

**IN THE MATTER OF APPROVING A CONTRACTOR'S PARTIAL PAY REQUEST #6 TO VTF EXCAVATION LLC FOR THE VILLAGE OF BUCKLAND'S SEWER FACILITIES IMPROVEMENTS, A CDBG FY 2013 RESIDENTIAL PUBLIC INFRASTRUCTURE PROGRAM.**  
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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 12th day of February, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on May 7, 2013, Resolution #13-213, the Board of County Commissioners accepted and entered into a Community Development Block Grant Agreement with the Ohio Development Services Agency for the Residential Public Infrastructure Grant Program on behalf of the Village of Buckland's new sewer facilities project in the amount of \$600,000.00; and,

**WHEREAS**, on October 17, 2014, Resolution #13-457, the Board of County Commissioners executed a MOU with the Village of Buckland the CDBG F.Y. 2013 Residential Public Infrastructure Improvements contribution will be no more than 21% of the total project costs to VTF Excavation LLC; and,

**WHEREAS**, the Board of County Commissioners has now been presented with a Contractor's Partial Pay Request #6 in the amount of \$182,590.26 and OWDA/EPA Loan will pay \$65,668.37 and OPWC will \$94,795.17 leaving a balance of \$22,097.51 from the CDBG F.Y. 2013 Residential Public Infrastructure Grant from VTF Excavation, LLC through Choice One Engineering Firm and Village of Buckland.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the Pay Request #6 in the amount of \$22,097.51, and does authorize execution by the President of the Board of County Commissioners for said Contractor's Partial Pay #6 from VTF Excavation LLC, through Choice One Engineering.

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

Adopted this  
12th day of  
February, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

cc:  RCAP – Julie Ward  
 Choice One Engineering – Andrew Shuman  
 Village of Buckland

County Commissioners' Office  
Auglaize County, Ohio  
February 12, 2015

No 15-082

**IN THE MATTER OF AUTHORIZING A HOUSING REHABILITATION PROJECT UNDER  
THE C.H.I.P. PROGRAM.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 12th day of February, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners did receive a \$400,000.00 grant through the State of Ohio's Comprehensive Housing Improvement Program for the acquisition & rehabilitation of housing units within the County; and

**WHEREAS**, the following private rehab project is ready to proceed:

Applicant: Charles Ward                      320 South Pine St., St. Marys, Ohio  
Project Cost: \$8,535.00                      (CDBG Funds)  
Contractor: Heise General Contracting LLC

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners does hereby authorize the housing project as noted above.

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

Adopted this 12th day  
of February, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

cc: Gayle Flaczynski – Poggemeyer Design Group  
BOCC Clerk – Esther Leffel



**IN THE MATTER OF APPROVING A CONTRACT BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND SPECIALIZED ALTERNATIVES FOR FAMILIES AND YOUTH OF OHIO FOR PROFESSIONAL SERVICES.**

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The Board of County Commissioners of Auglaize County, Ohio met in special session on the 12th day of February, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Department of Job and Family Services has the responsibility of contracting with various agencies for placement and related services for children who are in the care and custody of said Department, as well as, the protective services for dependent, neglected and abused children; and,

**WHEREAS**, a contract for said professional services, between the Auglaize County Department of Job and Family Services, a Title IV-E Agency, and Specialized Alternatives for Families and Youth of Ohio was provided to the Board of County Commissioners by the Job & Family Services Dept. with a request that the Board approve the contract with the term of contract being January 29, 2015 through December 31, 2015 at the maximum cost of \$55,807.20 for contracted services.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby approve the contract between Auglaize County Department of Job and Family Services and Specialized Alternatives for Families and Youth of Ohio for the professional services to dependent, neglected and abused children in the custody and care of the Job & Family Services Dept.; and,

**BE IT FURTHER RESOLVED** that the Board does hereby ratify the execution of said contract by the Board of County Commissioners.

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

Adopted this  
12th day of  
February, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

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

**IN THE MATTER OF AMENDING THE CONTRACT BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND THE ADRIEL, INC.**

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The Board of County Commissioners of Auglaize County, Ohio met in special session on the 12th day of February, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Department of Job and Family Services has the responsibility of contracting with various agencies for placement and related services for children who are in the care and custody of said Department, as well as, the protective services for dependent, neglected and abused children; and,

**WHEREAS**, on September 23, 2014, Resolution #14-443 a contract for said professional services, between the Auglaize County Department of Job and Family Services, a Title IV-E Agency, and Adriel, Inc. was provided to the Board of County Commissioners by the Job & Family Services Dept. with a request that the Board approve the contract with the term of contract being September 8, 2014 through June 30, 2015 at the maximum cost of \$24,496.00 for contracted services; and,

**WHEREAS**, on February 6, 2015, correspondence was received and stated that due to a per diem rate change, the Adriel, Inc. contract maximum amount needs increased from \$24,496.00 to \$47,105.00. The Board will need to amend the current contract amount to reflect this additional per diem – the contract needs to be increased by \$22,609.00 for a maximum cost of \$47,105.00.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby approve the amendment in the contract of \$22,609.00 between Auglaize County Department of Job and Family Services and the Adriel, Inc. for the professional services to dependent, neglected and abused children in the custody and care of the Job & Family Services Dept.; and,

**BE IT FURTHER RESOLVED** that the Board does hereby ratify the execution of said increase in the cost of the contract by the Board of County Commissioners.

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

Adopted this  
12th day of  
February, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

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



**IN THE MATTER OF AUTHORIZING A TRANSFER OF FUNDS FROM UNCLAIMED FUNDS TO COUNTY GENERAL FUND.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 12th day of February, 2015.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the following correspondence was received by the Board of County Commissioners:

The following has been in unclaimed funds for 5 years and now needs to be transferred to the County General Fund. Please make the following transfer:

From Unclaimed Funds	504-0021-539800	\$ 4,882.88
To County General	001-0700-401500	\$ 4,882.88

**THEREFORE, BE IT RESOLVED** that the Board does authorize the County Auditor to make the following transfer of funds:

**From: 504-0021-539800 – Unclaimed Funds  
Amount \$4,882.88  
To: 001-0700-401500 – County General Fund**

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

Adopted this  
12th day of  
February, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

✓cc: County Auditor

**IN THE MATTER OF THE JOINT BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE, ALLEN AND SHELBY AUTHORIZING THE EXTENSION OF TIME TO COMPLETE THE AUGLAIZE RIVER AND TWO-MILE CREEK STREAM ENHANCEMENT PROJECT #1306 AND APPROVING THE LIQUATED DAMAGES SCHEDULE AND WITH THE FINAL COMPLETION DATE OF AUGUST 1, 2015 WITH RAHRIG TREE COMPANY.**

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The Joint Board of Auglaize, Allen and Shelby County Commissioners met in regular session on the 12th day of February 15, 2015 with the following members present:

Auglaize County:	Douglas A. Spencer	✓
	John N. Bergman	✓
	Kenneth Sommer Acting Co. Commissioner	✓
Allen County:	Greg Sneary	absent
	Cory Noonan	✓
	Jay Begg	✓
Shelby County:	Julie L. Ehemann	✓
	Robert A. Guillozet	✓
	Anthony J. Bornhorst	✓

Commissioner Begg moved the adoption of the following:

**WHEREAS**, on November 20, 2012, Resolution #12-493, the Joint Board of Auglaize, Allen and Shelby County Commissioners approved the contract with Rahrig Tree Company (the "Contractor") for the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 (the "Project"); setting a completion date for said project of April 1, 2014 (the "Contract"); and,

**WHEREAS**, the Contract provided for a completion date "on or before April 1, 2014, weather permitting, as stated in the bid application and Ohio Department of Transportation Construction and Material Specifications Manual, Section 108.06 and 108.07"; and

**WHEREAS**, the Project was not completed on or before April 1, 2014; and

**WHEREAS**, on April 15, 2014, Resolution #14-205, the Joint Board of Auglaize, Allen and Shelby County Commissioners, approved the extension of time to complete the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 to October 1, 2014; and,

**WHEREAS**, the Project was not completed on or before October 1, 2014; and,

**WHEREAS**, on November 5, 2014, Resolution #14-512, the Joint Board of Auglaize, Allen and Shelby County Commissioners approved the extension of time to complete the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 to December 31, 2014; and,

**WHEREAS**, the Project was not completed on or before December 31, 2014; and,

**WHEREAS**, on February 12, 2015 the Joint Board of Auglaize, Allen and Shelby County Commissioners met and discussed an additional extension of the Contract and possible liquated damages as allowed under the terms of the Contract with Rahrig Tree Company; and,

**WHEREAS**, the Joint Board of Auglaize, Allen and Shelby County Commissioners determined that it was in the best interest of their respective counties and the beneficiaries of the Project to allow a final extension under the Contract for completion, subject to a tiered liquidated damage schedule, rather than immediately imposing the liquated damages schedule of \$500 per calendar day as agreed to under the terms of the Contract.

**NOW THEREFORE, BE IT RESOLVED**, that the Joint Board of Auglaize, Allen and Shelby County Commissioners does hereby grant the request for the extension of time to complete the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 for an additional sixty (60) working days (working days shall be determined in accordance and as defined by the ODOT manual), subject to the following schedule of liquated damages. The following liquated damages shall be assessed if the Project is not completed after the stated number of working days measured from March 1, 2015 as follows:

- For working days 1 through, and including, day 20 the liquated damages will be waived; and,
- For working days 21 through, and including, day 40 the Contractor will be assessed liquated damages of \$160 per day for the inspection costs incurred by the Joint Board during the tenure of the authorized extensions of time as provided in Ohio Revised Code Section 6131.45; and,
- For working days 41 through, and including, day 60 the Contractor will be assessed liquated damages of \$500 per working day, per the ODOT manual, bidding specifications and the contract; and,



Resolution – continued  
Auglaize River and Two-Mile Creek Stream Enhancement Project  
Joint Board of County Commissioners – Extension to complete project  
February 12, 2015

- If the project is not completed by the earlier of (i) the passage of sixty (60) working days measured from March 1, 2015 and (ii) August 1<sup>st</sup>, 2015, the Joint Board will assess, against the Contractor, the liquidated damages provided in the Contract in the amount of \$500 **per calendar day**.

**BE IT FURTHER RESOLVED**, that the President of the Joint Board of Auglaize, Allen and Shelby County Commissioners is hereby authorized to mail a certified letter to the Contractor regarding this matter, requesting his acknowledgement and acceptance; and

**BE IT FURTHER RESOLVED**, that all of the rights and obligations of the Joint Board of Auglaize, Allen and Shelby County Commissioners contained in the Contract shall remain in full force and effect regardless of the extension granted; and

**BE IT FINALLY RESOLVED** that the Contractor's bond and securities for this project shall remain liable as if such extended time had been originally named in the bond and/or contract.

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

Adopted this 12th day of February, 2015

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO**

Douglas A. Spencer yes  
Douglas A. Spencer

Kenneth Sommer, Acting Co. Commissioner

John N. Bergman yes  
John N. Bergman

**BOARD OF COUNTY COMMISSIONERS  
SHELBY COUNTY, OHIO**

Robert A. Guillozet

Julie L. Ehemann yes  
Julie L. Ehemann

Anthony J. Bornhorst yes  
Anthony J. Bornhorst

**BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO**

Jay Begg yes  
Jay Begg

Cory Noonan yes  
Cory Noonan

Greg Sneary ABSENT  
Greg Sneary

County Commissioners Office  
Auglaize County, Ohio  
February 12, 2015

**IN THE MATTER OF THE RE-APPOINTING PRESTON MEYER TO THE AUGLAIZE/SHELBY COUNTIES ZONING BOARD OF APPEALS FOR THE NEIL ARMSTRONG AIRPORT.**

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The Auglaize/Shelby Airport Zoning Board, consisting of the Joint Boards of County Commissioners of Auglaize and Shelby Counties, Ohio met on the 12th day of February, 2015 with the following members present:

Auglaize County: Doug Spencer, Dan Regula, John Bergman

Shelby County: Julie Sherman Robert Galloway

Commissioner Galloway moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the term of Preston Meyer, as a member of the Auglaize/Shelby County Zoning Board of Appeals, will terminate March 31, 2015; and,

**WHEREAS**, Mr. Meyer was contacted about his willingness to serve another three year term on the said Board of Appeals; and,

**WHEREAS**, Preston Meyer has agreed to be re-appointed and serve another full term of three years.

**THEREFORE, BE IT RESOLVED** that the Auglaize/Shelby County Airport Zoning Board does hereby agree to re-appoint Preston Meyer to the Auglaize/Shelby County Airport Zoning Board of Appeals for a three year term, to commence April 1, 2015 and terminate March 31, 2018.

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

Adopted this  
12th day of  
January, 2015

AUGLAIZE COUNTY, OHIO

Doug Spencer

SHELBY COUNTY, OHIO

Robert A. Galloway

Julie Sherman

John N Bergman

cc: Brent Richter - Airport Authority President  
Above mentioned appointee