

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 November, 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>
389335	\$ 1,143.72	Perry Pro Tech
389335	\$ 1,671.75	Perry Pro Tech
389364	\$ 138.70	AE David
389365	\$ 1,383.00	Bailey Equipment
389375	\$ 1,745.00	Crown Lift Trucks
389392	\$ 7,861.85	Ohio Cycle Worx
389399	\$ 3,995.00	Prenger Implements
389403	\$ 532.33	SecurCom
389420	\$ 539.50	Four-U-Office Supplies
389424	\$29,772.64	Concept Rehab
389427	\$ 4,645.31	PDG
389441	\$ 603.65	US Bank
389441	\$ 651.30	US Bank
389455	\$42,233.00	Heise General Contracting LLC

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
November, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer, ya
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: County Auditor

County Commissioners Office
Auglaize County, Ohio
November 25, 2014

NO. 14-536

IN THE MATTER OF AUTHORIZING THE AMENDMENT TO THE PARTICIPATION AGREEMENT REGARDING THE ELECTRICITY PURCHASE PROGRAM OF THE CCAO SERVICE CORPORATION; AUTHORIZING THE EXECUTION OF THE AMENDMENT TO THE PARTICIPATION AGREEMENT FOR THIS PROGRAM.

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

Commissioner Spencer moved the adoption of the following:
RESOLUTION

WHEREAS, on October 1, 2013 the Board of County Commissioners adopted Resolution #13-432, authorizing the continued agreement regarding the Electricity Purchase Program of the CCAO Service Corporation; and,

WHEREAS, an amendment was presented to the Board of County Commissioners;

SECTION 1. Existing Section 4 of the Participation Agreement be deleted and replaced by the following new Section 4.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the amendment to the Participation Agreement regarding the Electricity Purchase Program of CCAO Service Corporation; and,

BE IT FURTHER RESOLVED that said Board of County Commissioners, Auglaize County, Ohio does hereby authorize the execution of said amendment to the Participation Agreement by the President of the Board of Auglaize 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
25th day of
November, 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: CCAO – Amanda Jones
- Palmer Energy – Kirk Mizerek

**AMENDMENT TO
PARTICIPATION AGREEMENT REGARDING THE
ELECTRICITY PURCHASE PROGRAM
OF THE
CCAO SERVICE CORPORATION**

(ENERGY EXECUTIVE COMMITTEE)

This Amendment to Participation Agreement Regarding Electric Purchase Program of the CCAO Service Corporation ("CCAOSC") is entered into as of November 25, 2014, among the CCAO Service Corporation, an Ohio for-profit corporation, the County of Auglaize, Ohio, a political subdivision of the State of Ohio (the "Participant"), and CCAOSC Energy Solutions (CCAOSCES), an Ohio limited liability company and subsidiary of Palmer Energy Company (CCAOSCES is referred to herein as the "Manager").

Recitals

A. The County is a Participant in CCAOSC's Electricity Purchase Program, which assists Ohio counties which are members of the County Commissioners Association of Ohio and which choose to participate, either for themselves or on behalf of boards, agencies, districts or other instrumentalities which are affiliated with them, in securing competitively priced electricity supplies through an electricity purchase program (the "Program") under contractual terms favorable to Participants. The County has entered into a Participation Agreement dated October 1, 2013 (the "Participation Agreement"). The Participation Agreement sets forth the terms of the Program, and includes the establishment of an Executive Committee of the Board of Participants to govern the Program.

B. CCAOSC now operates natural gas purchase, government aggregation, and energy conservation programs in addition to the Program.

C. The natural gas, electric, government aggregation, and energy conservation programs now operated by CCAOSC (collectively, the "Energy Programs") are related in nature, and it is efficient and desirable to replace the Executive Committee of the Board of Participants of the Program with an Energy Executive Committee to govern and oversee all of the Energy Programs.

D. This Amendment to the Participation Agreement evidences the County's willingness to continue its participation in the Program under the governance of the Energy Executive Committee in place of the Executive Committee of the Board of Participants. All provisions of the Participation Agreement not dealing with that subject remain in full force and effect.

NOW, THEREFORE, it is agreed by and among CCAOSC, the Participant, and the Manager, by their authorized representatives, that:

Section 1. Existing Section 4 of the Participation Agreement be deleted and replaced by the following new Section 4:

SECTION 4. MANAGEMENT AND OPERATION OF PROGRAM

(A) **Board of Participants.** The Board of Participants shall have the general oversight of the Program. It shall consist of one representative of each Participant in the Program. Each Participant shall designate one Representative and one Alternate to the Board of Participants, such designation to be in writing and filed with CCAOSC. A Participant's vote may be cast only by its Representative or by its Alternate in the absence of its Representative. If a Participant has more than one agency or instrumentality in the Program, it shall nevertheless be entitled to only one vote on the Board of Participants. The Board of Participants shall elect certain members of the Energy Executive Committee. The Energy Executive Committee shall be responsible for the oversight and management of the operation of the Program and shall have the other powers and duties set forth below. It shall be composed, its members shall be elected, and it shall meet as set forth below.

(B) **Composition.** The Energy Executive Committee shall consist of not less than nine or more than fifteen members (exclusive of ex-officio members), composed as follows:

1. At least four members shall be county commissioners of counties that participate in one or more of the Energy Programs;
2. The remaining members shall be either county commissioners of counties that participate in one or more of the Energy Programs or approved designees of such commissioners;
3. At least six members of the Energy Executive Committee shall be chosen from counties that are participants in the natural gas program; at least six members shall be chosen from counties that are participants in the electric program; and at least two members shall be chosen from counties that are participants in the government aggregation program; provided that if a member represents a county that participates in more than one of the programs entitled to a minimum number of members, he or she may be counted to satisfy the minimum for each program.

In addition to the members described above, there shall be at least five ex-officio members of the Executive Committee: two appointed by the Manager; two appointed by CCAOSC; and legal counsel appointed by CCAOSC. In addition, the Energy Executive Committee may appoint additional ex officio Energy Executive Committee members as it deems necessary. Ex officio members of the Energy Executive Committee shall be nonvoting members.

(C) **Elections.** The Energy Executive Committee shall be elected as follows:

1. The then-existing participants in the natural gas program shall elect six members of the Energy Executive Committee;
2. The then-existing participants in the electric program shall elect six members of the Energy Executive Committee;
3. The then-existing participants in the government aggregation program shall elect two members of the Energy Executive Committee;
4. All participants in all Energy Programs shall elect any at-large members of the Energy Executive Committee.

The first election for members of the Energy Executive Committee shall be held not later than 60 days following the adoption by at least two-thirds of the participants in both the natural gas program and the electric program of amendments to their participation agreements consenting to the Energy Executive Committee's creation, structure, and powers and duties. At that election the appropriate participants shall elect three of the six natural gas members of the Energy Executive Committee, three of the six electric members, and one of the two government aggregation members for a term expiring on December 31, 2015, and shall elect three of the six natural gas members of the Energy Executive Committee, three of the six electric members, one of the two government aggregation members, and any at-large members for a term expiring on December 31, 2016. Thereafter, terms of office of members of the Energy Executive Committee shall be for two years, and shall commence on the first day of January and end on the last day of December. Members shall hold office until the expiration of their terms, or subsequent to the expiration of their terms until their successors take office. All vacancies in the membership of the Energy Executive Committee shall be filled for the unexpired term by election by the appropriate Board of Participants.

(D) Meetings and Quorum. The Energy Executive Committee shall meet at such times as it determines. A majority of all then-authorized voting members of the Energy Executive Committee shall constitute a quorum for the transacting of business by the Energy Executive Committee. Upon any Participant's request, the Energy Executive Committee shall give Participant notice of the time, place, and subject matter of Energy Executive Committee meetings in the same manner as Energy Executive Committee members are notified.

(E) Rules and Regulations. The Executive Committee may make such further rules and regulations governing the conduct of business as it may determine.

(F) Insurance. CCAOSC shall maintain errors and omissions liability insurance or self insurance that includes coverage of a Participant as a member of the Energy Executive Committee under any such policy. Such coverage shall be at least \$1,000,000 each occurrence and \$1,000,000 annual aggregate. CCAOSC shall provide documentary evidence of such coverage to the Participant upon request. This provision shall survive termination of this Agreement.

(G) Powers and Duties of Energy Executive Committee. The powers and duties of the Energy Executive Committee shall be as follows:

With respect to the natural gas program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the natural gas program):

- (1) It shall oversee and manage the operation of the Program
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of natural gas supplies, transportation and/or storage of gas, payment for purchase, transportation and/or storage of gas, accounting for such gas among the Participants, the allocation among the Participants of any charges incurred in connection with the over or

under consumption of natural gas purchased or changes in rates by Supplier(s), and the method by which gas usage will be reported to CCAOSC or the Manager.

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) amendments to or modifications of the Participation Agreement;
 - (b) Program Administrative Costs; and
 - (c) each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Energy Executive Committee may direct the Consultant and the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Consultant and the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the electric program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the electric program):

- (1) It shall oversee and manage the operation of the Program
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of electricity, accounting for electricity charges among the Participants, the allocation among the Participants of any charges incurred in connection with the over or under consumption of electricity purchased or changes in rates by Supplier(s), and the method by which electricity usage will be reported to CCAOSC or the Manager.

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) amendments to or modifications of the Participation Agreement;
 - (b) Program Administrative Costs; and
 - (c) each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Energy Executive Committee may direct the Consultant and the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Consultant and the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the electric governmental aggregation program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the electric governmental aggregation program):

- (1) It shall oversee and manage the operation of the Program.
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of electricity for Members of the opt-out governmental aggregation, accounting for electricity charges among the Participants and the members of the opt-out governmental aggregation, the allocation among the Participants of any charges incurred in connection with the over or under consumption of electricity purchased or changes in rates by Supplier(s), and the method by which electricity usage will be reported to CCAOSC or the Manager

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) Amendments to or modifications of this Agreement;
 - (b) Program Administrative Costs; and
 - (c) Each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Executive Committee may direct the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the conservation program: The Energy Executive Committee shall perform advisory functions as may be necessary or incidental to carrying out the purposes of the program.

Section 2. All provisions of the Participation Agreement not specifically amended herein shall remain in full force and effect.

Section 3. This Amendment shall become effective upon its approval by all of the signers hereof, but the Energy Executive Committee created herein shall not be activated until at least two thirds of the Participants in the natural gas program and two thirds of the Participants in the electric program have approved amendments to their respective Participation Agreements consenting to the Energy Executive Committee's creation, structure, and powers and duties.

IN WITNESS WHEREOF, the undersigned representatives of CCAO Service Corporation, the Participant, CCAOSCES, and pursuant to the duly adopted authorizing resolutions of their governing boards, have signed this Agreement.

CCAO SERVICE CORPORATION

By: _____

209 East State Street
Columbus, Ohio 43215

Date of execution: _____

COUNTY OF Auglaize

Date of Adoption
of Approving Board Resolution
November 25, 2014

By: John J. Bergman

Address: 209 S. Blackhoof Street, Room 201, Wapakoneta, Ohio 45895

Telecopy Number: 419-739-6710

Date of execution: November 25, 2014

CCAOSCES

By: _____

241 N. Superior St. Suite 250
Toledo, Ohio 43604

Date of execution: _____

Approved as to form:

(Ass 't) Prosecuting Attorney

IN THE MATTER OF AUTHORIZING THE AMENDMENT TO THE PARTICIPATION AGREEMENT REGARDING THE NATURAL GAS PURCHASE PROGRAM OF THE CCAO SERVICE CORPORATION; AUTHORIZING THE EXECUTION OF THE AMENDMENT TO THE PARTICIPATION AGREEMENT FOR THIS PROGRAM.

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

Commissioner Spencer moved the adoption of the following:
RESOLUTION

WHEREAS, on May 7, 2009, the Board of Auglaize County Commissioners adopted Resolution #09-166, authorizing the Participation Agreement for the Natural Gas Purchase Program of the CCAO Service Corporation; and,

WHEREAS, on October 1, 2013 the Board of County Commissioners adopted Resolution #13-431, authorizing the continued agreement regarding the Natural Gas Purchase Program of the CCAO Service Corporation; and,

WHEREAS, an amendment was presented to the Board of County Commissioners;

SECTION 1. Existing Section 3 of the Participation Agreement be deleted and replaced by the following new Section 3.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the amendment to the Participation Agreement regarding the Natural Gas Purchase Program of CCAO Service Corporation; and,

BE IT FURTHER RESOLVED that said Board of County Commissioners, Auglaize County, Ohio does hereby authorize the execution of said amendment to the Participation Agreement by the President of the Board of Auglaize 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
25th day of
November, 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: CCAO – Amanda Jones
- Palmer Energy – Kirk Mizerek

**AMENDMENT TO
PARTICIPATION AGREEMENT REGARDING THE
NATURAL GAS PURCHASE PROGRAM
OF THE
CCAO SERVICE CORPORATION
(ENERGY EXECUTIVE COMMITTEE)**

This Amendment to Participation Agreement Regarding the Natural Gas Purchase Program of the CCAO Service Corporation ("CCAOSC") is entered into as of November 25, 2014, among the CCAO Service Corporation, an Ohio for-profit corporation, the County of Auglaize, Ohio, a political subdivision of the State of Ohio (the "Participant"), and CCAOSC Energy Solutions (CCAOSCES), an Ohio limited liability company and subsidiary of Palmer Energy Company (CCAOSCES is referred to herein as the "Manager").

Recitals

A. The County is a Participant in CCAOSC's Natural Gas Purchase Program, which assists Ohio counties which are members of the County Commissioners Association of Ohio and which choose to participate, either for themselves or on behalf of boards, agencies, districts or other instrumentalities which are affiliated with them, in securing competitively priced natural gas supplies through a natural gas purchase program (the "Program") under contractual terms favorable to Participants. The County has entered into a Participation Agreement dated May 7, 2009 (the "Participation Agreement"). The Participation Agreement sets forth the terms of the Program, and includes the establishment of an Executive Committee of the Board of Participants to govern the Program.

B. CCAOSC now operates electric purchase, government aggregation, and energy conservation programs in addition to the Program.

C. The natural gas, electric, government aggregation, and energy conservation programs now operated by CCAOSC (collectively, the "Energy Programs") are related in nature, and it is efficient and desirable to replace the Executive Committee of the Board of Participants of the Program with an Energy Executive Committee to govern and oversee all of the Energy Programs.

D. This Amendment to the Participation Agreement evidences the County's willingness to continue its participation in the Program under the governance of the Energy Executive Committee in place of the Executive Committee of the Board of Participants. All provisions of the Participation Agreement not dealing with that subject remain in full force and effect.

NOW, THEREFORE, it is agreed by and among CCAOSC, the Participant, and the Manager, by their authorized representatives, that:

Section 1. Existing Section 3 of the Participation Agreement be deleted and replaced by the following new Section 3:

SECTION 3. MANAGEMENT AND OPERATION OF PROGRAM

(A) **Board of Participants.** The Board of Participants shall have the general oversight of the Program. It shall consist of one representative of each Participant in the Program. Each Participant shall designate one Representative and one Alternate to the Board of Participants, such designation to be in writing and filed with CCAOSC. A Participant's vote may be cast only by its Representative or by its Alternate in the absence of its Representative. If a Participant has more than one agency or instrumentality in the Program, it shall nevertheless be entitled to only one vote on the Board of Participants. The Board of Participants shall elect certain members of the Energy Executive Committee. The Energy Executive Committee shall be responsible for the oversight and management of the operation of the Program and shall have the other powers and duties set forth below. It shall be composed, its members shall be elected, and it shall meet as set forth below.

(B) **Composition.** The Energy Executive Committee shall consist of not less than nine or more than fifteen members (exclusive of ex-officio members), composed as follows:

1. At least four members shall be county commissioners of counties that participate in one or more of the Energy Programs;
2. The remaining members shall be either county commissioners of counties that participate in one or more of the Energy Programs or approved designees of such commissioners;
3. At least six members of the Energy Executive Committee shall be chosen from counties that are participants in the natural gas program; at least six members shall be chosen from counties that are participants in the electric program; and at least two members shall be chosen from counties that are participants in the government aggregation program; provided that if a member represents a county that participates in more than one of the programs entitled to a minimum number of members, he or she may be counted to satisfy the minimum for each program.

In addition to the members described above, there shall be at least five ex-officio members of the Executive Committee: two appointed by the Manager; two appointed by CCAOSC; and legal counsel appointed by CCAOSC. In addition, the Energy Executive Committee may appoint additional ex officio Energy Executive Committee members as it deems necessary. Ex officio members of the Energy Executive Committee shall be nonvoting members.

(C) **Elections.** The Energy Executive Committee shall be elected as follows:

1. The then-existing participants in the natural gas program shall elect six members of the Energy Executive Committee;
2. The then-existing participants in the electric program shall elect six members of the Energy Executive Committee;
3. The then-existing participants in the government aggregation program shall elect two members of the Energy Executive Committee;
4. All participants in all Energy Programs shall elect any at-large members of the Energy Executive Committee.

The first election for members of the Energy Executive Committee shall be held not later than 60 days following the adoption by at least two-thirds of the participants in both the natural gas program and the electric program of amendments to their participation agreements consenting to the Energy Executive Committee's creation, structure, and powers and duties. At that election the appropriate participants shall elect three of the six natural gas members of the Energy Executive Committee, three of the six electric members, and one of the two government aggregation members for a term expiring on December 31, 2015, and shall elect three of the six natural gas members of the Energy Executive Committee, three of the six electric members, one of the two government aggregation members, and any at-large members for a term expiring on December 31, 2016. Thereafter, terms of office of members of the Energy Executive Committee shall be for two years, and shall commence on the first day of January and end on the last day of December. Members shall hold office until the expiration of their terms, or subsequent to the expiration of their terms until their successors take office. All vacancies in the membership of the Energy Executive Committee shall be filled for the unexpired term by election by the appropriate Board of Participants.

(D) Meetings and Quorum. The Energy Executive Committee shall meet at such times as it determines. A majority of all then-authorized voting members of the Energy Executive Committee shall constitute a quorum for the transacting of business by the Energy Executive Committee. Upon any Participant's request, the Energy Executive Committee shall give Participant notice of the time, place, and subject matter of Energy Executive Committee meetings in the same manner as Energy Executive Committee members are notified.

(E) Rules and Regulations. The Executive Committee may make such further rules and regulations governing the conduct of business as it may determine.

(F) Insurance. CCAOSC shall maintain errors and omissions liability insurance or self insurance that includes coverage of a Participant as a member of the Energy Executive Committee under any such policy. Such coverage shall be at least \$1,000,000 each occurrence and \$1,000,000 annual aggregate. CCAOSC shall provide documentary evidence of such coverage to the Participant upon request. This provision shall survive termination of this Agreement.

(G) Powers and Duties of Energy Executive Committee. The powers and duties of the Energy Executive Committee shall be as follows:

With respect to the natural gas program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the natural gas program):

- (1) It shall oversee and manage the operation of the Program
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of natural gas supplies, transportation and/or storage of gas, payment for purchase, transportation and/or storage of gas, accounting for such gas among the Participants, the allocation among the Participants of any charges incurred in connection with the over or

under consumption of natural gas purchased or changes in rates by Supplier(s), and the method by which gas usage will be reported to CCAOSC or the Manager.

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) amendments to or modifications of the Participation Agreement;
 - (b) Program Administrative Costs; and
 - (c) each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Energy Executive Committee may direct the Consultant and the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Consultant and the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the electric program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the electric program):

- (1) It shall oversee and manage the operation of the Program
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of electricity, accounting for electricity charges among the Participants, the allocation among the Participants of any charges incurred in connection with the over or under consumption of electricity purchased or changes in rates by Supplier(s), and the method by which electricity usage will be reported to CCAOSC or the Manager.

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) amendments to or modifications of the Participation Agreement;
 - (b) Program Administrative Costs; and
 - (c) each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Energy Executive Committee may direct the Consultant and the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Consultant and the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the electric governmental aggregation program (capitalized terms not otherwise defined in this resolution shall, for purposes of this section, have the meanings given to them by the Participation Agreements now in force with respect to the electric governmental aggregation program):

- (1) It shall oversee and manage the operation of the Program.
- (2) It may adopt policies and procedures supplementing the general terms of the Participation Agreement concerning the purchase of electricity for Members of the opt-out governmental aggregation, accounting for electricity charges among the Participants and the members of the opt-out governmental aggregation, the allocation among the Participants of any charges incurred in connection with the over or under consumption of electricity purchased or changes in rates by Supplier(s), and the method by which electricity usage will be reported to CCAOSC or the Manager

- (3) It shall consider and recommend to the Participants any additional services which are or are proposed to be a part of the Program.
- (4) It may direct the employment or contracting by CCAOSC with such persons or organizations as it deems necessary to assist in the administration and management of the Program, including, but not limited to, the Manager, advisors and legal counsel.
- (5) It shall authorize any agreements between Participants' and the Supplier(s) upon terms it approves.
- (6) It shall consider applications for admission to the Program and determine whether and at what time those applicants should be included in the Program.
- (7) It shall make recommendations to the Board of Participants concerning any matter relating to the operation of the Program, including, but not limited to:
 - (a) Amendments to or modifications of this Agreement;
 - (b) Program Administrative Costs; and
 - (c) Each Participant's share of Program Administrative Costs.
- (8) It shall perform such other functions as may be necessary or incidental to carrying out the purposes of the Program.

The Executive Committee may direct the Manager, to assist in performing any of the foregoing duties relating to the operation and management of the Program and may delegate to the Manager, such of the foregoing duties to the fullest extent permitted under Ohio law.

With respect to the conservation program: The Energy Executive Committee shall perform advisory functions as may be necessary or incidental to carrying out the purposes of the program.

Section 2. All provisions of the Participation Agreement not specifically amended herein shall remain in full force and effect.

Section 3. This Amendment shall become effective upon its approval by all of the signers hereof, but the Energy Executive Committee created herein shall not be activated until at least two thirds of the Participants in the natural gas program and two thirds of the Participants in the electric program have approved amendments to their respective Participation Agreements consenting to the Energy Executive Committee's creation, structure, and powers and duties.

IN WITNESS WHEREOF, the undersigned representatives of CCAO Service Corporation, the Participant, CCAOSCES, and pursuant to the duly adopted authorizing resolutions of their governing boards, have signed this Agreement.

CCAO SERVICE CORPORATION

By: _____

209 East State Street
Columbus, Ohio 43215

Date of execution: _____

COUNTY OF Auglaize

Date of Adoption
of Approving Board Resolution
November 25, 2014

By: John H Bergner

Address: 209 S. Blackhoof Street, Room 201, Wapakoneta, Ohio 45894

Telecopy Number: 419-739-6710

Date of execution: November 25, 2014

CCAOSCES

By: _____

241 N. Superior St. Suite 250

Toledo, Ohio 43604

Date of execution: _____

Approved as to form:

(Ass 't) Prosecuting Attorney

IN THE MATTER OF AUTHORIZING AN EXTENSION OF TIME TO COMPLETE THE CITY OF ST. MARYS 2014 CDBG KIWANIS PARK RUBBER SAFETY SURFACE PROJECT USING FY '13 CDBG ALLOCATION PROGRAM FUNDS.

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

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on September 9, 2014, Resolution #14-418, the Board of County Commissioners approved the contract and bond with Spectra Contract Flooring for the installation of a rubber safety surface at the City of St. Marys' Kiwanis Park, setting a completion date for said project of October 31, 2014; and,

WHEREAS, on November 18, 2014, the following correspondence from Spectra Contract Flooing was submitted to the Board of County Commissioners:

Reference: Kiwanis Park
October 27, 2014

Do to the temperature in the weather decreasing; the TerraSoft safety surface installation will be postpone until the weather improves at the Kiwanis Park location. Installation of the surface will be completed by May 31, 2015.

Mark Ieropoli
/s/ Mark Ieropoli

WHEREAS, City of St. Marys and the Board of County Commissioners are in favor of granting the extension to May 31, 2015.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby grant the request for the extension of time to complete the City of St. Marys 2014 CDBG Kiwanis Park Rubber Safety Surface Project using FY'13 CDBG allocation program funds to May 31, 2015; and,

BE IT FURTHER RESOLVED that the contractor's bond and securities for this project shall remain liable as if such extended time had been originally named in the bond and/or 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
25th day of
November, 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: Spectra Contract Flooring
- ✓ City of St. Marys
- ✓ Poggemeyer Design Group – Gayle Flaczynski

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.

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

Commissioner Spencer moved the adoption of the following:

RESOLUTION

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

Sanitary Engineer Fund:

Amount:	From:	To:
\$ 3,371.00	001.1001.530400 (Equipment)	001.1001.530300 (Supplies)

County Home Fund:

Amount:	From:	To:
\$ 4,720.97	097.0097.510200 (Employee Salaries)	097.0097.510100 (Official Salaries)

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 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
November, 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
- ✓ Sanitary Engineer
- ✓ Auglaize Acres

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION AS REQUESTED BY THE AUGLAIZE COUNTY ENGINEER.

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

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, under date of January 9, 2014, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2014 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

WHEREAS, County Auditor Janet Schuler informed the Board that an amendment was made to the Annual Amended Official Certificate of Estimated Revenue for the (109) Uniopolis Fund by \$71,505.43; and,

WHEREAS, Douglas Reinhart, Auglaize County Engineer, requested that the Board amend the 2014 Annual Appropriation to reflect the following increase:

- Increase – 109.0016.530300 (Supplies) by \$ 200.00;**
- Increase – 109.0016.530500 (Contract Repairs) by \$ 10,000.00;**
- Increase – 109.0016.530600 (Contract Services) by \$ 10,000.00;**
- Increase – 109.0016.535800 (Transfers) by \$ 10,000.00.**

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2014 Annual Appropriation Resolution be amended to show the changes 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
November, 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 - Janet Schuler
- ✓ County Engineer