

IN THE MATTER OF APPROVING THE CONTRACT AMENDMENT NO. 1 WITH KLEINFELDER, INC. FOR PROFESSIONAL SERVICES FOR THE ADMINISTRATION AND IMPLEMENTATION OF PY2023 LEAD SAFE OHIO (LSO) PROGRAM GRANT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on March 7, 2024 in Resolution #24-134 the Board of Commissioners approved and signed the letter contract with Kleinfelder for said firm to provide professional planning services to assist the County, for the maximum fee of \$128,800.00 for the administration and implementation of its PY2023 Lead Safe Ohio (LSO) Program Grant; and,

WHEREAS, Kleinfelder, Inc. has submitted a letter contract amendment No. 1 to the Board for said firm to revise the language of its PY2023 Lead Safe Ohio Administrative Contract. This language will be included with this resolution; and,

WHEREAS, the Board of County Commissioners has reviewed the contract amendment No. 1 finding same to be in order and reasonable.

THEREFORE BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby approve the letter contract Amendment No. 1 for professional planning services of Kleinfelder, Inc. for the administration and implementation of the PY2023 Lead Safe Ohio (LSO) Program Grant at the terms so specified in said contract; and,

BE IT FURTHER RESOLVED that said Board authorizes the President of the Board, Douglas A. Spencer, to execute said contract amendment No. 1.

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: Kleinfelder, Inc.
Clerk of the Board



Contract Amendment

PROJECT: *(Name and Address)*
Auglaize County Lead Safe OH (2023-202339)
Auglaize County Board of Commissioners
209 South Blackhoof Street, Room 201
Wapakoneta, OH 45895

CONTRACT AMENDMENT NUMBER: 1

DATE: 12/18/2024

PROJECT NUMBER: 24005084.001A

TO CLIENT: *(Name and Address)*
Ms. Erica Preston, County Administrator
Auglaize County Board of Commissioners
209 South Blackhoof Street, Room 201
Wapakoneta, OH 45895

PROJECT MANAGER: GRF

CONTRACT DATE: 03/07/2024

The Contract is changed as follows:

Due to more recent communications with Lead-Safe Ohio staff at the Ohio Department of Development Office of Community Enhancement (ODOD-OCE), this contract amendment revises Exhibit B language for the Lead Safe OH Administrative Contract as follows:

>This Contract Amendment Revises Exhibit B language to reflect ODOD-OCE requirements for allowable "Soft Costs" and "General Administration" dollars that may be charged to the Lead Safe OH Grant (2023-202339) for individual housing projects/units. For projects closed/undertaken, ODOD-OCE now allows "Soft Costs" of only 20% of total project hard/construction costs with an additional allowance of only 10% for "General Administration." The 20% (soft cost) and 10% (administrative) allowances are based on the project's construction/bid total ("Hard Costs"), including any necessary change orders. This is a change from the allowable LSO project costs understood when the contract was initially executed. Note: Kleinfelder has been following these allowances for individual LSO projects/units since beginning work on LSO projects. This contract amendment corrects initial contract language to reflect what is/has been allowed by ODOD-OCE and charged/invoiced for project soft costs and general administration.

Note Key Revisions:

>No change to original contract amount of \$128,800; Kleinfelder understands that the overall contract amount may be adjusted/decreased based on the number of projects/units closed and those inspected but not closed/undertaken.

>Removes Kleinfelder's minimum "per unit soft cost" estimates of \$12,500 for residential units and \$16,000 for childcare facilities.

>Revises Kleinfelder's initial Lump Sum Compensation per unit (removing "greater of" and removing minimum \$12,500/\$16,000) to be ODOD-OCE's allowable 20% of project "hard/construction costs" for residential and childcare units with an additional 10% of project hard costs allowed for General Administration (for projects closed/undertaken).

>As needed, when individual projects/units require execution of change orders in any amount after initial project approval, Kleinfelder will include the ODOD-OCE allowable 20% for soft costs and 10% for general administration (based on project's total "hard/construction" costs), accordingly. The \$5,000 change order total is removed.

>The 10% administrative allowances (based on projects' total costs) will be invoiced L/S when projects are completed (for those projects closed).

The original Contract Sum: \$128,800

The net change by previously submitted Contract Amendments: \$0

The Contract Sum prior to this Contract Amendment: \$128,800

The Contract Sum will be increased/decreased by this Amendment in the amount of: \$0

The new Contract Sum including this Contract Amendment: \$128,800

The Contract Time will be increased by: 0 days

**NOT VALID UNTIL SIGNED BY THE ARCHITECT/ENGINEER AND CLIENT
(Signatures on reverse page)**



Auglaize County Lead Safe OH (2023-202339) – Contract Amendment #1

Kleinfelder Inc.
ARCHITECT/ENGINEER

1168 North Main Street
Bowling Green, Ohio 43402
ADDRESS

Lauren O. Falcone

BY Lauren O. Falcone, AICP, Principal Professional

12/18/2024
DATE

Auglaize County Board of Commissioners
CLIENT

209 South Blackhoof Street, Room 201
Wapakoneta, OH 45895
ADDRESS

Douglas A. Spencer

BY Douglas A. Spencer, President, Auglaize County Commissioners

12/26/2024
DATE

IN THE MATTER OF AUTHORIZING THE COOPERATIVE AGREEMENT WITH THE ERIE COUNTY PORT AUTHORITY AS RELATED TO ECONOMIC DEVELOPMENT FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of Auglaize County Commissioners has determined that it shall continue efforts to enhance, foster, aid, provide and promote economic development activities within its geographic area; and,

WHEREAS, in lieu of creating a port authority, pursuant to Ohio Revised Code Section 9.482 and 4582.431, the Board of Auglaize County Commissioners is possessed of the power to enter into an agreement with an existing port authority; and,

WHEREAS, pursuant to Ohio Revised Code Section 4582.431, Erie County Port Authority is possessed of the power to enter into an agreement with Auglaize County Commissioners, thereby authorizing the Erie County Port Authority upon the determination of the Auglaize County Commissioners, to exercise any power, perform any function, or render any service on behalf of the Auglaize County Commissioners, which the Board is authorized to exercise, perform or render.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners , Auglaize County, Ohio, does hereby approve and enter into the Cooperative Agreement with the Erie County Port Authority; and,

BE IT FURTHER RESOLVED that said cooperative agreement will be part of this resolution.

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc/ County Economic Development Directors
Erie County Port Authority

COOPERATIVE AGREEMENT

This Cooperative Agreement (the “Cooperative Agreement”) dated as of December ____, 2024, is entered into by and between Auglaize County, Ohio, a political subdivision of the State of Ohio, by and through its Board of County Commissioners (the “County”) and the Erie County Port Authority, a body corporate and politic duly organized and validly existing under the laws of the State of Ohio (together with its permitted successors and assigns, the “Authority”), under the circumstances described below.

RECITALS:

WHEREAS, the County has determined that it shall continue to enhance, foster, aid, provide and promote commerce and economic development within its geographic area by providing assistance to one or more projects, and that such projects shall create and preserve jobs and employment opportunities within the same (hereinafter referred to as the “Projects”);

WHEREAS, pursuant to Ohio Revised Code Section 4582.22, the County is possessed of the power to create a port authority which shall possess all of the powers enumerated in Ohio Revised Code Section 4582.21 *et seq.*;

WHEREAS, the Authority is possessed of broad powers relating to economic development and the creation and preservation of jobs and employment opportunities, including those granted pursuant to Ohio Revised Code Section 4582.21 *et seq.*;

WHEREAS, in lieu of creating a port authority, the County has requested that the Authority assist it with certain Projects within its geographic area in accordance with the terms of this Cooperative Agreement;

WHEREAS, Ohio Revised Code Sections 9.482 and 4582.431 authorize the County to enter into an agreement with the Authority under which the County authorizes the Authority to exercise any power, perform any function, or render any service on behalf of the County, which the County is authorized to exercise, perform or render;

WHEREAS, the locations of the Projects are outside the geographic area in which the Authority is otherwise authorized to exercise its powers, and in order to assist the County with the Projects, the Authority must obtain the County’s authorization to exercise powers possessed by the County for such purposes;

WHEREAS, the County possesses legal authority to and the County is willing to authorize the Authority to exercise within the County, with respect to certain Projects, such legal authority as the County possesses; and

WHEREAS, the Authority has determined that the Projects are in furtherance of the Authority’s authorized purposes and the Authority is willing to assist the County with the Projects as requested from time to time.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreements and covenants contained herein, and receipt of other good and valuable consideration, the County and the Authority hereby agree as follows:

Section 1. The County does hereby authorize the Authority to exercise such powers as the County possesses to conduct certain Projects within the territorial jurisdiction of the County according to the terms of this Cooperative Agreement; provided that, the County does not make any representation as to the extent of its legal power or authority or the required manner of their exercise under Ohio law.

Section 2. Upon invitation by the County to participate on a project, the Authority agrees to provide such services relating to the Projects on such terms as are further agreed upon between the parties hereto.

Section 3. The Authority agrees to provide the Auglaize County Community Improvement Corporation (the "CIC") with a portion of the Authority's transaction fee, in an amount agreed upon by the Authority and the CIC with respect to each of the Projects.

Section 4. The County shall have no financial liability whatsoever regarding the structuring, acquisition, financing, construction and development of any Project contemplated under this Cooperative Agreement unless otherwise agreed to in any subsequent written agreement.

Section 5. This Cooperative Agreement shall in all respects be governed by and construed and enforced in accordance with the laws of the State of Ohio, without reference to principles of conflicts of laws.

Section 6. This Cooperative Agreement shall be non-exclusive and shall be binding upon and inure to the benefit of County and the Authority and their respective successors and permitted assigns. No party may assign this Cooperative Agreement or any of its rights or obligations hereunder in whole or in part without the prior written consent of each of the other parties hereto.

Section 7. This Cooperative Agreement may be executed in any number of counterparts as may be convenient or necessary and it shall not be necessary that the signatures of all of the parties hereto be contained on any one counterpart. Additionally, the parties hereto agree that for purposes of facilitating the execution of this Cooperative Agreement, (a) the signature pages taken from the separate individually executed counterparts of this Cooperative Agreement may be combined to form multiple fully executed counterparts and (b) a facsimile transmission shall be deemed to be an original signature for all purposes. All executed counterparts of this Cooperative Agreement shall be deemed to be originals, but all such counterparts taken individually or collectively, as the case may be, shall constitute one and the same agreement.

Section 8. This Cooperative Agreement may be terminated by the parties hereto upon thirty (30) days written notice to the other party; provided, that if a financing or other formal transaction commitment has been issued for a Project, and the consummation of the Project in

accordance with the financing or other formal transaction commitment requires the participation of the Authority, then this Cooperative Agreement shall not be subject to termination as to such Project until such Project is either complete or has been determined by the parties hereto to be incapable of completion.

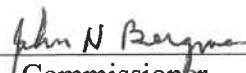
[Balance of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

BOARD OF COMMISSIONERS OF
AUGLAIZE COUNTY, OHIO:

By: 
Commissioner

By: 
Commissioner

By: 
Commissioner

Approved as to Form:

By: _____
Prosecuting Attorney

ERIE COUNTY PORT AUTHORITY:

By: _____
Eric Wobser, Executive Director

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

BOARD OF COMMISSIONERS OF
AUGLAIZE COUNTY, OHIO:

By: _____
Commissioner

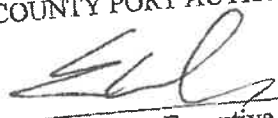
By: _____
Commissioner

By: _____
Commissioner

Approved as to Form:

By: _____
Prosecuting Attorney

ERIE COUNTY PORT AUTHORITY:

By:  _____
Eric Wobser, Executive Director

IN THE MATTER OF APPROVING LEASES AT THE NEIL ARMSTRONG AIRPORT FOR VARIOUS HANGAR SPACES; RATIFYING THE EXECUTION OF THE LEASES.

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, at the Auglaize County owned Neil Armstrong Airport, there are various hangars which are rented to numerous companies and individuals by the Auglaize County Airport Authority, designated as Agent for Auglaize County, for non-commercial storage of aircraft and auxiliary incidental uses associated therewith; and,

WHEREAS, the subsequent companies/individuals have entered into twelve (12) month leases, commencing January 1, 2025:

Kenneth Boyd	\$121.00/month
Schmiesing Brothers Aviation LTD	\$409.00/month
Four Alpha Juliet LLC	\$415.00/month
Midwest Corporate Air	\$196.00/month
Paul LeBlanc	\$208.00/month
Poor Farmer Aviation LLC	\$208.00/month
Windward Aviation Solutions LLC	\$208.00/month
Trinity Point Enterprises LLC	\$208.00/month
Donald H. Holthaus	\$254.00/month
4535X Flyers LLC	\$254.00/month
Randall & Naomi St. Julian	\$208.00/month
Michael Schnell	\$208.00/month
Ned Koenig	\$208.00/month
Bobs Biz Ltd.	\$208.00/month
Arnold Aviation LTD	\$301.00/month
Greg Dennings	\$345.00/month
William Schulze	\$145.00/month
Mark Gesler	\$145.00/month
Ken E. Curell	\$145.00/month
Michael Schnell	\$145.00/month
RSTL LLC	\$145.00/month

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the above mentioned Hangar leases with companies and individuals as listed for airplane hangars as specified in the lease agreements; and,

BE IT FURTHER RESOLVED that said Board ratifies the execution of said lease agreements.

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

County Commissioners Office
Auglaize County, Ohio
December 26, 2024

NO. #24-638

IN THE MATTER OF AUTHORIZING AN AMENDMENT TO THE TRAVEL REIMBURSEMENT POLICY FOR AUGLAIZE COUNTY EFFECTIVE JANUARY 1, 2025.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, the Board of County Commissioners and other County Elected Officials and Department Heads have discussed the need to adjust the County's rate of reimbursement for work related use of a personal vehicle due to oil and gas costs, etc.; and,

WHEREAS, the Board has determined that the mileage reimbursement rate for all county employees driving their personal motor vehicle while transacting county business should be increased from (\$.67) per mile, Resolution #24-002, to (\$.70) per mile based on the IRS privately owned vehicle mileage reimbursement rate.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize an amendment to the travel reimbursement policy for Auglaize County, effective January 1, 2025, setting reimbursement at seventy cents (\$.70) per mile; and,

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

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: all elected officials and/or
department heads

IN THE MATTER OF APPOINTING SETH BOWERSOCK TO THE REGION 15 REPRESENTATIVES TO THE ONEOHIO RECOVERY FOUNDATION, INC. BOARD AND AFFIRMING OTHER COUNTY APPOINTMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the **Auglaize County**, is a Local Government that has adopted and approved The OneOhio Memorandum of Understanding (“The Memorandum”), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio’s communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and,

WHEREAS, Auglaize County is a participant in **Region 15** as established by The Memorandum; and,

WHEREAS, Regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire Region; and,

WHEREAS, pursuant to The Memorandum each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide Foundation Board and selection of projects to be funded from the regional Share; and,

WHEREAS, Region 15 Board will consist of 27 members with 3 representatives from each county. Representatives from each county shall serve on behalf of the: Board of Auglaize County Commissioners, municipalities, and townships. Each county will determine how best to make these appointments; and,

WHEREAS, imminent distribution of Opioid Funds through the OneOhio Recovery Foundation, Inc. requires immediate appointment of a regional representative from this Region; and,

WHEREAS, Auglaize County does hereby appoint Seth Bowersock for a three year appointment 2025 – 2027.

NOW THEREFORE BE IT RESOLVED, by this Board of Auglaize County Commissioners that:

Section 1. **Seth Bowersock to be appointed for a three-year term** as the Auglaize County Region 15 representative from 2025 - 2027;

Section 2. Representatives may exercise all authority of an OneOhio Recovery Foundation, Inc. Board member under Section D.3 through and including D.11 of the OneOhio Memorandum of Understanding during this appointment; and shall report any such actions to the regional board in this Region;

Section 3. It is found and determined that all formal actions of this legislative body relating to the adoption of this Resolution were adopted in an open meeting, and that all deliberations that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

IN THE MATTER OF AUTHORIZING A DECREASE/INCREASE TO THE 2024 APPROPRIATION BUDGETED AS REQUESTED BY THE COUNTY AUDITOR.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 26th day of December, 2024.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, Linda Bice, County Auditor has submitted the following request to the Board of County Commissioners:

December 26, 2024
Board of County Commissioners,

After review of actual receipts verses appropriations the following expenditure line items need reduced.

Decrease: 092.0092.530600 Contract Services by -\$12,366.00

Using money certified but unappropriated please increase the following:

Increase: 508.0058.500100 (Gas Rotary) by \$19,522.74.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the appropriation decrease and increase as requested and listed above.

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

Adopted this
26th day of
December, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: County Auditor
County Administrator