

County Commissioners Office
Auglaize County, Ohio
May 15, 2012

NO. 12-196

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 15th day of May, 2012.

Commissioner Regula 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>
362039	\$ 674.74	Telephone Service Company
362109	\$25,407.94	Red River Specialties, Inc.
362154	\$ 453.50	Walmart
362164	\$ 322.13	Poggemeyer Design Group
362164	\$ 697.50	Poggemeyer Design Group
362184	\$ 3,062.49	Dominion East Ohio Gas

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

Adopted this
15th day of
May, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

ABSENT,
John N. Bergman

cc: County Auditor

County Commissioners Office
Auglaize County, Ohio
May 15, 2012

No. 12-197

IN THE MATTER OF AUTHORIZING AMENDMENTS TO THE PERSONNEL POLICY MANUAL FOR THE ADDITIONS OF WHISTLEBLOWER, USE OF CAMERA PHONES, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT, MEDICAL RECORDS OF EMPLOYEES, GARNISHMENTS POLICIES FOR AUGLAIZE COUNTY EFFECTIVE MAY 4, 2012.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of May, 2012.

Commissioner Regula moved the adoption of the following

RESOLUTION

WHEREAS, Board of County Commissioners and other County Elected Officials and Department Heads have been notified by the State Auditor to include the following per ORC 124.341 to add the Whistleblower Policy to the Personnel Policy Manual 3.21; and,

WHEREAS, Board of County Commissioners and other County Elected Officials and Department Heads have discussed adding section 6.14 Use of Camera Phones and Other Electronic Recording Equipment, 6.15 Health Insurance Portability and Accountability Act (HIPAA), 6.16 Medical Record of Employee (HIPAA Privacy Practices) and 7.17 Garnishments.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize these amendments to the Personnel Policy Manual for the 3.21 Whistleblower Policy; 6.14 Use of Camera Phones and Other Electronic Recording Equipment; 6.15 Health Insurance Portability and Accountability Act (HIPAA); 6.16 Medical Records of Employees (HIPAA Privacy Practices) and 7.17 Garnishments for Auglaize County, effective May 4, 2012 as stated above; and,

BE IT FURTHER RESOLVED that a copy of this Resolution be distributed to all elected officials and/or department heads upon its execution.

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

Adopted this
15th day of
May, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer , Yes
Douglas A. Spencer

Don Regula , yes
Don Regula

ABSENT
John N. Bergman

✓cc: all elected officials and/or
department heads

**AUGLAIZE COUNTY APPOINTING AUTHORITY
PERSONNEL POLICY MANUAL**

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- Acknowledgment of Receipt of Documents
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Waiver of a Predisciplinary Conference
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**AUGLAIZE COUNTY APPOINTING AUTHORITY
PERSONNEL POLICY MANUAL**

WHISTLEBLOWER

**SECTION 3.21
PAGE 1 OF 2**

1. In accordance with R.C. 124.341, if an employee in the classified or unclassified civil service becomes aware, in the course of employment, of a violation of state or federal statutes or the misuse of public resources, and the Appointing Authority has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the Appointing Authority. In addition to or instead of filing a report with the Appointing Authority, the employee may file a written report with the Office of Budgeting and Management's Office of Internal Auditing or file a complaint with the State of Ohio Auditor's fraud-reporting system created under R.C. 117.03.

If the employee reasonably believes that the violation or misuse of public resources is a criminal offense, the employee, in addition to, or instead of filing a written report with the Appointing Authority, or the Office of Internal Auditing, may report it to the Auglaize County Prosecutor.

External complaints may be made in three (3) ways:

- a. File a written complaint at:

Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P.O. Box 1140
Columbus, Ohio 43215

or

OBM Office of Internal Audit
30 East Broad Street, 34th Floor
Columbus, Ohio 43215-3457

- b. Call the Fraud Hotline 1-866-FRAUD OH (1-866-372-8364)

- c. Online:

<http://www.auditor.state.oh.us/fraudcenter/siu/complaint/complaint.aspx>

2. Except as otherwise provided in section (C) of this policy, the Appointing Authority shall not take any disciplinary action against an employee in the classified or unclassified civil service for making any report authorized by section (A) of this policy.
3. An employee in the classified or unclassified civil service shall make a reasonable effort to determine the accuracy of any information reported under division (A) of this policy. The employee is subject to disciplinary action, including suspension or removal, as determined

**AUGLAIZE COUNTY APPOINTING AUTHORITY
PERSONNEL POLICY MANUAL**

WHISTLEBLOWER

**SECTION 3.21
PAGE 2 OF 2**

by the Appointing Authority, for purposely, knowingly, or recklessly reporting false information under division (A) of this policy.

4. For the purposes of this policy:
 - a. An employee acts *purposely* when it is his specific intention to cause a certain result, or when the gist of the offense is a prohibition against conduct of a certain nature, regardless of what the offender intends to accomplish thereby, it is his specific intention to engage in conduct of that nature.
 - b. An employee acts *knowingly*, regardless of his purpose, when he is aware that his conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when he is aware that such circumstances probably exist.
 - c. An employee acts *recklessly* when, with heedless indifference to the consequences, he perversely disregards a known risk that his conduct is likely to cause a certain result or is likely to be of a certain nature. A person is reckless with respect to circumstances when, with heedless indifference to the consequences, he perversely disregards a known risk that such circumstances are likely to exist.
5. Employees hired after May 4, 2012, shall sign acknowledgement of this policy by signing the Acknowledgment form contained in the Auglaize County Appointing Authority Personnel Policy Manual within 30 days of appointment.

Original Adoption Date: _____ Revision Date: _____

**AUGLAIZE COUNTY APPOINTING AUTHORITY
PERSONNEL POLICY MANUAL**

**SECTION 9
FORMS**

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Acknowledgment of Receipt of Auditor of State Fraud-Reporting System Information
Acknowledgment of Receipt of Documents
Agreement of Responsibility Internet, E-mail, and Online Service Use
Application for Employment
Application for Use of Sick Leave
Authorization to Work Non-scheduled Hours
Certificate of Appointment
Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)
Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)
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**SECTION 9
FORMS**

Procurement Card Program Cardholder Acknowledgment
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**AUGLAIZE COUNTY APPOINTING AUTHORITY
PERSONNEL POLICY MANUAL**

**ACKNOWLEDGMENT OF RECEIPT OF AUDITOR OF STATE
FRAUD-REPORTING SYSTEM INFORMATION**

PAGE 1 OF 1

Pursuant to Ohio Revised Code 117.103(B)(1), a public office shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee upon employment with the public office.

Each new employee has 30 days after beginning employment to confirm receipt of this information.

By signing below you are acknowledging Auglaize County has provided you information about the fraud-reporting system as described by Section 117.103(A) of the Revised Code, and that you read and understand the information provided. You are also acknowledging you have received and read the information regarding Section 124.341 of the Revised Code and the protections you are provided as a classified or unclassified employee if you use the before-mentioned fraud-reporting system.

I _____, have read the information provided by my employer regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

Print Name: _____

Please Sign Name: _____

Date: _____

IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS AND AWARDING THE BID TO TUMBUSCH CONSTRUCTION, INC. FOR THE VILLAGE OF BUCKLAND MAIN STREET CURB AND SIDEWALK IMPROVEMENTS PROJECT, USING FY '11 CDBG FORMULA PROGRAMS FUNDS; AND AUTHORIZING THE EXECUTION OF CONTRACTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of May, 2012

Commissioner Regula moved the adoption of the following:
RESOLUTION

WHEREAS, in Resolution #12-166 dated April 19, 2012, the Board of County Commissioners set this date, May 8, 2012 at 2:00 p.m. as the date and time to receive and open bids for Village of Buckland Main Street Curb and Sidewalk Improvements Project to be funded through FY 2011 CDBG Formula Program; and,

WHEREAS, the Clerk Esther Leffel of the Board of County Commissioners did open six (6) bids for said project; same being as follows:

	Base Bid	Alternate 1	Alternate 2
From: Tumbusch Construction Inc. 401 Stachler Dr., St. Henry, OH 45883	\$184,089.25	\$9,862.01	\$2,935.45
Hume Supply Inc. 1359 Hanthorn Rd., Lima, OH 45804	\$191,818.37	\$8,573.60	\$2,769.40
Bowman Construction Inc. 19083 Townline-Kossuth Rd., St. Marys, OH 45885-9145	\$193,511.50	\$9,311.00	\$2,370.00
Schaub Excavating, Inc. 13549 Linzee Road, Wapakoneta, OH 45895	\$191,907.50	\$9,640.90	\$2,860.00
Schimmoller Construction, Inc. P.O. Box 403, Kalida, OH 45853	\$206,282.63	\$8,089.00	\$2,610.00
VTF Excavation LLC 8398 Celina-Mendon Rd., Celina, OH 45822	\$212,316.11	\$8,717.27	\$2,816.75
Engineer's Estimate -	\$208,485.00	Base Bid, \$10,024.00	Alternate 1, \$3,030.00
		Alternate 2	

and,

WHEREAS, those present at the time of the bid opening were Clerk Esther Leffel; Andy Shuman from Choice One Engineering; Mayor Dan Lambert; and six contracts/bidders; and,

WHEREAS, the Board presented the bids, as received, to Choice One Engineering, 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, Choice One Engineering submitted a letter of recommendation to award the bid to Tumbusch Construction, Inc., of St. Henry, Ohio, 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 Buckland Curb and Sidewalk Improvements Project being funded with F.Y. '11 CDBG Formula Program; and,

BE IT FURTHER RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby award the bid for the Village of Buckland Curb and Sidewalk Improvements Project to Tumbusch Construction Inc. in the amount of \$196,886.71, using FY '11 CDBG Formula 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 Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
15th day of
May, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula yes
Don Regula

ABSENT
John N. Bergman

IN THE MATTER OF APPROVING THE BOLEY GROUP DITCH IMPROVEMENT, A JOINT-COUNTY DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 15th day of May, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, in accordance with ORC Section 1515.19, the Board of County Commissioners of Auglaize, Ohio are in receipt of a certification from the Mercer County Soil and Water Conservation District dated May 8, 2012:

We, the Joint Board of Supervisors of the Boley Group, members of the Auglaize and Mercer Soil and Water Conservation Districts, met in official session for the Boley Group at the Central Services Building, 220 W. Livingston Street, Celina, Ohio on Thursday, March 29th, 2012. The legal hearing was held on the 29th day of March 2012, at 8:15 a.m.

We certify our findings at the Board Meeting on the 29th day of March 2012, in accordance with the requirements of section 1515.19 of the Ohio Revised Code, that construction of the proposed Boley Group Project will improve water management and development of the lands therein, that the cost of the said proposed improvement will benefit the lands in the area by promoting the economical, agricultural, and social development, and that the area benefited by the said proposed improvement is as shown on the plan of the project area attached hereto and made a part hereof.

Said construction drawings of the improvement and outline of the total project area are in sufficient detail to permit you to approve construction of the improvement, in accordance with Chapter 1515 of the Ohio Revised Code.

In addition, we have enclosed the assessments and recommend assessments to be paid over a 15-year period.

WHEREAS, the Board has considered the factors whether to approve or disapprove construction of said improvement pursuant to ORC §1515.21;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Auglaize County, Ohio that

- 1) The Board hereby approves the construction of improvements for the Boley Group Ditch Improvement; and
- 2) In accordance with ORC §1515.21, the county engineer shall file with the county recorder a property plat showing the general location of the improvement; and
- 3) This resolution will become effective on the date all resolutions are approved by all required boards of county commissioners.
- 4) In accordance with ORC §1515.22, the counties who have approved said ditch improvement are a joint board of county commissioners for the Boley Group Ditch Improvement.

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

Resolution
Approving Boley Group Ditch Improvement Project
May 15, 2012
Page 2

Adopted this
15th day of
May, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

 , Yes
Douglas A. Spencer

 , Yes
Don Regula

 , Yes
Allen Imwalle

cc: Auglaize County Engineer

CERTIFICATION

As duly appointed Clerk of the Board of County Commissioners, Auglaize County, Ohio, I do hereby certify that the attached is a true and correct copy of Resolution No. # _____ approved and passed by the Board County Commissioners of Auglaize County, Ohio, on May 15, 2012.

Esther Leffel, Clerk
Board of County Commissioners
Auglaize County, Ohio

Dated: _____