

County Commissioners Office
Auglaize County, Ohio
March 11, 2014

NO. 14-137

IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the practice of using "Then and Now Certificates" has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of "Then and Now Certificates", does hereby approve the following:

<u>Check #</u>	<u>Amount</u>	<u>Vendor</u>
381809	\$21,716.25	Aug. Co Treas
381859	\$14,762.09	New Knoxville Supply
381859	\$19,231.53	New Knoxville Supply
381873	\$ 269.29	Johnston Supply Inc.
381903	\$ 920.91	Perfection Group
381908	\$ 375.00	Eric Wilson
381912	\$ 500.00	Frederick P Ferri, PH.D
381915	\$ 260.00	Pump N Pack Shell
381927	\$ 6,649.50	The Bair Foundation
381956	\$ 232.72	Four U Office Supplies
381968	\$ 329.82	Lowe's
382002	\$ 287.34	Aug. Co Treas

Commissioner Regula 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
March, 2014

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

IN THE MATTER OF RATIFYING THE EXECUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE CONTRACT WITH LAKE ERIE CONSTRUCTION COMPANY FOR THE 4,600 GUARDRAIL PROJECT AUG-CR VAR-G.R.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved adoption of the following:

RESOLUTION

WHEREAS, on March 6, 2014 in Resolution #14-131, the Board of County Commissioners awarded the bid for the Lake Erie Construction Company AUG-CR VAR-G.R. for the amount of \$102,620.00 as recommended by the County Bridge Engineer; and,

WHEREAS, a contract between Auglaize County and Lake Erie Construction Company has been presented to the Board for execution.

THEREFORE BE IT RESOLVED that the Board of County Commissioners does hereby approve the contract between Auglaize County and Lake Erie Construction Company as presented; and,

BE IT FURTHER RESOLVED that the Board ratifies the execution by said Board of the contract.

Commissioner Regula 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
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, Yes
Don Regula

cc: County Engineer – Doug Reinhart
✓ County Bridge Engineer – Dan Bennett

CONTRACT

PID 95140

For Guardrail Improvement

This Agreement is made this the 11th day of March, 2014 by and between the Auglaize County Board of Commissions, herein called the Owner and Lake Erie Construction, Norwalk, Ohio, herein called the Contractor.

The Owner, as LPA for the Ohio Department of Transportation, agrees to pay the Contractor a sum of one hundred two thousand six hundred twenty dollars and zero cents for the completion of AUG-CR VAR-G.R as known as the Guardrail Improvement project according to the plans, specifications, General Conditions and Addendums governing this project.

The Contractor agrees to furnish all necessary material, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the above described project. Work will commence on or before 11th day of March, 2014 and complete the project by June 9, 2014. Liquidated damages for this project are \$500.00 for each consecutive day thereafter.

IN WITNESS WHEREOF, the parties to these presents have executed this contract on the date stated above.

ATTEST:

Clerk: Esther Tuffa

Witness: _____

BOARD OF COUNTY COMMISSIONERS

John N Bergman

Doug A Green

Don Bequa

REBECCA L. AMES
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires Dec. 29, 2014

ATTEST:

Notary Clerk: Rebecca Ames

Witness: Juan Sabelford

CONTRACTOR

By: David P. Bleile
David P. Bleile

Title: President
Lake Erie Construction Company
25 S. Norwalk Road
Norwalk, OH 44857

IN THE MATTER OF AUTHORIZING WELLMAN BROTHERS INC. TO RECONSTRUCT THE SMOKESTACK ON THE POWER HOUSE BUILDING.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, it has been determined that the smokestack is in need of reconstruction on the power house building; and,

WHEREAS, a quotation for providing all labor and material for the following work was obtained from Wellman Brothers, Inc. as following:

- Remove the top 10 feet of the limestone masonry and relay- the existing stones.
 - Fabricate and install a metal cap that will cove the top of the chimney. The cap will be fabricated out of lead coated copper (16 oz.) or stainless steel (24 gauge) and all seams will be soldered. Stainless steel masonry anchors will be used to secure the cap.
 - All mortar joints will be ground out (100%) a minimum of 3/4" deep and tuck-pointed with matching mortar.
 - All masonry will be cleaned by pressure rinsing.
 - All repairs will be made using aerial lifts.
- TOTAL \$36,855.00.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Auglaize County does hereby approve the reconstruction work on the smokestack on the power house building and does accept the proposal of Wellman Brothers Inc. as quoted above; and,

BE IT FURTHER RESOLVED that the Board does authorize Wellman Brothers Inc. to proceed with the reconstruction of the smokestack on the Power House Building at a cost of \$36,855.00.

Commissioner Regula 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
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spence, Yes
Douglas A. Spence

Don Regula, yes
Don Regula

cc: Rick Bice – Maintenance Supervisor
Wellman Brothers Inc.

IN THE MATTER OF AUTHORIZING A CHANGE ORDER #7 WITH HEYNE CONSTRUCTION INC. FOR THE AUGLAIZE COUNTY DOG SHELTER.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners entered into a contract with Heyne Construction Inc. for the general construction work for the Auglaize County Dog Shelter project in the amount of \$427,900.00; Change Order #1 dated July 9, 2013 (\$1,067.00) was credited to the contingency and the original contract sum had no change in the amount of \$427,900.00; Change Order #2 dated September 5, 2013 (\$1,233.00) reduced the original contract sum to \$426,667.00; Change Order #3 dated December 19, 2013 reduced the original contract sum to \$426,580.00; Change Order #4 dated December 24, 2013 (\$2,410.00) was credited to contingency and no change in the amount of \$426,580.00; Change Order #5 dated January 2, 2014 (\$1,495.00) was credited to the contingency and the contract sum had no change; Change Order #6 dated January 28, 2014 was credited to the contingency and the contract sum had no change; and,

WHEREAS, Garmann/Miller & Associates, architects for the project, have determined that it is necessary to process a change order #7 for following items; namely,

- 1) Install closures at the bottom of interior line panels. Add \$437.00
- 2) Credit remaining general construction contingency allowance. Deduct \$28.00; and,

WHEREAS, the adjusted and consolidated amounts for these changes equals out to \$409.00 increase; and,

WHEREAS, a Change Order #7 has been prepared by Garmann/Miller reflecting above mentioned change order; same is to be executed by the President of the Board.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize Change Order No. #7 in the amount of \$409.00 as mentioned above in the Change Order #7 from Garmann/Miller Associates for Heyne Construction Inc., the general contractor for the Auglaize County Dog Shelter Project; and,

BE IT FURTHER RESOLVED that as the amount of the change order #7 equals out to \$409.00 increase, there is an increase in the contract sum of \$426,989.00.

Commissioner Regula 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
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman *yes*
John N. Bergman

Douglas A. Spender *Yes*
Douglas A. Spender

Don Regula *yes*
Don Regula

cc: Garmann/Miller & Associates
Dog Warden
Heyne Construction Inc.

AIA[®] Document G701[™] – 2001

Change Order

PROJECT (Name and address): Auglaize County Dog Shelter 1013 West Auglaize Street Wapakoneta, Ohio 45895	CHANGE ORDER NUMBER: 007 DATE: February 28, 2014	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Heyne Construction Inc. 199 N. Ohio Street P.O. Box 109 Minster, Ohio 45865	ARCHITECT'S PROJECT NUMBER: 11045.01 CONTRACT DATE: May 28, 2013 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

- 1.) Install closures at the bottom of interior liner panels. Add \$437.00
- 2.) Credit remaining General Construction Contingency Allowance. Deduct (\$28.00)

TOTAL CHANGE: \$409.00

(Remaining General Construction Contingency Allowance - \$0.00)

The original Contract Sum was	\$ 427,900.00
The net change by previously authorized Change Orders	\$ -1,320.00
The Contract Sum prior to this Change Order was	\$ 426,580.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 409.00
The new Contract Sum including this Change Order will be	\$ 426,989.00

The Contract Time will be unchanged by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is January 17, 2014.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Garmann-Miller & Associates, Inc.
ARCHITECT (Firm name)

38 S. Lincoln Drive, P.O. Box 71, Minster,
 Ohio 45865

ADDRESS

BY (Signature)

Laura Little
 (Typed name)

2/28/14
DATE

Heyne Construction Inc.
CONTRACTOR (Firm name)

199 N. Ohio Street, P.O. Box 109, Minster,
 Ohio 45865

ADDRESS

BY (Signature)

Matt Heyne
 (Typed name)

2-28-14
DATE

Auglaize County Commissioners
OWNER (Firm name)

209 S. Blackhoof- Room 201,
 Wapakoneta, Ohio 45895

ADDRESS

BY (Signature)

John N. Bergman, BOCC President
 (Typed name)

3-11-2014
DATE

IN THE MATTER OF AUTHORIZING THE PURCHASE 2014 FORD F350 MODEL X3D TRUCK FOR THE MAINTENANCE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOP PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Rick Bice, Maintenance Supervisor submitted correspondence to the Board of County Commissioners stating that he requests permission to purchase the following item 2014 Ford F350 model X3D truck with base price of \$27,082.00 with color of sterling grey metallic.

Add set of keys	\$ 85.00
Add cloth seat covering	\$ 99.00
Add bed liner	\$239.00
Add tow hitch & brake controller	\$196.00
Add all terrain tires	\$124.00
Add step rails/running boards	\$279.00
Add snow plow prep package	\$100.00
Deduct single rear wheel (SRW)	(\$899.00)
Add delivery charge	\$ 50.00

Net price of \$27,355.00; and,

WHEREAS, through the Ohio Department of Administrative Services Coop program in accordance with ORC 125.04 and the Board's Resolution #13-238, and in accordance with ORC section 307.86.

THEREFORE BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize Maintenance Supervisor Rick Bice to proceed with the purchase for the 2014 Ford F350 model X3D truck being made through the ODAS Co-op Purchasing Program with the funds being used out of the General Fund – Equipment Fund 001.0402.530400.

Commissioner Regula 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
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman *yes*
John N. Bergman

Douglas A. Spence *yes*
Douglas A. Spence

Don Regula *yes*
Don Regula

cc: Maintenance Supervisor – Rick Bice

IN THE MATTER OF AUTHORIZING EXPENSES FOR A STAFF MEMBER OF THE GRAND LAKE TASK FORCE TO ATTEND A TRAINING MEETING IN DEER CREEK.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners was informed by Sheriff Allen F. Solomon that a member of the Grand Lake Task Force, will be attending a Commanders meeting and training seminar which will be held at the Deer Creek on May 12 – 13, 2014; and,

WHEREAS, the total travel expense which was requested to be authorized is \$150.00.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the above requested travel expense and does order bills to be paid upon proper presentation providing all is in accordance with the County Travel Policy.

Commissioner Regula 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
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula yes
Don Regula

cc: Sheriff Allen F. Solomon

IN THE MATTER OF APPROVING AND CREATING THE GRAND LAKE ST. MARYS LAKE FACILITIES AUTHORITY UNDER OHIO REVISED CODE §353.01 ET. SEQ.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to Ohio Revised Code §353.02, if the territory of an impacted watershed is contained in more than one county, a Joint Lake Facilities Authority may be created by resolution of the Board of Commissioners of each county in which the impacted watershed is located; and,

WHEREAS, the watershed of Grand Lake St. Marys is an impacted watershed as defined in Ohio Revised Code §353.01(C); and,

WHEREAS, the County Commissioners of Auglaize and Mercer Counties desire that Grand Lake St. Marys be enhanced, promoted, improved, remediated, fostered, aided and rehabilitated, and these same Commissioners now desire to create the Grand Lake St. Marys Lake Facilities Authority, as authorized by Ohio Revised Code §353.02.

WHEREAS, the County Commissioners have examined official public records, including those that monitor water quality of Grand Lake St. Marys from the Ohio EPA and official public records from the Ohio State Parks Office regarding visitation to the Grand Lake St. Marys Park which are hereby incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Auglaize County that:

Section 1. The Commissioners hereby find that Grand Lake St. Marys is a man-made lake of at least one-half square mile that has experienced levels of microcystin toxins in excess of eighty parts-per-billion, as measured by the Ohio Environmental Protection Agency in the 24 months preceding this resolution; and,

Section 2. The Commissioners hereby find that Lake St. Marys State Park, AKA the Grand Lake St. Marys Park, is a state park as defined by O.R.C. §154.01, and is partially or completely located within the watershed of Grand Lake St. Marys, and according to official state records from the years from 2010 to 2013, Grand Lake St. Marys State Park has averaged at least four hundred thousand visitors annually; and,

Section 3. Therefore, the Commissioners hereby find that, pursuant to O.R.C. §353.01(C), the watershed of Grand Lake St. Marys is an impacted watershed that the Commissioners are seeking to improve; and,

Section 4. The Commissioners further find that the impacted watershed is contained within Mercer and Auglaize County, both of which are Ohio political subdivisions; and,

Section 5. The Commissioners further determine that this resolution creating the Grand Lake St. Marys Lake Facilities Authority is not effective until such time as both Mercer and Auglaize County Commissioners have passed a resolution creating the Grand Lake St. Marys Lake Facilities Authority; and,

Section 6. Upon passage of a resolution from both Mercer and Auglaize County, the Grand Lake St. Marys Lake Facilities Authority is created, pursuant to Ohio Revised Code §353.02, and shall have all powers and duties under Chapter 353 of the Ohio Revised Code; and,

Grand Lake Facilities Authority Resolution
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Section 7. Pursuant to O.R.C. §353.04 the County Commissioners of Auglaize and Mercer County shall jointly make up the Board of Directors of the Grand Lake St. Marys Lake Facilities Authority; and,

Section 8. The Commissioners hereby find that the greater amount of territory in the impacted watershed is in Mercer County; therefore, the Mercer County Auditor shall be the Fiscal Officer for the Grand Lake St. Marys Lake Facilities Authority and the Mercer County Prosecutor shall be the Legal Advisor to the Grand Lake St. Marys Lake Facilities Authority, pursuant to Ohio Revised Code §353.02; and,

Section 9. BE IT FURTHER DETERMINED that all actions of the Commissioners in relation to the adoption of this resolution were taken in an open meeting of the Board, and that all deliberations of the Board which resulted in formal action were in meetings open to the public, in full compliance with the law, including Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Resolution shall be in full force and effect immediately after the earliest period allowed by law and a copy of Resolution # 14-143 shall be maintained at the offices of the County Commissioners.

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

Adopted this
11th day of
March, 2014

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: Mercer County Commissioners
Engineer

IN THE MATTER OF AUTHORIZING THE SECUREMENT OF INTEREST COST FOR A NOTE NEEDED FOR THE BALANCE OF MONEY FOR THE WHEELER COUNTY DITCH IMPROVEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary, at this time, to obtain note for the balance of money needed to complete the Wheeler county ditch project; and,

WHEREAS, the County Engineer's office informed the Board of County Commissioners that the amount remaining as the unpaid balance from the total amounts assessed and the time period for the note is:

Wheeler Ditch Improvement: Sixteen (16) semi-annual installments note \$21,482.61.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the necessary steps be taken to secure interest cost for said note for the balance of money needed to complete the above named Ditch improvement project in the amount as mentioned above.

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

Adopted this
11th day of
March, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman yes
John N. Bergman

Douglas A. Spencer y
Douglas A. Spencer

Don Regula ye
Don Regula

cc: County Engineer
County Auditor