

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE THE RE-ENROLLMENT APPLICATION FOR THE COUNTY'S PARTICIPATION IN THE COUNTY COMMISSIONERS ASSOCIATION OF OHIO WORKERS COMPENSATION GROUP RETROSPECTIVE RATING PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of April, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS Auglaize County is currently enrolled in County Commissioners Association of Ohio's Compensation Retrospective Rating Program pursuant to Ohio Administrative Rule 4123-17-73 and has participated in the program since 2014; and,

WHEREAS, CCAO projects a refund for Auglaize County for program year 2018 to be approximately 23% payable over a three year period; and,

WHEREAS, the Board feels this savings to be significant enough for Auglaize County to re-enroll in the Group Retrospective Rating Program.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board to execute the enrollment application for the County's participation in the CCAO Workers' Compensation Retrospective Rating Program for calendar year 2018.

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

Adopted this
7th day of
April, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

cc: CCAOSC
County Auditor – Janet Schuler
Comp Management, Inc.

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE THE WORKERS' COMPENSATION GROUP RETROSPECTIVE RATING PLAN AGREEMENT FOR THE COUNTY'S PARTICIPATION IN THE COUNTY COMMISSIONERS ASSOCIATION SERVICE CORPORATION OF OHIO WORKERS COMPENSATION GROUP RETROSPECTIVE RATING PLAN.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of April, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Commissioners Association of Ohio (CCAO) established the "CCAO Service Corporation Workers' Compensation Group Retrospective Rating Plan", pursuant to Ohio Revised Code 4123.29; and,

WHEREAS, the proposed agreement with CCAOSC regarding the retrospective rating plan projects a refund for Auglaize County for program year 2018 to be approximately 23% payable over a three year period; and,

WHEREAS, the Board feels this savings to be significant enough for association with this group retrospective rating plan.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board to execute an Agreement for the County's participation in the CCAO Workers' Compensation Group Retrospective Rating Plan for calendar year 2018; and,

BE IT FURTHER RESOLVED that the Board of County Commissioners does authorize the payment of the CCAO Worker Compensation Group Retrospective Rating Plan Administration fee as determined and submitted by CCAOSC; and,

BE IT FURTHER RESOLVED that a copy of the executed agreement be made a part of this Resolution.

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

Adopted this
6th day of
April, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

cc: CCAOSC

✓ County Auditor – Janet Schuler

✓ Comp Management, Inc.

**COUNTY COMMISSIONERS ASSOCIATION OF OHIO
WORKERS' COMPENSATION GROUP RETROSPECTIVE RATING
PLAN AGREEMENT**

THIS AGREEMENT, dated as of April 6th, 2017, is between CCAO Service Corporation ("CCAO SC"), an Ohio corporation, and AUGLAIZE COUNTY ("Participant"), a political subdivision of the State of Ohio.

Section I: INTRODUCTION

Section 4123.29 of the Ohio Revised Code (ORC), and the rules promulgated thereunder, permit the establishment of employer group retrospective rating plans in order to group the experience of employers for workers' compensation rating purposes. The County Commissioners' Association of Ohio ("CCAO"), acting through CCAOSC its Service Corporation, as a sponsoring organization within the meaning of Section 4123.29 and the regulations associated with same, hereby establishes a Group Retrospective Rating Plan for the benefit of its membership. The terms and conditions for participation in the CCAO Group Retrospective Rating Plan are herein established.

A participating county is hereafter referred to individually as a "Participant". Participating counties are collectively referred to as the "Group".

Section II: NAME

The name of the plan shall be the CCAO Workers' Compensation Group Retrospective Rating Plan, hereafter referred to as the "CCAO Group Retrospective Rating Plan" or the "Plan". The principal office of the CCAO Group Retrospective Rating Plan shall be located at 209 East State Street, Columbus, Ohio 43215.

Section III: PURPOSE OF GROUP PLAN

The CCAO Group Retrospective Rating Plan is intended to: (1) achieve lower workers' compensation costs for the Group, and (2) result in the establishment of safer working conditions and environments for each Participant.

Section IV: REPRESENTATIONS AND WARRANTIES CONCERNING ELIGIBILITY

A. CCAOSC, for itself and on behalf of CCAO, represents and warrants as follows:

- (1) CCAO was created more than two years prior to the date of application for Group coverage.
- (2) CCAO was formed for the purposes other than obtaining Group Workers' Compensation under Section 4123.29, ORC; rather it was formed for the purpose of, among other things, uniting the county commissioners of Ohio into an association to promote the best practices and policies in the administration of county government for the benefit of the people of the State of Ohio.
- (3) The business of the Group members is substantially similar such that the policies which are grouped are substantially homogeneous.

B. The Participant represents and warrants as follows:

- (1) It is a member in good standing of the County Commissioners' Association of Ohio.
- (2) It has an Ohio Bureau of Workers' Compensation ("OBWC") policy number for counties and its account with OBWC is in good standing such that no outstanding premiums, penalties or assessments are due from it.

- (3) It is not a member of any other group for the purpose of obtaining workers' compensation coverage under Section 4123.29, ORC.
- (4) It is current in all financial obligations to the Group.

Section V: BASIC OBLIGATIONS OF PARTIES

Pursuant to Section I, hereof, CCAO, acting through CCAOSC, has established the CCAO Group Retrospective Rating Plan.

C. CCAOSC shall:

- (1) coordinate and administer the CCAO Group Retrospective Rating Plan in accordance with this agreement.
- (2) file or cause to be filed all necessary applications with OBWC to obtain membership for the Participants in the CCAO Group Retrospective Rating Plan; and
- (3) perform such additional duties as are required of it by this Agreement.

D. The Participant shall:

- (1) join and participate in the CCAO Group Retrospective Rating Plan; and
- (2) perform such additional duties and pay such fees and expenses as are required of it by this Agreement.

Section VI: RATE CONTRIBUTION AND REBATES

The Participant understands that the Group performance must be estimated in advance of the experience period and is based upon the most recent experience period, and that the actual Group performance will vary depending upon multiple factors. The Participant is solely responsible for any assessment of premiums owed to the OBWC. In no event shall CCAO, CCAOSC, the third party administrator, or other Group members be held liable for premiums owed by the Participant to the OBWC.

The Participant understands the Group performance is subject to change during and subsequent to the policy period, and all debit and credit adjustments processed by the OBWC will be the premium responsibility of the individual Participant. In no event will CCAO, CCAOSC, the third party administrator, or the other Group members be held liable for premiums owed by the Participant to the OBWC resulting from subsequent rate revisions.

It is understood that the OBWC will evaluate the performance of the CCAO Group Retrospective Rating Plan by comparing the aggregate individual participants' premiums paid to OBWC to the developed losses incurred by the participants during the policy year. It is also understood that the OBWC will perform this comparison in three periods in the following number of months after the inception of the program year: 24 months, 36 months, and 48 months.

In the course of the OBWC's evaluation of the program, should premiums paid by the Group exceed the total developed losses, the Group will be entitled to a refund for the difference. However, if the total developed losses exceed the total premiums paid to OBWC for the policy year the Group would then be subject to an assessment. The total assessment in this case, could not exceed the predetermined amount ("Maximum Premium Percent") selected by the group Executive Committee. For each evaluation period, payment of refund or notice of assessment to each Participant will be made by the OBWC pursuant to OBWC rules and procedures.

Section VII: ADMINISTRATIVE SERVICES

CCAO SC, with approval of the Group Executive Committee, shall retain the services of a third party administrator ("TPA") specializing in the administration of workers' compensation claims. Such designated TPA shall assist CCAO SC staff in the day to day management of the plan, prepare and file necessary reports for both OBWC and members, assist with loss control program, and other duties, (**excluding** claims-related matters, which shall be the responsibility of each individual Participant, as provided in the second paragraph of this Section VII) relating to the Plan's activities. The cost of these TPA services, and the administrative costs of CCAO SC, shall be borne by the Participant in proportion to its payroll to the total payroll of the Group. CCAO SC shall bill the Participant for such services at such times as are determined by the Group Executive Committee and the Participant shall remit payment to CCAO SC within thirty (30) days of its receipt of such bill.

Each Participant agrees to engage, at its sole expense, a TPA for claims-related matters, the same TPA as CCAO SC has retained as TPA for the Group, and further agrees to remain with said TPA for as long as Participant remains a member of the CCAO Group Retrospective Rating Plan.

In any event, the Participant agrees to inform CCAO SC, the Group, and the Group's TPA, at all times, of all claims and related matters which will affect the rating of the Group.

Section VIII: RISK MANAGEMENT SERVICES

The Participant acknowledges that one of the goals of a group retrospective rating program is a substantial improvement in accident prevention and safety training by the Group. The Participant shall make a good faith effort to maintain a safe working environment for its employees and to implement the Group's model safety and claims management program, "*The CCAO 10 Step Safety Plan for County Government*". In addition, each Participant shall participate in and comply with any safety program or claims management procedure adopted by the Group Executive Committee, including, but not limited to, completing the Safety Expectations Survey and working toward accomplishing all of the Safety Expectations. The costs for these risk management services shall be allocated, billed and paid in the same manner as described in Section VII, above. The Participant may provide supplementary training and risk management consulting services to its employees at the Participant's sole expense.

CCAO SC reserves the right to require the Participant to undergo an occupational safety and health audit of its premises. A copy of the audit results and safety recommendations shall be provided to the Participant and to CCAO SC. Participant agrees to make a good faith effort to comply with any safety recommendations.

Section IX: GENERAL ADMINISTRATIVE FEES

The Participant agrees to pay the administrative fees of CCAO SC during the term of the Agreement, if any, in the manner specified in Section VII, above.

Section X: GROUP EXECUTIVE COMMITTEE

There is hereby established a Group Executive Committee to oversee the CCAO Group Rating Program and the CCAO Group Retro Program, which shall consist of eleven members. Two of said members shall be the President and the Secretary/Treasurer of CCAO SC. Nine members shall be representatives of CCAO Group Rating and Group Retro Plan Participants. No Participant shall have more than one member on the Group Executive Committee, and each Executive Committee Member shall be a county commissioner. However, any member county may by written instrument signed by two or more County Commissioners, appoint a designee who need not be a county commissioner but shall be an employee of the member county.

A designee shall have the same powers as the appointing member.

The duties of the Group Executive Committee shall be:

- (1) to approve the selection of a TPA, as provided in Section VII hereof;
- (2) to review and approve proposed TPA fees, fees for risk management services, and general administrative fees, and to provide for the billing and collection thereof;
- (3) to determine ongoing eligibility of each Participant for continued participation in the Group; and
- (4) to perform such other acts and functions as may be necessary to the administration of the Group.

Section XI: TERM OF AGREEMENT

Subject to the approval of the CCAO Group Retrospective Rating Plan by the OBWC, the term of this Agreement shall commence on the date of execution hereof and shall be continuing and shall be applicable to all rating periods beginning January 1, 2018 and thereafter. CCAOSC may terminate this Agreement upon sixty (60) days written notice to the Participant. The Participant may terminate this Agreement so as not to be included in the CCAO Group Retrospective Rating Plan for the next annual rating period provided ten (10) days written notice of intent to withdraw from the CCAO Group Retrospective Rating Plan is given to CCAOSC prior to the prescribed application deadline of OBWC, currently July 31, 2017. In any event, a Participant shall not be relieved of the obligation to pay any amounts owed for participation in the CCAO Group Retrospective Rating Plan prior to withdrawal therefrom.

Section XII: APPLICATIONS BY PARTICIPANT

Initial application of a Participant shall include: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC Form U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC. In order to remain in good standing and to remain eligible for Group membership, a Participant must be current in all financial obligations to CCAO and to the Group, and shall provide to CCAOSC annually, prior to the OBWC group retrospective rating deadline: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC.

Section XIII: GENERAL PROVISIONS

CCAOSC shall strictly account for all funds collected and disbursed relating to the Group Retrospective Rating Plan. All Group Retrospective Rating Plan funds shall be strictly segregated from all CCAOSC funds relating to the operations and activities of CCAO's other programs.

The Participant is solely responsible for any assessments or premiums levied by OBWC against it.

Neither the CCAO Group Retrospective Rating Plan nor its TPA shall be liable for any such charges. If the Participant leaves the Group, it will allow representatives of the Group to access its loss experience for a period of three (3) years following the last year of participation.

The Participant hereby acknowledges receipt of the complete Agreement.

IN WITNESS THEREOF, the parties hereby enter into this Agreement on the date given below.

CCAO SERVICE CORPORATION

Date: 3/29/2017 By: 

Keith Blosser, Managing Director, Operations

AUGLAIZE COUNTY

Date: 4/6/2017 By: 
Signature of Authorized Official John N. Bergman, BOCC President

County Name: AUGLAIZE COUNTY
Address: 209 S. BLACKHOOF ST., RM. 102
City, State, Zip: WAPAKONETA OH 45895-1989
OBWC Number: 30600001

APPROVED AS TO FORM (if required)

Prosecuting Attorney _____

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 6th day of April, 2017.

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>
413569	\$ 4,826.70	JTDMH
413615	\$ 1,350.00	Lucas County Coroner
413631	\$ 818.00	NWGS
413649	\$ 7,048.41	Mercer County Health Dept
413692	\$ 1,650.00	PDG
413718	\$10,350.00	Heise General Contracting

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

Adopted this
6th day
April, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

cc: County Auditor

IN THE MATTER OF AUTHORIZING A TRANSFER OF FUNDS FROM DITCH DEBT SERVICE FUND TO APPROPRIATE MAINTENANCE FUNDS AS REQUESTED BY COUNTY AUDITOR.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of April, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the following correspondence was received by the Board of County Commissioners:
April 4, 2017

Board of County Commissioners
209 S. Blackhoof St.
Wapakoneta OH 45895

Dear Board Members,

I wish to make the following transfers from ditch debt service to the appropriate maintenance funds. The notes are now paid in full.

From	To	Amount
275.0275.535800 (Transfer Out)	834.0100.400200 (Transfer in)	\$229.06
291.0291.535800 (Transfer Out)	840.0100.400200 (Transfer in)	\$130.18
293.0293.535800 (Transfer Out)	841.0100.400200 (Transfer in)	\$ 65.50
299.0299.535800 (Transfer Out)	847.0100.400200 (Transfer in)	\$ 19.57
201.0201.535800 (Transfer Out)	880.0100.400200 (Transfer in)	\$ 76.78
241.0241.535900 (Transfer Out)	001.1100.400100 (Transfer in)	\$252.69

Thank you for your attention to this matter.

Sincerely,
s/Janet Schuler
Janet Schuler
Auglaize County Auditor

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the above mentioned transfer of funds for the Amesser Ditch (834); Simms Run Ditch (840); Spencer Ditch (841); Burr Oak Ditch (847); Campbell Ditch (880); Kah Sewer (001); South Grand Lake Sewer (100); and for the Sandy Beach Sewer (122), respectively as mentioned in the request of the County Auditor.

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

Adopted this
6th day of
April, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: County Auditor

IN THE MATTER OF APPROVING, ADOPTING AND AUTHORIZING THE PERSONNEL HANDBOOK FOR THE EMPLOYEES OF THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND DECLARING OTHER HANDBOOKS AND AMENDMENTS NULL AND VOID.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of April, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners adopted and implemented a personnel handbook in Resolution #99-444 setting forth the wages, hours of work and terms and conditions of employment for the employees within the Auglaize County Department of Job and Family Services; and,

WHEREAS, Michael S. Morrow, Director of said department has presented three amendments in Resolution #99-625, Resolution #02-086 and Resolution #14-008 to said adopted handbook; and,

WHEREAS, Michael S. Morrow, Director of said department has presented an updated personnel handbook thus declaring other handbooks and amendments null and void.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby approve and authorize the personnel handbook as mentioned above, for the Auglaize County Department of Job and Family Services; as recommended by Director Michael Morrow; same being effective as of April 1, 2017.

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

Adopted this
6th day of
April, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman
Douglas A. Spencer, yes
Douglas A. Spencer
Don Regula, yes
Don Regula

✓cc: County Department of Job & Family Services –
Michael Morrow

IN THE MATTER OF ACCEPTING THE EAST SHELBY JOINT COUNTY DITCH INTO THE COUNTY'S DITCH PERMANENT MAINTENANCE PROGRAM; ESTABLISHING THE EAST SHELBY JOINT COUNTY DITCH MAINTENANCE FUND WITH THE AUGLAIZE AND SHELBY COUNTY AUDITORS.

The Boards of Auglaize County and Shelby County Commissioners met in regular session on the 6th day of April, 2017, at the Assembly Room in Auglaize County, Ohio with the following members present:

John Bergman	<u>present</u>	Anthony Bornhorst	<u>present</u>
Don Regula	<u>present</u>	Julie Ehemann	<u>present</u>
Doug Spencer	<u>present</u>	Robert Guillozet	<u>present</u>

Commissioner Bornhorst moved the adoption of the following:

RESOLUTION

WHEREAS, the East Shelby Joint County reconstruction ditch project consists of two parts. Part 1) is 3,175 feet in length and draining a 1,315 acre watershed Section 24 in St. Marys Township and Part 2) is 3,675 feet in length and draining a 799 acre watershed in Section 30 in Washington Township; and,

WHEREAS, two landowners within the watershed have reconstructed said open ditch to the specifications of the Counties and the Auglaize Engineer's Office has prepared plans, a watershed boundary map and a schedule of landowners reflecting parcel assessments within the 1,315 acre watershed; and,

WHEREAS, the two landowners have requested the East Shelby Joint County Ditch to be placed under a permanent maintenance plan as prescribed under Section 6133.04 of the Ohio Revised Code;

WHEREAS, all landowners within the East Shelby Joint County Ditch watershed were notified of their permanent maintenance assessment base and were invited to a public hearing which was held by the Joint Board of County Commissioners in the Assembly Room on April 6, 2017 at 1:30 p.m.; and,

WHEREAS, at said public hearing, those landowners that were in attendance and the Joint Board of County Commissioners feel the need and that the long term benefits would be advantageous to the landowners and are in favor of the maintenance plan.

THEREFORE BE IT RESOLVED, the Joint Board of County Commissioners does hereby accept the East Shelby Joint County Ditch for permanent maintenance and this will provide a long term benefit and be conducive to the public welfare of those landowners within the watershed as prescribed under Section 6131 of the Ohio Revised Code; file the plans with the Auglaize County Engineer; the schedule of landowners with the Auglaize County Auditor and the Shelby County Auditor and to authorize the Auditors to levy a 5% maintenance fee for the 2018 tax collection.

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

Adopted this 6th day of April, 2017

AUGLAIZE COUNTY

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

SHELBY COUNTY

Anthony J. Bornhorst, yes
Anthony J. Bornhorst

Julie L. Ehemann, yes
Julie L. Ehemann

Robert A. Guillozet, yes
Robert A. Guillozet

cc: County Engineer
Auditors – Auglaize & Shelby
Shelby County Commissioners