

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT FOR AUGLAIZE COUNTY PUBLIC DEFENDER'S OFFICE FUND.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it has been brought to the attention of the Board of County Commissioners that a budget adjustment is needed for the Auglaize County Public Defender Fund; same being:

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 2,300.00	001.0605.530900 (Other Expenses)	001.0605.532800 (Rental Facilities)

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to complete the budget adjustments as mentioned 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  
21st day of  
September, 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  
Public Defender – Gerald Siesel

**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 21st day of September, 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>
343320	\$ 275.30	Friends Business
343334	\$ 1,712.37	Diller Medical
343335	\$ 269.00	Irish Electric
343337	\$ 426.50	Lear Fire Equipment
343346	\$ 500.00	Jules Krizan, MA, L.P.C.C.
343349	\$ 1,590.60	Harbor Linen
343351	\$ 747.94	Pantry Pride
343358	\$ 339.32	John Jauert
343359	\$ 220.35	Kohls Dept. Stores
343368	\$ 200.00	Mobile Physicians
343381	\$ 1,088.70	Rightway Foods
343383	\$ 179.01	R & R Takhar Oil Company
343393	\$ 322.00	Kilbourne Medical Laboratory
343394	\$ 130.00	Auglaize Acres Activities Fund
343398	\$ 2,956.08	SAFY
343405	\$ 1,348.00	Teri King
343415	\$ 3,162.00	CTL Engineering, Inc.
343420	\$ 207.50	Clemans Nelson & Associates
343428	\$ 1,465.62	Schwieterman's
343433	\$ 5,800.00	Marsh Foundation
343434	\$ 101.00	Living Design
343446	\$ 582.80	Key Supply
343447	\$ 8,248.12	Adriel School Inc.
343468	\$28,501.50	Concept Rehab
343469	\$ 3,986.18	Gordon Food Service
343477	\$ 149.03	Fresh Encounter, Inc.
343491	\$ 2,978.56	Independent Concrete Pipe
343492	\$ 195.00	Ottawa Oil Company
343518	\$ 132.83	MacDonald Supply

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

Adopted this  
21st day of  
September, 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 ITEMS FOR RETRO-COMMISSIONING PROCESS WITH PERFECTION GROUP, INC. FOR PROFESSIONAL SERVICES FOR THE HVAC PORTION OF THE AUGLAIZE COUNTY LAW ENFORCEMENT CENTER.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on December 22, 2009, in Resolution #09-502, the Board of County Commissioners signed a Retro-Commissioning & Maintenance Agreement with Perfection Group, Inc.; and,

**WHEREAS**, after much of work is completed at this time, Perfection Group, Inc. has offered the Board of County Commissioners recommendations at the Law Enforcement Center to complete the retro-commissioning process; and,

**WHEREAS**, the following repairs/replacements are recommended at the Law Enforcement Center:

1. During the control system retro-commissioning in the HVAC, Perfection Group Inc. found (7) seven actuators that need to be replaced. We had some money in the agreement to cover the replacement/repair for control devices like these actuators so these repairs will be covered under the base HB295 Energy Project.
2. There are (2) two existing Taco chilled water loop pumps that are in need of replacement. The existing pumps will be replaced with a Bell and Gosset pumps and the cost of \$11,980.00 includes piping, insulation, electrical connections, start up and testing for both loop pumps.
3. Chemical feed tank (pot feeder) is aged and corroded and should be replaced at a cost of \$1,129.00.
4. The last repair would include the installation of a special purpose valve, called and "Add A Valve". This valve is designed to be installed in water lines without draining the system. Perfection would furnish the parts and labor to install the valving including the "Add a Valve" self piercing specialty fitting at a cost of \$3,109.00.
5. The grand total for all of the above repairs/replacements is \$16,218.00

**THEREFORE BE IT RESOLVED**, that the Board of Auglaize County Commissioners does hereby approve and authorizes the above stated items for repairs and replacements for the Law Enforcement Center as presented by Perfection Group.

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

Adopted this  
21st day of  
September, 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

**IN THE MATTER OF AUTHORIZING THE RETURN TO ST MARYS CHRYSLER, DODGE, JEEP, INC. OF TWO VEHICLES USED BY THE JUVENILE PROBATION SUMMER WORK PROGRAM.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on June 1, 2010, the Board of County Commissioners purchased two (2) vehicles from St. Marys Chrysler, Dodge Jeep, Inc.; namely, a 2005 Grand Caravan and 2005 Chrysler Town and Country; and,

**WHEREAS**, these two vehicles were used by the Auglaize County Juvenile Probation Department for its juvenile offender summer work program; said program being funded through a grant; and,

**WHEREAS**, as it was more advantageous and economical to purchase the vehicles as to lease them, and that the summer work program is complete, it is now time to sell them back to St. Marys Chrysler, Dodge Jeep, Inc. as had been agreed upon at the time of purchase; and,

**WHEREAS**, the following amounts reflect the costs and pay backs for the use of above mentioned vehicles from St. Marys Chrysler, Dodge Jeep, Inc.:

<u>Vehicle</u>	<u>Purchase cost</u>	<u>Return amount</u>	<u>Cost for Juvenile Probation</u>
2005 Grand Caravan	\$ 9,265.00	\$ 6,314.42	\$ 2,950.58
2005 Chrysler Town & Country	\$ 9,265.00	\$ 6,314.42	\$ 2,950.58

**WHEREAS**, Juvenile Probation also used a third Van (County owned), for the same length of time for the summer program, and,

**WHEREAS**, Juvenile Probation will fund the expense for that Van (\$ 2,950.58), and,

**WHEREAS**, Juvenile Probation will fund the expense for use of all the vehicles in the amount of **\$8,851.74**.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does, pursuant to the agreement between said Commissioners, Juvenile Probation and St. Marys Chrysler, Dodge Jeep, Inc., hereby authorize the return of the two purchased vehicles mentioned above; accepting **\$12,628.84** for the return; and,

**BE IT FURTHER RESOLVED** that the Board acknowledges that Auglaize County Juvenile Probation will pay the Auglaize County General Fund. \$8,851.74, using grant funding, for the use of the vehicles

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

Adopted this  
21st day of  
September, 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

**IN THE MATTER OF AUTHORIZING SCHINDLER ELEVATOR TO UPGRADE THE KEYLESS ENTRY ACCESS CONTROL SYSTEM FOR THE AUGLAIZE ACRES ELEVATOR; AND AUTHORIZES PRESIDENT OF THE BOARD TO EXECUTE SAID AGREEMENT**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Auglaize Acres Business Administrator Kim Sudhoff presented the following Upgrade Order Agreement to the Board of County Commissioners.

I recommend entering into an upgrade order agreement with Schindler Elevator to provide keyless entry access control system which will control access by requiring the user to enter an access code at a keypad before a call can be registered to gain access to the elevator. The keypad will be the same as the one currently mounted in the elevator cab on Floors G and I this will restrict access to the elevator cab to authorized personnel only. We will mount the keypad adjacent to the landing push button at each of the two landings. The keypad will be wired to the landing pushbutton at each landing. This will restrict access to the elevator car. Only authorized personnel who have been given the access code will be able to call the elevator to a given floor. The user will enter the access code on the keypad and then push the landing call button. The keypad is wired to the landing pushbutton so that it becomes enabled when the correct access code is entered into the keypad. The elevator responds to that landing, opens the doors and allows access to the elevator car.

Individuals having business with the Commissioners will enter through the back door area. No keypad will be located by the landing pushbutton bank at this entrance. They will have access to the elevator and can gain access to the second floor as long as the existing keyed lockout switch is enabled to allow the second floor car panel button to be pushed. Access to all other floors on the car panel will be controlled by the existing keypad in the elevator. Total cost for the upgrade is \$2,500.00.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the Schindler Elevator Corporation to provide a keyless entry access control system which will control access by requiring the user to enter an access code at a keypad before a call can be registered to gain access to the elevator at Auglaize Acres for the total cost of \$2,500.00; and,

**BE IT FURTHER RESOLVED** that said approved payment to be made by the Board of Auglaize County Commissioners and authorizes the President of the Board, Don Regula, to execute said agreement.

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

Adopted this  
21st day of  
September, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

cc:  County Administrator  
 Schindler Elevator Corporation

**SCHINDLER ELEVATOR CORPORATION**  
P.O. Box 960  
Holland, OH 43528-0960  
Phone: 419-861-5903  
Fax: 419-861-5901



## UPGRADE ORDER AGREEMENT

**Date:** 08/27/2010

**Estimate Number:** PBUR-88QQXT (2010.5)

**To:**  
Auglaize Acres  
13903 Infirmary Rd.  
Wapakoneta, OH 45895

**Customer:**  
Auglaize Acres

**Attn:** Bob Patton

Schindler hereby proposes to furnish and install the following with respect to the equipment located at the above building:

Provide a keyless entry access control system which will control access by requiring the user to enter an access code at a keypad before a call can be registered to gain access to the elevator. The keypad will be the same as the one currently mounted in the elevator cab. On Floors G and 1 this will restrict access to the elevator cab to authorized personnel only. We will mount the keypad adjacent to the landing pushbutton at each of the two landings. The keypad will be wired to the landing pushbutton at each landing. This will restrict access to the elevator car. Only authorized personnel who have been given the access code will be able to call the elevator to a given floor. The user will enter the access code on the keypad and then push the landing call button. The keypad is wired to the landing pushbutton so that it becomes enabled when the correct access code is entered into the keypad. The elevator responds to that landing, opens the doors and allows access to the elevator car.

Individuals having business with the Commissioners will enter through the back door area. No keypad will be located by the landing pushbutton bank at this entrance. They will have access to the elevator and can gain access to the second floor as long as the existing keyed lockout switch is enabled to allow the second floor car panel button to be pushed. Access to all other floors on the car panel will be controlled by the existing keypad in the elevator.

To proceed with this work please return a signed copy of the proposal. Once received, we will order the material and schedule the installation for a mutually acceptable time.

**Price:** \$2,500.00, plus applicable taxes. (Quotations valid for 60 days; price based upon work during regular working hours of regular working days.)

**Payment:** Payable in full within 30 days of invoice. Schindler retains title to any equipment furnished hereunder until final payment is made. Late or non-payment will result in assessment of interest charged at a rate of 1 1/2% per month or the highest legal rate available, and any attorneys' fees, expenses and costs of collection.

The attached terms and conditions are incorporated herein by reference.

Acceptance by you as owner's agent or authorized representative and subsequent approval by our authorized representative will be required to validate this agreement.

Proposed:

  
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By: Paul Burger

For: Schindler Elevator Corporation

Title: Sales Representative

Date: 8/27/2010

Accepted:

  
\_\_\_\_\_

By: Don Regula

For: Auglaize Acres

Title: President of the Board of Auglaize  
County Commissioners

Date: 9/21/10

Approved:

\_\_\_\_\_

By: Mark Kershner

Title: Branch Manager

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

## TERMS AND CONDITIONS

1. Any changes to the building to meet local or state codes are to be made by Purchaser. Any changes in the Work required due to building conditions discovered in the performance of the Work will be paid by Purchaser.
2. No work, service materials or equipment other than as specified hereunder is included or intended.
3. Purchaser retains its normal responsibilities as Owner of the equipment which is subject of this Agreement.
4. Schindler will not be liable for damages of any kind, in excess of the Price of this Agreement, nor in any event for special, indirect, consequential or liquidated damages.
5. Any cutting and patching is by others and not included in this work.
6. Neither party shall be responsible for any loss, damage, detention or delay caused by labor trouble or disputes, strikes, lockouts, fire, explosion, theft, lightning, wind storm, earthquake, floods, storms, riot, civil commotion, malicious mischief, embargoes, shortages of materials or workmen, unavailability of material from usual sources, government priorities or requests or demands of the National Defense Program, civil or military authority, war, insurrection, failure to act on the part of either party's suppliers or Subcontractors, orders or instructions of any federal, state, or municipal government or any department or agency thereof, acts of God, or by any other cause beyond the reasonable control of either party. Dates for the performance or completion of the work shall be extended by such delay of the time as may be reasonably necessary to compensate for the delay.
7. Schindler guarantees that the equipment will comply with the foregoing specifications and if promptly notified in writing will, at Schindler's expense, correct any defects in such equipment occurring within one year from the date of final acceptance, which are not due to ordinary wear and tear or to improper use, care and maintenance. The correction of such defects constitutes the limit of the responsibility. THERE ARE NO OTHER WARRANTIES OR GUARANTEES, EXPRESSED OR IMPLIED, OTHER THAN OF TITLE. The equipment installed under this agreement requires maintenance service, such as periodic examinations, lubrication and adjustment made by competent elevator mechanics. This guarantee is not intended to supplant this normal servicing of the equipment and it is not to be construed that Schindler will provide free maintenance service of this type, except as may be provided under other provisions of the contract, or that Schindler will correct, without charge, breakage, maladjustment or other troubles occurring as a result of improper or inadequate maintenance.
8. Purchaser agrees to defend, indemnify and hold Schindler harmless from and against any claims, lawsuits, demands, judgments, damages, costs and expenses arising out of this Agreement except to the extent caused by or resulting from the sole and direct fault of Schindler.
9. Any proprietary material, information, data or devices contained in the equipment or work provided hereunder, or any component or feature thereof, remains our property. This includes, but is not limited to, any tools, devices, manuals, software (which is subject to a limited license for use in this building/premises/equipment only), modems, source/ access/ object codes, passwords and the Schindler Remote Monitoring feature ("SRM") (if applicable) which we will deactivate and remove if the Agreement is terminated.

IN THE MATTER OF RECOGNIZING THE NATIONAL RESOURCE CONSERVATION & DEVELOPMENT (RC&D) AND COMMEMORATES THE ANNIVERSARY OF THE FOUNDING OF THE RC&D PROGRAM AND RECOGNIZED LOCAL RC&D COUNCILS AND THEIR PROJECTS WITHIN AUGLAIZE COUNTY AND DECLARING THE WEEK OF SEPTEMBER 19 – 25, 2010 AS “NATIONAL RC&D WEEK”.

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September 21, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, the Top of Ohio Resource Conservation & Development Council (RC&D) is a non-profit organization that serves Auglaize and nine other counties in the Western Corridor of Ohio; and,

WHEREAS, the Top of Ohio RC&D was formed in the late 1970s and received federally funded authorization from the U.S. Department of Agriculture, Natural Resources Conservation Service in 2001; and,

WHEREAS, the Top of Ohio RC&D Council is comprised of County Commissioners, Soil and Water Conservation District Supervisors, and members-at-large from the Western Corridor of Ohio counties which includes: Auglaize, Champaign, Clark, Darke, Hardin, Logan, Mercer, Miami, Shelby, and Union; and,

WHEREAS, the RC&D Program brings together those governments named above, as well as other governments, businesses, civic partners and hundred of volunteers to leverage funding at an average 5:1 ratio for every federal dollar received; and,

WHEREAS, the Top of Ohio RC&D operates with a very low dues commitment from member counties and has received millions of dollars in federal, state, and private grant funding to serve communities in Auglaize County and throughout the Western Corridor of Ohio with projects relating to water quality protection, erosion control, conservation of sensitive lands, job creation, environmental education, business retention and growth, urban sprawl, and the promotion of agricultural as an industry.

THEREFORE, BE IT RESOLVED that the Auglaize County Commissioners declare the week of September 19 – 25, 2010 as “National RC&D Week” to publicly acknowledge the benefits of the Resource Conservation and Development Program in Auglaize County.

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

Adopted this  
21st day of  
September, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, *gr*  
Don Regula

John N. Bergman, *gr*  
John N. Bergman

Douglas A. Spencer, *gr*  
Douglas A. Spencer

**IN THE MATTER OF APPROVING CONTINUED EDUCATION EXPENSES FOR AUGLAIZE ACRES EMPLOYEES: LINDA MCCUNE AND MARK JOHNS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day, September, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners received forms from Auglaize Acres informing it that Linda McCune and Mark Johns, members of Auglaize Acres Nursing Staff, will participate in continued education seminars as follows:

**On October 28, 2010 – The nurses will be attending Understand Personality Disorders which will be held in Lima;**

and,

**WHEREAS**, authorization for the expenses of this course is requested to be paid as follows:  
**October 28th –registration fees - \$ 85.00/person (\$170.00 total).**

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the continued education course expenses for the Auglaize Acres employees, Linda McCune and Mark Johns, as mentioned above; and,

**BE IT FURTHER RESOLVED** that the Board does authorize the payments for these registration fees to be made.

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

Adopted this 21st day  
of September, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

<u>Don Regula</u>	yes
Don Regula	
<u>John N. Bergman</u>	yes
John N. Bergman	
<u>Douglas A. Spencer</u>	yes
Douglas A. Spencer	

cc: Auglaize Acres