

## RESOLUTION-COMMISSIONER'S FINDING FOR THE IMPROVEMENT

In the Matter of the  
Joint County Arthur Petitioned Ditch #1329  
Petitioned for by Thomas Arthur

Board of County Commissioners  
Allen and Auglaize County, Ohio  
August 10, 2017 Resolution #498-17

The Joint Board of County Commissioners of Allen and Auglaize County, Ohio, met in special session on the 10th day of August, 2017 with the following members present:

Allen County: Greg Sneary Present  
Jay Begg Present  
Cory Noonan Present

Auglaize County: John Bergman Present  
Douglas Spencer Present  
Donald Regula Present

Commissioner Bergman moved the adoption of the following:

### RESOLUTION

**WHEREAS**, This being the day fixed by the Joint Board of County Commissioners of Allen and Auglaize County, Ohio, in its order dated the 22nd day of June, 2017, for the first public hearing on the petition in the above named improvement, the Board met at the Spencerville Public Library, 2489 Wisher Drive, Spencerville, Ohio and conducted the hearing by providing an overview of the ditch petition process; and

**WHEREAS**, after proper examination the Joint Board of County Commissioners of Allen and Auglaize County, Ohio finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement; and

**WHEREAS**, the Joint Board of County Commissioners of Allen and Auglaize County, Ohio has made an actual view of the proposed improvement and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or any application therefore; and

**WHEREAS**, the Joint Board of County Commissioners of Allen and Auglaize County, Ohio has given consideration to the protection of environmentally significant areas when those areas could be adversely affected by the construction of the proposed improvement and has given consideration, where necessary to alternative plans providing for that protection as well as for the construction of the proposed improvement; now therefore be it

**RESOLVED**, that the Joint Board of County Commissioners of Allen and Auglaize County, Ohio hereby finds that the proposed improvement petitioned foris necessary and conducive to the public welfare, and that the scope of said petition should be as follows:

### PETITION

Replace the existing drainage system with a new drainage system that is adequate in size to alleviate the drainage problems in the watershed, as deemed necessary by the Allen County Engineer; and be it further

**RESOLVED**, the Joint Board of County Commissioners of Allen and Auglaize County, Ohio finds that the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the manner of constructing the same are the best and the same are hereby adopted and prescribed by the Board as follows:

### MAIN PROJECT

Commencing at a point being approximately 2800 feet east and 850 north of the SW Corner of the SW quarter of Section 14, T 4 S, R 5 E, Amanda Township, Allen County, Ohio. Thence continuing in a northerly direction approximately 550 feet to its confluence with the

open ditch. The watershed includes a portion of Section 23, T 4 S, R 5 E, Logan Township, Auglaize County, Ohio.

**RESOLVED**, that the Allen County Engineer be and is hereby directed to cause to be made the necessary exploration and any necessary surveying for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio; and be it further

**RESOLVED**, that all of the plans, maps, profiles, schedules and reports are to be prepared by the Allen County Engineer; and be it further


**RESOLVED**, that a final hearing of the said improvement is hereby adjourned to a later date to be established by the Allen County Engineer for the filing of the reports, plans, and schedules.

Commissioner Sneary seconded the resolution and upon the roll being called, the vote resulted as follows:

Adopted this <sup>19</sup> 27<sup>th</sup>  
day of ~~June, 2013~~  
~~August, 2013~~

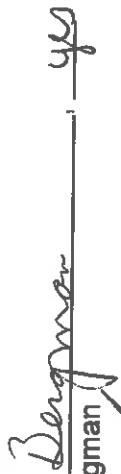
**BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO**

  
Greg Sneary, yes

  
Jay Begg, yes

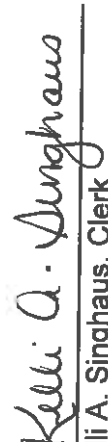
  
Cory Noonan, yes

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO**

  
John Bergman, yes

  
Douglas Spencer, yes

  
Donald Regula, yes

  
Kelli A. Singhaus, Clerk  
Allen County, Ohio

County Commissioners Office  
Auglaize County, Ohio  
September 21, 2017

No. 17-377

**IN THE MATTER OF ENTERING INTO A TAX INCENTIVE AGREEMENT WITH ST. MARYS HEALTH FACILITIES, LLC.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on October 9, 1987, the Director of the Ohio Department of Development, did certify the City of St. Marys as a Rural Enterprise Zone. On March 5, 1990, June 4, 1991, January 25, 1994, May 16, 1996, March 4, 1997, February 6, 1998, May 28, 1999, February 8, 2005, April 8, 2009 and April 19, 2017 the Ohio Department of Development, did amend and certify the City of St. Marys Rural Enterprise Zone; and,

**WHEREAS**, the Board of County Commissioners did grant to the City of St. Marys the authority to negotiate and administer the tax incentives available pursuant to the law; and,

**WHEREAS**, on this date, September 21, 2017, the City of St. Marys did provide the Board with an agreement, for review, which has been negotiated with St. Marys Health Facilities, LLC and,

**WHEREAS**, said agreement was authorized by the Council of the City of St. Marys on September 11, 2017; and,

**WHEREAS**, the Board, having reviewed the agreement, finds same to be in compliance with the County's Enterprise Zone Policy as adopted on February 11, 1998, amended April 14, 1988, September 13, 1994, February 24, 1998, and December 14, 2004; and,

**WHEREAS**, the Board finds that this project will have a positive impact on economic growth within the County, as said project will involve a total investment of approximately \$6,600,000.00 minimum to \$9,000,000.00 maximum and shall create twenty-five (25) new job opportunities within a time period not exceeding 24 months after the completion of the project. Fifteen (15) of the jobs will be full-time and ten (10) will be part-time jobs. All the newly created jobs will be permanent.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board, John N. Bergman, to enter into a tax incentive agreement with St. Marys Health Facilities, LLC; and,

**BE IT FURTHER RESOLVED** that a copy of the agreement be made a part of this Resolution; and,

**BE IT FURTHER RESOLVED** that the Clerk of the Board be instructed to forward a certified copy of this Resolution to St. Marys Health Facilities, LLC., City of St. Marys; County Auditor; Superintendent of St. Marys School System; Ohio Development Services Agency and the State of Ohio Tax Commissioner.

Commissioner Regula 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  
September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

attachment

cc: as noted above

**CERTIFICATION**

As Clerk of the Board of County Commissioners, Auglaize County, Ohio, I do hereby certify that the above is a true and correct copy of Resolution No. 17-377 passed by the Board of County Commissioners of Auglaize County, Ohio, on September 21, 2017.

Esther Leffel  
Esther Leffel, Clerk  
Board of County Commissioners  
Auglaize County, Ohio

Dated: September 21, 2017

**RURAL JOBS AND ENTERPRISE ZONE AGREEMENT**

**ST. MARYS HEALTH FACILITIES, LLC**

**CITY OF ST. MARYS**

**AUGLAIZE COUNTY**

This Agreement made and entered into by and among ST. MARYS HEALTH FACILITIES LLC, (hereinafter "ENTERPRISE"), an Ohio corporation with its main offices located at 120 West Main Street, Van Wert, Ohio; the CITY OF ST. MARYS, OHIO, (hereinafter "CITY"), a statutory form of government, with its main offices located at 101 E. Spring St., St. Marys, Ohio; and the COUNTY OF AUGLAIZE, OHIO, (hereinafter "COUNTY"), with its main offices located at the 209 South Blackhoof Street, Wapakoneta, Ohio;

WITNESSETH;

WHEREAS, the CITY and COUNTY have encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and,

WHEREAS, ENTERPRISE is desirous of constructing a 70,000 square foot rehabilitation and health care facility at 1035 Hager Street, St. Marys, Ohio, as well as purchasing additional equipment necessary for enterprise (hereinafter called "PROJECT"), with a total new minimum investment of approximately Six Million Six Hundred Thousand and 00/100 dollars (\$6,600,000) and a maximum investment of approximately Nine Million and 00/100 dollars (\$9,000,000.00) and with the addition of twenty-five (25) new jobs, within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and,

WHEREAS, the Council of the City of St. Marys, Ohio, by Ordinance No. 90-16 adopted February 12, 1990, designated the zone as a "Rural Jobs and Enterprise Zone"; pursuant to Chapter 5709 of the Ohio Revised Code; and,

WHEREAS, effective March 5, 1990, the Director of the State of Ohio Department of Development determined that the zone designated in Ordinance No. 90-16 contained the characteristics set forth in Section 5706.61(a) of the Ohio Revised Code and certified said Zone as a Rural Jobs and Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and,

WHEREAS, by Ordinance No. 91-23, May 5, 1991, the Enterprise Zone boundaries were expanded to include newly annexed areas to the CITY and was certified to the State of Ohio Department of Development on June 4, 1991; and,

WHEREAS, by Ordinance No. 93-83, December 28, 1993, the Enterprise Zone boundaries were expanded to include newly annexed areas to the CITY and was certified by the State of Ohio Department of Development on January 25, 1994; and,

WHEREAS, by Ordinance No. 96-15, April 22, 1996, the Enterprise Zone boundaries were expanded to include newly annexed areas to the CITY and was certified by the State of Ohio Department of Development on May 16, 1996; and,

WHEREAS, by Ordinance No. 2012-15, May 14, 2012, the Enterprise Zone boundaries were expanded to include newly annexed areas to the CITY and was certified by the State of Ohio Department of Development on April 19, 2017; and,

WHEREAS, by Ordinance No. 2005-03, February 14, 2005, passed by City of St. Marys Council and by Resolution No. 04-576, December 14, 2004, passed by Auglaize County Commissioners, revised guidelines were implemented for projects in the Enterprise Zone; said PROJECT meets required guidelines; and,

WHEREAS, the COUNTY desires to provide the ENTERPRISE with incentives to implement the PROJECT within said zone and the Board of County Commissioners of Auglaize County, Ohio, by Resolution adopted February 20, 1990, has delegated to the CITY its powers to negotiate and administer agreements providing such incentives pursuant to Section 5709 of the Ohio Revised Code and in accordance with guidelines established by Auglaize County; and,

WHEREAS, the ENTERPRISE has submitted a proposed Agreement Application (herein attached as Exhibit A) to the City of St. Marys and Auglaize County, (said application hereinafter referred to as "APPLICATION"); and,

WHEREAS, the ENTERPRISE has remitted their required State application fee of \$750.00 made payable to the Ohio Department of Development with the APPLICATION to be forwarded with the final Agreement; and,

WHEREAS, St. Marys City Council and Auglaize County Commissioners have investigated the application of the ENTERPRISE and have recommended the same to the CITY and COUNTY on the basis that the ENTERPRISE is qualified by financial responsibility and business experience to preserve employment opportunities in said Enterprise Zone and improve the economic climate of the CITY and COUNTY; and,

WHEREAS, the PROJECT site as proposed by the ENTERPRISE is located in the St. Marys City School District and the Board of Education of the St. Marys City School District has been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and,

WHEREAS, pursuant to Section 5709.63(A) and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

### **SECTION I: ENTERPRISE INVESTMENT**

The ENTERPRISE intends to install all necessary equipment, furniture and fixtures within the facility located at 1035 Hager Street, St. Marys, Ohio, to accommodate operations and to construct a 70,000 square foot facility.

The PROJECT will involve a total investment by ENTERPRISE estimated at a minimum of approximately Six Million Six Hundred Thousand and 00/100 dollars (\$6,600,000) and a maximum investment of approximately Nine Million and 00/100 dollars (\$9,000,000.00). Included in investment are an estimated minimum of Six Million and 00/100 dollars (\$6,000,000) for construction of a new facility and an estimated minimum of Six Hundred Thousand and 00/100 dollars (\$600,000) equipment, furniture and fixtures and an estimated maximum investment of Eight Million and 00/100 dollars (\$8,000,000) for construction of a new facility and an estimated maximum of One Million and 00/100 dollars (\$1,000,000) for equipment, furniture and fixtures.

The PROJECT will begin on approximately November 1, 2017, and all acquisition, construction and installation will be completed by approximately May 1, 2019. Said investment is further detailed in the APPLICATION Exhibit A attached hereto. These figures are approximations, but are within reasonable ranges, and will be attained by the ENTERPRISE through good faith efforts on its part, barring unforeseen circumstances beyond the immediate control of the ENTERPRISE.

The total investment of this expansion PROJECT is greater than 10% of the market value of the facility assets already owned at the site prior to such expenditures as evidenced in Exhibit A.

### **SECTION II: EMPLOYMENT**

The ENTERPRISE shall create within a time period not exceeding 24 months after the completion of installation of additional machinery and equipment, the equivalent of twenty-five (25) new job opportunities; completion of installation is estimated to be within two years of the PROJECT's completion. Fifteen (15) of the jobs will be full-time and ten (10) will be part-time jobs. All the newly created jobs will be permanent.

The ENTERPRISE schedule for hiring is as follows: Ten (10) full-time jobs by February 20, 2019; two (2) full-time jobs and five (5) part-time jobs by March 20, 2019; and three (3) full-time and five (5) part-time jobs by April 20, 2019.

This increase in new jobs will result in approximately One Million Two Hundred Fifty

Thousand and 00/100 Dollars (\$1,250,000.00) of additional annual payroll for ENTERPRISE for the newly created twenty-five (25) jobs.

ENTERPRISE shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the ENTERPRISE'S compliance with the Agreement. An annual report form will be forwarded to the ENTERPRISE to be completed in March of each year.

### **SECTION III: TAX EXEMPTIONS GRANTED**

#### **REAL PROPERTY**

The CITY and COUNTY hereby grant to ST. MARYS HEALTH FACILITIES, LLC, a tax exemption for real property improvements made to the PROJECT site pursuant to Section 5709.62 of the Ohio Revised Code and shall be in the following amounts:

75% for a period of ten (10) years for the building project as defined in Section I of this Agreement and as defined in the paragraph below.

The ENTERPRISE'S real estate investment for the ST. MARYS HEALTH FACILITIES, LLC, PROJECT, a 70,000 square foot is projected at a minimum estimated investment of Six Million and 00/100 dollars (\$6,000,000) and a maximum estimated investment of Eight Million and 00/100 dollars (\$8,000,000). The ENTERPRISE anticipates the construction on the new building will begin on approximately November 1, 2017, with an anticipated completion date of approximately May 1, 2019.

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after May 1, 2019, nor extend beyond May 1, 2029.

The ENTERPRISE shall, during the exemption period and thereafter, continue to pay all other applicable taxes on the premises which were in place before the PROJECT improvements.

It is understood and agreed that the ENTERPRISE's tax liability for real property, furniture and fixtures, and equipment, after commencement of the PROJECT at the ENTERPRISE's facility located at 1035 Hager Street, St. Marys, Ohio, shall at no time during the term of the afore granted tax exemptions, be less than the ENTERPRISE's tax liability for said real property, furniture and fixtures, and, machinery and equipment, prior to commencement of said exemptions hereunder, except as such tax liability may increase or decrease, as the case may be, due to changes in State of Ohio and local tax rates, the true value of property as computed by lawfully prescribed percentages and listing percentages for any tax year.

### **SECTION IV: MAINTENANCE OF TAX INCENTIVES**

ENTERPRISE must file the appropriate tax forms (DTE 23) with the County Auditor and (#913) with the State Department of Taxation to effect and maintain the exemptions covered in the Agreement. #913 Ohio Tax Form must be filed annually.

ENTERPRISE shall pay an annual fee of Five Hundred and 00/100 dollars (\$500) to cover monitoring expenses by the Tax Incentive Review Council. The fee shall be made payable to the Treasurer of Auglaize County and shall be paid once per year for each year the Agreement is effective. The fee shall be billed and collected by the COUNTY and shall be deposited in a special funded created for such purposes and shall be used exclusively for the purpose of complying with section 5709.68 of the Ohio Revised Code and by the Tax Incentive Review Council created under section 5709.85 of the Ohio Revised Code exclusively for the purposes of performing the duties described under that section.

ENTERPRISE shall pay such real property taxes as are not exempted under this Agreement and are charged against such property and shall file all tax reports and returns as required by law. If ENTERPRISE fails to pay such taxes or file such returns and reports, the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

ENTERPRISE shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

ENTERPRISE hereby certifies that at the time this Agreement is executed, ENTERPRISE does not owe any delinquent real property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which ENTERPRISE is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Ohio Revised Code. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the Chapter of the Ohio Revised Code governing payment of those taxes.

ENTERPRISE, CITY, and COUNTY acknowledge that this Agreement must be approved by formal action of the legislative authority of CITY and COUNTY as a condition for the Agreement to take effect. This Agreement takes effect upon such approval.

CITY and COUNTY will encourage ENTERPRISE to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this Agreement, ENTERPRISE is committing to following non-discrimination hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.

This Agreement is not transferrable or assignable without the express, written approval of CITY and COUNTY.

#### **SECTION V: ANNUAL REPORTING REQUIREMENTS**

The ENTERPRISE shall submit to the CITY and COUNTY not later than March 15 of



each calendar year during the period of the tax abatement hereinafter granted, an annual report documenting its project activity during the preceding calendar year. The CITY and COUNTY shall provide the report form.

ENTERPRISE shall provide to the proper Tax Incentive Review Council any information reasonably required by the Council to evaluate the ENTERPRISE's compliance with the agreement, including returns filed pursuant to Section 5711.02 of the Ohio Revised Code if requested by the Council.

#### **SECTION VI: REVOCATION**

Exemptions from taxation granted under this Agreement shall be revoked if it is determined that ENTERPRISE, any successor enterprise or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this Agreement under Division (E) of Section 3735.671 or Section 5709.62, 5709.63, or 5609.632 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

If, for any reason, said the Enterprise Zone designation expires or the CITY or COUNTY revokes the designation of Enterprise Zone, or if the Director of the State of Ohio Department of Development revokes certification of the Enterprise Zone, any entitlements to tax incentives as set forth under this agreement shall continue to be enjoyed by the ENTERPRISE for the term of years specified under this agreement.

If ENTERPRISE materially fails to fulfill its obligations under this Agreement, or if CITY or COUNTY determines that the certification as to delinquent taxes required by this Agreement is fraudulent, CITY or COUNTY may terminate or modify the exemptions from taxation granted under this Agreement.

ENTERPRISE affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative ENTERPRISE has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, ENTERPRISE shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66 (C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

#### **SECTION VII: REVISIONS AND/OR AMENDMENTS**

This Agreement may be revised and/or amended throughout its term through the mutual, written Agreement by all the parties hereto of any proposed revisions and/or amendments. Such revisions and/or amendments are and will be subject to applicable Federal, State of Ohio, and local

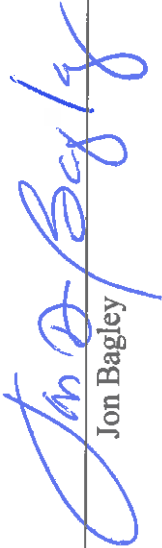
laws or ordinances, and, any applicable regulations and/or rules of Federal, State of Ohio and local departments or agencies possessing authority to implement and/or administer such applicable Federal, State of Ohio and local laws or ordinances.

**SECTION VIII: CONFIDENTIALITY**

The COUNTY and the CITY acknowledge that in order to develop and finalize this Agreement, the ENTERPRISE has disclosed to the CITY and the COUNTY certain information determined to be proprietary by the ENTERPRISE. To the maximum extent permissible by law, the CITY and the COUNTY agree to not disclose any such information, not already in the public domain, to any person, firm, or corporation without the ENTERPRISE's prior written consent; provided, further, that if any such disclosure is mandated by Federal, State or local law (such as the Freedom of Information Act) the CITY and the COUNTY agree to promptly notify the ENTERPRISE of the requirement to make such disclosure and to fully cooperate with the ENTERPRISE and any procedures permitted by law to limit such disclosure.

IN WITNESS WHEREOF, the City of St. Marys, Ohio, by and through its Director of Public Service and Safety, and pursuant to Ordinance No. 2017-19; and, Auglaize County, by and through the President of the Auglaize County Commissioners, and pursuant to Resolution No. 17-377; and St. Marys Health Facilities, LLC, by its company President, have caused this instrument to be executed on the 21<sup>st</sup> day of September, 2017.

ST. MARYS HEALTH FACILITIES, LLC


BY:   
Jon Bagley

BOARD OF COUNTY COMMISSIONERS OF  
AUGLAIZE COUNTY, OHIO

BY:   
John Bergman, President

CITY OF ST. MARYS, OHIO

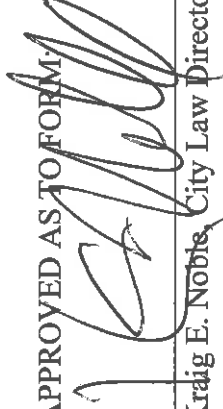
BY:



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Gregory J. Foxhoven  
Director of Public Service and Safety

APPROVED AS TO FORM:



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Craig E. Noble, City Law Director

**IN THE MATTER OF APPROVING THE FIRST AMENDMENT TO THE PROGRAM YEAR 2017/2019 SUB-GRANT AGREEMENT AND CAREER SERVICES PROVIDER WITH OHIO AREA 8 WORKFORCE DEVELOPMENT BOARD (WDB) AND AREA 8 CHIEF ELECTED OFFICIALS CONSORTIUM; AUTHORIZING DOUGLAS A. SPENCER OF THE BOARD TO EXECUTE SAID AMENDMENT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spava the adoption of the following:

**RESOLUTION**

**WHEREAS**, this sub-grant Agreement was executed on July 6, 2017 in Resolution #17-283; and,

**WHEREAS**, Matt Kinkley, Director of the Area 8 Workforce Development Board (WDB) presented the First Amendment to the sub-grant agreement between Ohio Area 8 Workforce Development Board, referenced herein as (“WDB”) and the Area 8 Chief Elected Officials Consortium, referenced herein as (“Consortium”), and this First Amendment contains an updated “Attachment A” which provides the actual adult and dislocated working funding for the program year 2017/2019 in WIOA Ohio Area 8.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby approve and authorize the First Amendment for the Program Year 2017/2019 Sub-grant Agreement and Career Services Provider with Ohio Area 8 WDB and Area 8 Chief Elected Officials Consortium; and,

**BE IT FURTHER RESOLVED** that the Board does authorize the Douglas A. Spencer, to execute said First Amendment with the Career Services Provider responsibilities for Auglaize County, Ohio as presented to the Board of County Commissioners; and,

**BE IT FURTHER RESOLVED** that said First Amendment be hereto attached and thus be made a part of this Resolution.

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

Adopted this  
21st day of  
September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman  
Douglas A. Spencer  
Douglas A. Spencer  
Don Regula  
Don Regula

- ✓ cc: Auglaize County Job and Family Services
- ✓ WIOA – Matt Kinkley
- ✓ Hardin County
- ✓ Mercer County
- ✓ Van Wert County

**Sub-Grantee: Auglaize County, Ohio**

**FIRST AMENDMENT  
to  
PROGRAM YEAR 2017/2019 SUB-GRANT AGREEMENT  
&  
CAREER SERVICES PROVIDER**

This First Amendment is made to the Agreement, entered into by and between the Ohio Area 8 Workforce Development Board (hereinafter "WDB") and the Area 8 Chief Elected Officials Consortium (hereinafter "Consortium") and the Chief Elected Officials of Auglaize County (hereinafter "Sub-Grantee"), which established a Grantee/Sub-Grantee relationship between Area 8 and Sub-Grantee, and addressed the Career Service Provider responsibilities awarded to Auglaize County Job & Family Services (JFS).

The aforementioned Agreement was effective July 1, 2017 and contained "Attachment A" which provided an estimate of adult and dislocated worker funding for the program year 2017/2019 in WIOA Ohio Area 8.

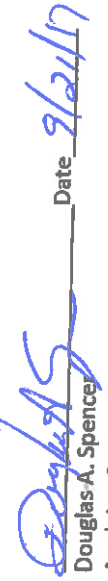


This First Amendment contains an updated "Attachment A" which provides the actual adult and dislocated worker funding for the program year 2017/2019 in WIOA Ohio Area 8.

This First Amendment shall attach to the aforementioned Agreement and inure to its parties.

MODIFICATION OF AGREEMENT

This agreement may be modified only upon the express written consent of the majority of each of the parties hereto.

The parties hereto have duly amended the **PROGRAM YEAR 2017/2019 SUB-GRANT AGREEMENT & CAREER SERVICES PROVIDER** to be effective on the day and year set forth above.

 Douglas A. Spencer Auglaize County Board of Commissioners	Date <u>9/21/17</u>	
Jerry Laffin WIOA Ohio Area 8 Fiscal Agent	Date _____	
 Art Swain, Chairman WIOA Ohio Area 8 Workforce Development Board	Date <u>9/21/17</u>	 Michael Morrow, Director Auglaize County Department of Job & Family Services Area 8 Sub-Grantee & Career Services Provider

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

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:

Check #	Amount	Vendor
418020	\$ 330.00	Red River Specialties Inc.
418051	\$ 2,805.00	Green Velvet Sod Farms, LTD.
418064	\$10,405.00	Crowder Detention Equipment
418069	\$ 368.21	Auglaize Acres

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

Adopted this  
21st day  
September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

✓ cc: County Auditor

**IN THE MATTER OF COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS FOR BLASE #2 DITCH PROJECT.**

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The Board of Auglaize County Commissioners met in regular session on the 21st day of September, 2017.

Commissioner Spencer made the motion to adopt of the following:

**RESOLUTION**

**WHEREAS**, on September 12, 2017 the Board of County Commissioners held the final hearing for the Blaise #2 Ditch project on the Reports and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and,

**WHEREAS**, said Board finds that due and legal notice of this final hearing has been given as required by law; and,  
**WHEREAS**, said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the County Engineer; and,

**WHEREAS**, at the time the assessment process was reviewed and assessments were discussed, landowners present were in favor of the project, with said landowners requesting that sixteen (16) semi-annual payment financing should be sought for the note for the balance of moneys needed to complete payment of project after the thirty day assessment payment period has passed.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby rule in favor of this improvement as in its former order; and,

**BE IT STILL FURTHER RESOLVED** that said Board does approve the maps, profiles, plans, schedules, and reports prepared and presented by the County Engineer at the final hearing; and,

**BE IT STILL FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby set **October 31<sup>st</sup>, 2017 at 10:00 a.m.** as the date and time to receive and publicly open bids in the Commissioner's Chambers, Administration Building, 209 S. Blackhoof Street – Room 201, Wapakoneta, Ohio for the construction of this project; and,

**BE IT FURTHER RESOLVED** that the completion date for this project is October 1, 2018; and,

**BE IT FURTHER RESOLVED** that the County Engineer is hereby authorized to proceed with the necessary legal steps to cause for the above bid opening.

Commissioner Regula 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  
September, 2017

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 Engineer



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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

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

<b>County Home Fund:</b>	<b>From:</b>	<b>To:</b>
<b>Amount:</b>	<b>097.0097.540500 (Transfer Out)</b>	<b>097.0097.510200 (Employee Salary)</b>
<b>\$ 25,000.00</b>	<b>097.0097.536700 (PERS)</b>	<b>097.0097.530300 (Supplies)</b>
<b>\$ 40,000.00</b>	<b>097.0097.536600 (Hospitalization)</b>	<b>097.0097.530600 (Contract Services)</b>
<b>\$ 20,000.00</b>		

<b>Heritage Trails Park District Fund:</b>	<b>From:</b>	<b>To:</b>
<b>Amount:</b>	<b>946.0946.530800 (Advertising)</b>	<b>946.0946.530600 (Contract Services)</b>
<b>\$ 1,200.00</b>	<b>946.0946.532800 (Rentals)</b>	<b>946.0946.531000 (Prof. Services)</b>
<b>\$ 600.00</b>	<b>946.0946.530700 (Travel)</b>	<b>946.0946.530900 (Other)</b>
<b>\$ 300.00</b>		

**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  
21st day of  
September, 2017

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  
County Administrator  
Auglaize Acres  
HTPD – Terry McDonald



**IN THE MATTER OF AMENDING CONTRACT FOR SERVICES BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (ACDJFS) AND WEST OHIO COMMUNITY ACTION PARTNERSHIP, FORMERLY (LACCA) FOR THE PURCHASE OF TANF/OWF/PRC, WIA, TITLE XIX AND TITLE XX SOCIAL SERVICES.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in resolution #16-269 the Board of County Commissioners approved a contract between Auglaize County Department of Job & Family Services and West Ohio Community Action Partnership (WOCAP), fka Lima Allen Council on Community Affairs (LACCA) for the purchase of TANF/OWF/PRC, WIA, Title XIX, and Title XX social services; and,

**WHEREAS**, in resolution #17-188 the Board of County commissioner did approved and extended the time period of the contract to September 30, 2017; and,

**WHEREAS**, the ODJFS announced that the deadline to spend CCMEP TANF dollars has been extended to December 31, 2017 and this contract needs to be amended to extend the time period to **December 31, 2017**.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the contract amendment for TANF/OWF/PRC, WIA, Title XIX, and Title XX social services between Auglaize County Department of Job and Family Services and West Ohio Community Action Partnership (WOCAP) to extend the contract to **December 31, 2017**; and,

**BE IT FURTHER RESOLVED** that the Board ratifies the execution of said 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 21st day of September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman ypo  
John N. Bergman  
Douglas A. Spencer ys  
Douglas A. Spencer  
Don Regula ysa  
Don Regula

cc: Auglaize County Department  
of Job & Family Services

**IN THE MATTER OF AMENDING THE CONTRACT FOR SERVICES BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (ACDJS) AND WEST OHIO COMMUNITY ACTION PARTNERSHIP, FKA (LACCA) FOR THE PURCHASE OF TANF/OWF/PRC, WIA, TITLE XIX AND TITLE XX SOCIAL SERVICES.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in resolution #16-267 the Board of County Commissioners approved a contract between Auglaize County Department of Job & Family Services and West Ohio Community Action Partnership fka Lima Allen Council on Community Affairs (LACCA) for the purchase of TANF/OWF/PRC, WIA, Title XIX, and Title XX social services; and,

**WHEREAS**, in resolution #17-249 the Board of County Commissioners did approved and extended the time period of the contract to September 30, 2017; and,

**WHEREAS**, the ODJFS announced that the deadline to spend TANF dollars has been extended to December 31, 2017 and this contract needs to be amended to extend the time period to **December 31, 2017**.


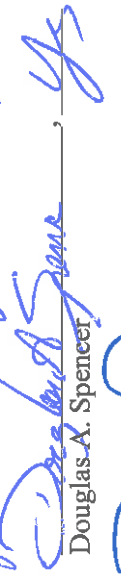

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the contract amendment for TANF/OWF/PRC, WIA, Title XIX, and Title XX social services between Auglaize County Department of Job and Family Services and West Ohio Community Action Partnership (WOCAP) to extend the contract to December 31, 2017; and,

**BE IT FURTHER RESOLVED** that the Board ratifies the execution of said 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 21st day of September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

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

✓ cc: Auglaize County Department of Job & Family Services

**IN THE MATTER OF RATIFYING THE EXECUTION OF THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES (ACDJFS) AND NORTHWESTERN OHIO COMMUNITY ACTION COMMISSION FOR CHILD CARE PROGRAM SUB-GRANT AGREEMENT FROM THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES (ODJFS).**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of September, 2017.

Commissioner Spar the adoption of the following:

**RESOLUTION**

**WHEREAS**, this sub-grant agreement is made pursuant to a grant award to the Auglaize County Department Job & Family Services and the Northwestern Ohio Community Action Commission from the Ohio Department of Job and Family Services (ODJFS) and is not for research and development purposes. The grant award is under the authority of Child Care and Development Block Grant CFDA Number 93.575 and TANF Regular Fund CFDA Number 93.558 and TANF Admin Fund CFDA Number 93.558; and,

**WHEREAS**, it is a requirement that the Board of County Commissioners enter into a sub-grant agreement with the Auglaize County Job and Family Services (ACDJFS) and Northwestern Ohio Community Action Commission to perform specified administrative functions necessary to meet federal and state requirements for providing publicly funded child care services to eligible recipients in Auglaize County; and,

**WHEREAS**, the purpose of the sub-grant and this sub-grant agreement is to establish the terms, conditions, and requirements governing the administration and use of the financial assistance received by or used by Sub-grantee pursuant to this sub-grant agreement.

**WHEREAS**, the sub-grant agreement includes language to help ensure counties remain in compliance with federal and state laws, such as provisions that require ODJFS to provide technical assistance, training and monitoring to counties; and,

**WHEREAS**, the total grant of the sub-grant agreement shall not exceed \$40,000.00; and,

**WHEREAS**, for the period of October 1, 2017 through September 30, 2018 which includes child care administration and child care non-administration.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby agree to and does ratify the execution of the ACDJFS and Northwestern Ohio Community Action Commission Sub-grant Agreement.

Commissioner Regula 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  
September, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

✓ cc: County Department of Job & Family Services --  
Michael Morrow