

**IN THE MATTER OF APPROVING AND RATIFYING THE EXECUTION OF AN AMENDED AGREEMENT WITH DR. THOMAS R. FREYTAG FOR MEDICAL CARE TO INMATES HOUSED IN THE COUNTY LAW ENFORCEMENT CENTER.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners entered into an agreement in Resolution #13-552 dated December 10, 2013 with Dr. Thomas Freytag who will render medical care to the inmates housed in the County Law Enforcement Center as an independent contractor; and,

**WHEREAS**, Sheriff Allen F. Solomon and Dr. Thomas R. Freytag, MD have prepared the amended agreement for such medical services; and,

**WHEREAS**, the amended agreement is acceptable to both the Sheriff and Dr. Freytag and will become part of this resolution.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the amended agreement with Dr. Thomas R. Freytag MD to render medical care to the inmates at the County Law Enforcement Center/Correctional Center for the period so stated; and,

**BE IT FURTHER RESOLVED** that said Board ratifies the execution of said agreement and the amended agreement will become part of this resolution.

Commissioner Regula 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  
March, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

ABSENT  
John N. Bergman

Douglas A. Spencer yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

cc: Sheriff Allen F. Solomon  
Thomas R. Freytag MD

**Agreement  
Correctional Physician  
Independent Contract**

This agreement is between the Auglaize County Board of Commissioners (BOCC) and Dr. Thomas Freytag (Correctional Physician) to provide medical services, as an independent contractor, at the Auglaize County Law Enforcement Center (LEC) located at 1051 Dearbaugh Avenue in Wapakoneta, OH.

Whereas, the BOCC desires to amend the current contract in Resolution #13-552 dated December 10, 2013, with the Correctional Physician and the Correctional Physician agrees to amend the current contract, both agree that the new contract will state the following:

**NARRATIVE:**

The Correctional Physician oversees medical issues that arise concerning inmates incarcerated at the seventy-five bed facility at the LEC. The Auglaize County Sheriff employs a full time nurse, and PRN nurses, at the LEC who attend to most medical issues. At mutually agreeable times between the Correctional Physician and the nursing staff, the Correctional Physician attends to his medical duties at the LEC to sign off on nursing notes and address issues covered while on call. The Correctional Physician reviews intake physicals and attend to inmates as requested by the nursing staff. Any procedures or emergency issues are referred out. The Correctional Physician provides approximately two hours per week as the Correctional Physician.

**SPECIFICS:**

The BOCC agrees to contract with Dr. Thomas Freytag, as an independent contractor, for the medical care of inmates housed in the LEC under the following terms and conditions.

1. The Correctional Physician as part of his duties performs medical jail visits for inmates, following minimum jail standards outlined in the Minimum Jail Standards Policy Book.
2. The Correctional Physician oversees treatment of inmates to include reviewing inmate medical files, overseeing medication administration, developing and supervising treatment plans.
3. The Correctional Physician is on call for any medical emergency that occurs involving inmates at the LEC.
4. The Correctional Physician oversees any additional correction programs at the LEC provided that protocols are established, reviewed, and approved by the Correctional Physician and medical staff.
5. The Correctional Physician develops and/or updates and implements policy and procedure for inmate medical care as necessary.

6. The Correctional Physician arranges for sick call to be held by qualified health personnel at the jail.
7. The Correctional Physician approves and supervises medical treatment conducted at the jail.
8. The Correctional Physician delegates duties to nursing staff.
9. The Correctional Physician SHALL NOT perform surgical activities other than life emergency first aid.
10. The Correctional Physician will provide proof of professional liability insurance at a minimum of \$1,000,000 each occurrence and \$3,000,000 general aggregate to the Auglaize County Sheriff and to the BOCC.
11. The Correctional Physician will provide proof of current physician licensure documentation to the Auglaize County Sheriff and the BOCC.
12. The Auglaize County Sheriff's Office will conduct a N.C.I.C criminal history check and a background check in reference to performing the duties as Correctional Physician.
13. The Auglaize County Sheriff shall pay the Correctional Physician the sum of \$1,875.00 per month for the period of March 1, 2014 – December 31, 2014.
14. This agreement may be amended at any time upon written mutual agreement by both parties.
15. This agreement may be terminated by mutual agreement of the parties involved.
16. The Correctional Physician is an independent contractor and shall be responsible for his own taxes, worker's compensation, and said employment is not part of PERS.

IN TESTIMONY WHEREOF, the parties have set their hands on the day and year before written.

Auglaize County Board of County Commissioners  
Auglaize County, Ohio

Carole Kappel  
Witness

\_\_\_\_\_

James A. Sinner  
\_\_\_\_\_

Date: 3-25-14

Allen F. Solomon  
Allen F. Solomon, Sheriff

Thomas R. Freytag, M.D.  
Thomas R. Freytag, M.D.

Date: 3/25/2014

Date: 3/25/2014

APPROVED AS TO FORM:

\_\_\_\_\_  
Edwin A. Pierce, Prosecuting Attorney  
Auglaize County, Ohio

IN THE MATTER OF ACCEPTING THE AMENDED "WALLACE FORK #2 OPEN DITCH" AND ACCEPTING "WALLACE FORK #3 TILE DITCH" INTO THE COUNTY DITCH PERMANENT MAINTENANCE PROGRAM; ESTABLISHING A WALLACE FORK #3 TILE DITCH MAINTENANCE FUND WITH THE COUNTY AUDITOR.

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, in September of 1989 the Wallace Fork Ditch #2 was petitioned through the County Commissioners, reconstructed in the summer of 1994, and has since been under permanent maintenance program. This improvement included the reconstruction of 1.26 miles of open ditch from SR #67 north of Fairmont Road, plus 1400' of subsurface tile main replaced near the upper end of the watershed across Worrel Road. Total cost of both the open and tile ditch reconstruction at the time was \$83,085; and,

WHEREAS, the County Engineer's Office proposed to create a new maintenance account called the Wallace Fork #3 Tile in order to create a new and separate assessment base for those landowners who were assessed for the tile portion of the original Wallace Fork #2 Petition; and,

WHEREAS, the division of the existing maintenance fund (current balance of \$4,337.67) will be pro-rated at 81% for the Wallace Fork #2 Open Ditch in the amount of \$3,513.51 and establish the 19% for the Wallace Fork #3 Tile Ditch Maintenance Fund in the amount of \$824.16; and,

WHEREAS, all property owners within the Wallace Fork #2 Open Ditch and Wallace Fork #3 Tile Ditch watershed were notified of their permanent maintenance assessment base and were invited to a public hearing was held by the Auglaize County Commissioners in the Assembly Room on March 20, 2014 at 10:00 a.m.; and,

WHEREAS, at said public hearing, Ron Pepple, Joe Sanders, Kenny and Margaret Cummings, Scott Fry, Charles and Diane Sutherland, Lucille Wauben were the only landowners in attendance along with Wayne Township Trustee Bob Spencer, and the Auglaize County Commissioners feel the need and long term benefits would be advantageous to the landowners and are in favor of the maintenance plan.

THEREFORE BE IT RESOLVED, the Auglaize County Commissioners does hereby accept the division of the existing maintenance fund and this shall be pro-rated at 81% for the Wallace Fork #2 Open Ditch Fund in the amount of \$3,513.51 and 19% for the Wallace Fork #3 Tile Ditch in the amount of \$824.16 for the permanent maintenance and this will provide a long term benefit and be conducive to the public welfare of those landowners within the watershed as prescribed under Section 6137 of the Ohio Revised Code; file the plans with the Auglaize County Engineer; the schedule of landowners with the Auglaize County Auditor to establish the assessment base for future collections.

Commissioner Regula 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  
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 Engineer  
✓ Auglaize County Auditor

**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 25th 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>
382274	\$ 400.00	Integrity Ambulance
382281	\$53,072.05	CY Schweiterman
382313	\$ 300.00	St Johns Fire
382317	\$ 5,417.01	Wellfount Corp
382321	\$27,240.00	Walt Sweeney Ford
382323	\$ 245.00	Clemans Nelson
382354	\$ 212.25	BI Inc.
382362	\$ 1,368.50	PDG
382379	\$ 190.14	US Bank Equip

Commissioner Regula 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  
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 Auditor

**IN THE MATTER OF APPROVING AND RATIFYING THE EXECUTION OF THE SUBGRANT AWARD AGREEMENT FOR THE AUGLAIZE COUNTY TRANSITION (ACT) GRANT FOR THE SHERIFF'S OFFICE.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2014.

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

**WHEREAS**, Captain Lisa Wright, of the Sheriff's Office, presented to the Board of County Commissioners a Subgrant Award Agreement for funding in the amount of \$48,000.00 from the Edward Byrne Justice Assistance Grant 2013 Program through the State of Ohio Office of Criminal Justice Services for the award period from 01/01/2014 to 12/31/2014; and,

**WHEREAS**, it is necessary that the President of the Board of County Commissioners to sign this subgrant award agreement.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the Subgrant Award Agreement for the Edward Byrne Justice Grant Formula Program; and,

**BE IT FURTHER RESOLVED** that the Board does ratify the execution of said grant agreement by John N. Bergman, as President of Board.

Commissioner Regula 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  
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: Sheriff Allen Solomon

**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 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board has been requested by Auditor Janet Schuler to increase the Annual Appropriation with moneys that were certified and unappropriated; and,

**WHEREAS**, the request is to amend the 2014 Annual Appropriation to reflect the following increase in the (014) Real Estate Assessment Fund:

**Increase 014.0012.510100 (Inheritance Agent) by \$1,400.00.**

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2014 Annual Appropriation Resolution be amended to show the increase as tabulated 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  
25th 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

County Commissioners' Office  
Auglaize County, Ohio  
March 25, 2014

No. 14-166

**IN THE MATTER OF AUTHORIZING A CHANGE ORDER #1 FOR HOUSING REHABILITATION FOR BRITTNEY LAUTH UNDER THE C.H.I.P. PROGRAM.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners did receive a grant through the State of Ohio's Comprehensive Housing Improvement Program for the rehabilitation of housing units within the County; and,

**WHEREAS**, in Resolution #14-122, dated March 4, 2014, the Board approved rehabilitation to the property of Charles Rowe at a cost of \$34,665.00; and,

**WHEREAS**, Poggemeyer Design Group Inc. has advised the Board of the need for a change order #1 in the amount of \$220.00; said change order is to remove existing drive and concrete steps. Install new drive and entry steps to south entrance. Install new pressure treated steps to back patio entry. Delete installation of new concrete patio slab; and,

**WHEREAS**, this change order will alter the new cost to \$34,885.00.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners does hereby authorize the above noted change order for housing rehabilitation work for the Charles Rowe property.

Commissioner Regula 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  
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: Gayle Flaczynski – Poggemeyer Design Group  
✓ Esther Leffel – BOCC Clerk

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

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 25th of March, 2014.

Commissioner Spencer 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 has been posted, interview conducted and a candidate selected. I recommend Ardyth Rockhill be promoted to CSEA Quality Control Reviewer in the CSEA unit; and,

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

- **Ardyth Rockhill is to be promoted to CSEA Quality Control Reviewer in the CSEA Unit, effective March 27, 2014 at an hourly rate of pay of \$18.01.**

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 Regula 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  
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: Auglaize County Department  
of Job & Family Services  
✓ Deputy Clerk – Lori Yahl

**IN THE MATTER OF AUTHORIZING THE SECUREMENT OF NOTE FOR THE WHEELER DITCH IMPROVEMENT FROM MINSTER BANK.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, on March 11, 2014, in Resolution #14-144 the Board of County Commissioners authorized the securement of interest costs for a note in the following amount for the balance of money needed to complete the following ditch improvement:

Wheeler Ditch project .....\$ 21,482.61; and,

WHEREAS, the following quotations were received for the above mentioned notes:

	<b>Wheeler</b>	
Minster Bank .....	3.39%;	
First National Bank .....	3.59%;	and,

WHEREAS, the quotations were shared with County Auditor Janet Schuler, for her review and recommendation with said recommendation being to award the ditch note to Minster Bank as said bank met the bid requirements for these projects.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the securement of an eight year (16 semi-annual installments) note in the amount of \$21,482.61 at the rate of interest of 3.39% for the Wheeler Ditch Project from Minster Bank for the balance of money needed to complete the payment of the ditch project.

Commissioner Regula 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  
March, 2014

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: County Engineer, County Auditor, Bidders

**IN THE MATTER OF AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS TO MAKE APPLICATION TO THE OHIO DEPARTMENT OF HEALTH FOR THE AUGLAIZE COUNTY FAIRGROUNDS TO OBTAIN COMBINED PARK CAMP STATUS; AND AUTHORIZES THE SECRETARY OF THE AUGLAIZE COUNTY FAIRBOARD TO BE THE AUTHORIZED AGENT.**  
\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of March, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Commissioners, owner of the Auglaize County Fairgrounds; and,

**WHEREAS**, Auglaize County Fairground Secretary, Fred Piehl, has requested to be the authorized agent for the Board of County Commissioners and to make application to the Ohio Department of Health in order to obtain a "Combined Park Camp" status for the Auglaize County Fairgrounds.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve Fred Piehl as the authorized agent to obtain the application for a "Combined Park Camp Status" from the Ohio Department of Health for the Auglaize County Fairgrounds.

Commissioner Regula 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  
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: Aug. Co. Fairgrounds – Fred Piehl  
Ohio Department of Health