

**IN THE MATTER OF APPROVING THE GRANT AGREEMENT DOCUMENTS WITH THE FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANTS, AIP PROJECT NO. 3-39-0084-1209; AUTHORIZING PAYMENT OF THE LOCAL MATCH BY THE COUNTY; AUTHORIZING THE EXECUTION OF SAME BY THE PRESIDENT OF THE BOARD.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 19th of February, 2009.

Commissioner Regula moved the adoption of the following

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners, Auglaize County, Ohio, has received a Grant offer issued by the authority of the Administrator of the Federal Aviation Administration (FAA) on behalf of the United States to pay the Government's share of the allowable project costs of AIP Project No. 3-39-0084-1209, up to a maximum of \$50,999.00 for the Rehabilitation of Terminal Apron (Crack Seal and Repair) at the Neil Armstrong Airport as set forth in the offer for the subject project.; and,

**WHEREAS**, an Attachment A, "Special Conditions" has been included in the grant document as forwarded by the FAA to the Board of County Commissioners; and,

**WHEREAS**, a local match of funding in the amount of \$2,685.00 is required for this grant with the Board of County Commissioners agreeing to assume payment of said match; and,

**WHEREAS**, it is necessary for the Board of Auglaize County Commissioners, serving as sponsors for the grant, to execute the grant offer with Attachment A document.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the Federal Aviation Administration Grant offer for the AIP Project No. 3-39-0084-1209 in the amount of \$50,999.00 as presented; and,

**BE IT FURTHER RESOLVED** that the Board of County Commissioners authorizes the payment of the local match of \$2,685.00 to be made with County funds; and,

**BE IT FURTHER RESOLVED** that said Board does authorize the President of the Board of Auglaize County Commissioners, Douglas A. Spencer to execute the grant offer document with Attachment A, on behalf of said Board of County Commissioners and the Neil Armstrong Airport Authority..

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

Adopted this  
19th day of  
February, 2009

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman  
John N. Bergman

- cc: FAA, Detroit Airports District Office –
- John L. Mayfield, Jr., Acting Manager
- ✓ Asst. Clerk of the Board
- ✓ Delta Airport Consultants, Inc. – Steve Potoczak
- ✓ Auglaize County Airport Authority



### GRANT AGREEMENT

**Date of Offer:** February 17, 2009      **Recipient:** Auglaize County Commissioners, Ohio (herein called the "Sponsor")

**Project No.:** 3-39-0084-1209      **Airport:** Neil Armstrong Airport

#### OFFER

**THE FEDERAL AVIATION ADMINISTRATION (FAA), FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES** to pay, as the United States' share, ninety-five percent (95%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Rehabilitate Terminal Apron (Crack Seal and Repair)"

as more particularly described in the Project Application, dated February 12, 2009.

The maximum obligation of the United States payable under this Offer shall be **\$50,999.00** for airport development.

This Offer is made in accordance with and for the purpose of carrying out the provisions of Title 49, United States Code, herein called Title 49 U.S.C. Acceptance and execution of this Offer shall comprise a Grant Agreement, as provided by Title 49 U.S.C., constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

  
Acting Manager, Detroit Airports District Office

#### SPECIAL CONDITIONS

See Attachment A.

#### ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein, in the Project Application, and in the June 2005 "Terms and Conditions of Accepting Airport Improvement Program Grants" signed on August 16, 2005.

Executed this 19th day of February, 2009

  
Signature of Sponsor's Designated Official Representative  
Douglas A. Spencer  
President, Board of Auglaize County Commissioners  
Title

Auglaize County Commissioners, Ohio  
Sponsor / Seal

#### CERTIFICATE OF SPONSOR'S ATTORNEY

I, Edwin A. Pierce, acting as Attorney for the Sponsor do hereby certify: That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of Ohio. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and the Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and Title 49 U.S.C. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Executed this 19th day of February, 2009

  
Signature of Sponsor's Attorney

APPROVED AS TO FORM:

  
Edwin A. Pierce #0023846  
Prosecuting Attorney  
Auglaize County, Ohio

**ATTACHMENT A: SPECIAL CONDITIONS**1. Trafficking In Persons:**(a) Provisions applicable to a recipient that is a private entity.**

- (1) You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not: (i) engage in severe forms of trafficking in persons during the period of time that the award is in effect; (ii) procure a commercial sex act during the period of time that the award is in effect; or (iii) use forced labor in the performance of the award or subawards under the award.
- (2) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity: (i) is determined to have violated a prohibition in Paragraph (a)(1) of this award term; or (ii) has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in Paragraph (a)(1) of this award term through conduct that is either: (A) associated with performance under this award; or (B) imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 49 CFR Part 29.

**(b) Provision applicable to a recipient other than a private entity.** We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

- (1) Is determined to have violated an applicable prohibition in Paragraph (a)(1) of this award term; or
- (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in Paragraph (a)(1) of this award term through conduct that is either: (i) associated with performance under this award; or (ii) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 49 CFR Part 29.

**(c) Provisions applicable to any recipient.**

- (1) You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in Paragraph (a)(1) of this award term.
- (2) Our right to terminate unilaterally that is described in Paragraph (a)(2) or (b) of this section: (i) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)); and (ii) is in addition to all other remedies for noncompliance that are available to us under this award.
- (3) You must include the requirements of Paragraph (a)(1) of this award term in any subaward you make to a private entity.

**(d) Definitions.** For purposes of this award term:

- (1) "Employee" means either: (i) an individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or (ii) another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- (2) "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- (3) "Private entity": (i) means any entity other than a state, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25; and (ii) includes: (A) a nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b), and (B) a for-profit organization.
- (4) "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

**IN THE MATTER OF SETTING A DATE AND TIME AT WHICH TO CONVENE THE FIRST OF TWO MANDATED PUBLIC HEARINGS FOR THE F.Y. 2009 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of February, 2009

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the County of Auglaize intends to make application to the Ohio Department of Development in 2009 for the funding under the Community Development Block Grant (CDBG) Program, a federally-funded program administered by the State; and,

**WHEREAS**, the State of Ohio requires Counties to conduct two public hearings to inform all County citizens concerning the CDBG program in Ohio.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby set Tuesday, March 3, 2009 at 10:00 a.m. as the date and time at which to conduct in its Chambers the first of two public hearings on behalf of the county, as well as, on behalf of the cities of St. Marys and Wapakoneta concerning the State of Ohio's CDBG program.

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

Adopted this  
19th day of  
February, 2009

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: ✓ Poggemeyer Design Group – Dianne Guenther
- ✓ Rex Katterheinrich – City of Wapakoneta
- ✓ Thomas Hitchcock/Todd Fleagle – City of St. Marys
- ✓ Ron Puthoff
- ✓ Township Clerks
- ✓ Village of Mayors
- ✓ Board of MR/DD – Al Willis
- ✓ Auglaize Acres – Nick Scheck



# AUGLAIZE COUNTY

Board of County Commissioners

209 S. Blackhoof St., Room 201

Wapakoneta, Ohio 45895

*Douglas A. Spencer, President*

*Don Regula, Vice Pres.*

*John N. Bergman, Member*

Phone: 419-739-6710 Fax: 419-739-6711

e-mail: [commissioners@auglaize.org](mailto:commissioners@auglaize.org)

February 17, 2009

TO: The Wapakoneta Daily News

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Public Notice **to be published in The Wapakoneta Daily News and The Evening Leader**

Please publish in the **smallest type possible**, in the **Non-Legal Section** of both of your newspapers, the following Public Notice on **Friday, February 20, 2009**.

Please send **Certificate of Publication to and invoice to:**

Board of County Commissioners  
209 S. Blackhoof St., Room 201  
Wapakoneta, OH 45895

Thank you.

**NOTICE OF FIRST PUBLIC HEARING  
FY2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

The Auglaize County Board of Commissioners intends to make application to the State of Ohio Department of Development to access approximately \$51 million of funding available under the Fiscal Year 2009 Community Development Block Grant (CDBG) Small Cities Program, a federally-funded program administered by the State. The County is eligible for approximately \$148,000 of CDBG Community Development Formula Allocation (including \$32,000 for the acquired city of St. Marys and \$36,000 for the acquired city of Wapakoneta), up to \$300,000 of Neighborhood Revitalization funding, and up to \$556,000 of CHIP funding, providing the County meets applicable program requirements. Auglaize County (and its acquired cities and villages) may apply for funding under the following programs:

Community Housing Improvement Program (CHIP)  
HOME Investment Partnerships Program  
Emergency Shelter Grant Program  
Community Development Program-Formula Allocation Program  
Neighborhood Revitalization Set-Aside Program  
Neighborhood Stabilization Program  
Water and Sanitary Sewer Program  
Economic Development Program  
Discretionary Grant Program  
Microenterprise Business Development Program  
Imminent Threat Set-Aside Funds  
Comprehensive Downtown Revitalization Program  
New Horizons Fair Housing Assistance Program  
Training and Technical Assistance Funds  
Interim Use of CDBG Funds for Economic Development  
Other ED, Infrastructure, or Job Creation Programs  
And Any New Programs Announced Under the CDBG Program

The first of the required two public hearings for this comprehensive grant program will be convened in the Auglaize County Board of Commissioners Chambers located in the County Administration Building, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio. The hearing shall commence at 10:00 a.m. on Tuesday, March 3, 2009, to provide citizens with pertinent information about the CDBG program, including an explanation of eligible activities and program requirements.

The CDBG program can fund a broad range of activities, including: economic development projects; planning activities; street improvements; water supply, drainage and sanitary sewer improvements; park acquisitions and improvements; demolition of unsafe structures; rehabilitation of housing and neighborhood facilities. The activities must be designed to primarily benefit low and moderate income persons or aid in the prevention or elimination of slums and blight or meet an urgent need of the community. Citizens are encouraged to attend this public hearing to provide their input on the County's CDBG program. Should any participant require auxiliary aids due to disability or non-English languages, please contact this office at least one week prior to the hearing date to ensure needs will be accommodated. Anyone wishing to submit written comments prior to the hearing date may direct them to the Auglaize County Board of Commissioners, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895.

By order of the Board of County Commissioners, Auglaize County, Ohio  
Douglas A. Spencer  
Don Regula  
John N. Bergman

RECEIVED  
FEB 13 2009  
BY: JRE

February 5, 2009

IN THE MATTER OF EXTENDING THE CONTRACT WITH AUGLAIZE  
COUNTY COMMISSIONERS AND NICK SCHECK

This day the Board of Hardin County Commissioners met in regular session,  
Member present, Jerry E. Cross, Edward O. Elliott II, and Ronald D. Wyss

It was moved by Mr. Elliott and seconded by Mr. Wyss that the following  
Be adopted

**RESOLUTION**

**WHEREAS**, the Auglaize County Commissioners contracted with Nick Scheck,  
Hardin Hills Health Care Center Administrator, with the approval of the Board of the  
Hardin County Commissioners, to manage their county home through March 1, 2009 on  
October 9, 2008 Volume 81 page 235, and

**WHEREAS**, the Auglaize County Commissioners petitioned the Board of Hardin  
County Commissioners again to extend the contract with Nick Scheck through June 30,  
2009 to allow Mr. Scheck to negotiate the renewal of the union contract, and

**WHEREAS**, the Board of Hardin County Commissioners discussed amongst  
themselves, and Nick Scheck, and have agreed to honor Mr. Scheck's employment  
contract with Board of Auglaize County Commissioners and to extend the contract to end  
on or before June 30, 2009, and

**BE IT THEREFORE RESOLVED**, that Nick Scheck has the Board of Hardin  
County Commissioners approval to extend his contract with the Board of Auglaize County  
Commissioners until the final date on or before June 30, 2009.

Roll call resulted as follows:

Jerry E. Cross YES  
President of the Board  
Edward O. Elliott II YES  
Ronald D. Wyss YES

Attest Randy Paul  
Clerk of the Board

RESOLUTION  
AUDITOR  
NICK SCHECK  
AUGLAIZE COUNTY COMMISSIONERS

V82  
67

**IN THE MATTER OF AUTHORIZING A FINANCIAL ADVANCEMENT TO THE GENERAL DITCH CONSTRUCTION FUND.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 19th day of February, 2009.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, County Auditor Janet Schuler has advised that it is necessary to advance the General Ditch Construction Fund \$1,433.00 with which to pay for ditch work done; and,

**WHEREAS**, said advance shall be made from the County General Fund with repayment made to the County General Fund.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the above mentioned financial advancement of \$1,433.00 to the General Ditch Construction Fund from the County General Fund, with reimbursement to be made to the County General Fund; and

**BE IT FURTHER RESOLVED** the Board does authorize the County Auditor to make the following advance:

**From: 001-1701-538000 – Contingencies -- County General Fund**  
**Amount: \$ 1,433.00**  
**To: Fund 300 – General Ditch Construction**

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

Adopted this 19th day  
Of February, 2009

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 Engineer  
County Auditor

**IN THE MATTER OF INCLUDING A VACCINATION FEE TO THE DOG AND KENNEL REGISTRATION FEES AND OTHER FEES RELATING TO THE SECUREMENT AND KEEPING OF DOGS.**  
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The Board of County Commissioners of Auglaize County, Ohio met in special session on the 19th day of February, 2009.

Commissioner Regula moved the adoption of the following:  
**RESOLUTION**

**WHEREAS**, due to the desire to encourage disease prevention at the County Dog Kennel, it is necessary for the Dog Warden to administer miscellaneous vaccines to stray dogs housed in said kennel; and,

**WHEREAS**, a fee of \$15.00 has been determined for the vaccines and the administration of same; and,

**WHEREAS**, the Board of County Commissioners directed that this Fee be included in the Schedule of Fees for the Securement and Keeping of Dogs by the County, pursuant to Ohio Revised Code Section 955.14.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the fee of \$15.00 to be collected for the Miscellaneous Vaccines administered by the County Dog Warden to dogs housed in the County Kennels; and,

**BE IT FURTHER RESOLVED** that said Board does revise the Schedule of Dog and Kennel Registration Fees and Other Fees to the securement and keeping of dogs held in the Auglaize County Dog Kennel.

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

Adopted this  
19th day of  
February, 2009

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: Russ Bailey – County Dog Warden