

IN THE MATTER AUTHORIZING A RENEWAL APPLICATION WITH ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC FOR CYBER LIABILITY INSURANCE FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of November, 2019.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize County was presented a client authorization form to bind coverage for cyber liability insurance and a cyber insurance renewal application with Arthur J. Gallagher Risk Management Services, Inc; and,

WHEREAS, this policy period will become effective on 12/01/2019 and remain in effect until 12/01/2020; and,

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc. has submitted the renewal application to the Board for its approval and execution.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby approve the cyber liability insurance and cyber insurance state of fact with Arthur J. Gallagher Risk Management Services, Inc. and does authorize Don Regula, President of the Board, to execute said documents.

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

Adopted this
21st day of
November, 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: Arthur Gallagher – Kevin Fink

IN THE MATTER OF APPROVING THE MEMORANDUM OF AGREEMENT FOR SERVICES BETWEEN THE OHIO SECRETARY OF STATE AND AUGLAIZE COUNTY AND AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE SAID MEMORANDUM OF AGREEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of November, 2019.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, Directive 2019-08 established that the Ohio Secretary of State (“SOS”) sets for the security requirements that all boards of elections must implement by January 31, 2020; and,

WHEREAS, Directive 2019-08 requires each county to have network monitoring, dissemination of cyber threat warnings, and vulnerability identification and mitigation recommendations; and,

WHEREAS, SOS has contracted for Sophisticated Systems/RoundTower to deploy Security Information and Event management systems at County for the purpose of log aggregation and storage, at SOS expense, subject to the terms and conditions set forth in a written agreement executed on October 23, 2019 between SOS and SSI/RoundTower (“Agreement”), through December 31, 2020; and,

WHEREAS, in consideration of SOS paying SSI/RoundTower to provide these services at each county, the County agrees to meet the requirements described in this MOA; and,

WHEREAS, SOS and County wish to enter into this MOA to further set forth the duties and obligations of the Parties.

THEREFORE BE IT RESOLVED, that the Board of Auglaize County Commissioners does hereby approve the Memorandum of Agreement for Services between the Ohio Secretary of State and Auglaize County; and,

BE IT FURTHER RESOLVED that the Board of Auglaize County Commissioners does hereby authorize the President of the Board, Don Regula, to execute said Memorandum of Agreement for Services.

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

Adopted this
21st day of
November, 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: Ohio Secretary of State
- IT Manager
- ✓ Board of Elections

County Commissioners Office
Auglaize County, Ohio
November 21, 2019

NO. 19-472

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 21st day of November, 2019.

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>
439080	\$ 163.89	Perry ProTech
439102	\$ 1,400.00	Spallinger Millwright
439146	\$ 2,373.75	Mote & Associates, Inc.
439188	\$ 576.00	Path Labs
439203	\$135,000.00	Auglaize County Treasurer

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

Adopted this
21st day
November, 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 Auditor

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st of November, 2019.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

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

General Fund:

Amount:	From:	To:
\$19,000.00	001.1501.531800 (Misc. Atty. Fees)	001.0402.530600 (Contract Services)

Sheriff Fund:

Amount	From:	To:
\$12,000.00	001.0601.530601 (Jail Contract Services)	001.0601.530400 (Jail Equipment)

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to complete the budget adjustments as mentioned 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
21st day of
November, 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 Auditor
- County Administrator
- Sheriff

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE CONTRACT WITH POGGEMEYER DESIGN GROUP, INC. FOR THE ADMINISTRATIVE SERVICES FOR THE PY 2019 CDBG ALLOCATION PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of October, 2019.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners wishes to contract with Poggemeyer Design Group, Inc. for the provision of administrative services for the PY 2019 Community Development Block Grant (CDBG) Allocation Program; and,

WHEREAS, the fees for the CDBG Allocation administration basic services are not to exceed a lump sum of \$17,000.00 and are broken down as follows:

Grant Application -	Not to exceed \$ 8,000.00
Environmental Review Record -	Not to exceed \$ 6,000.00
Technical Assistance -	Not to exceed \$ 16,000.00
Fair Housing -	Not to exceed \$ 6,000.00;

and,

WHEREAS, Poggemeyer Design Group Inc. has prepared a contract for the Board's review and execution; and,

WHEREAS, the Board of County Commissioners has reviewed said contract and has found it to be satisfactory.

THEREFORE BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby approve the contract for administrative services of Poggemeyer Design Group, Inc. for assistance in the application for PY 2019 CDBG Allocation Grant at the terms so specified in said contract; and,

BE IT FURTHER RESOLVED that said Board authorizes the President of the Board, Don Regula, to execute said contract.

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

Adopted this
21st day of
November, 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: Poggemeyer Design Group, Inc.
CDBG Allocation file

RECEIVED

NOV 15 2019

Board of County Commissioners
Auglaize County, Ohio

November 12, 2019

Ms. Erica Preston, County Administrator
Auglaize County Board of Commissioners
209 South Blackhoof Street, Room 201
Wapakoneta, Ohio 45895-0330

Re: Auglaize County - PY2019 CDBG Community Development Program
Allocation Program Administrative / Fair Housing Services Contract
PDG Job # 351000-00093

Dear Ms. Preston:

Pursuant to the PY2019 CDBG Community Development Program RFQ/RFP, Poggemeyer Design Group, Inc. (PDG) is providing this letter contract for execution. PDG proposes to provide professional planning services to assist Auglaize County with administrative services for the PY2019 Community Development Block Grant (CDBG) Allocation Program (hereinafter referred to as the "project").

If there are any other project requirements beyond those normally related to the State of Ohio CDBG program, the County shall be responsible for providing a detailed summary of the requirements for the project, including any special considerations or services needed. The fee listed below shall be renegotiated in that instance. In addition, the County will provide all pertinent existing data related to this project to PDG.

Basic services provided under this contract will consist of the following items:

1. **Grant Application. Not to exceed \$8,000.00.** Specified costs associated with the preparation and submittal of the grant application to the Ohio Development Services Agency (ODSA), to include:
 - a. Assisting staff with scheduling, advertising, and convening all required public hearings. (Community is responsible for publication costs.)
 - b. Assisting staff with soliciting funding proposals from county departments, agencies, community non-profit organizations, and other eligible entities.
 - c. Assisting county staff with determining eligibility of projects and proposals, including overseeing CDBG income surveys.
 - d. Properly preparing the required Fair Housing Program table as required by ODSA, including outreach and training sites.
 - e. Preparation of the required Community Development Implementation Strategy (CDIS).

Ms. Erica Preston
November 12, 2019
Page 2

- f. Properly completing all required application forms and exhibits and providing revisions to the application as needed or requested by ODSA.
 - g. Providing/uploading/input of required information/documentation to OCEAN for ODSA and the County in the appropriate format by the required due date.
- 2. **Environmental Review Record. Not to exceed \$6,000.00.** Specified costs associated with the timely completion of the environmental review process, to include:
 - a. Coordination with the Ohio Historic Preservation Office, the Ohio EPA, ODSA, and any other local/state/federal agencies as required by federal regulations.
 - b. Preparation of proper notices, reports, and certification forms to obtain the "Release of Funds" for all Allocation activities. (Community is responsible for publication costs.)
 - c. Proper preparation of the required Environmental Review Record (ERR), which includes data collection, narrative preparation, and mapping.
- 3. **Technical Assistance/Administration. Not to exceed \$16,000.00.** Specified costs associated with providing technical assistance to community staff and its grantees to assure program compliance throughout the grant year, to include:
 - a. Assistance with review of Grant Agreement prior to execution.
 - b. Assisting staff with technical aspects of procurement of construction, materials/equipment, and planning projects in compliance with CDBG rules and regulations (e.g., acquisition/relocation, competitive quotes/bids, federal wage rates, preparation of bid documents, contractor/supplier eligibility verification, pre-construction conferences, federal labor compliance, invoice processing, etc.). (Community is responsible for publication costs.)
 - c. Assisting staff with preparation of program status reports and final performance report.
 - d. Assisting staff with set up and maintenance of program files.
 - e. Assisting staff with program close-out, including preparation for ODSA program monitoring conducted by ODSA State Field Representatives. Assisting staff with preparation of monitoring responses to ODSA, as needed.
 - f. Providing guidance with general financial and program administration, CDBG construction management, CDBG materials/equipment procurement, as well as information regarding program and regulation changes.
- 4. **Fair Housing Program. Not to exceed \$6,000.00.** Specified costs associated with the community's compliance with Fair Housing Requirements as outlined in the PY19 CDBG

Ms. Erica Preston
November 12, 2019
Page 3

Community Development Allocation Program Grant Agreement between the community and the Ohio Development Services Agency (ODSA), to include:

- a. Coordination and preparation of appropriate documentation and performance of the required training sessions.
- b. Coordination and preparation of appropriate documentation and performance of the required outreach activities.
- c. Preparation of annual fair housing analysis update.
- d. Assistance with fair housing complaint referral, processing, and coordination efforts with the appropriate regional office of the Ohio Civil Rights Commission, as needed.
- e. Preparation of final report of fair housing efforts for grant year suitable for State Monitoring.

The fee for providing these basic services is a lump sum fee not to exceed **\$36,000.00**, including reimbursables.

If work activities are required by the County or its grantees for implementation of the program which are not included in the basic services described above, these extra work activities will be called "additional services," and PDG will provide these based on its current hourly rate schedule. Before commencing these "additional services," PDG will provide a contract addendum for review by the County, with a new not to exceed lump sum fee. These "additional services" include, but are not limited to:

1. Grant program amendments / extensions.
2. Additional public hearings for grant amendments.
3. Amending the Environmental Review Record resulting from grant amendments.
4. Additional coordination with the Ohio Historic Preservation Office and the National Advisory Council on Historic Preservation.
5. Additional monitoring reports resulting from grant extensions.
6. Additional step-by-step monitoring of grantee agencies/communities regarding CDBG Allocation policy and procedures.
7. Providing guidance and assistance to other architectural/engineering/planning firms retained by the community or its grantees regarding CDBG policies, procedures, and regulations.



Ms. Erica Preston
November 12, 2019
Page 4

PDG will provide monthly invoices for services, with payments being due within thirty (30) days of receipt to avoid potential finance charges. PDG will begin work on the project upon receipt of this executed letter contract and will complete its services within the time frame specified in the Grant Agreement for this fiscal year.

This letter contract, with Exhibits A (1 page) and B (1 page), represents the entire agreement between PDG and the County in respect to the project and may be modified only by written agreement of both parties and may be terminated by either party upon seven (7) days written notice to the other party. If this letter contract accurately reflects your understanding of our agreement, please sign the original and enclosed copy of this letter contract in the space provided below and return the original to PDG. This contract will be open for acceptance for a period of thirty (30) days, unless adjusted by PDG or the County in writing.

Any inquiries regarding the CDBG Community Development Allocation Program may be directed to Mr. Paul Z. Tecpanecatl, AICP, Principal Owner. Please do not hesitate to contact this office at 419-352-7537 if you have any questions. We look forward to working with you in the upcoming grant year.

Sincerely,

POGGEMEYER DESIGN GROUP, INC.


Mike Athertine, PE
Principal Owner


Paul Z. Tecpanecatl, AICP
Principal Owner

Attachments

Accepted this 21st day of November, 2019 by the undersigned who is duly and legally authorized to enter into such legal contracts for the above-referenced entity.

By: 
Don Regula

Title: President

EXHIBIT A

1. OWNER'S RESPONSIBILITIES

OWNER shall provide all criteria and full information as to OWNER's requirements for the project and shall give prompt written notice to PLANNER whenever OWNER observes or otherwise becomes aware of any defect in the work. The OWNER may designate representatives to act with authority on OWNER's behalf on various aspects of the projects.

2. REIMBURSABLE EXPENSES

Reimbursable Expenses are included in the compensation fee for basic and additional services and are the actual expenses incurred by PLANNER or PLANNER's independent professional associates or consultants, directly or indirectly, in connection with the Project. These include expenses for: transportation; toll telephone calls; reproduction of reports; pictures, and similar Project-related items.

3. TERMINATION

The obligation to provide further services under this Agreement may be terminated by either party (upon seven day's written notice) in the event of substantial failure by the other party to perform in accordance with the terms hereof, through no fault of the terminating party. In the event of any termination, PLANNER will be paid in full for all services rendered to the date of termination, all Reimbursable Expenses and termination expenses.

4. SUCCESSORS AND ASSIGNS

OWNER and PLANNER each is hereby bound as are the partners, successors, executors, administrators and legal representatives of OWNER and PLANNER in respect to any covenants, agreements and obligations of this Agreement. Nothing contained in this Agreement shall prevent PLANNER from employing such independent professional associates and consultants as PLANNER may deem appropriate to help in the performance of services hereunder.

5. LIMITATION OF LIABILITY CLAUSE

The PLANNER's liability to the OWNER for any cause or combination of causes is, in the aggregate, limited to an amount no greater than the total compensation earned under this Agreement.



EXHIBIT B

1. **CERTIFICATE OF OWNERS ATTORNEY**

I, Edwin A. Pierce, the undersigned, duly authorized and acting legal representative of Anglaize County, do hereby certify as follows:

I have examined the attached contract and the manner of execution thereof, and I am of the opinion that each of the aforesaid agreements has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have fully power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with terms, conditions and provisions thereof.

Date: November 21, 2019 Seal:

Signed: [Signature]
Title: Prosecuting Attorney

2. **CERTIFICATION REGARDING THE AVAILABILITY OF FUNDS**

Attest: I, Janet Schuler, Clerk/Auditor of Anglaize County hereby certify that the money to meet this contract has been lawfully appropriated for the purpose of this contract and is in the treasury of Anglaize County, or is in the process of collection to the credit of the appropriate fund, free from prior encumbrance.

Date: November 15, 2019 Seal:

Signed: [Signature]
Title: Anglaize County Auditor

IN THE MATTER OF APPOINTING MELINDA GOUBEAUX TO THE AUGLAIZE COUNTY SOLID WASTE MANAGEMENT DISTRICT POLICY PLANNING COMMITTEE.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of November, 2019.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to Ohio Revised Code Section 343.01.1, the Auglaize County Solid Waste Management District Policy Planning Committee needs to appoint an Industrial Representative in the county; and,

WHEREAS, Dan Danaher had served as the Industrial Representative from March 16, 2017 to October 31, 2019 for the Auglaize County Solid Waste District Policy Committee; and,

WHEREAS, Melinda Goubeaux was contacted about her willingness to serve as the Industrial representative for the two-year term commencing on November 1, 2019 and expiring on October 31, 2021 and she has agreed to serve on said committee.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby appoint Melinda Goubeaux to the Auglaize County Solid Waste November 1, 2019 and ending October 31, 2021.

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

Adopted this
21st day of
November, 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: Solid Waste Coordinator – Scott Cisco
Melinda Goubeaux