

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of October, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

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

**Soil Conservation Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 1,500.00	015.0014.530400 (Equipment)	015.0014.510200 (Salary)
\$ 600.00	015.0014.530400 (Equipment)	015.0014.536700 (PERS)

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustment to show the changes as tabulated above.

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

Adopted this  
9th day of  
October, 2012

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
- ✓ Auglaize Soil & Water Conservation District

**IN THE MATTER OF ACCEPTING THE HIGHLAWN DITCH PROJECT FROM THE AUGLAIZE COUNTY SOIL AND WATER CONSERVATION DISTRICT; SETTING DATE AND TIME TO RECEIVE BIDS FOR SAID PROJECT.**

\*\*\*\*\*

The Board of Auglaize County Commissioners met in regular session on the 9th day of October, 2012.

Commissioner Beigman made the motion to adopt of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners received the following letter of recommendation from the Board of Supervisors of the Auglaize Soil and Water Conservation District:

**AUGLAIZE SOIL AND WATER CONSERVATION DISTRICT'  
BOARD OF SUPERVISORS MEETING  
September 25, 2012**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Highlawn Ditch Project at Auglaize Acres located at 13093 Infirmery Road., Wapakoneta, Ohio on Tuesday, September 25, 2012.

John Schwarck called the meeting to order at 11:55 a.m. Other board members present were Karl Marshall and Lou Brown.

Lou Brown moved to certify the project and the plans to the Auglaize County Commissioners. Karl Marshall seconded motion. Lou Brown, yes; Karl Marshall, yes; John Schwarck, yes; motion carried.

The following certification is being sent to the Auglaize County Commissioners asking them to adopt the Rules and Regulations of Sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code.

We, the Auglaize Soil and Water Conservation District Board of Supervisors certify our findings after due notice, and conduct of a Public Hearing that on this 25th day of September, 2012 in accordance with the requirements of Section 1515.20 of the Ohio Revised Code. The foregoing findings set forth by the Auglaize Board of Supervisors are as follows:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- County maintenance will be carried out as required by Section 6137 of the Ohio Revised Code.
- The proposed Highlawn Ditch Project addresses the replacement of an existing subsurface tile originally installed thorough a ditch petition in 1921.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.
- Proposed assessments (varied rate) for each parcel, determined by the Auglaize County Engineer and approved by the Auglaize County Commissioners, were sent by the Soil & Water Conservation Board of Supervisors, by certified mail, return receipt, to each landowner prior to the public hearing as required under section 1515.24 of the Ohio Revised Code.
- Said legal notice clearly stated: "If you are unable to attend the public hearing and have objections concerning the proposed project, notify the Auglaize SWCD Office in writing at least *five days prior* to the hearing. Failure to notify the Auglaize SWCD of your objections will indicate support for the project."

- The Auglaize County Commissioners and County Engineer were in attendance at said public hearing to explain the method of the assessment determination and hear comments for, and objections against the Highlawn Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 47.9% of the estimated cost of the improvement (Main Tile). Therefore landowners bearing 52.1% of the cost of the improvement were in favor of the construction of the Main Tile of the Highlawn Subsurface Drainage Ditch. 8.3% of the estimated cost were opposed to Branch #1 while 91.7% were in favor. 0% opposed to Branch #2 and 0% opposed to Branch #3.
- Group agreed to set the completion date December 31, 2013 and the length of finance would be 8 years.

Attached is a plan of the improvement and an outline of the total project area and the areas benefited by the improvement, in sufficient detail to permit you to approve the improvement in accordance to sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code. We recommend your approval and cooperation.

The meeting was adjourned at 12:00 p.m.

Auglaize Soil and Water Conservation District  
s/John L. Schwarck

and,

**WHEREAS**, the Board of County Commissioners, Auglaize County, Ohio does recognize the need for the Highlawn Subsurface Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

**THEREFORE BE IT RESOLVED** that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Highlawn Subsurface Ditch legal hearing held September 25, 2012 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.

and,

**BE IT FURTHER RESOLVED** pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of Highlawn Subsurface Ditch located in Clay Township; and does further certify the estimated assessments for this project; and,

**BE IT FURTHER RESOLVED**, that the Board witnessed at the SWCD public hearing held September 25, 2012 that the landowners determined: the completion date for the project will be December 31, 2013 and the financing for those not paying their assessment in cash shall be eight years (16 semi-annual installments); and

**BE IT FURTHER RESOLVED**, that the Board does set the date and time to receive bids for the Highlawn Subsurface Ditch project for **November 20, 2012 at 2:00 p.m.**, in the office of the Auglaize County Commissioners, Chambers – Administration Building, 209 S. Blackhoof Street – Room 201, Wapakoneta, Ohio; and,

**BE IT STILL FURTHER RESOLVED** that said Board authorizes the County Engineer to proceed with the necessary legal steps to cause the above mentioned sale; and,

**BE IT STILL FURTHER RESOLVED** that the records, hereby show that a set of plans and specifications for the Highlawn Subsurface Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

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

Adopted this  
9th day of  
October, 2012

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula No  
Don Regula

John N. Bergman yes  
John N. Bergman

✓cc: County Engineer  
/ Soil & Water Conservation Office

**IN THE MATTER OF ACCEPTING THE VERTNER DITCH PROJECT FROM THE AUGLAIZE COUNTY SOIL AND WATER CONSERVATION DISTRICT; SETTING DATE AND TIME TO RECEIVE BIDS FOR SAID PROJECT.**

\*\*\*\*\*

The Board of Auglaize County Commissioners met in regular session on the 9th day of October, 2012.

Commissioner Reggie made the motion to adopt of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners received the following letter of recommendation from the Board of Supervisors of the Auglaize Soil and Water Conservation District:

**AUGLAIZE SOIL AND WATER CONSERVATION DISTRICT'  
BOARD OF SUPERVISORS MEETING  
October 2, 2012**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Vertner Ditch Project at Auglaize Acres located at 13093 Infirmiry Road., Wapakoneta, Ohio on Tuesday, October 2, 2012.

John Schwarck called the meeting to order at 11:17 a.m. Other board members present were Karl Marshall, Jack Rohrbach and Lou Brown.

Lou Brown moved to certify the project and the plans to the Auglaize County Commissioners. Karl Marshall seconded motion. Lou Brown, yes; Karl Marshall, yes; Jack Rohrbach, yes; John Schwarck, yes; motion carried.

The following certification is being sent to the Auglaize County Commissioners asking them to adopt the Rules and Regulations of Sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code.

We, the Auglaize Soil and Water Conservation District Board of Supervisors certify our findings after due notice, and conduct of a Public Hearing that on this 2nd day of October, 2012 in accordance with the requirements of Section 1515.20 of the Ohio Revised Code. The foregoing findings set forth by the Auglaize Board of Supervisors are as follows:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- County maintenance will be carried out as required by Section 6137 of the Ohio Revised Code.
- The proposed Vertner Ditch Project addresses the replacement of an existing subsurface tile originally installed thorough a ditch petition in 1898.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.
- Proposed assessments (varied rate) for each parcel, determined by the Auglaize County Engineer and approved by the Auglaize County Commissioners, were sent by the Soil & Water Conservation Board of Supervisors, by certified mail, return receipt, to each landowner prior to the public hearing as required under section 1515.24 of the Ohio Revised Code.
- Said legal notice clearly stated: "If you are unable to attend the public hearing and have objections concerning the proposed project, notify the Auglaize SWCD Office in writing at least *five days prior* to the hearing. Failure to notify the Auglaize SWCD of your objections will indicate support for the project."

- The Auglaize County Commissioners and County Engineer were in attendance at said public hearing to explain the method of the assessment determination and hear comments for, and objections against the Vertner Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 0% of the estimated cost of the improvement. Therefore landowners bearing 100% of the cost of the improvement were in favor of the construction of the Vertner Subsurface Drainage Ditch.
- Group agreed to set the completion date September 15, 2013 and the length of finance would be 8 years.

Attached is a plan of the improvement and an outline of the total project area and the areas benefited by the improvement, in sufficient detail to permit you to approve the improvement in accordance to sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code. We recommend your approval and cooperation.

The meeting was adjourned at 11:20 a.m.

Auglaize Soil and Water Conservation District  
s/John L. Schwarc  
and,

**WHEREAS**, the Board of County Commissioners, Auglaize County, Ohio does recognize the need for the Vertner Subsurface Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

**THEREFORE BE IT RESOLVED** that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Vertner Subsurface Ditch legal hearing held October 2, 2012 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.

and,

**BE IT FURTHER RESOLVED** pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of Vertner Subsurface Ditch located in Wayne Township; and does further certify the estimated assessments for this project; and,

**BE IT FURTHER RESOLVED**, that the Board witnessed at the SWCD public hearing held October 2, 2012 that the landowners determined: the completion date for the project will be September 15, 2013 and the financing for those not paying their assessment in cash shall be eight years (16 semi-annual installments); and

**BE IT FURTHER RESOLVED**, that the Board does set the date and time to receive bids for the Vertner Subsurface Ditch project for **November 20, 2012 at 2:15 p.m.**, in the office of the Auglaize County Commissioners, Chambers – Administration Building, 209 S. Blackhoof Street – Room 201, Wapakoneta, Ohio; and,

**BE IT STILL FURTHER RESOLVED** that said Board authorizes the County Engineer to proceed with the necessary legal steps to cause the above mentioned sale; and,

**BE IT STILL FURTHER RESOLVED** that the records, hereby show that a set of plans and specifications for the Vertner Subsurface Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

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

Adopted this  
9th day of  
October, 2012

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  
Soil & Water Conservation Office

**IN THE MATTER OF APPROVING THE SERVICE AGREEMENT WITH BUCKEYE EXTERMINATING, INC. FOR BIRD PROOFING THE COURTHOUSE; RATIFYING THE EXECUTION OF THE CONTRACT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of October, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners desires to control the nuisance bird population on and around the courthouse; and,

**WHEREAS**, Buckeye Exterminating, Inc. has, in the past, provided bird proofing to the satisfaction of the Board; and,

**WHEREAS**, a service agreement, in the amount of \$500.00, has been submitted to the Board of County Commissioners by Buckeye Exterminating, Inc. for an Avitrol treatment program for pigeon control on the Courthouse.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the service agreement as submitted by Buckeye Exterminating, Inc. for the Avitrol treatment program for pigeon control on the Courthouse; and,

**BE IT FURTHER RESOLVED** that the Board ratifies the execution of the agreement; and,

**BE IT FURTHER RESOLVED** that the Clerk of the Board encumber \$500.00 for payment of the above approved agreement.

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

Adopted this  
9th day of  
October, 2012

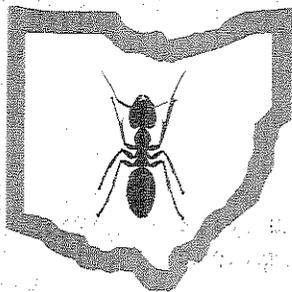
BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman, ye  
John N. Bergman

- cc: Buckeye Exterminating, Inc.
- ✓ Courthouse maintenance personnel
- ✓ Clerk of the Board



# Buckeye Exterminating, Inc.

24018 US Rt. 224 • P.O. Box 246

Ottoville, Ohio 45876-0246

[www.buckeyeext.com](http://www.buckeyeext.com)

419-453-3931

1-800-523-1521

Fax 419-453-3937

## SERVICE AGREEMENT

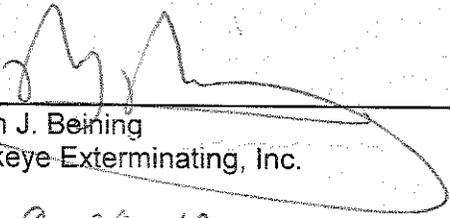
November 1, 2012

This agreement has been made and entered into between Buckeye Exterminating, Inc., hereinafter to be known as the party of the first part and the Auglaize County Commissioners, hereinafter to be known as the party of the second part.

Party of the first part agrees to provide an Avitrol treatment program for pigeon control on the Auglaize County Courthouse. The party of the first part agrees to provide all labor and materials necessary when the time is optimum for the treatment to be made. The party of the first part will assume the primary responsibility of bird pick-up and disposal. Party of the second part will assist in the daily responsibility of bird pick-up.

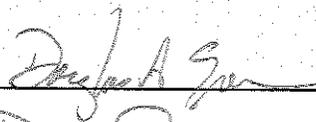
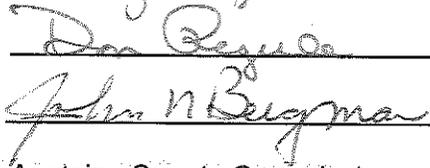
In consideration of this agreement, the party of the second part agrees to pay the party of the first part the sum of \$500. Payment to be made within 30 days of invoicing.

Party of the first part carries Workers' Compensation Insurance and Public Liability/Property Damage Insurance to the \$5,000,000 limit.

  
\_\_\_\_\_  
Brian J. Beining  
Buckeye Exterminating, Inc.

Date

9-29-12

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Auglaize County Commissioners

Date

10-9-12

County Commissioners' Office  
Auglaize County, Ohio  
October 9, 2012

No. 12-428

**IN THE MATTER OF AUTHORIZING A CHANGE ORDER FOR HOUSING REHABILITATION FOR RITA BAKER UNDER THE C.H.I.P. PROGRAM.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of October, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

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

**WHEREAS**, in Resolution #12-412, dated October 2, 2012, the Board approved rehabilitation to the property of Rita Baker at a cost of \$36,313.00; and,

**WHEREAS**, Poggemeyer Design Group Inc. has advised the Board of the need for a change order in the amount of \$2,250.00; said change order is for the cost of pest treatment powder post beetles and installation of new air conditioning system; and,

**WHEREAS**, this change order will alter the new cost to \$38,563.00.

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

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

Adopted this  
9th day of  
October, 2012

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

<u>Douglas A. Spencer</u>	, <u>Yes</u>
Douglas A. Spencer	
<u>Don Regula</u>	, <u>yes</u>
Don Regula	
<u>John N. Bergman</u>	, <u>yes</u>
John N. Bergman	

cc: Gayle Flaczynski – Poggemeyer Design Group  
Mike Hensley – Co. Administrator

**IN THE MATTER OF APPROVING THE CONTRACT WITH POGGEMEYER DESIGN GROUP, INC. FOR PROFESSIONAL SERVICES FOR THE ADMINISTRATION AND IMPLEMENTATION OF FY 2012 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) GRANT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of October, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the State of Ohio, Department of Development, Office of Housing and Community Partnership, provides financial assistance to local governments for the purpose of addressing local housing needs; and,

**WHEREAS**, the Auglaize County Board of County Commissioners has received a grant from the State of Ohio Office of Community Development under the Small Cities Community Development Block Grant Community Housing Improvement Program (CHIP) for FY 2012 and,

**WHEREAS**, Poggemeyer Design Group, Inc. has submitted a letter contract to the Board for said firm to provide professional planning services to assist the County, for the maximum fee of \$112,800.00 with the administration and implementation of its FY 2012 CHIP Grant; and,

**WHEREAS**, the Board of County Commissioners has reviewed the contract finding same to be in order and reasonable.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby approve the letter contract for professional planning services of Poggemeyer Design Group, Inc. for the administration and implementation of the FY 2012 CHIP Grant at the terms so specified in said contract; and,

**BE IT FURTHER RESOLVED** that said Board authorizes the President of the Board, Douglas A. Spencer, to execute said letter contract.

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

Adopted this  
9th day of  
October, 2012

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

<u>Douglas A. Spencer</u>	<u>Yes</u>
Douglas A. Spencer	
<u>Don Regula</u>	<u>yes</u>
Don Regula	
<u>John N. Bergman</u>	<u>yes</u>
John N. Bergman	

cc: Poggemeyer Design Group, Inc.  
Clerk of the Board



September 1, 2012

Mr. Michael K. Hensley, County Administrator  
Auglaize County Board of Commissioners  
209 South Blackhoof Street, Room 201  
Wapakoneta, Ohio 45895

**RECEIVED**  
SEP 14 2012  
Board of County Commissioners  
Auglaize County, Ohio

Re: Proposed FY2012 CHIP Administrative Contract  
PDG Proposal No. 08-2012-2000

Dear Mr. Hensley:

Poggemeyer Design Group, Inc. (PDG) is providing this letter contract for your review and consideration. PDG proposes to provide professional planning services to assist the County with the administration and implementation (project soft costs) of its FY2012 CHIP Grant (hereinafter referred to as the "project").

The County shall be responsible for providing a detailed summary of the requirements for the project, including any special considerations or services needed.

Basic services proposed under this contract will consist of administering and implementing the County's FY2012 CHIP Grant as outlined in the April 2, 2012 CHIP Grant Application and subsequent executed grant agreement between the County and the State of Ohio's Office of Community Development (OCD). Specifically, PDG will provide CHIP technical assistance to County staff for the duration of the CHIP grant period with regard to federal program and OCD regulations. PDG will also be responsible for the following: preparation of the environmental review record document; CHIP loan intake and processing functions, providing preliminary and full property inspections and related activities; performing, when applicable, lead-based paint risk assessments with related reports, coordinating property pest inspections, preparing rehabilitation work specifications including applicable pest and lead specifications, preparing in-house cost estimates, scheduling and convening contractor walk-throughs, preparing contractor invitations to bid; carrying out construction management, including preparation of change order(s) and payment request(s) documentation; performing lead-based paint clearances with related reports, preparing punch lists, obtaining contractor release of liens and warranties; handling fair housing outreach and training sessions; and assisting with the preparation of status/performance reports associated with the CHIP.

If you believe that revisions and/or additional discussions/clarifications are necessary concerning the scope of this project and/or the services which our firm will provide, please contact this office as soon as possible.

PDG will complete these services following execution of this grant agreement in the time frame required for the FY2012 CHIP Grant Period which is twenty-eight (28) months (from September 1, 2012 and December 31, 2014).

Our proposed fee for providing these basic services is a time and expense fee based on PDG's current hourly rate schedule with a maximum estimated fee of **\$112,800** including reimbursables. The breakdown of estimated costs are listed below:

• Private Rehabilitation (8 units)	\$43,800
• Private Rehabilitation (1 unit-Prg. Inc)	\$ 5,000
• Home Repair (10 units)	\$17,500
• Environmental Review Record Document	\$ 4,000



POGGEMEYER  
DESIGN GROUP

Mr. Michael K. Hensley  
September 1, 2012  
Page 2

- Fair Housing \$ 4,000
- General administration, coordination with OHPO, Health Dept. & other agencies, Pest contractors, and walk away costs for all CHIP activities \$38,500

Should additional work activities be required which are not included in the basic services described above or if the County's CHIP Grant is extended beyond the December 31, 2014 date, PDG would be able to provide additional services based on its current hourly rate schedule.

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 above.

This proposed letter contract, along with Exhibit A (1 page), Exhibit B (1 page), Exhibit C (1 page) and Exhibit D (1 page) represents the entire agreement between PDG and the County in respect to the project and may only be modified in writing after agreement by both parties. 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 until September 30, 2012 unless adjusted by PDG or the County in writing.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

POGGEMEYER DESIGN GROUP, INC.

  
Paul Z. Tecpanecatl, AICP  
Principal Owner

  
Michael Atherine, P.E.  
Principal Owner

Accepted this 9th day of October, 2012 by the undersigned who is duly and legally authorized to enter into such legal contracts for the above-referenced entity.

By:   
Title: Board 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 assist 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.



POGGEMEYER  
DESIGN GROUP

**EXHIBIT B**

1. **CERTIFICATE OF OWNER'S ATTORNEY**

I, \_\_\_\_\_, the undersigned, duly authorized and acting legal representative of \_\_\_\_\_, 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: \_\_\_\_\_

Seal:

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

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

Attest: I, \_\_\_\_\_, Clerk/Auditor of \_\_\_\_\_ 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 \_\_\_\_\_, or is in the process of collection to the credit of the appropriate fund, free from prior encumbrance.

Date: \_\_\_\_\_

Seal:

Signed: \_\_\_\_\_

Title: \_\_\_\_\_



POGGEMEYER  
DESIGN GROUP

**EXHIBIT C**  
**2007-2012 HOURLY RATES - PROFESSIONAL SERVICES**

Managing Principal .....	\$131.75
Principal Owner/Associate Owner .....	\$126.75
Executive VP/Department Manager/Senior VP .....	\$124.25
Vice President .....	\$122.25
Project Manager .....	\$119.25
Project Engineer .....	\$107.75
Engineer/Designer .....	\$101.75
Engineer Intern .....	\$81.00
Project Architect .....	\$107.75
Architect/Designer .....	\$101.75
Architect Intern .....	\$81.00
Landscape Architect/Designer .....	\$107.75
Landscape Architect Intern .....	\$81.00
Design Technician T-3 .....	\$105.75
Design Technician T-2 .....	\$94.75
Design Technician T-1 .....	\$81.25
Draftperson D-3 .....	\$74.50
Draftperson D-2 .....	\$51.75
Draftperson D-1 .....	\$38.00
Interior Designer ID-2 .....	\$81.00
Interior Designer ID-1 .....	\$69.50
Project Developer .....	\$105.75
Project Administration .....	\$94.75
Project Coordinator PC-2 .....	\$104.50
Project Coordinator PC-1 .....	\$84.00
Project Planner .....	\$101.75
Planner .....	\$81.00
Community Development Specialist CD-2 .....	\$90.00
Community Development Specialist CD-1 .....	\$67.75
Grantswriter G-2 .....	\$60.75
Grantswriter G-1 .....	\$49.50
Housing Specialist HS-2 .....	\$69.50
Housing Specialist HS-1 .....	\$51.75
Housing Inspector .....	\$67.50
System Administrator .....	\$79.00
Assistant MIS Administrator .....	\$43.75
Resource Assistant .....	\$51.75
Administrative Support .....	\$54.00
Graphic Design .....	\$67.50
Surveyor/Crew Leader .....	\$96.75
Survey/Draft Assistant .....	\$38.00
Survey Crew w/Robotics .....	\$114.50
Instrument Person .....	\$54.00
Project Representative .....	\$49.50
Project Observer .....	\$69.50
Observer .....	\$59.50
College Intern C-2 .....	\$28.75
College Intern C-1 .....	\$19.75
Mileage @ \$0.40 per mile .....	

**NOTE:**

- Reimbursable Expenses including Irons, Stakes, Lath, Phone, Printing, Photos and Miscellaneous, and Subcontracts at actual cost. No minimum charges applicable.
- These hourly rates shall be adjusted annually in February of each year through the course of the contract.
- Includes CADD equipment.



**GOVERNMENT BUSINESS AND FUNDING CONTRACTS**  
 In accordance with section 2909.33 of the Ohio Revised Code

**DECLARATION REGARDING MATERIAL ASSISTANCE/NONASSISTANCE TO A TERRORIST ORGANIZATION**

This form serves as a declaration by an applicant for a government contract or funding of material assistance/nonassistance to an organization on the U.S. Department of State Terrorist Exclusion List ("TEL"). Please see the Ohio Homeland Security Division Web site for a copy of the TEL.

Any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

For the purposes of this declaration, "material support or resources" means currency, payment instruments, other financial securities, funds, transfer of funds, financial services, communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

**COMPLETE THIS SECTION ONLY IF YOU ARE AN INDEPENDENT CONTRACTOR**

LAST NAME		FIRST NAME		MI
HOME ADDRESS				
CITY	STATE	ZIP	COUNTY	
HOME PHONE		WORK PHONE		

**COMPLETE THIS SECTION ONLY IF YOU ARE A COMPANY, BUSINESS OR ORGANIZATION**

BUSINESS/ORGANIZATION NAME <b>POGGEMEYER DESIGN GROUP, INC.</b>		PHONE <b>419-352-7537</b>
BUSINESS ADDRESS <b>1168 NORTH MAIN STREET</b>		
CITY <b>BOWLING GREEN</b>	STATE <b>OH</b>	ZIP <b>43402</b>
BUSINESS/ORGANIZATION REPRESENTATIVE NAME <b>PAUL TECPANECATL</b>		TITLE <b>PRINCIPAL OWNER</b>

**DECLARATION**

In accordance with section 2909.32 (A)(2)(b) of the Ohio Revised Code

For each question, indicate either "yes," or "no" in the space provided. Responses must be truthful to the best of your knowledge.

1. Are you a member of an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
2. Have you used any position of prominence you have with any country to persuade others to support an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
3. Have you knowingly solicited funds or other things of value for an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
4. Have you solicited any individual for membership in an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
5. Have you committed an act that you know, or reasonably should have known, affords "material support or resources" to an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
6. Have you hired or compensated a person you knew to be a member of an organization on the U.S. Department of State Terrorist Exclusion List, or a person you knew to be engaged in planning, assisting, or carrying out an act of terrorism?  Yes  No

If an applicant is prohibited from receiving a government contract or funding due to a positive indication on this form, the applicant may request the Ohio Department of Public Safety to review the prohibition. Please see the Ohio Homeland Security Web site for information on how to file a request for review.

**CERTIFICATION**

I hereby certify that the answers I have made to all of the questions on this declaration are true to the best of my knowledge. I understand that if this declaration is not completed in its entirety, it will not be processed and I will be automatically disqualified. I understand that I am responsible for the correctness of this declaration. I understand that failure to disclose the provision of material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List, or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree. I understand that any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided by myself or my organization. If I am signing this on behalf of a company, business or organization, I hereby acknowledge that I have the authority to make this certification on behalf of the company, business or organization referenced above on of this declaration.

APPLICANT SIGNATURE <b>X</b> <i>Paul Tecpanecatl</i>	DATE <b>9-1-12</b>
---	-----------------------

**IN THE MATTER OF APPROVING THE AGREEMENT WITH SECURUS TECHNOLOGIES, INC. FOR THE INMATE TELEPHONE SERVICE FOR THE COUNTY JAIL; RATIFYING THE EXECUTION OF SAID AGREEMENT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of October, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Law Enforcement Center has been under contract for an inmate telephone service for the county jail facility for several years; and,

**WHEREAS**, a master service agreement from Securus Technologies, Inc. was received by Sheriff Allen Solomon; said agreement stating that the Collect Call Commission Percentage would be 65% of the collect call gross revenue; and,

**WHEREAS**, the County have had prior agreements for this inmate phone service which has proven to be advantageous for the Law Enforcement Center;

**WHEREAS**, the term of the agreement shall begin on the effective date and shall end on the date that is forty-eight (48) monthly thereafter. This agreement shall automatically renew for one (1) successive period of twelve (12) months.

**WHEREAS**, Sheriff Solomon has recommended to the Board that an agreement be entered into with Securus Technologies, Inc.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the recommendation of Sheriff Allen Solomon for the inmate telephone service, authorizing the agreement, as presented, with Securus Technologies, Inc. providing a 65% commission on gross revenue billed; and,

**BE IT FURTHER RESOLVED** that said Board ratifying the execution of said agreement.

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

Adopted this  
9th day of  
October, 2012

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: Sheriff Allen Solomon

**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 9th day of October, 2012.

Commissioner Regula 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>
366274	\$ 3,034.14	TSC
366279	\$11,093.75	Wapak Municipal Utilities
366280	\$ 935.27	City of St. Mary's
366311	\$ 289.10	Pitney Bowes, Inc.
366371	\$ 6,308.68	Clemans Nelson
366404	\$ 216.94	Village of Minster
366408	\$ 103.25	PDG
366408	\$ 135.00	PDG
366419	\$ 296.00	U.S. Bank Equipment Finance
366444	\$ 393.41	Dominion
366445	\$ 101.39	Dominion East Ohio
366457	\$ 320.00	Aug Co. Treasurer
366461	\$ 204.93	City of Wapak

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

Adopted this  
9th day of  
October, 2012

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

John N. Bergman  
John N. Bergman

cc: County Auditor