

County Commissioners Office
Auglaize County, Ohio
March 29, 2018

NO. 18-131

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 29th day of March, 2018.

Commissioner Bergman 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>
423046	\$ 1,790.31	Konica Minolta Premier Finance
423055	\$ 3,307.64	Relias Learning
423076	\$19,378.00	Green Velvet & Sod Farms
423107	\$ 1,708.12	US Bank
423111	\$ 1,852.76	WOCAP
423129	\$ 181.72	City of Wapakoneta

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

Adopted this
29th day
March, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer yes
Douglas A. Spencer

Don Regula yes
Don Regula

John N. Bergman yes
John N. Bergman

/cc: County Auditor

IN THE MATTER OF AUTHORIZING THE RENEWAL OF THE SUPPORT AGREEMENT FOR THE i40 TAPE LIBRARY SOFTWARE FROM CDW-G.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 29th day of March, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, in Resolution #13-361, dated August 8, 2013, the Board of Auglaize County Commissioners, Auglaize County, Ohio authorized the acquisition of back-up servers, tape library with tapes and back-up exec software for the county's back-up server from CDW-G; and,

WHEREAS, it is time for the renewal of the support agreement on the Scalar i40 tape library for a total amount of \$2,673.00 from CDW-G; said renewal is for a three year renewal ending in 2021.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the renewal of the support agreement as mentioned above from CDW-G.

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

Adopted this
29th day of
March, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: CDW-G
Computer Operations Manager

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE THE WORKERS' COMPENSATION GROUP RETROSPECTIVE RATING PLAN AGREEMENT FOR THE COUNTY'S PARTICIPATION IN THE COUNTY COMMISSIONERS ASSOCIATION SERVICE CORPORATION OF OHIO WORKERS COMPENSATION GROUP RETROSPECTIVE RATING PLAN.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 29th day of March, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the County Commissioners Association of Ohio (CCAO) established the "CCAO Service Corporation Workers' Compensation Group Retrospective Rating Plan", pursuant to Ohio Revised Code 4123.29; and,

WHEREAS, the proposed agreement with CCAOSC regarding the retrospective rating plan projects a refund for Auglaize County for program year 2019 to be approximately 23% payable over a three year period; and,

WHEREAS, the Board feels this savings to be significant enough for association with this group retrospective rating plan.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board to execute an Agreement for the County's participation in the CCAO Workers' Compensation Group Retrospective Rating Plan for calendar year 2019; and,

BE IT FURTHER RESOLVED that the Board of County Commissioners does authorize the payment of the CCAO Worker Compensation Group Retrospective Rating Plan Administration fee as determined and submitted by CCAOSC; and,

BE IT FURTHER RESOLVED that a copy of the executed agreement be made a 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
29th day of
March, 2017

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: CCAOSC
County Auditor – Janet Schuler
Comp Management, Inc.

**COUNTY COMMISSIONERS ASSOCIATION OF OHIO
WORKERS' COMPENSATION GROUP RETROSPECTIVE RATING
PLAN AGREEMENT**

THIS AGREEMENT, dated as of March 29, 2018, is between CCAO Service Corporation ("CCAOSC"), an Ohio corporation, and **AUGLAIZE COUNTY** ("Participant"), a political subdivision of the State of Ohio.

Section I: INTRODUCTION

Section 4123.29 of the Ohio Revised Code (ORC), and the rules promulgated thereunder, permit the establishment of employer group retrospective rating plans in order to group the experience of employers for workers' compensation rating purposes. The County Commissioners' Association of Ohio ("CCAO"), acting through CCAOSC its Service Corporation, as a sponsoring organization within the meaning of Section 4123.29 and the regulations associated with same, hereby establishes a Group Retrospective Rating Plan for the benefit of its membership. The terms and conditions for participation in the CCAO Group Retrospective Rating Plan are herein established.

A participating county is hereafter referred to individually as a "Participant". Participating counties are collectively referred to as the "Group".

Section II: NAME

The name of the plan shall be the CCAO Workers' Compensation Group Retrospective Rating Plan, hereafter referred to as the "CCAO Group Retrospective Rating Plan" or the "Plan". The principal office of the CCAO Group Retrospective Rating Plan shall be located at 209 East State Street, Columbus, Ohio 43215.

Section III: PURPOSE OF GROUP PLAN

The CCAO Group Retrospective Rating Plan is intended to: (1) achieve lower workers' compensation costs for the Group, and (2) result in the establishment of safer working conditions and environments for each Participant.

Section IV: REPRESENTATIONS AND WARRANTIES CONCERNING ELIGIBILITY

A. CCAOSC, for itself and on behalf of CCAO, represents and warrants as follows:

- (1) CCAO was created more than two years prior to the date of application for Group coverage.
- (2) CCAO was formed for the purposes other than obtaining Group Workers' Compensation under Section 4123.29, ORC; rather it was formed for the purpose of, among other things, uniting the county commissioners of Ohio into an association to promote the best practices and policies in the administration of county government for the benefit of the people of the State of Ohio.
- (3) The business of the Group members is substantially similar such that the policies which are grouped are substantially homogeneous.

B. The Participant represents and warrants as follows:

- (1) It is a member in good standing of the County Commissioners' Association of Ohio.
- (2) It has an Ohio Bureau of Workers' Compensation ("OBWC") policy number for counties and its account with OBWC is in good standing such that no outstanding premiums, penalties or assessments are due from it.

- (3) It is not a member of any other group for the purpose of obtaining workers' compensation coverage under Section 4123.29, ORC.
- (4) It is current in all financial obligations to the Group.

Section V: BASIC OBLIGATIONS OF PARTIES

Pursuant to Section I, hereof, CCAO, acting through CCAOSC, has established the CCAO Group Retrospective Rating Plan.

C. CCAOSC shall:

- (1) coordinate and administer the CCAO Group Retrospective Rating Plan in accordance with this agreement.
- (2) file or cause to be filed all necessary applications with OBWC to obtain membership for the Participants in the CCAO Group Retrospective Rating Plan; and
- (3) perform such additional duties as are required of it by this Agreement.

D. The Participant shall:

- (1) join and participate in the CCAO Group Retrospective Rating Plan; and
- (2) perform such additional duties and pay such fees and expenses as are required of it by this Agreement.

Section VI: RATE CONTRIBUTION AND REBATES

The Participant understands that the Group performance must be estimated in advance of the experience period and is based upon the most recent experience period, and that the actual Group performance will vary depending upon multiple factors. The Participant is solely responsible for any assessment of premiums owed to the OBWC. In no event shall CCAO, CCAOSC, the third party administrator, or other Group members be held liable for premiums owed by the Participant to the OBWC.

The Participant understands the Group performance is subject to change during and subsequent to the policy period, and all debit and credit adjustments processed by the OBWC will be the premium responsibility of the individual Participant. In no event will CCAO, CCAOSC, the third party administrator, or the other Group members be held liable for premiums owed by the Participant to the OBWC resulting from subsequent rate revisions.

It is understood that the OBWC will evaluate the performance of the CCAO Group Retrospective Rating Plan by comparing the aggregate individual participants' premiums paid to OBWC to the developed losses incurred by the participants during the policy year. It is also understood that the OBWC will perform this comparison in three periods in the following number of months after the inception of the program year: 24 months, 36 months, and 48 months.

In the course of the OBWC's evaluation of the program, should premiums paid by the Group exceed the total developed losses, the Group will be entitled to a refund for the difference. However, if the total developed losses exceed the total premiums paid to OBWC for the policy year the Group would then be subject to an assessment. The total assessment in this case, could not exceed the predetermined amount ("Maximum Premium Percent") selected by the group Executive Committee. For each evaluation period, payment of refund or notice of assessment to each Participant will be made by the OBWC pursuant to OBWC rules and procedures.

Section VII: ADMINISTRATIVE SERVICES

CCAOSC, with approval of the Group Executive Committee, shall retain the services of a third party administrator ("TPA") specializing in the administration of workers' compensation claims. Such designated TPA shall assist CCAOSC staff in the day to day management of the plan, prepare and file necessary reports for both OBWC and members, assist with loss control program, and other duties, (*excluding* claims-related matters, which shall be the responsibility of each individual Participant, as provided in the second paragraph of this Section VII) relating to the Plan's activities. The cost of these TPA services, and the administrative costs of CCAOSC, shall be borne by the Participant in proportion to its payroll to the total payroll of the Group. CCAOSC shall bill the Participant for such services at such times as are determined by the Group Executive Committee and the Participant shall remit payment to CCAOSC within thirty (30) days of its receipt of such bill.

Each Participant agrees to engage, at its sole expense, a TPA for claims-related matters, the same TPA as CCAOSC has retained as TPA for the Group, and further agrees to remain with said TPA for as long as Participant remains a member of the CCAO Group Retrospective Rating Plan.

In any event, the Participant agrees to inform CCAOSC, the Group, and the Group's TPA, at all times, of all claims and related matters which will affect the rating of the Group.

Section VIII: RISK MANAGEMENT SERVICES

The Participant acknowledges that one of the goals of a group retrospective rating program is a substantial improvement in accident prevention and safety training by the Group. The Participant shall make a good faith effort to maintain a safe working environment for its employees and to implement the Group's model safety and claims management program, "*The CCAO 10 Step Safety Plan for County Government*". In addition, each Participant shall participate in and comply with any safety program or claims management procedure adopted by the Group Executive Committee, including, but not limited to, completing the Safety Expectations Survey and working toward accomplishing all of the Safety Expectations. The costs for these risk management services shall be allocated, billed and paid in the same manner as described in Section VII, above. The Participant may provide supplementary training and risk management consulting services to its employees at the Participant's sole expense.

CCAOSC reserves the right to require the Participant to undergo an occupational safety and health audit of its premises. A copy of the audit results and safety recommendations shall be provided to the Participant and to CCAOSC. Participant agrees to make a good faith effort to comply with any safety recommendations.

Section IX: GENERAL ADMINISTRATIVE FEES

The Participant agrees to pay the administrative fees of CCAOSC during the term of the Agreement, if any, in the manner specified in Section VII, above.

Section X: GROUP EXECUTIVE COMMITTEE

There is hereby established a Group Executive Committee to oversee the CCAO Group Rating Program and the CCAO Group Retro Program, which shall consist of eleven members. Two of said members shall be the President and the Secretary/Treasurer of CCAOSC. Nine members shall be representatives of CCAO Group Rating and Group Retro Plan Participants. No Participant shall have more than one member on the Group Executive Committee, and each Executive Committee Member shall be a county commissioner. However, any member county may by written instrument signed by two or more County Commissioners, appoint a designee who need not be a county commissioner but shall be an employee of the member county.

A designee shall have the same powers as the appointing member.

The duties of the Group Executive Committee shall be:

- (1) to approve the selection of a TPA, as provided in Section VII hereof;
- (2) to review and approve proposed TPA fees, fees for risk management services, and general administrative fees, and to provide for the billing and collection thereof;
- (3) to determine ongoing eligibility of each Participant for continued participation in the Group; and
- (4) to perform such other acts and functions as may be necessary to the administration of the Group.

Section XI: TERM OF AGREEMENT

Subject to the approval of the CCAO Group Retrospective Rating Plan by the OBWC, the term of this Agreement shall commence on the date of execution hereof and shall be continuing and shall be applicable to all rating periods beginning January 1, 2019 and thereafter. CCAOSC may terminate this Agreement upon thirty (30) days written notice to the Participant. The Participant may terminate this Agreement so as not to be included in the CCAO Group Retrospective Rating Plan for the next annual rating period provided ten (10) days written notice of intent to withdraw from the CCAO Group Retrospective Rating Plan is given to CCAOSC prior to the prescribed application deadline of OBWC, currently July 31, 2018. In any event, a Participant shall not be relieved of the obligation to pay any amounts owed for participation in the CCAO Group Retrospective Rating Plan prior to withdrawal therefrom.

Section XII: APPLICATIONS BY PARTICIPANT

Initial application of a Participant shall include: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC Form U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC. In order to remain in good standing and to remain eligible for Group membership, a Participant must be current in all financial obligations to CCAO and to the Group, and shall provide to CCAOSC annually, prior to the OBWC group retrospective rating deadline: (1) a properly signed and authorized copy of this Agreement; and (2) a properly executed OBWC U153, allowing CCAOSC or its TPA to represent the CCAO Group Retrospective Rating Plan before the OBWC.

Section XIII: GENERAL PROVISIONS

CCAOSC shall strictly account for all funds collected and disbursed relating to the Group Retrospective Rating Plan. All Group Retrospective Rating Plan funds shall be strictly segregated from all CCAOSC funds relating to the operations and activities of CCAO's other programs.

The Participant is solely responsible for any assessments or premiums levied by OBWC against it. Neither the CCAO Group Retrospective Rating Plan nor its TPA shall be liable for any such charges.

If the Participant leaves the Group, it will allow representatives of the Group to access its loss experience for a period of three (3) years following the last year of participation.

The Participant hereby acknowledges receipt of the complete Agreement.

IN WITNESS THEREOF, the parties hereby enter into this Agreement on the date given below.

CCAO SERVICE CORPORATION

Date: 3/19/2018

By: 

Keith Blosser, Managing Director, Operations

AUGLAIZE COUNTY

Date: 3/29/2018

By: 

Signature of Authorized Official

County Name: AUGLAIZE COUNTY

Address: 209 S. BLACKHOOF ST., RM. 102

City, State, Zip: WAPAKONETA OH 45895-1989

OBWC Number: 30600001

APPROVED AS TO FORM (if required)

Prosecuting Attorney

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE THE RE-ENROLLMENT APPLICATION FOR THE COUNTY'S PARTICIPATION IN THE COUNTY COMMISSIONERS ASSOCIATION OF OHIO WORKERS COMPENSATION GROUP RETROSPECTIVE RATING PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 29th day of March, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS Auglaize County is currently enrolled in County Commissioners Association of Ohio's Compensation Retrospective Rating Program pursuant to Ohio Administrative Rule 4123-17-73 and has participated in the program since 2014; and,

WHEREAS, CCAO projects a refund for Auglaize County for program year 2019 to be approximately 23% payable over a three year period; and,

WHEREAS, the Board feels this savings to be significant enough for Auglaize County to re-enroll in the Group Retrospective Rating Program.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board to execute the enrollment application for the County's participation in the CCAO Workers' Compensation Retrospective Rating Program for calendar year 2019.

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

Adopted this
29th day of
March, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: CCAOSC
County Auditor – Janet Schuler
Comp Management, Inc.

IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE BIDS FOR THE CITY OF ST. MARYS 2018 CDBG RESURFACING IMPROVEMENT PROJECT USING PY'17 CDBG FUNDING.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 29th day of March, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners allocated a sum from the P.Y. 2017 Community Development Block Grant (CDBG) Allocation Program funds for the City of St. Marys 2018 CDBG Resurfacing Improvement Project; and,

WHEREAS, specifications have been prepared for the City of St. Marys 2018 CDBG Resurfacing Improvement Project with an estimated cost of \$205,457.00; and,

WHEREAS, it is necessary, at this time, to set date and time to receive bids for this project.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby set April 24, 2018 at 11:00 a.m. as the date and time at which to receive and open bids in the office of the Commissioners for the City of St. Marys 2018 Resurfacing Improvement Project, a P.Y. '17 CDBG Allocation Program funded 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
29th day of
March, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: Poggemeyer Design Group – Gayle Flaczynski
City of St. Marys – Craig Moeller

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO
209 S. Blackhoof St., Wapakoneta, Ohio 45895

Phone: 419-739-6710

Fax: 419-739-6711

March 29, 2018

TO: Wapakoneta Daily News

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Legal Notice **to be published in The Wapakoneta Daily News and the Evening Leader**

Please publish, in the Legal Section of The Wapakoneta Daily News and The Evening Leader, the following Legal Notice on **Tuesday, April 3, 2018 and Tuesday, April 10, 2018.**

Please send **Certificate of Publication** to:

Board of County Commissioners
209 S. Blackhoof St., Room 201
Wapakoneta, OH 45895

AND

Please send **Certificate of Publication and INVOICE** to:

City of St. Marys – Superintendent of Community Services and Engineering
ATTN: Mr. Craig Moeller
101 E. Spring Street
St. Marys, OH 45885

Thank you.

Esther Leffel
BOCC Clerk

NOTICE TO CONTRACTOR

Public Notice is hereby given that Auglaize County Commissioners, Wapakoneta, Ohio, will receive bids on behalf of the City of St. Marys for the 2018 CDBG Street Resurfacing Project until 11:00 a.m. local time, April 24, 2018 in the Commissioners' Office located in the County Administration Building, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895.

In general, the project consists of asphalt grinding and asphalt overlaying and concrete curb ramps within the City of St. Marys.

The plans and specifications are on file and available at the Office of the Director of Public Service and Safety at 101 E. Spring Street, St. Marys, Ohio 45885. A non-refundable deposit in the amount of \$50.00 will be required for each set of plans and specifications. The check must be made payable to the City of St. Marys, Ohio.

Neither Owner nor the City of St. Marys will be responsible for full or partial sets of bidding documents, including Addenda if any, obtained from sources other than the City of St. Marys.

Bids must be signed and submitted on the separate bidding forms and sealed in a properly identified envelope.

The bid security shall be furnished in accordance with Instructions to Bidders.

The Contractor shall be required to pay not less than the minimum wage rates established by the Federal Labor Standards Provisions and Davis-Bacon Wages. Attention of the Bidder is called to the various insurance requirements and various equal opportunity provisions.

This project is funded through PY'17 CDBG Allocation Funds. The Engineer's estimate for the construction project is \$205,457.00.

No Bidder shall withdraw his Bid within 60 days after the actual opening thereof.

The Owner reserves the right to reject any or all Bids, waive irregularities in any Bid, and to accept any Bid which is deemed by Owner to be most favorable to the Owner.

Auglaize County Commissioners
Douglas A. Spencer, President of the Board

Publish dates: April 3, 2018
April 10, 2018

IN THE MATTER OF RESCINDING THE FINAL HEARING DATE FOR THE NEDDERMAN DITCH PROJECT AND SETTING THE DATE TO RECEIVE THE UPDATED ENGINEER'S REPORTS ON SAID PROJECT PETITIONED BY DONALD NEDDERMAN AND TODD NEDDERMAN.

The Board of Auglaize County Commissioners met in regular session on the 29th of March, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners, in Resolution #17-397, dated October 3, 2017, set April 10, 2018, as the date for the final hearing for the Nedderman Ditch Project petitioned by Donald Nedderman and Todd Nedderman, the Board received updated information from Drainage Engineer Kevin Schnell concerning the progress of the Nedderman Ditch Project; and,

WHEREAS, the request was made by the Engineer's Office for the Board to rescind the final hearing date of April 10, 2018 and to establish and use the same date to receive the updated Engineer's reports for the Nedderman Ditch Project.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby rescind the final hearing date for the Nedderman Ditch Project; and,

BE IT FURTHER RESOLVED that the Board does set **April 10, 2018 at 1:30 p.m.** as the date and time for the Engineer's Office to present the updated Engineer's Reports.

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

Adopted this
29th day of
March, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

✓cc: County Engineer