) at the address listed below.

Pursuant to the review, it is the finding of Auglaize County Board of Commissioner that the above listed projects were initially determined to be categorically excluded per 24 CFR 58.35 (a) (1 - 6), and in compliance with the applicable requirements of 24 CFR 58.6. Upon completion of the items in the Statutory Checklist, the Auglaize County Board of Commissioners has determined that there are no circumstances which require compliance with any other Federal laws and authorities cited in 24 CFR 58.5.

The above listed projects do not require an environmental impact statement or environmental assessment. No extraordinary circumstances exist for the projects. Therefore, pursuant to 24 CFR 58.34 (a) (12), the above projects can subsequently be determined to be exempt.

The environmental review was conducted by:

Beth E. Granger, CPA, Senior Analyst
Anchor Financial Services
915 W. Market Street, Suite C, Lima, OH 45805

I, as certifying officer, certify the accuracy of these statements:

John Bergman, President
Auglaize County Board of Commissioners
209 South Blackhoof Street, Room 201, Wapakoneta, OH 45895


Signature of Certifying Officer

4/8/14
Date

Submit Certification to:

Ohio Development Services Agency
Office of Community Development
Environmental Specialist
P.O. Box 1001
Columbus, Ohio 43216-1001



Categorical Exclusion Subject to Section 58.5 Worksheet

Grantee	ACS Real Estate, LLC / Thermal Maintenance Acquisition, Inc.
Grant Number	B-E-14-006-1
Activity Name	Purchase real estate and equipment
Activity Location	13444 Cemetery Road, Wapakoneta, OH 45895
Activity Description and Outcomes: Business acquisition, including the purchase of real estate and equipment	
Determination: <input type="checkbox"/> Categorical Exclusion Subject to Sec. 58.5 [per 24 CFR Section 58.35(a)] <input checked="" type="checkbox"/> Categorical Exclusion, Subsequently Exempt (No compliance or mitigation required for any of the listed statutes or authorities) [per 24 CFR Section 58.34(a)(12)]	
Preparer Name: Auglaize County Board of Commissioners, John Bergman, President	
Signature: <u>John N Bergman</u>	Date: 4/8/2014

IN THE MATTER OF RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE COUNTY LAW ENFORCEMENT CENTER CORRECTION SUPERVISORS UNIT AND CORRECTIONS OFFICERS UNIT REPRESENTED BY THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of April, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners has, through its authorized representatives, been in the process of negotiating a collective bargaining agreement with the Auglaize County Law Enforcement Center Corrections Supervisors Unit and Corrections Officers Unit represented by the Ohio Patrolmen's Benevolent Association; and,

WHEREAS, the negotiations have resulted in a tentative agreement being reached by the parties; and,

WHEREAS, the tentative agreement reflects changes to the current agreement; and,

WHEREAS, the tentative agreement has been ratified by the union; and,

WHEREAS, said agreement will take effect upon ratification by the Board of County Commissioners.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby ratify and approve the collective bargaining agreement with the Corrections Supervisors Unit and Corrections Officers Unit of the Auglaize County Law Enforcement Center represented by the Ohio Patrolmen's Benevolent Association; and,

BE IT FURTHER RESOLVED that a copy of the fully executed agreement, when complete be hereto attached and thus become a part of this Resolution; and,

BE IT STILL FURTHER RESOLVED that the terms of the agreement shall be in full force upon execution of said document to August 31, 2016.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
8th day of
April, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, *yes*
John N. Bergman

Douglas A. Spencer, *yes*
Douglas A. Spencer

Don Regula, *yes*
Don Regula

cc: Sheriff Allen Solomon
Labor Consultant – Patrick Hire