

NO. 16-381

Commissioner Bergman moved the adoption of the following:

WHEREAS, on September 6, 2016, Resolution #16-316 the Board of County Commissioners set October 4, 2016 at 10:00 a.m. as the date to receive re-bids for the Doorley #2 Ditch Project; and,

From: Gene Topp Drainage Service

WHEREAS, the bid was given to the County Engineer personnel for review and comparison and upon review of the bid, as received, the County Engineer recommended the award be presented to Gene Topp Drainage Service for the Doorley #2 Ditch project as its bid is a best and lowest bid.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare the contract and bond and, having secured the signatures of said bidder and its surety, present the same to the Board of County Commissioners for approval and execution; and,

Commissioner Desai
the vote resulted in the adoption of the

AUGLAIZE COUNTY, OHIO

Don Regula yes

Don Regula

John N Bergman, 40
John N. Bergman


Douglas A. Spencer

cc: County Engineer
Bidder

IN THE MATTER OF APPROVING THE CONTRACT AND BOND FOR GENE TOPP DRAINAGE SERVICE FOR THE DOORLEY #2 DITCH PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of November, 2016.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Engineer's office has filed with this Board a contract and bond from Gene Topp Drainage Service for labor and materials for said Doorley #2 Ditch project; and,

WHEREAS, the Board of County Commissioners has been requested to approve and execute the contract and bond, as all appears to be in order.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the contract and bond with Gene Topp Drainage Service as presented, for the Doorley #2 Ditch project, executing same; and,

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to record said contract and bond in the Commissioners' Journal; and,

BE IT FURTHER RESOLVED that the Engineer's Secretary prepare assessment billing notices in accordance with the list of assessments as presented by the County Engineer; for each parcel of land, each public corporation and each department, office, or institution of the State of Ohio as given; and,

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to place unpaid assessments, after due payment period, on the County tax duplicates.

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

Adopted this
1st day of
November, 2016

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 Engineer

DITCH CONTRACT

Revised Code, Sec. 6131.41

In the Matter of the DOORLEY DITCH

SINGLE County Ditch Petitioned for by MICHAEL & CYNTHIA SZEKELY *and others.*

THIS AGREEMENT, *made and entered into on this* 14th *day of* October 2016,

by and between the County Commissioners of AUGLAIZE COUNTY, Ohio, *and hereinafter designated as "First Party," and* GENE TOPP DRAINAGE SERVICE *of* 06672 C.R. 66A, NEW BREMEN, OHIO 45869 *hereinafter designated as "Second Party."*

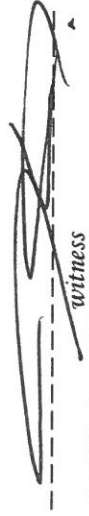
WITNESSETH, THAT SAID "SECOND PARTY," *For and in consideration of the sum of* THIRTY TWO THOUSAND THREE HUNDRED TWENTY FOUR AND 00/100 (\$32,324.00) *Dollars, to be paid as hereinafter specified, hereby agree to furnish unto said "First Party."* *all the necessary materials, and do all the work and labor required to construct the* DOORLEY DITCH *petitioned for by* MICHAEL & CYNTHIA SZEKELY *and others, in accordance with plans, drawings and specifications for the same hereto attached, which plans, drawings and specifications are hereby declared to be a part of this contract.*

Said "Second Party" further agrees to furnish said materials and to do the said work and labor promptly, in a good substantial and workmanship manner, under the direction of the County Engineer in charge, without hindrance or delay to any other branch or class of work on said DOORLEY DITCH, *and to work in harmony with and to render such assistance to other branches of work as their connection therewith and the progress of the* DOORLEY DITCH *may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the* 31st *day of* May, 2017 *for all work north of* Kruse Road *and by the* 15th *day of* July, 2017 *for all work south of* Kruse Road.

AND SAID "FIRST PARTY," *for and in consideration of the true and faithful performance of said work and labor and furnishings of said materials as aforesaid, hereby agree to pay unto the said "Second Party" said sum of* THIRTY TWO THOUSAND THREE HUNDRED TWENTY FOUR AND 00/100 (\$32,324.00)) *Dollars, in installment from time to time, upon the certificate of acceptance of the County Engineer and as provided by law.*

Now if the said GENE TOPP DRAINAGE SERVICE of 06672 C.R. 66A, NEW BREMEN, OHIO 45896 shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of


witness
JERRY S. LEHMAN, JR.


witness
CHRISTA L. MCNAUGHTON

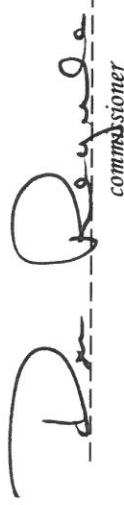

GENE P. TOPP signed MEMBER

GENE TOPP DRAINAGE SERVICE, LLC
company

06672 COUNTY ROAD 66A
street

NEW BREMEN, OH 45869-9614
city, state, zip

The above Contract being good and sufficient is approved this 1st day of November 2016.


commissioner


commissioner

commissioner

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the
Single County Ditch No.

DOORLEY DITCH

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by MICHAEL & CYNTHIA SZEKELY and others

KNOW ALL MEN BY THESE PRESENTS, That we, GENE TOPP DRAINAGE SERVICE, having an address of 06672 C.R. 66A NEW BREMEN, OHIO, 45869, as Principal and LETTER OF CREDIT, FIRST NATIONAL BANK IN NEW BREMEN, as sureties, are held and firmly bound unto the state of Ohio for the benefit of AUGLAIZE COUNTY and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of FOURTY THOUSAND FOUR HUNDRED FIVE AND 00/100 (\$40,405.00) Dollars WHICH IS 125% OF THE DITCH CONTRACT, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated this 14th day of October, 2016

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, whereas, the above Bound GENE TOPP DRAINAGE SERVICE, having an address of 06672 C.R. 66A NEW BREMEN, OHIO, 45869 have entered into a Contract with said Board of County Commissioners, First, to furnish the materials and perform the work and labor for the construction of the DOORLEY DITCH improvement petitioned for by MICHAEL & CYNTHIA SZEKELY and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 31st day of May, 2017 for all work north of Kruse Road and by the 15th day of July, 2017 for all work south of Kruse Road, for the compensation of THIRTY TWO THOUSAND THREE HUNDRED TWENTY FOUR AND 00/100 (\$32,324.00) Dollars, (DITCH CONTRACT AMOUNT)

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Forth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said GENE TOPP DRAINAGE SERVICE, having an address of 06672 C.R. 66A NEW BREMEN, OHIO, 45869, s hall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of



GENE P. TOPP Signed MEMBER



JERRY S. LEHMAN, JR.

GENE TOPP DRAINAGE SERVICE, LLC
company

06672 COUNTY ROAD 66A
street



CHRISTA L. MCNAUGHTON
witness

NEW BREMEN, OH 45869-9614
city, state, zip

The above Bond being good and sufficient is approved this 13th day of November, 2016.



commissioner



commissioner

commissioner

**IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE
SPECIAL SESSION OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of November, 2016.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to Ohio Revised Code Section 305.07, "the Board of County Commissioners may provide by Resolution for the holding of special sessions"; and,

WHEREAS, the Board must set special session on Wednesday, November 2, 2016 from 11:30 a.m. – 1:00 p.m. to attend the Wapakoneta Area Economic Development Council Annual Luncheon meeting, Grand Plaza Banquet Center, 913 Defiance Street, Wapakoneta, Ohio or until the conclusion of the business for the purposes stated above.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set Wednesday, November 2, 2016 from 11:30 a.m. – 1:00 p.m. or until such time as the meeting is concluded, at the location so named above as the date, time and place to convene a special sessions for said Board; and,

BE IT FURTHER RESOLVED that a copy of this Resolution to be provided to The Evening Leader, The Wapakoneta Daily News, The Lima News and The Daily Standard to ensure adequate public notice of this special session.

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

Adopted this
1st day of
November, 2016

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: newspapers

County Commissioners Office
Auglaize County, Ohio
November 1, 2016

NO. 16-384

IN THE MATTER OF AUTHORIZING THE EXECUTION OF THE LOCAL PROGRAM ADMINISTRATION (LPA) GRANT AGREEMENT NO. 28004 WITH OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR A SAFETY STUDY GRANT FOR “NO PASSING” ZONES PROJECT FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of November, 2016.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize County has received a grant agreement no. 28004 from Local Program Administration (LPA) with ODOT, in the amount of \$26,568.00 for a grant that will provide a study of the “No Passing” zones on the 350 mile county maintained highway system and will be completed in 2017. The results will be in a GPS format along with the corresponding software. This project is schedule for federal fiscal year 2017 and this agreement commences on the date of the last signature here to and shall expire on June 30, 2017; and,

WHEREAS, the project cost estimate is \$29,520.00 of which \$26,568.00 (90%) is the grant agreement no. 28004 using federal gasoline taxes. The 10% local match will come from the Engineer’s Motor Vehicle License Plate (MVGT) Fund; and,

WHEREAS, County Engineer Doug Reinhart has presented to the Board of County Commissioners a project grant agreement no. 28004 for this ODOT grant, requesting that the Board approve the agreement and authorize the execution of same.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners does hereby approve the project grant agreement no. 28004 between Auglaize County and Local Program Administration (LPA) with ODOT for a grant of \$26,568.00 to be used for the County’s Safety Study for “No Passing” Zones Project for Auglaize County; and,

BE IT FURTHER RESOLVED that said Board authorizes Commissioner Don Regula to execute the project grant agreement no. 28004 as presented.

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

Adopted this
1st day of
November, 2016

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
☒ LPA - ODOT (certified)
☒ Auditor

IN THE MATTER OF AUTHORIZING THE PAYMENT OF THE COUNTY'S MANDATED SHARE OF PUBLIC ASSISTANCE FOR NOVEMBER.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 1st day of November, 2016.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary to pay the county's mandated share of Public Assistance for November.

THEREFORE, BE IT RESOLVED that the Board does authorize the County Auditor to make the following payment:

From: 001-0905-533500 – Public Assistance Grant
Amount: \$ 5,551.75
To: 006-0400-400101 – Public Assistance

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

Adopted this 1st day
of November, 2016

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
Jobs & Family Services

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of November, 2016.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested to authorize budget adjustments as follows: and,

General Fund:	From:	To:
Amount:	001.1701.538000 (Transfers)	001.0301.530600 (Contract Services)
\$ 10,000.00	001.1701.538000 (Transfers)	001.0301.530300 (Supplies)
\$ 15,000.00	001.1701.538000 (Transfers)	001.0301.530700 (Travel)
\$ 2,000.00	001.1701.538000 (Transfers)	001.0301.510201 (Poll workers)
\$ 3,000.00		

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustments to show the changes as tabulated 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
1st day of
November, 2016

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula
Don Regula

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

ec: County Auditor
- County Administrator
- Board of Elections Director