

County Commissioners Office
Auglaize County, Ohio
May 28, 2013

NO. 13-248

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 28th day of May, 2013.

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>
373431	\$ 166.50	Michelle Kempfer-King
373446	\$ 828.31	Mobilex
373450	\$ 709.00	SMS
373460	\$ 4,670.79	Medline
373483	\$28,496.76	Concept Rehab
373492	\$ 5,403.55	Beeber Pharmacies

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

Adopted this
28th day of
May, 2013

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 REAPPOINTING EUGENE WILL, DENNIS SCHMIESING AND JAMES BERG TO THE AUGLAIZE COUNTY AIRPORT AUTHORITY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of May, 2013.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the appointments of Eugene Will, Dennis Schmiesing and James Berg to the Auglaize County Airport Authority, will expire on June 30, 2013; and,

WHEREAS, all three persons submitted correspondence to the Board of County Commissioners stating his willingness and interest in serving another three (3) year term to Auglaize County Airport Authority.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby reappoint Eugene Will, Dennis Schmiesing and James Berg to serve on the Auglaize County Airport Authority with their terms commencing July 1, 2013 and terminating on June 30, 2016.

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

Adopted this
28th day of
May, 2013

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula Yes
Don Regula

John N. Bergman
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

- cc: Eugene Will
- Dennis Schmiesing
- James Berg
- Airport Authority – Todd Kitzmiller

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of May, 2013, in the County Commissioner's meeting room, 209 S. Blackhoof St., Wapakoneta, Ohio, with the following members present:

Commissioner Spain introduced the following resolution and moved its passage:

RESOLUTION

RESOLUTION APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, THE ISSUANCE OF HEALTH CARE FACILITIES IMPROVEMENT REVENUE BONDS, SERIES 2013 (OTTERBEIN HOMES PROJECT), BY THE COUNTY OF WARREN, OHIO; AUTHORIZING A PUBLIC HOSPITAL AGENCIES AGREEMENT IN CONNECTION WITH THAT APPROVAL; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, the County of Warren, Ohio has previously issued its healthcare facilities revenue bonds (the "Prior Bonds") to finance or refinance the cost of Hospital Facilities (as that term is defined in Section 140.01, Ohio Revised Code) for the benefit of Otterbein Homes (the "Corporation"), Otterbein Lebanon, Otterbein North Shore, Otterbein Portage Valley, Inc., Otterbein Cridersville, Otterbein St. Mary's, Otterbein Monclova, LLC and Otterbein Perrysburg, LLC, all Ohio non-profit entities (collectively, "Otterbein"), located within the County of Auglaize, Ohio (the "County") and within the Counties of Lucas, Wood, Ottawa and Warren, Ohio (the "Other Counties");

WHEREAS, Otterbein has represented to the County and the Other Counties that it would be more economic and efficient to have one political subdivision of the State of Ohio issue revenue bonds to refinance the Prior Bonds; and

WHEREAS, Section 140.03, Ohio Revised Code, provides a procedure by which the County and the Other Counties may enter into an agreement pursuant to which the County of Warren, Ohio (the "Issuer") may issue Health Care Facilities Revenue Bonds, Series 2013 (Otterbein Homes Obligated Group) (the "2013 Bonds") in multiple series in an aggregate principal amount estimated not to exceed \$70,000,000 to finance or refinance the Prior Bonds, and the County and the Other Counties plan to enter into such an Agreement (the "Public Hospital Agencies Agreement") in connection with the issuance of the 2013 Bonds; and

WHEREAS, the Corporation has signed and delivered an indemnification agreement (the "Indemnity"), agreeing to indemnify the County and hold it harmless against any liability and expense of the County relating to the Public Hospital Agencies Agreement or the 2013 Bonds;

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

SECTION 1. That at least two members of the Board of County Commissioners be and they are hereby authorized and directed to execute and enter into on behalf of the County of Auglaize, Ohio, a Public Hospital Agencies Agreement with the Issuer and the Other Counties to authorize the Issuer to issue the 2013 Bonds for the purpose of refinancing the Prior Bonds and the Indemnity.

SECTION 2. That the Public Hospital Agencies Agreement and the Indemnity authorized in Section 1 of this resolution shall be substantially in the forms presented to the

Board and on file with the Clerk, with such changes as are not substantially adverse to the County and as are approved by the Board, which approval shall be conclusively evidenced by the signing of the Public Hospital Agency Agreement by at least two members of the Board.

SECTION 3. That the Clerk of the Board and the members of the Board of County Commissioners, as appropriate, be and they are hereby authorized and directed to execute and deliver on behalf of the County such other certificates, documents and instruments in connection with the County's approval of the Bonds and signing and delivery of the Agreement as may be required, necessary or appropriate, including, without limitation, conveyances of title to real and personal property, and terminations of financing statements and other releases of security interests in property, such instruments to be prepared by and at the expense of the Corporation and to be in such form as may be approved by the Board, which approval shall be conclusively evidenced by the execution thereof by the members of this Board.

SECTION 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board any of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

Commissioner Bergman seconded the motion and the roll

being called for passage of the foregoing resolution, the vote thereon resulted as follows:

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

PASSED this 28th day of May, 2013

Esther Liffel
Clerk

PS&W DRAFT
05/01/2013
#235142v1

PUBLIC HOSPITAL AGENCIES AGREEMENT

By And Among

COUNTY OF WARREN, OHIO,

COUNTY OF AUGLAIZE, OHIO,

COUNTY OF LUCAS, OHIO,

COUNTY OF OTTAWA, OHIO

And

COUNTY OF WOOD, OHIO

Dated as of June 1, 2013

**PUBLIC HOSPITAL AGENCIES AGREEMENT
AMONG
COUNTY OF WARREN, OHIO,
COUNTY OF AUGLAIZE, OHIO,
COUNTY OF LUCAS, OHIO,
COUNTY OF OTTAWA, OHIO
And
COUNTY OF WOOD, OHIO**

THIS AGREEMENT (the "Agreement"), is made and entered into as of the first day of June, 2013, by and among the COUNTY OF WARREN, OHIO (the "Issuer"), the COUNTY OF AUGLAIZE, OHIO, the COUNTY OF LUCAS, OHIO, the COUNTY OF OTTAWA, OHIO and the COUNTY OF WOOD, OHIO (the "Other Counties"), all of such political subdivisions of the State of Ohio constituting "public hospital agencies" as that term is defined in Section 140.01, Ohio Revised Code, including the Issuer, being herein referred to as the "Public Hospital Agencies", which have heretofore adopted or will, by appropriate resolutions approve the issuance of health care facilities revenue bonds (the "Bonds") by the Issuer in order to refinance the acquisition, construction, installation and equipping of "hospital facilities", as that term is defined in Section 140.01, Ohio Revised Code, further described herein, located within the Issuer and the Other Counties (collectively, the "Project") for Otterbein Homes, an Ohio non-profit corporation (the "Corporation"), Otterbein North Shore, an Ohio non-profit corporation, Otterbein Portage Valley, Inc., an Ohio non-profit corporation, Otterbein Lebanon, an Ohio non-profit corporation, Otterbein Cridersville, an Ohio non-profit corporation, Otterbein St. Mary's, an Ohio non-profit corporation, Otterbein Monclova, LLC, an Ohio non-profit entity and Otterbein Perrysburg, LLC, an Ohio non-profit entity.

WHEREAS, the Issuer has previously issued its Variable Rate Demand Health Care Facilities Improvement Revenue Bonds, Series 2009 (Otterbein Homes Project), Variable Rate Demand Health Care Facilities Improvement Revenue Bonds, Series 2007 (Otterbein Homes Project), Variable Rate Demand Health Care Facilities Improvement and Refunding Revenue Bonds, Series 1998A (Otterbein Homes Project), and Variable Rate Demand Health Care Facilities Improvement Revenue Bonds, Series 1998B (Otterbein Homes Project), (collectively, the "Prior Bonds") to finance and refinance the cost of Hospital Facilities located within the Public Hospital Agencies; and

WHEREAS, the Corporation has provided information and representations to the Public Hospital Agencies about the Bonds and the Project and has signed and delivered indemnification agreements agreeing to indemnify the Other Counties and hold them harmless against any liability and expense relating to this Agreement or the Bonds; and

WHEREAS, pursuant to the Constitution and Laws of the State of Ohio, and particularly Chapter 140, Ohio Revised Code, Ohio, political subdivisions are authorized to issue revenue bonds for the purpose of financing or refinancing all or part of the cost of Hospital Facilities, as that term is defined in Section 140.01 of the Ohio Revised Code, suitable for use by any participating hospital agency and to lease such Hospital Facilities to such participating hospital agency, which lease must provide for the rentals by such participating hospital agency sufficient to amortize the debt service on such revenue bonds; and

WHEREAS, the Public Hospital Agencies are authorized by Section 140.03, Ohio Revised Code to cooperate and act jointly in exercising powers, privileges, and authority capable of exercise by the Public Hospital Agencies in their respective individual capacities; and

WHEREAS, based on the representations of the Corporation, it is determined and declared that it is necessary and for the best interests of the citizens, residents, and inhabitants of the respective jurisdictions served by the Public Hospital Agencies, that the Public Hospital Agencies cooperate in taking action to provide for the refunding of the Prior Bonds and to promote the public health, safety, and general welfare of the jurisdictions served by the Public Hospital Agencies so the Prior Bonds, to promote the public purpose set forth in Section 140.02, Ohio Revised Code and reduce the cost of patient care and to provide a savings to the parties and others who must pay for such care; and

WHEREAS, based on the representations of the Corporation, it is determined and declared that the refunding of the Prior Bonds and this Agreement will better provide for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered thereby; and

WHEREAS, it is necessary, desirable, and authorized by Chapter 140, Ohio Revised Code that the Other Counties approve, but solely for the purpose of Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the issuance by the Issuer of the Bonds to provide funds for the refunding of the Prior Bonds; and

WHEREAS, it is deemed advisable that the Public Hospital Agencies enter into this Agreement to authorize the Issuer to issue the Bonds, the proceeds of which shall be used to refund the Prior Bonds, which will promote the public purposes stated in Section 140.02, Ohio Revised Code; and

WHEREAS, the Issuer intends to issue the Bonds in order to refund the Prior Bonds;

NOW, THEREFORE, THE COUNTY OF WARREN, OHIO, COUNTY OF AUGLAIZE, OHIO, COUNTY OF LUCAS, OHIO, COUNTY OF OTTAWA, OHIO AND COUNTY OF WOOD, OHIO HEREBY AGREE AS FOLLOWS:

ARTICLE I

ISSUANCE OF BONDS BY PUBLIC HOSPITAL AGENCIES

The Public Hospital Agencies hereby jointly associate for the purpose of authorizing the Issuer to issue the Bonds to refund the Prior Bonds (as defined in the Preambles hereto), pursuant to Chapter 140, Ohio Revised Code. Each of the Other Counties has adopted a resolution authorizing the execution of this Agreement and approving the issuance by the Issuer, of the Bonds. The Bonds will be special obligations of the Issuer and are not obligations of or issued on behalf of the Other Counties.

The Hospital Facilities refinanced from the proceeds of the Bonds shall be leased by the Corporation or its affiliates to the Issuer and subleased pursuant to the provisions of Section 140.05, Ohio Revised Code, by the Issuer to the Corporation or its affiliates and the proceedings authorizing such Bonds may provide for the pledging of all or any part of the hospital receipts, as defined in Section 140.01, Ohio Revised Code (the "Hospital Receipts"), and the investment income therefrom, to be received by or on behalf of the Issuer pursuant to such sublease agreement entered into in connection with the issuance of the Bonds, and such proceedings may provide that, as security for the Bonds, the Issuer agrees to pledge, and/or grant security interests in such Hospital Receipts, and in any other funds or revenues contributed to or received by the Public Hospital Agencies in connection with such Project; such pledged Hospital Receipts will be assigned by the Issuer to the trustee for the bondholders.

The Public Hospital Agencies contemplate and specifically authorize the Issuer to carry out all actions necessary to implement the refunding of the Prior Bonds and issue the Bonds, and the Issuer hereby accepts the authorization to act in such capacity.

ARTICLE II

ADDRESSES AND PLACES OF BUSINESS

The principal offices and places of business of the Public Hospital Agencies shall be as follows:

Issuer: County of Warren, Ohio
County Administration Building
406 Justice Drive
Lebanon, Ohio 45036
Attn: Clerk, Board of County Commissioners

County of Auglaize, Ohio County of Auglaize, Ohio
209 S. Blackhoof Street, Room 201
Wapakoneta, Ohio 45895-1972
Attn: Clerk, Board of County Commissioners

County of Lucas, Ohio County of Lucas, Ohio
One Government Center, Suite 800
Toledo, Ohio 43604-2259
Attn: Clerk, Board of County Commissioners

County of Ottawa, Ohio County of Ottawa, Ohio
315 Madison Street, Room 103
Port Clinton, Ohio 43452-1993
Attn: Clerk, Board of County Commissioners

County of Wood, Ohio: County of Wood, Ohio
One Courthouse Square
Bowling Green, Ohio 43402-2431
Attn: Clerk, Board of County Commissioners

ARTICLE III

DURATION

This Agreement shall be effective from and after its execution by the Public Hospital Agencies. The duration of this Agreement from and after said effective date shall be until the date of final payment and retirement of all Bonds issued by the Issuer pursuant to this Agreement. The only Bonds authorized to be issued pursuant to this Agreement shall be Bonds issued to finance the refunding of the Prior Bonds.

ARTICLE IV

NO SEPARATE GOVERNING BODY; COSTS

There shall be no separate governing body of this Agreement. The Agreement is undertaken jointly by the Public Hospital Agencies, and all actions pursuant to this Agreement, other than the resolutions adopted by the Other Counties authorizing this Agreement and approving the Issuer's issuance of the Bonds, shall be undertaken by the Issuer, with all proceedings and documents being signed by authorized representatives of the Issuer, and the Bonds may be executed with the manual or facsimile signature of the appropriate official or officials of the Issuer.

The Other Counties shall have no financial obligation with respect to the Bonds or the Project. With respect to the Issuer, the refunding of the Prior Bonds shall be provided from the proceeds from the sale of the Bonds, earnings thereon, Hospital Receipts from the Corporation and fees paid in connection with the Project, and the Issuer shall not be obligated to provide funds for the refunding of the Prior Bonds from any other sources, and shall not be required to establish and maintain a budget for the refunding of the Prior Bonds.

ARTICLE V

TERMINATION OF AGREEMENT; WITHDRAWAL OF PUBLIC HOSPITAL AGENCIES; AMENDMENTS

(a) Any Public Hospital Agency may terminate this Agreement and withdraw its approval of the refunding of the Prior Bonds at any time prior to the issuance of the Bonds, upon thirty days' written notice to the other Public Hospital Agencies, and may otherwise withdraw upon such notice upon the following conditions:

(1) Such termination at that time shall not, in the opinion of recognized Bond Counsel, constitute an act of default in connection with any outstanding bonds, or any obligation(s) of such terminating Public Hospital Agency under any agreement with any of the other Public Hospital Agencies; and

(2) This Agreement may be amended at any time, including, without limitation, amendments which add additional public hospital agencies as parties to this Agreement, with the written consent of all parties hereto to such amendment or amendments, without any further action being necessary with respect to such amendment or amendments.

ARTICLE VI

BONDS SHALL NOT CONSTITUTE OBLIGATIONS OF THE OTHER COUNTIES OR GENERAL OBLIGATION INDEBTEDNESS OF THE ISSUER, AND NO OFFICIAL SHALL HAVE ANY PERSONAL LIABILITY FOR BONDS OR ANY INDEBTEDNESS IN CONNECTION THEREWITH

Bonds issued pursuant to this Agreement shall be revenue obligations of the Issuer, payable solely from and secured by a pledge of the proceeds of the Bonds until disbursed, the investment of such proceeds (including loans purchased with such proceeds), and all revenues, funds, proceeds of insurance, and other assets pledged under the trust indenture authorizing and securing the Bonds, which amount shall be pledged to be set aside as a special fund or funds for that purpose, and such Bonds shall not constitute general obligations, debt or bonded indebtedness of the Issuer or any Public Hospital Agency within the meaning of the Constitution and laws of the State of Ohio and the holders or owners thereof shall not be given the right, and shall have no right, to have excises or taxes levied for the payment of bond service charges. The Bonds shall not be obligations of the Other Counties.

None of the officials of the Public Hospital Agencies, or of any of the members of the legislative bodies of the jurisdictions served by the Public Hospital Agencies or their officers or employees, shall be liable in their personal capacities on such Bonds, bond proceedings, other agreements or the contract created pursuant to this Agreement.

This Agreement shall be construed and enforced in accordance with the laws of the State of Ohio.

This Agreement may be executed in multiple counterparts, each of which shall be regarded for all purposes as an original constituting but one and the same instrument.

ARTICLE VII

MULTIPLE COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

IN TESTIMONY WHEREOF, witness the execution hereof by the County of Warren, Ohio by its duly authorized officers, duly authorized by proceedings of its Board of County Commissioners as of the date first above written.

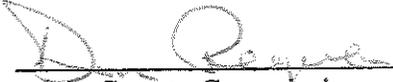
COUNTY OF WARREN, OHIO

By: _____
County Commissioner

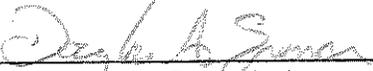
By: _____
County Commissioner

IN TESTIMONY WHEREOF, witness the execution hereof by the County of Auglaize, Ohio by its duly authorized officers, duly authorized by proceedings of its Board of County Commissioners as of the date first above written.

COUNTY OF AUGLAIZE, OHIO

By: 
County Commissioner

By: 
County Commissioner

By: 
County Commissioner

IN TESTIMONY WHEREOF, witness the execution hereof by the County of Lucas, Ohio by its duly authorized officers, duly authorized by proceedings of its Board of County Commissioners as of the date first above written.

COUNTY OF LUCAS, OHIO

By: _____
County Commissioner

By: _____
County Commissioner

By: _____
County Commissioner

IN TESTIMONY WHEREOF, witness the execution hereof by the County of Ottawa, Ohio by its duly authorized officers, duly authorized by proceedings of its Board of County Commissioners as of the date first above written.

COUNTY OF OTTAWA, OHIO

By: _____
County Commissioner

By: _____
County Commissioner

By: _____
County Commissioner

IN TESTIMONY WHEREOF, witness the execution hereof by the County of Wood, Ohio by its duly authorized officers, duly authorized by proceedings of its Board of County Commissioners as of the date first above written.

COUNTY OF WOOD, OHIO

By: _____
County Commissioner

By: _____
County Commissioner

By: _____
County Commissioner

INDEMNITY AGREEMENT

THIS AGREEMENT is entered into as of May 28th, 2013, between Otterbein Homes, an Ohio nonprofit corporation (the "Borrower"), and the County of Auglaize, Ohio, a county organized and existing under the laws of the State of Ohio (the "County"), under the following circumstances:

A. The Borrower has undertaken a project to improve certain of its facilities in Auglaize County, Ohio (the "Project").

B. The Borrower had the costs of the Project financed with the proceeds of revenue bonds (the "Prior Bonds") issued by the County of Warren, Ohio (the "Issuer") pursuant to the authority of Section 140.03 of the Ohio Revised Code.

C. The Borrower has requested the Issuer to issue refunding revenue bonds (the "Refunding Bonds") to refund the Prior Bonds.

D. The Borrower has requested that the County enter into a public hospital agencies agreement with the Counties of Warren, Lucas, Ottawa and Wood, Ohio (the "Agreement") authorizing the Issuer to issue the Refunding Bonds.

E. In order to obtain the benefits of the refunding of the Prior Bonds for the residents of the County, the County has determined to approve the Refunding Bonds.

NOW, THEREFORE, the Board of County Commissioners of the County of Auglaize, Ohio, and the Borrower agree as follows:

1. The County shall have no financial responsibility with respect to the Refunding Bonds, the Agreement or the Project.

2. In order to induce the County to approve the issuance of the Refunding Bonds by the Issuer and to enter into the Agreement, the Borrower hereby agrees to defend, indemnify and hold the County and its officials harmless from and against any and all loss, cost, expense, claims or actions, including costs of legal counsel to the County, arising out of or connected with the County's approval of the Refunding Bonds and signing and delivery of the Agreement and the consummation of the transactions provided for herein and contemplated hereunder.

IN WITNESS WHEREOF, the Borrower has caused this Agreement to be duly executed by its authorized representative, as of the day and year first above written.

OTTERBEIN HOMES

By: _____

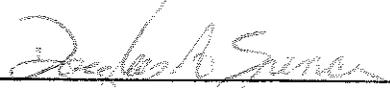
Title: _____

Accepted as of the date first above written

COUNTY OF AUGLAIZE, OHIO

By: 
County Commissioner

By: 
County Commissioner

By: 
County Commissioner

**IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS AND AWARDING THE BID TO
FREISTHLER PAVING, INC FOR THE CITY OF ST. MARYS 2013 CDBG HAGER STREET
RESURFACING PROJECT, USING FY '12 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 Spencer moved the adoption of the following:
RESOLUTION

WHEREAS, in Resolution #13-198 dated April 25, 2013, the Board of County Commissioners set this date, May 16, 2013 at 2:00 p.m. as the date and time to receive and open bids for City of St. Marys 2013 CDBG Hager Street Resurfacing Project to be funded through FY 2012 CDBG Formula Program; and,

WHEREAS, the Clerk Esther Leffel of the Board of County Commissioners and St. Marys Superintendent of Community Services and Engineering Craig Moeller did open four (4) bids for said project; same being as follows:

	Bid
From: Freisthler Paving Inc.	\$35,961.25
2323 Campbell Rd., Sidney, OH 45365	
The Shelly Co.	\$42,596.06
1700 Fostoria Ave., Suite 200, P.O. Box 3100, Findlay, OH 45840	
Buehler Asphalt Paving	\$37,750.67
14475 Lambert Rd., St. Marys, OH 45885	
Wagner Paving, Inc.	\$41,991.75
2640 Pemberton Rd., P.O. Box B, Laura, OH 45337	
City of St. Marys Estimate -	\$39,906.25

and,

WHEREAS, those present at the time of the bid opening were Clerk Esther Leffel; St. Marys Superintendent of Community Services and Engineering Craig Moeller, and three bidders; and,

WHEREAS, the Board presented the bids, as received, to City of St. Marys, 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, City of St. Marys submitted a letter of recommendation to award the bid to Freisthler Paving, Inc., of Sidney, 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 City of St. Marys 2013 CDBG Hager Street Resurfacing Project being funded with F.Y. '12 CDBG Formula Program; and,

BE IT FURTHER RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby award the bid for the City of St. Marys 2013 CDBG Hager Street Resurfacing Project to Freisthler Paving, Inc. in the amount of \$35,961.25, using FY '12 CDBG Formula Program funding with the City of St. Marys funding the portion of the project which the CDBG grant does not cover; 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 Bergman seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
28th day of
May, 2013

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

cc: Poggemeyer Design Group – Dianne Guenther
Bidders
City of St. Marys – Craig Moeller

County Commissioners Office
Auglaize County, Ohio
May 28, 2013

No. 13-252

**IN THE MATTER OF AUTHORIZING THE LEASE OF A BIZHUB C224E FULL COLOR PRINTER /
COPIER / SCANNER / FAX SYSTEM FROM PERRYPROTECH.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of May, 2013.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, PerryproTech presented an analysis to the Board of County Commissioners for a lease or outright purchase of the system; and,

WHEREAS, the Auglaize County Veterans Office are in need of new system a Konica Minolta Bizhub C224E full color Digital Printer/Copier/Scanner/Fax System be leased for use in this office at the monthly cost of \$179.00 for a five year period starting on May 31, 2013 and pro-rate the service contract from the old Konica #7222 model.

THEREFORE BE IT RESOLVED, the Board of Commissioners of Auglaize County, Ohio does hereby authorize a 0% 60 Month Fair Market Value Lease agreement between said Board and PerryproTech for a Konica Minolta Bizhub C224E full color Digital Printer/Copier/Scanner/Fax System at the cost of \$179.00 per month; and,

BE IT FURTHER RESOLVED that said Board does authorize the execution of the necessary documents and agreements between PerryproTech and have the President of the Board of Auglaize County Commissioners execute the lease of the above mentioned duplicating/scanning systems.

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

Adopted this
28th day of
May, 2013

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: PerryproTech – Charlie Ellerbrock
/ Veteran Services Office

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION AS REQUESTED BY THE AUGLAIZE COUNTY SHERIFF.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of May, 2013.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, under date of January 3, 2013, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2013 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

WHEREAS, County Auditor Janet Schuler informed the Board that an amendment was made to the Annual Amended Official Certificate of Estimated Revenue for the (020) Handgun Licenses Fund by \$27,000.00; and,

WHEREAS, Sheriff Allen Solomon requested that the Board amend the 2013 Annual Appropriation to reflect the following increase:

Increase Handgun License Fund – 020.0020.530400 (Equipment) by \$7,000.00;

Increase Handgun License Fund – 020.0020.530600 (Contract Services) by \$20,000.00.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2013 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
28th day of
May, 2013

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 - Janet Schuler
County Administrator
Sheriff Solomon

IN THE MATTER OF DOCUMENTING RECEIPT OF BIDS AND AWARDING CONTRACT FOR THE AUGLAIZE COUNTY DOG SHELTER PROJECT TO HEYNE CONSTRUCTION, INC; AND AUTHORIZES THE PRESIDENT OF THE BOARD TO EXECUTE SAID CONTRACT.

The Board of Auglaize County Commissioners met in regular session on the 28th day of May, 2013.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on April 23, 2013, Resolution #13-193, the Board of County Commissioners set this date, May 16, 2013 at 3:00 p.m. to receive bids for the Auglaize County Dog Shelter Project; and,

WHEREAS, those present for the bid opening were the Board, County Administrator Hensley, Dog Warden Russ Bailey, County Auditor Janet Schuler, Brad Garmann, Laura Little and Hannah Tabler from Garmann/Miller Associates, Daily Standard Reporter Amy Kronenberger, WDN Reporter Karen Kantner and numerous contractors; and,

WHEREAS, the following bids was received for this project; same being:

	General Construction	#1	#2	#3	#4	#5	#6	#7	#8
Alexander & Bebout	\$477,800.00	\$8,050	\$4,970	\$2,040	\$4,425	\$5,175	\$15,000	\$12,650	\$3,000
BEEM Construction	\$440,953.00	\$9,131	\$2,890	\$2,313	\$2,300	\$4,950	\$6,659	\$21,980	\$3,581
C&N Ind. Contractors	\$549,000.00	\$8,000	\$3,500	\$2,000	\$3,500	\$11,500	\$12,500	\$18,700	\$2,000
Geuy Construction	\$497,565.00	\$11,530	\$3,090	\$2,110	\$3,330	\$4,035	\$8,855	\$19,255	\$5,230
H.A. Dorsten, Inc.	\$481,889.00	\$8,700	\$2,500	(\$1,300)	\$1,700	\$4,239	\$11,200	\$15,990	\$4,815
Heyne Construction	\$381,600.00	\$10,300	\$3,700	\$2,200	\$2,600	\$4,300	\$12,300	\$11,400	\$4,300
Miller Contracting	\$461,800.00	\$11,000	\$4,400	\$2,200	\$3,100	\$5,600	\$18,600	\$23,100	\$5,800
RCS Construction	\$466,000.00	\$2,500	\$600	\$1,950	\$2,900	\$3,400	\$7,400	\$13,500	\$5,700

Estimate: \$460,000.00; and,

WHEREAS, the bids was given to the Garman/Miller Associates for their review and comparison; and,

WHEREAS, after said review the Garmann/Miller Associates gave a written recommendation that the bid to be awarded to Heyne Construction in the amount of \$427,900 with options #1, #2, #5, #6, #7 and #8 as the bid was the best and lowest bid received for the Auglaize County Dog Shelter Project.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby award the bid for the Auglaize County Dog Shelter Project to Heyne Construction in the amount of \$427,900.00; and,

BE IT FURTHER RESOLVED that the architects, Garmann/Miller are hereby directed to prepare the contracts and bonds and, having secured the signatures of said bidders and their sureties, present the same to the Board of County Commissioners for approval; and the President of the Board to execute said contracts.

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

Adopted this
28th day of
May, 2013

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula *DR*
Don Regula

John N. Bergman *JNB*
John N. Bergman

Douglas A. Spencer *DS*
Douglas A. Spencer

- ccr Garmann/Miller
- ✓ Bidders
- ✓ Dog Warden – Russ Bailey

IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS FOR THE GUTMAN #3 DITCH PROJECT; AWARDED THE CONTRACT TO CY SCHWIETERMAN INC.

The Board of Auglaize County Commissioners met in regular session on the 28th day of May, 2013.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on April 25, 2013, Resolution #13-195 the Board of County Commissioners set May 23, 2013 at 10:00 a.m. as the date to receive bids for the Gutman #3 Ditch Project; and,

WHEREAS, the following bids for labor and materials was received:

From: Cy Schwieterman, Inc.	\$55,101.00,	
Gerding Ditching LLC	\$57,115.56,	
Engineer's Estimate was \$66,756.25		and,

WHEREAS, bids were given to the County Engineer personnel for review and comparison and upon review of the bids, as received, the County Engineer recommended the award be presented to Cy Schwieterman Inc. for the Gutman #3 Ditch project as its bid is a good and complete bid.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby award the bid for the construction of Gutman #3 Ditch project to Cy Schwieterman Inc. in the amount of \$55,101.00; and,

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare the contract and bond and, having secured the signatures of said bidder and its surety, present the same to the Board of County Commissioners for approval and execution; and,

BE IT STILL FURTHER RESOLVED that the whole of such work shall be completed and all material furnished by May 1, 2014 provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work.

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

Adopted this
28th day of
May, 2013

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