





January 15, 2010

Mr. Joseph Lenhart, Administrator  
Auglaize County  
209 South Blackhoof Street Room 201  
Wapakoneta, Ohio 45895

Re: Contract for Preparation of Auglaize County's FY 2010 CHIP Application  
Wood County, Ohio  
PDG Proposal No: 08-2009-2055

Dear Mr. Lenhart:

Poggemeyer Design Group, Inc. (PDG) is providing this letter contract for review and execution. PDG proposes to provide professional planning services to assist Auglaize County with preparation of its FY 2010 Community Housing Improvement Program (CHIP) Grant application (hereinafter referred to as the "project").

The County shall be responsible for providing a detailed summary of the requirements for the project, including any special considerations or services needed. In addition, the County will provide all pertinent existing data related to this project to PDG.

Basic services provided under this contract will consist of the following:

- Preparing the County's FY2010 CHIP Grant Application based on the identified strategies outlined in the County's 2005-2009 CHIS and subsequent Housing Advisory Committee recommendations.
- Assisting with the scheduling and convening of the required public hearings necessary for the submittal of the County's CHIP Grant Application.
- Assisting the County revamp its Housing Advisory Committee to include the prerequisite members stipulated by the Office of Housing and Community Partnerships.
- Convening the County's Housing Advisory Committee (HAC) for two meetings to review pertinent housing data, foreclosure information, and local housing conditions. PDG will provide an overview of the current CHIS strategies, and assist the HAC formulate the County's FY2010 CHIP housing activities.
- Submitting the CHIP Grant application to the State of Ohio - Office of Housing and Community Partnerships by the deadline date of Thursday, April 1, 2010.

PDG will complete these services following execution of this agreement by the April 1, 2010 CHIP Grant deadline.

The fee for providing these basic services is a time and expense fee based on PDG's current hourly rate schedule with a maximum fee of **\$10,000**, which includes reimbursables.



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If work activities are required which are not included in the basic services described above, PDG can provide these based on its current hourly rate schedule.

PDG will begin work on the project upon receipt of this executed letter contract and will complete its services within the time frame specified above.

This letter contract, with Exhibits A (1 page), B (1 page), and C (2 pages), represents the entire agreement between PDG and the County in respect to the project and may only be modified in writing after agreement by both parties. If this letter contract accurately reflects your understanding of our agreement, please sign both originals of this letter contract in the space provided below and return one original to PDG. This contract will be open for acceptance for a period of thirty (30) days, unless adjusted by PDG or the County in writing.

Should you have any questions, or require additional information, please do not hesitate to contact this office.

Sincerely,

POGGEMEYER DESIGN GROUP, INC.

  
Paul Z. Tecpanecatí, AICP  
Principal Owner

Accepted this \_\_ day of \_\_\_\_\_, 2010 by the undersigned who is duly and legally authorized to enter into such legal contracts for the above-referenced entity.

By: Don Regula  
Title: President of Board



## EXHIBIT A

### 1. **OWNER'S RESPONSIBILITIES**

OWNER shall provide all criteria and full information as to OWNER's requirements for the project and shall give prompt written notice to PLANNER whenever OWNER observes or otherwise becomes aware of any defect in the work. The OWNER may designate representatives to act with authority on OWNER's behalf on various aspects of the projects.

### 2. **REIMBURSABLE EXPENSES**

Reimbursable Expenses are included in the compensation fee for basic and additional services and are the actual expenses incurred by PLANNER or PLANNER's independent professional associates or consultants, directly or indirectly, in connection with the Project. These include expenses for transportation; toll telephone calls; reproduction of reports; pictures, and similar Project-related items.

### 3. **TERMINATION**

The obligation to provide further services under this Agreement may be terminated by either party (upon seven day's written notice) in the event of substantial failure by the other party to perform in accordance with the terms hereof, through no fault of the terminating party. In the event of any termination, PLANNER will be paid in full for all services rendered to the date of termination, all Reimbursable Expenses and termination expenses.

### 4. **SUCCESSORS AND ASSIGNS**

OWNER and PLANNER each is hereby bound as are the partners, successors, executors, administrators and legal representatives of OWNER and PLANNER in respect to any covenants, agreements and obligations of this Agreement. Nothing contained in this Agreement shall prevent PLANNER from employing such independent professional associates and consultants as PLANNER may deem appropriate to assist in the performance of services hereunder.

### 5. **LIMITATION OF LIABILITY CLAUSE**

The PLANNER's liability to the OWNER for any cause or combination of causes is, in the aggregate, limited to an amount no greater than the total compensation earned under this Agreement.



**EXHIBIT B**

**1. CERTIFICATE OF OWNER'S ATTORNEY**

I, \_\_\_\_\_, the undersigned, duly authorized and acting legal representative of \_\_\_\_\_, do hereby certify as follows:

I have examined the attached contract and the manner of execution thereof, and I am of the opinion that each of the aforesaid agreements has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have fully power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with terms, conditions and provisions thereof.

Date: \_\_\_\_\_

Seal:

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

**2. CERTIFICATION REGARDING THE AVAILABILITY OF FUNDS**

Attest: I, \_\_\_\_\_, Clerk/Auditor of \_\_\_\_\_ hereby certify that the money to meet this contract has been lawfully appropriated for the purpose of this contract and is in the treasury of \_\_\_\_\_, or is in the process of collection to the credit of the appropriate fund, free from prior encumbrance.

Date: \_\_\_\_\_

Seal:

Signed: \_\_\_\_\_

Title: \_\_\_\_\_


**GOVERNMENT BUSINESS AND FUNDING CONTRACTS**

In accordance with section 2909.33 of the Ohio Revised Code

**DECLARATION REGARDING MATERIAL ASSISTANCE/NONASSISTANCE TO A TERRORIST ORGANIZATION**

This form serves as a declaration by an applicant for a government contract or funding of material assistance/nonassistance to an organization on the U.S. Department of State Terrorist Exclusion List ("TEL"). Please see the Ohio Homeland Security Division Web site for a copy of the TEL.

Any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

For the purposes of this declaration, "material support or resources" means currency, payment instruments, other financial securities, funds, transfer of funds, and financial services that are in excess of one hundred dollars, as well as communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

**COMPLETE THIS SECTION ONLY IF YOU ARE AN INDEPENDENT CONTRACTOR**

LAST NAME		FIRST NAME		MI
HOME ADDRESS				
CITY		STATE	ZIP	COUNTY
HOME PHONE ( )		WORK PHONE ( )		

**COMPLETE THIS SECTION ONLY IF YOU ARE A COMPANY, BUSINESS OR ORGANIZATION**

BUSINESS/ORGANIZATION NAME Poggemeyer Design Group, Inc.			PHONE (419) 352-7537	
BUSINESS ADDRESS 1168 North Main Street				
CITY Bowling Green		STATE Ohio	ZIP 43402	COUNTY Wood
BUSINESS/ORGANIZATION REPRESENTATIVE NAME Paul Z. Tecpanecatl, AICP			TITLE Principal Owner	

**DECLARATION**

In accordance with section 2909.32 (A)(2)(b) of the Ohio Revised Code

For each question, indicate either "yes," or "no" in the space provided. Responses must be truthful to the best of your knowledge.

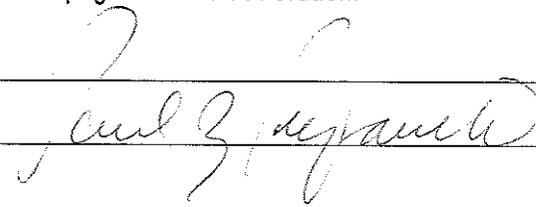
- Are you a member of an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you used any position of prominence you have with any country to persuade others to support an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you knowingly solicited funds or other things of value for an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you solicited any individual for membership in an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you committed an act that you know, or reasonably should have known, affords "material support or resources" to an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you hired or compensated a person you knew to be a member of an organization on the U.S. Department of State Terrorist Exclusion List, or a person you knew to be engaged in planning, assisting, or carrying out an act of terrorism?  Yes  No

If an applicant is prohibited from receiving a government contract or funding due to a positive indication on this form, the applicant may request the Ohio Department of Public Safety to review the prohibition. Please see the Ohio Homeland Security Web site for information on how to file a request for review.

**CERTIFICATION**

I hereby certify that the answers I have made to all of the questions on this declaration are true to the best of my knowledge. I understand that if this declaration is not completed in its entirety, it will not be processed and I will be automatically disqualified. I understand that I am responsible for the correctness of this declaration. I understand that failure to disclose the provision of material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List, or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree. I understand that any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided by myself or my organization. If I am signing this on behalf of a company, business or organization, I hereby acknowledge that I have the authority to make this certification on behalf of the company, business or organization referenced on page 1 of this declaration.

APPLICANT SIGNATURE	DATE
<b>X</b>	1-15-10



**IN THE MATTER OF AUTHORIZING THE SECUREMENT OF A NOTE FROM FIRST NATIONAL BANK IN NEW BREMEN FOR THE FREEMAN DITCH IMPROVEMENT AND THE FRITZ DITCH IMPROVEMENT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of January, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on January 12, 2010, in Resolution #10-013, the Board of County Commissioners authorized the securement of interest costs for notes in the following amounts for the balances of money needed to complete the following ditch improvements:

- Freeman Ditch project.....\$32,148.77**
- Fritz Ditch project.....\$ 9,379.27**

and,

**WHEREAS**, the following quotations was received for the above mentioned notes:

- For Freeman Ditch improvement project:**
- First National Bank in New Bremen.....3.95%**
- For Fritz Ditch improvement project:**
- First National Bank in New Bremen.....4.45%**

and,

**WHEREAS**, the quotations were shared with County Auditor Janet Schuler, for her review and recommendation with said recommendation being to award both ditch notes to First National Bank in New Bremen as said bank met the bid requirements for these projects.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the securement of an eight year (16 semi-annual installments) note in the amount of \$32,148.77 at the rate of interest of 3.95%, from First National Bank in New Bremen for the balance of money needed to complete the payment of the Freeman Ditch project; and,

**BE IT FURTHER RESOLVED** that said Board of County Commissioners does authorize the securement of an eight year (16 semi-annual installments) note in the amount of \$9,379.27 at the rate of interest of 4.45%, from First National Bank in New Bremen for the balance of money needed to complete the payment of the Fritz Ditch project.

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

Adopted this  
26th day of  
January, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc: County Engineer  
County Auditor  
Bidder

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED IN THE DRETAC - PROSECUTOR FUND.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of January, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, under date of January 7, 2010, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2010 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

**WHEREAS**, the Board has been requested to amend the Annual Appropriation with moneys that were certified and unappropriated for the DRETAC - Prosecutor Fund; and,

**WHEREAS**, the request is to amend the 2010 Annual Appropriation to reflect the following increases:  
**Increase 013.0113.535000 (Transfer out) by \$47,212.52.**

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2010 Annual Appropriation Resolution be amended to show the changes as tabulated above.

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

Adopted this  
26th day of  
January, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
Don Regula . yes  
Don Regula  
John N. Bergman . yes  
John N. Bergman  
Douglas A. Spencer . yes  
Douglas A. Spencer

cc: ✓ County Auditor

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of January, 2010.

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>
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As the listing of Then & Now Certificates that are over \$100.00 is extremely long this week, the attached listing as presented by the County Auditor's office shall be made a part of this Resolution.

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

Adopted this  
26th day of  
January, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc: County Auditor

attachment

## AUDITOR OF AUGLAIZE COUNTY

Janet Schuler  
P.O. Box 34  
Wapakoneta, Ohio 45895-0034  
(419) 739-6705

January 25, 2010

A resolution is required for the following list below of "Then & Now Certificates" that are over \$100.00:

<u>Check No.</u>	<u>Amount</u>	<u>Vendors</u>
335558	193.27	Telephone Service Company
335558	240.95	Telephone Service Company
335559	309.47	Friend's
335560	1287.12	Powell Company
335561	295.09	Brown's Supply
335562	1532.35	Auglaize County Bd. of Health
335568	395.00	Midnet Media
335571	216.00	Wapakoneta Daily News
335574	3079.33	Auglaize Co. CSEA
335575	107.86	City of Wapakoneta
335576	569.48	Stevens Surgical Supply
335578	7000.00	Village of New Knoxville
335579	3141.32	Diller Medical
335584	181.00	Gast Plumbing & Heating
335585	169.03	Dayton Legal Blank
335586	210019.33	Auglaize Co ESC
335588	2080.00	Delta Airport Consulting
335588	108.90	Delta Airport Consulting
335590	140.12	K-Mart
335592	1832.61	Auglaize Industries
335595	33069.40	Auglaize Co. EMA
335600-601	209.94	Visa
335605	1288.00	Plante Moran
335606	180.00	Treasurer, State of Ohio
335607	6107.00	Treasurer, State of Ohio
335608	190.35	Treasurer, State of Ohio
335610	120.00	Wapak Chamber of Commerce
335611	105.00	Northwestern Ohio Security

335611	425.45	Northwestern Ohio Security
335612	625.00	CRT & S Inv Snow Plowing
335613	225.00	Amy Freeman
335614	4247.50	ECS Billing
335617	217.50	Sprinkler Inspection Service
335618	145.44	Lima-Allen County Paramedics
335622	155.00	Pitney Bowes
335623	607.20	Staples Technology Solutions
335624	23184.27	Anthem BC/BS
335624	241.48	Anthem BC/BS
335624	154.89	Anthem BC/BS
335624	2633.50	Anthem BC/BS
335624	113.69	Anthem BC/BS
335624	500.26	Anthem BC/BS
335624	1659.93	Anthem BC/BS
335624	213.68	Anthem BC/BS
335626	176.00	Sun Industrial
335628	120.95	J & L Power Equipment
335630	1000.00	Mary Jo Baker
335631	2216.00	Yeck Brothers
335635	1280.77	Konica Minolta Premier Finance
335637	244.75	PDR Distributing
335638	184.90	Nick Scheck
335641	102.57	American Electric Power
335645	330.00	Auglaize Activities
335649	200.00	Ohio Common Please Judges Assoc.
335650	1000.00	Auglaize Family Practice
335651	400.00	Eastway Corporation
335652	3165.76	Spring Creek Corp
335653	129.79	Sammons Preston
335654	194.55	Buscher Electric
335656	196.20	Teeter's Products
335661	173016.00	Midwest Pool Risk Mgmt. Agency
335662	284.13	Lowe's
335663	305.85	Medicaid Consulting
335664	140.00	Alvin Willis
335666	271.46	Schwartz Sales
335668	101.00	Living Design
335669	1821.34	Power Plant Service
335675	582.80	Key Supply
335676	14975.33	Burke
335678	300.00	Kurt Rodeheffer
335679-680	357.20	Walmart

335687	3819.52	Concept Rehab
335688	5275.43	Gordon Food Service
335689	1971.45	J.O.M. Pharmaceuticals
335690	10344.53	City of St. Marys
335690	3737.88	City of St. Marys
335691	2553.63	Merck
335692	3327.07	Poggemeyer Design Group
335698	500.00	Nktelco
335699	680.06	Lyon Financial Service
335700	100.00	Snyder Solutions, Inc.
335704	161.00	Pathology Laboratories
335705	756.47	Moore Medical
335707	200.00	EMAO
335711	290.07	American Healthcare Supply
335714	1173.56	Family Y Learning Center
335716	200.00	Ohio Economic Development Assn.
335717	231.76	Oce' Imagistics
335718	122.00	Greenland Estates
335719	345.00	Greenland Estates
335720	575.00	James Hearn
335724	2076.86	Mental Health Recovery Svc Bd
335726	160.44	Verizon Wireless
335728	591.48	NuAngel, Inc.
335729	472.04	Dominion
335730	2619.34	Dominion
335731	231.67	Dominion East Ohio
335733	885.00	CHC Software, Inc.
335734	242.99	Prairie Farms
335735	379.75	Auglaize Co Hazmat
335736	340.35	Stericycle, Inc.
335737	165.25	Schindler Elevator
335738	34914.00	Heise General Contracting
335740	26505.94	Auglaize County Treasurer
335741	135.12	Auglaize County Treasurer
335746	160.00	Judith Von Blon
335747	689.10	Tim Mcguire
335748	471.10	Ohio State University
335749	1000.00	Auglaize County Family & Children First