

**IN THE MATTER OF APPROVING THE PARTICIPATION IN THE OHIO UNIFIED CERTIFICATION PROGRAM (OHIO UCP) MEMORANDUM OF UNDERSTANDING (MOU) AND AUTHORIZES COUNTY ADMINISTRATOR TO EXECUTE THE MOU FOR AUGLAIZE COUNTY.**  
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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 25th day of February, 2020.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Ohio Unified Certification Program (Ohio UCP) makes all Disadvantaged Business Enterprise (DBE) and Airport Concession Disadvantaged Business Enterprise (ACDBE) certification decision on behalf of all USODT recipients in Ohio 49 CFE 26.81(b), 49 CFR 23.31(f). Federal regulations require recipients of U.S. Department of Transportation (USDOT) funding to participate in a UCP 49 CFR 26.81(a); and,

**WHEREAS**, FAA recipients receiving grants for airport planning or development who will award prime contracts the cumulative total value of which exceeds \$250,000 in FAA funds in a Federal fiscal year must have a DBE program 49 CFR 26.21(a)(3). In Ohio, such FAA recipients must commit in writing to participate in the Ohio UCP.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the Ohio Unified Certification Program (Ohio UCP) Memorandum of Understanding (MOU) for Auglaize County; and,

**BE IT FURTHER RESOLVED** that the County Administrator for the Board of Auglaize County Commissioners, Erica L. Preston, is hereby authorized to execute said Memorandum of Understanding (MOU) with same being hereto attached and thus being made part of this resolution.

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

Adopted this  
25th day of  
February, 2020

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

cc: ODOT  
FAA  
Airport Manager

**IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS FOR THE NAA WATER AND SANITARY CONNECTIONS AT THE NEIL ARMSTRONG AIRPORT AND AWARDED THE BID TO SCHAUB EXCAVATING, INC.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 25th day of February, 2020.

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

**WHEREAS**, in Resolution #20-026, dated January 14, 2020, the Board of County Commissioners set February 6, 2020 to receive bids for the NAA Water and Sanitary Connections Improvement Project for the Neil Armstrong Airport; and,

**WHEREAS**, four (4) bids were received by the Board: same being:

<b>Degen Excavating</b>	<b>\$85,840.10;</b>
<b>Donald A. Sommer, Inc.</b>	<b>\$69,934.80;</b>
<b>Shinn Bros., Inc.</b>	<b>\$98,000.00;</b>
<b>Schaub Excavating, Inc.</b>	<b>\$65,454.80.</b>

**WHEREAS**, the bids were submitted for review and comparison to the engineering firm of Mote & Associates, Inc., Airport Manager and the County Airport Authority; and,

**WHEREAS**, the recommendation was given to the Board that the bid award for the project so named above be awarded to Schaub Excavating, Inc. with said award being made in the total amount of \$65,454.80; and,

**WHEREAS**, and a contract for this project between Auglaize County Commissioners and Schaub Excavating, Inc. will be prepared and submitted to the Board for the approval and execution.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby document the receipt of above mentioned bids and award the bid to Schaub Excavating, Inc. in the amount of \$65,454.80.

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

Adopted this  
25th day of  
February, 2020

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

cc: Airport Authority – Brent Richter  
✓ Airport Manager  
• Bidders

**IN THE MATTER OF AUTHORIZING THE FIRST AMENDMENT TO THE PROJECT MANAGEMENT CONTRACT WITH IAP GOVERNMENT SERVICES GROUP AND AUGLAIZE COUNTY, OHIO; AND AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE SAID FIRST AMENDMENT.**  
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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 25th day of February, 2020.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on October 1, 2019, in Resolution #19-394, the Auglaize County Board of Commissioners (“Owner”) approved and executed a Project Management Contract with IAP Government Services Group, an Ohio corporation with an address of 2740 Airport Drive, Suite 300, Columbus, Ohio, 43219 (“Consultant”) whereby the Consultant was to provide certain project management services to Owner in exchange for a fee for the Neil Armstrong Terminal Building being constructed by Baumer Construction (“Contractor”) for the cost of \$1,648,900.00; and,

**WHEREAS**, and the Consultant has been delayed in remitting payment to Contract upon receipt of the funds from the Owner; and,

**WHEREAS**, the parties agree that it is in the best interest of the parties to amend the Program Management Contract to, in part, allow for direct payment by the Owner to the Contractor.

**THEREFORE, BE IT RESOLVED** that the parties agree as follows:

1. By March 2, 2020, Consultant shall issue funds to Contractor in the amount of One Hundred Eighty-Four Thousand, Nine Hundred Sixty-Two Dollars and Forty Cents (\$184,962.40).
2. The second sentence of the first paragraph of Exhibit A to the contract shall be replaced in its entirety as follows: **The Owner shall pay this fee to Consultant upon the completion and sign off by the Owner of the new Neil Armstrong Airport Terminal project. The Owner shall have the right to offset any amount of the fees due to Consultant against fees not properly paid by Consultant under the Contract or under State Contract Number CSP905815.**
3. The second and third sentences of bullet point ten found under the **Construction** phase heading of Exhibit A to the Contract shall be replace in its entirety as follows: **Approve for Owner’s payment to Contractor. Owner may treat the pay application as approved. Consultant has two days to object to any pay application. Owner shall submit payment directly to Contractor for the portion of the pay request due to Contractor.**
4. All other provisions shall remain unchanged; and,

**BE IT FURTHER RESOLVED** that said Board authorizes the President of the Board, John N. Bergman, to execute the First Amendment as presented.

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

Adopted this  
25th day of  
February, 2020

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

cc: IAP  
✓ Airport Manager  
✓ Baumer Construction

**First Amendment to Project Management Contract**  
**Auglaize County, Ohio**  
**Neil Armstrong Airport Terminal**

This First Amendment to Project Management Contract is entered into as of this 21 day of ~~February~~, 2020 (the "**First Amendment**"), by and between the Auglaize County Board of Commissioners ("**Owner**") and IAP Government Services Group, an Ohio corporation with an address of 2740 Airport Drive, Suite 300, Columbus, Ohio 43219 ("**Consultant**").

**WHEREAS**, the parties entered into a Project Management Contract dated October 1, 2019 (the "**Contract**") whereby the Consultant was to provide certain project management services to Owner in exchange for a fee; and

**WHEREAS**, Consultant's project management services under the Contract are related to the construction of the new Neil Armstrong Terminal Building being constructed by Baumer Construction ("**the Contractor**") for the cost of \$1,648,900.00; and

**WHEREAS**, part of Consultant's duties under the Contract included remitting payment to the Contractor upon receipt of the funds from the Owner; and

**WHEREAS**, Consultant has been delayed in remitting payment to Contractor upon receipt of the funds from the Owner; and

**WHEREAS**, the parties agree that it is in the best interest of the parties to amend the Contract to, in part, allow for direct payment by the Owner to the Contractor.

**NOW THEREFORE BE IT RESOLVED** that the parties agree as follows:

1. By March 2, 2020, Consultant shall issue funds to Contractor in the amount of One Hundred Eighty-Four Thousand, Nine Hundred Sixty-Two Dollars and Forty Cents (\$184,962.40).
2. The second sentence of the first paragraph of Exhibit A to the Contract shall be replaced in its entirety as follows: **The Owner shall pay this fee to Consultant upon the completion and sign off by the Owner of the new Neil Armstrong Airport Terminal project. The Owner shall have the right to offset any amount of the fees due to Consultant against fees not properly paid by Consultant under the Contract or under State Contract Number CSP905815.**
3. The second and third sentences of bullet point ten found under the **Construction** phase heading of Exhibit A to the Contract shall be replaced in its entirety as follows: **Approve for Owner's payment to Contractor. Owner may treat the pay application as approved. Consultant has two days to object to any pay application. Owner shall submit payment directly to Contractor for the portion of the pay request due to Contractor.**

4. All other provisions shall remain unchanged.

In witness whereof, the Owner and Consultant have each caused this contract to be executed by their duly authorized officers all as of that date and year first above written.

IAP Government Services Group (Consultant) Auglaize County Board of Commissioners

By: Thomas A. Banks  
Name: THOMAS G. BANKS  
Title: President - CEO 2/21/20

By: John N. Bergman  
Name: John N. Bergman  
Title: BOCC President

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th of February, 2020.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

WHEREAS, the Board has been requested to authorize budget adjustments as follows:

<b><u>General Fund:</u></b>			
<b>Amount</b>	<b>From:</b>	<b>To:</b>	
\$ 6,915.75	001.1701.538000 (Transfers)	001.0202.530900 (Other Expenses)	
<b><u>Children's Services Fund:</u></b>			
<b>Amount</b>	<b>From:</b>	<b>To:</b>	
\$32,491.00	050.0004.530600 (Contract Services)	050.0004.530400 (Equipment)	

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

Adopted this  
25th day of  
February, 2020

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  
✓ County Administrator  
✓ JFS Interim Director

**IN THE MATTER OF APPROVING A CONTRACTOR'S PAY REQUEST #4 FROM IAP GOVERNMENT SERVICES FOR THE AIRPORT TERMINAL BUILDING PROJECT FOR THE NEIL ARMSTRONG AIRPORT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of February, 2020.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on October 15, 2019, Resolution #19-416, the Board of County Commissioners selected the bid for the Neil Armstrong Airport Terminal Building Project at the cost of \$1,648,900.00; and,  
**WHEREAS**, the Board of County Commissioners has now been presented with a Contractor's Pay Request #4 in the amount of \$236,125.00 from IAP.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the Pay Request #4 in the amount of \$236,125.00 and does authorize the execution by the President of the Board of County Commissioners for said Contractor's Partial Pay #4 to be paid in accordance with the amendment to the project management contract approved in Resolution # 20- 991.

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

Adopted this  
25th day of  
February, 2020

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

- cc: IAP
- ✓ Airport Manager
- ✓ Airport Authority
- ✓ Baumer Construction

Date: FEBRUARY 25, 2020

In the: THE BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA ENTERING  
matter of: INTO A SALE AND PURCHASE AGREEMENT WITH SUSAN AND JEAN GILLILAND

The Board of Directors of Grand Lake St. Marys LFA met in regular session on the 25<sup>th</sup> day of February, 2020 at the Office of the Mercer County Commissioners in Celina, Ohio with the following members present: Mr. Jerry Laffin, Dr. Greg Homan, Mr. Rick Muhlenkamp, Mr. Doug Spencer, and Mr. Don Regula. Mr. John Bergman was absent.

Dr. Greg Homan moved the adoption of the following:

**RESOLUTION**

WHEREAS, the Grand Lake St. Marys LFA Board is in receipt of a Sale and Purchase Agreement by and between them as "Purchaser" and Susan D. Gilliland, Celina, Ohio and Jean D. Gilliland, New Bremen, OH, collectively referred to as "Seller"; a copy of said agreement is on file in the offices of the Mercer County Commissioners and Auglaize County Commissioners; it will be maintained until no longer of administrative value; and

WHEREAS, the Sale and Purchase Agreement identifies the real property to be sold as follows: Situated in the Township of Franklin, County of Mercer, and State of Ohio: Being part of a 19.299 acre tract located in the Southwest Quarter and Northwest Quarter of Section 23, Town 6 South, Range 3 East, Franklin Township, Mercer County, Ohio ....containing **16.321 acres** of land more or less;

WHEREAS, the purchase price for said property shall be the sum of three hundred ninety-nine thousand eight hundred sixty-four and 50/100 dollars (\$399,864.50) Dollars;

WHEREAS, the acquisition of this property is necessary for the Gilliland Nature Preserve Wetland/ Natural Area Development Project;

**NOW, THEREFORE, BE IT RESOLVED**, the Grand Lake St. Marys LFA Board hereby agrees to the terms of the Sale and Purchase Agreement and authorizes the execution thereof by President Laffin.

Mr. Don Regula seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA

Mr. Jerry Laffin Jerry Laffin Yes;  
Mr. Rick Muhlenkamp Rick Muhlenkamp yes;  
Dr. Greg Homan Greg Homan ye;

Mr. John Bergman Absent;  
Mr. Don Regula Don Regula yes;  
Mr. Douglas Spencer Doug Spencer ye;

Motion carried.

Adopted this 25<sup>th</sup> day of February, 2020.

ATTEST:

Kim Everman  
Kim Everman, Administrator/Clerk  
Board of Mercer County Commissioners



Date: FEBRUARY 25, 2020

In the: THE BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA APPROVING  
matter of: AN APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA)  
FOR 319 GRANT FUNDS FOR THE GILLILAND NATURE PRESERVE  
WETLAND/NATURAL AREA DEVELOPMENT PROJECT

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The Board of Directors of Grand Lake St. Marys LFA met in regular session on the 25<sup>th</sup> day of February, 2020, at the Office of the Mercer County Commissioners in Celina, Ohio with the following members present: Mr. Jerry Laffin, Mr. Rick Muhlenkamp, Mr. Greg Homan, Mr. Doug Spencer, and Mr. Don Regula. Mr. John Bergman was absent.

Mr. Don Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the federal Clean Water Act amendments (1987) created a national program to control nonpoint source pollution under Section 319 of the CWA (33 U.S.C. 1329). The Ohio Environmental Protection Agency (OEPA) is the designated water quality agency in Ohio and is responsible, through the Division of Surface Water, for administering the Section 319 Grants Program; and

**WHEREAS**, an application to the OEPA for Section 319 Grant Funds is proposed for the Gilliland Nature Preserve Wetland/Natural Area Development;

**WHEREAS**, this project will restore approximately 2 acres of wetlands, 1.5 acres of forested habitat, 5.6 acres of warm-season grasses and a walking path on land to be acquired by the Grand Lake St. Marys LFA; and

**WHEREAS**, the GLSM Lake Facilities Authority has the authority to apply for financial assistance and to administer the amount received from OEPA;

**NOW THEREFORE, BE IT RESOLVED** by the GLSM Lake Facilities Authority Board that:

**SECTION I:** The Board hereby approves the filing of an application to OEPA for Section 319 grant funding for the Gilliland Nature Preserve Wetland/Natural Area Development.

**SECTION II:** Jerry Laffin is hereby authorized and directed to execute and file an application for the "Gilliland Nature Preserve Wetland/Natural Area" to OEPA for Section 319 grant funding and to provide all information and documentation required to become eligible for possible funding assistance for the project.

Mr. Rick Muhlenkamp seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA

Mr. Jerry Laffin Jerry Laffin, yes;  
Mr. Rick Muhlenkamp Rick Muhlenkamp, yes;  
Dr. Greg Homan Greg Homan, yes;

Absent \_\_\_\_\_;  
Mr. John Bergman \_\_\_\_\_;  
Mr. Don Regula Don Regula, yes;  
Mr. Douglas Spencer Doug Spencer, yes;

Motion carried.

Adopted this 25<sup>th</sup> day of February, 2020.

ATTEST:

Kim Everman  
Kim Everman, Administrator/Clerk  
Board of Mercer County Commissioners

Date: FEBRUARY 25, 2020

In the: THE BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA APPROVING  
matter of: AN AGREEMENT WITH ODNR FOR A LICENSE TO ACCESS WEST BEACH AREA

The Board of Directors of Grand Lake St. Marys LFA met in regular session on the 25<sup>th</sup> day of February, 2020 at the Office of the Mercer County Commissioners in Celina, Ohio with the following members present: Mr. Jerry Laffin, Dr. Greg Homan, Mr. Rick Muhlenkamp, Mr. Doug Spencer, and Mr. Don Regula. Mr. John Bergman was absent.

Mr. Doug Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, pursuant to the Resolution dated December 26, 2019, Grand Lake St. Marys LFA entered into a Pass Through Grant Agreement with Ohio Department of Natural Resources (ODNR) for capital improvements around West Beach; and

WHEREAS, to that extent, the Lake Facilities Board is in receipt of an agreement for a License with the right, privilege and authority to construct, operate, and maintain said West Beach Area; and

WHEREAS, the Terms and Consideration of the License read as follows:

The term of this License shall be for a period of 25 years beginning the "Effective Date" of this License, as defined below, and ending September 30, 2045.

Consideration for the term of this License shall be ONE Dollar (\$1.00) and for other good and valuable consideration.

WHEREAS, a copy of the LICENSE in its entirety is on file in the offices of the Mercer County Commissioners and Auglaize County Commissioners; it will be maintained until no longer of administrative value;

**NOW, THEREFORE, BE IT RESOLVED**, the Grand Lake St. Marys LFA Board hereby agrees to the terms of the License with the ODNR Division of Parks and Watercraft for the authority to construct, operate, and maintain said West Beach Area; be it

**FURTHER RESOLVED**, the Board authorized Chairman Laffin to execute said document.

Mr. Don Regula seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA

Mr. Jerry Laffin Jerry Laffin Yes;  
Mr. Rick Muhlenkamp Rick Muhlenkamp Yes;  
Dr. Greg Homan Greg Homan Yes;

Mr. John Bergman Absent;  
Mr. Don Regula Don Regula Yes;  
Mr. Douglas Spencer Douglas Spencer Yes;

Motion carried.

Adopted this 25<sup>th</sup> day of February, 2020.

ATTEST:

Kim Everman  
Kim Everman, Administrator/Clerk  
Board of Mercer County Commissioners