

IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS FOR TRANSIT MIX CONCRETE AND GROUT MATERIALS TO BE USED BY THE HIGHWAY DEPARTMENT DURING 2019 AT THE DISCRETION OF THE COUNTY ENGINEER.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of June, 2019.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, this being the date set by the Board of County Commissioners in Resolution #19-216, the following companies submitted bids for the purchase transit mix concrete and grout material to be used by the Highway Department during 2019:

Transit Mix Concrete: Spring Creek Concrete, Minster, Ohio
St. Henry Tile Co, Inc., St. Henry, Ohio
Ohio Ready Mix, Inc., Huntsville, Ohio

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby document that as the purpose of receiving above mentioned bids is to establish prices for the purchasing of said materials by the County Engineer throughout the year 2019, said bids were given to the Engineer; same being authorized by the Board to use said prices throughout the year to the best advantage of the county, using his own discretion.

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

Adopted this
11th day of
June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula, yes
Don Regula

John N Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

cc: County Engineer
Bidders
///

IN THE MATTER OF AUTHORIZING A PARTICIPATION AGREEMENT REGARDING THE LOCATION OF NON-CUSTODIAL PARENT SERVICE PRIMARILY FOCUSED ON PRISON DATA PROGRAM BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND CCAO SERVICE CORPORATION (CCAOSC).

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of June, 2019.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Michael Morrow, Director of the Auglaize County Department of Job and Family Services presented to the Board of County Commissioners a participation agreement regarding the use of potential location leads for parents who are currently or have been incarcerated is entered into for usage of this program by and between the County Commissioners Association of Ohio Service Corporation (“CCAOSC”) and the Auglaize County Job & Family Services, 12 N. Wood St., Wapakoneta, Ohio; and,

WHEREAS, the CCAOSC wishes to continue assisting Ohio counties entities in securing competitively priced “Locate Non-Custodial Parent Service primarily focused on Prison Data” under contractual terms favorable to participant. The participant agrees to pay the base rate of \$75 plus \$.20 per month for watches that exceed the free 100 watches per user. This permits unlimited usage plus 100 free watches per user of the location services for prison data for the year – June 1, 2019 to May 31, 2021.

- a. To add users after June 1, 2019 with the understanding that they will be added at a rate of \$29.97 per user, per month for the period of June 1, 2019 to May 31, 2020, and at the rate of \$30.87 per user, per month, for the period June 1, 2010 to May 31, 2021.
- b. In addition, Participant agrees to pay a Program Administrative Expense which is currently \$80.00 per user, per year.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the participation agreement, as presented, for effective dates and provisions as mentioned above, between Auglaize County Department of Job & Family Services and CCAO Service Corporation for so mentioned professional services; and,

BE IT FURTHER RESOLVED that the Board does here by authorizes the execution of said agreement for the Board of County Commissioners, Auglaize County, Ohio.

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

Adopted this
11th day of
June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula, Yrs
Don Regula

John N. Bergman, Yrs
John N. Bergman

Douglas A. Spencer, Yrs
Douglas A. Spencer

✓cc: County Job & Family Services Dept. –
Michael Morrow

**PARTICIPATION AGREEMENT REGARDING THE
USAGE OF THE AGREEMENT BETWEEN THE COUNTY COMMISSIONERS
ASSOCIATION OF OHIO SERVICE CORPORATION AND WEST PUBLISHING
CORPORATION, EXECUTED IN JUNE, 2019**

This Participation Agreement, regarding the location services for Non-Custodial Parents through public records data to be performed by West Publishing Corporation through the Consolidated Lead Evaluation and Reporting database (CLEAR), is entered into for usage of the program as of June 1, 2019 through May 31, 2021, by and between the County Commissioners Association of Ohio Service Corporation (“CCAOOSC “), an Ohio for profit corporation and the Board of County Commissioners, Auglaize County, an entity under the auspices of the political subdivision of the State of Ohio (“Participant”) and the Ohio CSEA Directors’ Association (“OCDA” or “Manager”).

RECITALS

WHEREAS, CCAOSC wishes to continue assisting Ohio counties which are members of the County Commissioners Association of Ohio (CCAO) and which choose to participate either for themselves or on behalf of boards, agencies, districts or other instrumentalities which are affiliated with them in securing competitively priced location services;

WHEREAS, CCAOSC wishes to avail itself of the expertise of the Ohio CSEA Directors’ Association (“OCDA”) in relation to the administration of said agreements;

WHEREAS, ORC Section 9.48(B) is the enabling statute that permits a political subdivision to participate in a joint purchasing program operated by a state association of political subdivisions in which the purchasing political subdivision is eligible for membership;

WHEREAS, ORC Section 9.48(C) exempts certain purchases by a political subdivision from competitive bidding through participation in an association program described in ORC Section 9.48(B);

WHEREAS, an original contract was executed by representatives of West Publishing Corporation and by representatives of CCAOSC in February, 2015, and that contract provided for the potential for two additional two-year agreements, and

WHEREAS, CCAOSC, OCDA, AND the Participant(s) are satisfied with the CLEAR product as a database tracker for the complex task of location services, and wish to receive the services for an additional two years, and

WHEREAS, CCAOSC, OCDA and the Participant(s) agree that it is necessary and desirable that this Agreement be entered into in order to provide key investigative content at a competitive statewide price.

NOW THEREFORE, in consideration of the premises and mutual covenants hereinafter contained, the CCAOSC, the Participant(s) and the Manager agree as follows:

SECTION 1. DEFINITIONS

Manager - The Ohio CSEA Directors' Association (hereinafter referred to as OCDA or Manager) will be responsible for all of the administrative activities and expenses associated with the administration of the Agreement.

Participant(s) - An Ohio county which is a member of both the County Commissioners Association of Ohio (CCAO) and OCDA, as well as its boards, agencies, districts or other instrumentalities that are taking part in the Program. The Participants for this Agreement may be the County Job & Family Services Agency, the County Child Support Enforcement Agency or the Children's Services Agency which is taking part in the Program or any other program that is a county-based program in need of location services to fulfill their responsibilities. If another agency is providing services through contract with the local family services agency that requires usage of location services, that agency may be a participant if it is requested by the county family services agency contracting with the non-family services agency for the services and that entity is a Key Partner member of OCDA. A Participant must be a member of OCDA either through a full membership for a county family services agency which includes the child support enforcement agency, or a Key Partner membership for a family services agency which does not include a child support enforcement agency, or a contracted county agency providing services to the child support enforcement agency.

Program - The use of the potential location leads for parents who are currently participants in a family services program.

Program Term - The period commencing June 1, 2019 and ending on May 31, 2021.

Agreement - That certain contract amendment effective June 1, 2019 between West Publishing Corporation and CCAOSC for location services for non-custodial parents through public records data, in which the OCDA will be providing administrative support. The Agreement is attached hereto and referenced as Exhibit A. This Agreement is valid through May 31, 2021. Any subsequent Agreement beyond May 31, 2021 will go through a competitive procurement process.

SECTION 2. RESPONSIBILITIES OF THE PARTIES REGARDING AGREEMENT

A. Participant agrees to:

1. Be bound by the terms and conditions of the Agreement.
2. Monitor its service usage by confirming that usage is for permissive purposes under the original agreement between CCAOSC and West Publishing if requested to do so.
3. Notify Manager if there is a desire to add users after June 1, 2019 with the understanding that they will be added at a rate of \$29.97 per user, per month for the period June 1, 2019 to May 31, 2020, and at the rate of \$30.87 per user, per month, for the period June 1, 2020 to May 31, 2021.
4. Pay a program administrative expense to the Manager of \$80.00 per user, per year. This fee is intended to offset costs associated with the administration of the Agreement by the Manager.
5. Make payment to the Manager for any invoice received within thirty (30) days from receipt, as described in the Agreement. Participant will be invoiced for users monthly starting June 1, 2019 until May 31, 2021. The program administrative expense will be invoiced each year in the month of June for 2019 and 2020, respectively. Participants are not responsible for any interest on delayed payments, but agree to be as timely as possible in the processing of said payments.
6. Notify the Manager no later than **March 15, 2021** if it determines that it: i) does not want to utilize the Agreement in future contract periods; ii) does not want to maintain its membership in CCAO; iii) does not want to maintain its membership in the OCDA. Any notices provided pursuant to this paragraph shall also be utilized in the competitive procurement process. Participant must identify the number of users for the next contract period.
7. Maintain its membership in both CCAO and OCDA during the pendency of the Agreement. If the Participant loses membership status during the Agreement time period, any remaining contract fees will be accelerated and due within thirty days of separation from membership, and services may continue to the end of the Agreement time period.
8. Maintain the list of users with access to West Publishing Corporation under the current web-based system. Any deletions should be provided within one week of intention to delete the user.

B. County Commissioners Association of Ohio Service Corporation agrees to:

1. Be bound by the terms and conditions of the Agreement.
2. Immediately notify Participant if West Publishing Corporation proposes any modification, amendment or change to the Agreement.
3. Immediately notify Participant if a public records request is made relating to Participant records that are in the possession of CCAOSC.
4. Give Participant written notice no later than March 15, 2021 if it determines that it will not continue the current agreement or enter into a new agreement after May 31, 2021.
5. Immediately notify Participant if either West Publishing Corporation or CCAOSC exercise its right to terminate the Agreement under Section 8 of such Agreement.
6. Not seek further payment, compensation or remuneration from Participant once payment has been made to Manager for any charges attributable to services it has acquired under the Agreement. In this same regard, CCAOSC and Manager agree to hold Participant harmless for any requests from West Publishing Corporation for payments made by Participant to Manager and not forwarded to West Publishing Corporation.

C. Ohio CSEA Directors' Association (Manager) agrees to:

1. Be bound by the terms and conditions of the Agreement.
2. Assist in the registration and management of users under the Agreement.
3. Assist in the signature of the Participation Agreement.
4. Issue billing statements on a monthly basis. The first one will be for June 1, 2019.

SECTION 3. AMENDMENTS

This Agreement may be modified as necessary as long as agreed upon by all three parties and the overall cost of all users does not change from the \$29.97 per month, per user for the Agreement time frame of June 1, 2019 to May 31, 2020, and does not change from the rate of \$30.87 per month, per user, for the Agreement time frame of June 1, 2020 to May 31, 2021.

SECTION 4. MISCELLANEOUS

This Agreement shall be construed under the laws of the State of Ohio.

If the date on which any action or payment required to be taken or made under this Agreement is a Saturday, Sunday or legal holiday in the State of Ohio, that action shall be taken or that payment shall be made on the next succeeding day which is not a Saturday, Sunday or legal holiday.

1. DEBT CHECK PROVISION

Ohio Revised Code Section 9.24 prohibits public agencies from awarding a contract for goods, services, or construction, paid for in whole or in part from state funds, to a person or entity against who a finding for recovery has been issued by the Ohio Auditor of State, if the finding for recovery is unresolved. By entering into this Contract, Vendor warrants that a finding for recovery has not been issued to Vendor by the Ohio Auditor of State. Vendor further warrants that Vendor shall notify the county within one (1) business day should a finding for recovery occur during the Contract term.

2. CLEAN AIR AND FEDERAL WATER POLLUTION CONTROL ACT


Vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to section 306 of the Clean Air Act (42 U.S.C. 7401), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and any applicable Environmental Protection Agency Regulation. Vendor understands that violations of all applicable standards, orders or regulations issued pursuant to section 306 of the Clean Air Act (42 U.S.C.7401), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and any applicable Environmental Protection Agency Regulation must be reported to the Federal awarding agency and the Regional Office of Environmental Protection Agency (EPA).

3. ENERGY POLICY AND CONSERVATION ACT

Vendor agrees to comply with all applicable standards, orders or regulations issued relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

IN WITNESS WHEREOF, the undersigned representatives of CCAOSC, Participant(s), and OCDA, pursuant to the duly adopted authorizing resolutions of their governing boards have signed this Agreement.

**COUNTY COMMISSIONERS ASSOCIATION OF OHIO SERVICE CORPORATION
(CCAOSC)**


By:  Address: 209 East State Street
Columbus, Ohio 43215

**COUNTY OF Auglaize
BOARD OF COMMISSIONERS / PROSECUTOR / APPROVING AUTHORITY**

By:  Address: 209 S. Blackhoof St., Room 201
John H. Bergman Wapakoneta, Ohio 45895
Douglas A. Giner

Date of Adoption of Approving Board Resolution 6/11/2019 - Resolution #19-245

PARTICIPANT AGENCY: Auglaize County DJFS

By:  Address: 12 N. Wood Street
Wapakoneta, Ohio 45895

If necessary, Approved as to form:

OHIO CSEA DIRECTORS' ASSOCIATION (OCDA)

By:  Address: 1103 Schrock Road, Suite 309
Columbus, Ohio 43229

IN THE MATTER OF AUTHORIZING AN EXTENSION ON THE SUBSCRIPTION AGREEMENT BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND LEXIS-NEXIS FOR ON-LINE LEGAL RESEARCH SERVICES; AUTHORIZING DEPARTMENT DIRECTOR TO EXECUTE SAID EXTENSION.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of June, 2019.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Auglaize County Department of Job and Family Services, for the past several years, have contracted with Lexis-Nexis for its on-line services for legal research; and,

WHEREAS, in resolution #12-358 dated August 23, 2012, a Subscription Agreement for four (4) users in the Department, was executed; and,

WHEREAS, an extension has been forwarded from Lexis-Nexis for a renewal of the service subscription for said Agency for the commitment period of July 1, 2019 to June 30, 2020 at the cost of \$599.00 per month; and,

WHEREAS, the Board of County Commissioners has been requested to approve this extension and authorize Michael Morrow as Director of the Auglaize County Department of Job and Family Services to execute said extension.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby approve the extension, at the terms so stated, between Auglaize County Department of Job and Family Services and Lexis-Nexis for the on-line legal research services; and,

BE IT FURTHER RESOLVED that said Board does authorize Michael Morrow, Director of Auglaize County Department of Job and Family Services to execute above mentioned extension.

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

Adopted this
11th day of
June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula
Don Regula yes

John N. Bergman
John N. Bergman yes

Douglas A. Spencer
Douglas A. Spencer yes

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

IN THE MATTER OF AUTHORIZING AN EXTENSION ON THE SUBSCRIPTION AGREEMENT BETWEEN AUGLAIZE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND LEXIS-NEXIS FOR ON-LINE LEGAL RESEARCH SERVICES; RATIFYING DIRECTOR'S EXECUTION OF SAID EXTENSION.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of June,

2019.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Auglaize County Child Support Enforcement Agency, for the past several years, have contracted with Lexis-Nexis for its on-line services for legal research; and,

WHEREAS, in resolution #11-257 dated July 7, 2011, a Subscription Agreement for two (2) users in the Department, was executed; and,

WHEREAS, an extension has been forwarded from Lexis-Nexis for a renewal of the service subscription for said Agency for the commitment period of July 1, 2019 to June 30, 2020 at the cost of \$155.00 per month; and,

WHEREAS, the Board of County Commissioners has been requested to approve this extension and ratify Michael Morrow as Director of the Auglaize County Child Support Enforcement Agency to execute said extension.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby approve the extension, at the terms so stated, between Auglaize County Child Support Enforcement Agency and Lexis-Nexis for the on-line legal research services; and,

BE IT FURTHER RESOLVED that said Board does ratify Michael Morrow, Director of Auglaize County Child Support Enforcement Agency to execute above mentioned extension.

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

Adopted this
11th day of
June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula
Don Regula yes

John N. Bergman
John N. Bergman yes

Douglas A. Spencer
Douglas A. Spencer yes

✓ cc: CSEA – Michael Morrow

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of June, 2019.

Commissioner *Spencer* moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has received a request from the Board of Elections Director Michelle Wilcox to increase the 2019 Annual Appropriation with moneys that were certified and unappropriated; and,

WHEREAS, the Board of Elections Fund:

Increase 001.0301.530400 (Equipment) by \$327,221.64.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2019 Annual Appropriation Resolution to be amended to show the increase as tabulated above.

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

Adopted this
11th day of
June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula
Don Regula

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

cc: County Auditor
 County Administrator
 Board of Elections

IN THE MATTER OF FINDING FOR THE IMPROVEMENT OF THE GROSS JOINT DITCH PROJECT; PETITIONED BY PAUL SCHAUB AND AUSTIN REGULA AND OTHERS; SETTING DATE TO RECEIVE ENGINEER'S REPORT ON SAID PROJECT.

The Joint Board of Auglaize and Shelby County Commissioners met in regular session on the 11th day of June, 2019 with the following members present:

Auglaize County:
Don Regula present
John N. Bergman present
Douglas A. Spencer present

Shelby County:
Anthony J. Bornhorst absent
Julie L. Ehemann present
Robert A. Guillozet absent

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, June 11, 2019 was the day fixed by the Joint Board of Auglaize and Shelby County Commissioners by Resolution #19-138, dated April 2, 2019, for the first hearing of the petition in the matter of the Gross Joint County Ditch improvement, the Board met in the Assembly Room in the Auglaize County Administration Building, and conducted the hearing by causing the petition to be publicly read by Drainage Technician TJ Place to those present; and,

WHEREAS, the Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement; and,

WHEREAS, the Joint Board has made an actual view of the proposed improvement on May 7, 2019, and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or any application therefore; and,

WHEREAS, the cost of the proposed improvement is less than the benefits derived.

THEREFORE, BE IT RESOLVED that the Joint Board of Auglaize and Shelby County Commissioners, does hereby direct the Auglaize County Engineer to proceed with the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Ohio Revised Code; and,

BE IT FURTHER RESOLVED that the Joint Board does set November 5, 2019 at 11:00 a.m. as the date and time for the filing in the office of the Auglaize County Commissioners of the above mentioned County Engineer's Report.

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

Adopted this 11th day of June, 2019

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY

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

BOARD OF COUNTY COMMISSIONERS
SHELBY COUNTY

ABSENT
Anthony J. Bornhorst
Julie L Ehemann, yes
Julie L. Ehemann
ABSENT
Robert A. Guillozet