

**IN THE MATTER OF ACCEPTING THE TERMINATION NOTICE FROM KGS INVESTMENTS, LLC SAID COMPANY FROM AUGLAIZE COUNTY NEIL ARMSTRONG AIRPORT HANGAR LEASE.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on December 20, 2016, in Resolution #16-457, the Board of County Commissioners approved and entered into an Auglaize County Neil Armstrong Airport Hangar Rental Agreement with KGS Investments, LLC; and,

**WHEREAS**, KGS Investments, LLC has submitted a termination notice to the Board on January 1, 2017 notifying said Board that the above mentioned lease agreement is to be terminated, effective on January 1, 2017.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby accept the hangar lease termination notice from KGS Investments, LLC; and,

**BE IT FURTHER RESOLVED** that the Board of Auglaize County Commissioners, does hereby release KGS Investments, LLC from said airport hangar lease agreement at Neil Armstrong Airport, effective January 1, 2017

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

Adopted this  
10th day of  
January, 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: Bob Chandler – Interim Airport Manager  
Brent Richter – Airport Authority

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF CHARLES L. KANTNER TO THE AUGLAIZE COUNTY AIRPORT AUTHORITY BOARD.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners adopted Resolution #08-309, appointed Charles L. Kantner to the Auglaize County Airport Authority Board; and,

**WHEREAS**, Charles L. Kantner, on January 3, 2017, submitted to the Board of County Commissioners, a letter of resignation from his position on the Auglaize County Airport Authority Board effective January 3, 2017.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby acknowledge Charles L. Kantner's resignation from the Auglaize County Airport Authority Board; and,

**BE IT FURTHER RESOLVED** that said Board does extend its appreciation to Mr. Kantner for his dedication and service given to the Auglaize County Airport Authority Board.

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

Adopted this  
10th day of  
January, 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: Brent Richter – Airport Authority Board  
✓ Charles L. Kantner  
✓ Bob Chandler – Interim Airport Manager

**IN THE MATTER OF RATIFYING THE PROMOTION OF AMY FREYMUTH AT THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 10th of January, 2017.

Commissioner Regula moved the adoption of the following

**RESOLUTION**

**WHEREAS**, Michael S. Morrow, Director of the Auglaize County Department of Job & Family Services, informed the Board that the following position was posted and an interview conducted. Amy Freymuth was promoted to Director of Workforce Development and Self – Sufficiency Programs effective January 3, 2017. Her new hourly rate of pay will be \$37.22; and,

**WHEREAS**, the Board was requested to authorize the following promotion for so stated position as follows:

- **Amy Freymuth is to be promoted to Director of Workforce Development and Self – Sufficiency Programs, effective January 3, 2017 at an hourly rate of pay of \$37.22.**

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby ratify the promotion of the employee at the Auglaize County Department of Job and Family Services as so requested in accordance with the specifications 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  
10th day of  
January, 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: Auglaize County Department  
of Job & Family Services  
Deputy Clerk – Lori Yahl

**IN THE MATTER OF AUTHORIZING EXPENDITURES FOR THE COUNTY ADMINISTRATOR AND THE BOARD OF COUNTY COMMISSIONERS FOR VARIOUS MEETINGS OR ORGANIZATIONS AS PERTAINS TO THE COMMISSIONERS' OFFICE FOR CALENDAR YEAR 2017.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it is necessary that the County Administrator and the Board of County Commissioners attend, throughout the year, various meetings which are pertinent to the affairs of said office; and,

**WHEREAS**, many of these meetings are meetings of the National Association of Counties, International City/County Management Association, County Commissioners Association of Ohio, County Administrator's Association of Ohio, National Association of County Administrators, Northwest Ohio Commissioners and Engineers Association and the International Foundation of Employee Benefit Plans, as well as other gatherings which pertain to the business of the Board of County Commissioners Office; and,

**WHEREAS**, expenses, if any, for these meetings shall not exceed the funds appropriated for travel within the Board's office appropriation and shall be within the travel policies as established by the Board.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize expenditures for the County Administrator and the Board of County Commissioners to attend the meetings as mentioned above and all other functions relating to the business of the Board of County Commissioners for calendar year 2017.

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

Adopted this  
10th day of  
January, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

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

✓ cc: Clerk of the Board

**IN THE MATTER OF AUTHORIZING THE COUNTY ENGINEER TO USE THE "FORCE ACCOUNT" PURSUANT TO THE OHIO REVISED CODE - SECTION 5543.19; SETTING ALLOCATION OF REVENUE TO TOWNSHIPS FROM PERMISSIVE TAX REVENUE.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 10th of January, 2017.

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

**WHEREAS**, the Board of County Commissioners has decided that the health, welfare and safety of the people of Auglaize County can best and most efficiently be served by the "Force Account" in matters pertaining to maintenance, repair, construction, and reconstruction of Auglaize County roads, bridges, etc.; and,

**THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize Douglas Reinhart, Auglaize County Engineer to use the existing county employee forces and proceed by "Force Account", as outlined in Section 5543.19 of the Ohio Revised Code, in the maintenance, repairs, construction of roads, bridges, and culverts in Auglaize County during the year 2017; and,

**BE IT FURTHER RESOLVED** that the Auglaize County Commissioners reserve unto themselves the right and authority to make all purchases of material and equipment required in the maintenance, repair, construction of roads, bridges, culverts in Auglaize County during the year 2017, except that as the Board may from time to time by resolution designate such purchasing authority to Douglas Reinhart, County Engineer; and,

**WHEREAS**, the Ohio Revised Code Section 153.64, 4931 and 4933, provides to the Board of County Commissioners, the authority to control the installation and placement of any public utilities within the dedicated public right-of-ways of all County maintained highways; and,

**WHEREAS**, the Ohio Revised Code Section 5589 and 5543 provides to the Board of County Commissioners, the authority to control any digging and excavating on or along a County maintained highway and for the placement of a private driveway approach to a County maintained highway; and,

**WHEREAS**, the Ohio Revised Code Section 4513.34 provides to the Board of County Commissioners, the authority to permit oversize and overweight vehicles using County maintained highways.

**THEREFORE, BE IT RESOLVED** that the Board of Auglaize County Commissioners does hereby authorize the Auglaize County Engineer to develop and administer permits for the above described activities within County road right-of-ways and to keep said permits with the permanent road records of Auglaize County; and,

**WHEREAS**, the Board of County Commissioners approved the levying of the \$5.00 permissive license plate fee as provided in Section 4504.16 of the Ohio Revised Code, with 30% of those dollars collected to be distributed to the appropriate townships for road improvements.

**THEREFORE, BE IT RESOLVED** that the Board of Auglaize County Commissioners does hereby direct the Auglaize County Auditor to maintain the 30% distribution ratio to the townships during 2017 as provided in the Ohio Revised Code, Section 4504.16.

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

Adopted this  
10th day of  
January, 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 Engineer  
County Auditor  
MVGT Permissive Tax file

**IN THE MATTER OF APPROVING LEASE AT THE NEIL ARMSTRONG AIRPORT FOR HANGAR SPACE FOR HOVEY'S AVIATION; AUTHORIZES THE EXECUTION OF THE LEASE.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula 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 company has entered into a twelve (12) month lease as follows:

**Hovey's Aviation - commence on 01/01/2017 thru 12/31/2017 at \$695.00 per month.**

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the above mentioned Hangar lease with Hovey's Aviation for an airplane hangar space as specified in the lease agreement; and,

**BE IT FURTHER RESOLVED** that said Board authorizes the execution of said lease agreement.

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

Adopted this  
10th day of  
January, 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:  Bob Chandler – Interim Airport Manager  
 Brent Richter - Airport Authority  
 Hovey's Aviation

County Commissioners Office  
Auglaize County, Ohio  
January 10, 2017

NO. 17-016

**IN THE MATTER OF APPROVING LEASE AT THE NEIL ARMSTRONG AIRPORT FOR HANGAR SPACE FOR KGS INVESTMENTS LLC; AUTHORIZES THE EXECUTION OF THE LEASE.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula 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 company has entered into a sixty (60) month lease as follows:

**KGS Investments LLC - commence on 01/01/2017 thru 12/31/2021 at \$1,200.00 per month.**

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the above mentioned Hangar lease with KGS Investments LLC for an airplane hangar space as specified in the lease agreement; and,

**BE IT FURTHER RESOLVED** that said Board authorizes the execution of said lease agreement.

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

Adopted this  
10th day of  
January, 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: Bob Chandler – Interim Airport Manager  
Brent Richter - Airport Authority  
KGS Investments LLC

County Commissioners Office  
Auglaize County, Ohio  
January 10, 2017

No. 17-017

**IN THE MATTER OF AUTHORIZING THE APPLICATION FOR THE OHIO PET FUND FOR THE 2017 GRANT TO BE USED BY THE COUNTY DOG WARDEN.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Ohio Pet Fund is a charitable corporation that supports selected educational programs concerning the proper veterinary care of dogs, and selected programs for the sterilization of dogs; and,

**WHEREAS**, Auglaize County Dog Warden Russ Bailey presented an application for a grant in the amount of \$2,500.00 from The Ohio Pet Fund to assist in the payment of the costs for spaying and neutering dogs during 2017; and,

**WHEREAS**, Dog Warden Russ Bailey requested the Board of County Commissioners to authorize the application of said Ohio Pet Fund Grant.

**THEREFORE BE IT RESOLVED**, the Board of Commissioners of Auglaize County, Ohio does hereby approve and authorize the application to The Ohio Pet Fund for spaying and neutering funding as requested by the Auglaize County Dog Warden Russ Bailey; and,

**BE IT FURTHER RESOLVED** that said Board authorizes Auglaize County Dog Warden Russ Bailey to complete the application for the above mentioned grant.

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

Adopted this  
10th day of  
January, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes  
John N. Bergman

Douglas A. Spive, yes  
Douglas A. Spive

Don Regula, yes  
Don Regula

cc: County Dog Warden  
✓ The Ohio Pet Fund



**IN THE MATTER OF AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ST. MARYS TOWNSHIP FOR POLICE PROTECTION.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in the past, St. Marys Township has contracted with Auglaize County to provide police protection to said Township; and,

**WHEREAS**, Sheriff Allen F. Solomon has advised the Board of County Commissioners that the St. Marys Township Trustees desire to enter into another agreement with the provisions for policy protection to St. Marys Township for eight (8) hours a day, five (5) days per week, with said agreement to terminated on January 1st, 2021; and,

**WHEREAS**, the agreement, as drafted setting the terms and conditions of the protective services, is agreeable with Sheriff Solomon.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve and authorize the agreement between Auglaize County and the St. Marys Township Trustees for the provision of policy protection as specified; and,

**BE IT FURTHER RESOLVED** that the Board does ratify the execution of said agreement.

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

Adopted this  
10th day of  
January, 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: Sheriff Allen Solomon  
St. Marys Township

# AGREEMENT

This Agreement made this 1st day of January, 2017, between the Sheriff of Auglaize County, Ohio and the Board of County Commissioners of Auglaize County, Ohio; hereinafter Auglaize County, and the Board of Township Trustees of St. Marys Township, Auglaize County, Ohio; hereinafter St. Marys Township Board Witnesseth:

Whereas, the party of the St. Marys Township Board is desirous of acquiring adequate police protection of the property and residents of St. Marys Township, Auglaize County, Ohio; and

NOW, THEREFORE, Auglaize County agrees to provide police protection to St. Marys Township 8 hours a day, 5 days per week by assigning to said Township one regular uniformed Deputy Sheriff, and Auglaize County further agrees to make available to the aforesaid Deputy Sheriff's all the training programs, special equipment and other regular facilities of the Sheriff's Office, and Auglaize County further agrees to provide said Township with one cruiser and the equipment to Sheriff's specifications and to provide the maintenance, gas, oil and insurance for said one cruiser; Auglaize County further agrees to provide the aforesaid Deputy Sheriff with uniforms and badges.

In consideration of the foregoing services to be provided by Auglaize County to St. Marys Township Board, the St. Marys Board agrees:

- a) To reimburse Auglaize County for salaries paid to the regular Deputy Sheriff, and for any employee benefit that may be given per Deputy, and the St. Marys Township Board further agrees to reimburse Auglaize County for any salary increase of the Deputy Sheriff should any increase in salary be granted the Sheriff's Department during the term of this contract. Said reimbursement shall be monthly except that each December payment will be of such amount to reimburse both December and January.
  - b) For the duration of the contract there will be 26 pay periods, with the exception of the calendar year 2020. In calendar year 2020 there will be 27 pay periods.
-

- c) To reimburse Auglaize County for the actual cost of the cruiser, equipment, maintenance, gas, oil, and insurance for the said cruiser's operation.
- d) To reimburse Auglaize County of the actual cost of the Deputy Sheriff's uniforms, badges. Reimbursement for the aforesaid items will be made upon presentation of said bills to St. Marys Township Board, or at such time as may be mutually agreed upon.
- e) To reimburse Auglaize County at the current rate of public retirement, and workman's compensation being paid into the General Fund.
- f) In the event this Agreement is terminated by either party, Auglaize County will be able to purchase at the appraised price the vehicle at the time of termination by St. Marys Township Board. All other uniforms, badges, and personal equipment furnished by the Deputy Sheriff will be also returned to the party of the first part.

It is further agreed between the parties hereto that the duties of the aforesaid Deputy Sheriff will be determined from time to time by the best judgment of the Sheriff, including but not limited to normal police duties, serving court papers and duties in cooperation with other Township functions.

This contract agreement will terminate of the 1<sup>st</sup> day of January, 2021.


IN WITNESS THEREOF, the parties have hereunto set their hands this 10<sup>th</sup> day of January, 2017.

Executed in the presence of:

\_\_\_\_\_  
\_\_\_\_\_

 12-1-17  
Allen F. Solomon  
Auglaize County, Ohio

Board of County Commissioners  
Auglaize County, Ohio

  
\_\_\_\_\_

  
John Bergman

\_\_\_\_\_

  
Donald Regula



Approved as to law and form:  
(ORC §311.29, §505.441)

  
Douglas Spencer

Members of the Board  
Township of St Marys  
Auglaize County, Ohio

\_\_\_\_\_

Edwin Pierce  
Prosecuting Attorney  
Auglaize County, Ohio

 12-31-16  
 12-31-16  
\_\_\_\_\_

\_\_\_\_\_

**IN THE MATTER OF AUTHORIZING A TRANSFER OF FUNDS FROM MVGT FUND TO OPWC BRIDGE  
LOAN FUND REQUESTED BY THE COUNTY ENGINEER.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

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

Board of County Commissioners

I am requesting an annual transfer of \$8800 starting 1/1/2015 and ending 1/1/2033 in order to make the annual payment on the OPWC Loan please authorize the County Auditor to transfer:

<b>AMOUNT</b>	<b>FROM:</b>	<b>TO:</b>
<b>\$8,800.00</b>	<b>002.0015.550200 (OPWC Loan)</b>	<b>239.0100.400200 (Transfer In)</b>

**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 MVGT Fund to OPWC Loan Fund as mentioned above by County Engineer Douglas Reinhart.

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

Adopted this  
10th day of  
January, 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  
✓County Engineer

**IN THE MATTER OF MAKING AN APPOINTMENT TO THE OHIO AREA #8 WORKFORCE INVESTMENT OPPORTUNITY ACT (WIOA) POLICY BOARD.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it is necessary for the Board of County Commissioners to make appointments to the Ohio Area #8 Workforce Investment Opportunity Act (WIOA) Board for the purpose of developing an employment and training program for the benefit of businesses and industries within Auglaize County.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby make the following appointment to the **Ohio Area #8 Workforce Investment Opportunity Act Policy Board**:

Ray Barber – Private appointment.

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

Adopted this  
10th day of  
January, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Sparger  
Douglas A. Sparger yo

Don Regula  
Don Regula yes

John N. Bergman  
John N. Bergman yes

cc: appointee  
WIOA – Matt Kinkley  
ACDJFS – Mike Morrow

**IN THE MATTER OF APPROVING AN AGREEMENT WITH BONNIE WURST AS AN EDUCATION SPECIALIST FOR THE AUGLAIZE COUNTY SOLID WASTE/RECYCLE DISTRICT; AUTHORIZES THE EXECUTION OF SAID AGREEMENT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, pursuant to the Auglaize County Solid Waste District Plan, the Board of County Commissioners are desirous of securing a person to conduct an educational program for recycling and litter prevention within the county; and,

**WHEREAS**, Solid Waste Coordinator Scott Cisco reported that having Bonnie Wurst as the Education Specialist for the past few years, has proven to be advantageous in sharing the message about all aspects of recycling and litter prevention with persons of all ages throughout the County; and,

**WHEREAS**, Bonnie Wurst has agreed to serve another year as the Education Specialist for recycle and litter prevention at the rate of compensation not to exceed \$7,000.00. The hourly rate for the Education Specialist shall not exceed thirty dollars (\$30.00) per hour for teaching services. The hourly rate for the Education Specialist shall not exceed fifteen dollars (\$15.00) for the attendance of the services events (i.e. County Fair). The Education Specialist will be allotted up to four hours of preparation time at (\$15.00) per hour and allotted up to ten hours of conference time at (\$15.00) per hour. The Education Specialist shall be responsible for monitoring ongoing billing statements to the Board and shall inform the Board and cease all work under this Agreement once the compensation cap listing above has been met. The agreement to commence on January 1, 2017 and terminating December 31, 2017 or upon expenditure of available funds, whichever occurs first.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the Education Specialist Agreement by and between Bonnie Wurst, Independent Contractor and the Auglaize County Board of Commissioners as presented to the Board; and,

**BE IT FURTHER RESOLVED** that said Board authorizes the execution of said agreement.

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

Adopted this  
10th day of  
January, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes  
John N. Bergman

Douglas A. Speiser, yes  
Douglas A. Speiser

Don Regula, yes  
Don Regula

✓ cc: Solid Waste Coordinator – Scott Cisco  
✓ Bonnie Wurst

## EDUCATION SPECIALIST AGREEMENT

By and between

**BONNIE WURST, INDEPENDENT CONTRACTOR**

And the

**AUGALIZE COUNTY BOARD OF COMMISSIONERS**

This agreement entered into this 16<sup>th</sup> day of January 2017, by and between the Auglaize County Board of Commissioners, on behalf of the Auglaize County Solid Waste District, P. O. Box 603, Saint Marys, Ohio 45885, hereinafter called the "Board" and Bonnie Wurst, hereinafter called the "Education Specialist."

Whereas, the Board, desires to enter into an Agreement with the Education Specialist for education services in recycling and litter prevention; and

Whereas the Education Specialist does provide professional services in this area for integrated solid waste management; and now, therefore.

Be it agreed by and between the parties hereto as follows:

### Scope of Service.

1. Education Specialist agrees to perform the educational services for the county as directed by The Solid Waste Management District Coordinator, hereinafter "coordinator", of Auglaize County.
2. The Education Specialist will perform work to complete presentations and activities for teachers and students in the Auglaize County Schools, County Fair, Camps, special interest groups and any other event, at the request of the Coordinator, to educate the group or organization on recycling and litter prevention. Upon such request, the Education Specialist shall be responsible for all aspects of the presentation including scheduling.
3. The Education Specialist will provide the Coordinator with an updated written schedule of presentations the first of each month by email. In the event of cancellation or rescheduling during the current week, the Education Specialist will notify the Coordinator to update the schedule.
4. The Education Specialist will provide the Coordinator with a monthly detailed billing Statement by the third of the following month, which will list the teaching hours worked itemized by school.
5. Subject matter and contents of the presentations will address recycling and litter prevention.



The Board reserves the right to review such presentations to determine whether, in the opinion of the Board or its designee, the Coordinator, the results are effective.

6. The Education Specialist must provide the Board with proof that she is maintaining her qualifications as an education specialist by showing proof of attendance at appropriate educational seminars to acquire advance training in the recycling and litter prevention curriculum.

**Duration of Agreement.**

The Agreement will commence January 1, 2017 and terminate December 31, 2017 or upon expenditure of available funds, whichever occurs first.

In the event the funding for this program is not available from the Auglaize County Solid Waste District, the Board has no further obligation to fund this program and the Agreement shall terminate as set forth in the Termination clause of this Agreement.

**Compensation.**

The Education Specialist shall be compensated in an amount not to exceed Seven thousand dollars (\$7,000.00) for work listed in the scope of services subject to the limitations set forth herein. The Education Specialist will invoice the County on a monthly basis for the hours worked. The hourly rate for the Education Specialist shall not exceed thirty dollars (\$30.00) per hour for teaching services. The hourly rate for the Education Specialist shall not exceed fifteen dollars (\$15.00) for the attendance of the service events (i.e. County Fair). The Education Specialist will be allotted up to four hours of preparation time at (\$15.00) per hour and allotted up to ten hours of conference time at (\$15.00) per hour. The Education Specialist shall be responsible for monitoring ongoing billing statements to the Board and shall inform the Board and cease all work under this Agreement once the compensation cap listed above has been met.

The Education Specialist shall be responsible for travel to the locations of the presentations, seminars or activities, and the County will not compensate her for the same. The County will pay an hourly wage for the attendance of seminars up to the allotment established in the paragraph above.

The Education Specialist shall provide all materials and supplies necessary to complete the services under This Agreement, including, but not limited to office space, office supplies, mailing service, telephone access and the educational materials necessary to perform presentations and activities.

**Independent Contractor**

The Education Specialist shall at all times be an independent contractor when acting under this Agreement. The Board is concerned with results, and the manner and methods used to

achieve the desired results are solely within the Education Specialist's discretion, subject only to the terms of this Agreement and the requirements that state and federal law places upon the parties, and provided that the Education Specialist acts lawfully, fairly, and honorably.

The Education Specialist, as an independent contractor, agrees to assume responsibility for reporting, withholding, and/or paying any taxes as may be incident hereto, including, but not limited to federal, state, and local taxes; and, she hereby releases the Board, its officers, employees, and agents from any and all claims, demands, actions and causes of action whatsoever as may arise or be attributed to days of service or compensation therefrom, holding and indemnifying the Board its officer, employees, and agents safe and harmless therefrom.

#### **Responsibility of the Board.**

The Board, through its Coordinator, may authorize the Education Specialist to participate in any other activity that is related to recycling/litter prevention management or educating and will benefit the interests of the County.

#### **Reporting.**

The Education Specialist will work cooperatively with the Board and Auglaize County Solid Waste Management District and upon request, the Education Specialist will provide appropriate reporting regarding education activities listed in the scope of service.

#### **Agreement Modification.**

This agreement constitutes the entire agreement between the parties and any changes or modifications to the Agreement shall be by agreement of the parties in writing and attached hereto.

#### **Termination of the Agreement.**

The Board may terminate this Agreement immediately, with or without cause, upon written notice to the Education Specialist.

In the event of such termination, any reports or information prepared by the Education Specialist under this Agreement shall, upon written request of the Board, become its Property within thirty (30) days of receipt of said written notice. The Education Specialist shall forward the reports and information to the Board and the Education Specialist shall be entitled to receive equitable compensation for any work completed to the satisfaction of the Board.

The obligation to provide service under this Agreement may be terminated by the Education Specialist upon thirty (30) days written notice to the Board in the event of substantial failure by the Board to perform in accordance with the terms hereof through no fault of the

Education Specialist.

**Notices.**

Any and all notices of intent to modify or terminate this Agreement by the Education Specialist shall be mailed to:

Auglaize County Board of Commissioners  
209 South Blackhoof St., Room 201  
Wapakoneta, Ohio 45895

Any and all notices of intent to modify or terminate this agreement by the Board shall be Mailed to:

Bonnie Wurst  
205 East Benton Street  
Wapakoneta, Ohio 45895

**Hold Harmless/Indemnification.**

The Education Specialist will defend, indemnify, protect, save, and hold harmless the Board its officers, employees, agents, and fiduciaries from any and all kinds of loss, claims, expenses, causes of action, costs, damages and other obligations, financial or otherwise, including court costs and attorney fees, arising from the performance under this Agreement, including but not limited to (a) negligent, reckless, or willful and wanton acts, errors, or omissions, including malfeasance, nonfeasance, or misfeasance by the Education Specialist, her agents, employees, licensees, contractors, or subcontractors arising from; (b) the failure of the education specialists, her agents, employees, licensees, contractors, or subcontractors, to observe the applicable standard of care in providing services pursuant to this Agreement; and (c) the intentional misconduct of the Education Specialist, her agents, employees, licensees, contractors or subcontractors that result in injury to persons or damage to property.

This clause shall survive the termination of the Agreement.

**Insurance.**

The Education Specialist shall be responsible for procuring and maintaining adequate insurance for herself and her employees including but not limited to Workers Compensation insurance and Automobile Liability Insurance.

**Severability.**

If any provision of this Agreement shall be held to be invalid or unenforceable for any reason the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

Otherwise the stricken provision or part thereof shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as

possible to expressing the intention of the stricken provision.

**Counterparts; Captions.**

This Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same Agreement. Captions have been provided herein for the convenience of the reader and shall not affect the construction of this Agreement.

**IN WITNESS THERE OF, the parties have executed this instrument on**

1-10-17

WITNESS

*Robert Ruffel*

BONNIE WURST

*Bonnie Wurst*

WITNESS

*Robert Ruffel*

FOR THE BOARD OF COUNTY  
COMMISSIONERS, AUGLAIZE  
COUNTY, OHIO.

*Douglas A. Spencer*  
Douglas A. Spencer, ~~President~~

*John N. Bergman*  
John N. Bergman

*Don Regula*  
Don Regula

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF BRIAN STYER TO THE OHIO AREA #8 WORKFORCE INVESTMENT OPPORTUNITY ACT (WIOA) POLICY BOARD.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 10th day of January, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners adopted Resolution #15-447, appointing Brian Styer as a private appointment to the Ohio Area #8 Workforce Investment Opportunity Act (WIOA) Policy Board; and,

**WHEREAS**, Brian Styer, on December 13, 2016, submitted to the Board of County Commissioners, a letter of resignation from his position on the Ohio Area #8 Workforce Investment Opportunity Act (WIOA) Policy Board.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby acknowledge Brian Styer's resignation from the Ohio Area #8 Workforce Investment Opportunity Act (WIOA) Policy Board; and,

**BE IT FURTHER RESOLVED** that said Board does extend its appreciation to Mr. Styer for his dedication and service given to the Ohio Area #8 Workforce Investment Opportunity Act (WIOA) Policy Board.

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

Adopted this  
10th day of  
January, 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: WIOA – Matt Kinkley  
Brian Styer