

County Commissioners' Office
Auglaize County, Ohio
September 9, 2008

No. 98-329

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO THE
AMENDED CERTIFICATE OF ESTIMATED RESOURCES AMENDMENT AS REPORTED
BY THE COUNTY AUDITOR: SAME BEING FOR THE '08 VISION 100 GRANT FUND.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, under the date of January 3, 2008, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board by the County Auditor; and

WHEREAS, County Auditor Janet Schuler did inform the Board that an amendment to the Annual Amended Official Certificate for the '08 Vision 100 Grant fund was made. The 2008 Annual Appropriation should be amended to include the following:

Increase 098-0098-530601 by \$ 110,200.00

Increase 098-0098-500100 by \$ 1,040.00

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2008 Annual Appropriation Resolution be amended to show the changes as tabulated above.

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

Absent _____
Douglas A. Spencer


Ivo J. Kramer

Cc: County Auditor

IN THE MATTER OF AUTHORIZING THE USE OF "BLANKET PURCHASE ORDERS" AS REQUESTED BY THE COUNTY AUDITOR; SETTING MAXIMUM AMOUNT OF SAME.

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, County Auditor Janet Schuler informed the Board of County Commissioners that she is attempting to update procedures for paying bills in her office; and,

WHEREAS, for many years Blanket Purchase Orders have been used by all the County offices; and,

WHEREAS, pursuant to a recommendation of the State Auditor, Auglaize County should have in place a Resolution of the Board of County Commissioners instituting the use of Blanket Purchase Orders and setting a maximum amount for said Blanket Purchase Order.; and,

WHEREAS, Auditor Schuler requested that the Board so discharge this obligation and approve the amount of said Blanket Purchase Orders not to exceed \$5,000.00.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the use of "Blanket Purchase Orders" as recommended by the State Auditor and requested by County Auditor Janet Schuler; and,

BE IT FURTHER RESOLVED that the Board does approve and set the maximum amount of the "Blanket Purchase Orders" not to exceed \$5,000.00.

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

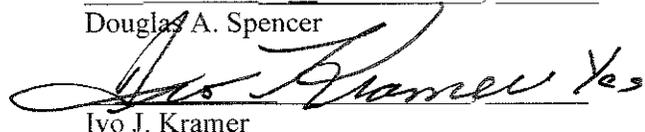
Adopted this
9th day of
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

ABSENT

Douglas A. Spencer

 Yes
Ivo J. Kramer

cc: Janet Schuler - County Auditor

IN THE MATTER OF AUTHORIZING AN AMENDMENT OF RESOLUTION #08-015, CHANGING "TRANSFER OF FUNDS" TO "REIMBURSEMENT OF FUNDS" FOR VARIOUS DITCH CONSTRUCTION FUNDS TO VARIOUS MAINTENANCE FUNDS, MVGT FUNDS AND COUNTY GENERAL FUND.

The Board of Auglaize County Commissioners met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following

RESOLUTION

WHEREAS, on January 8, 2008, in Resolution #08-015 the Board of County Commissioners authorized a "transfer of funds" from various ditch construction funds to various maintenance funds, MVGT funds and County General Fund as requested by the County Engineer; and,

WHEREAS, it has now been brought to the attention of the Board, that pursuant to a recommendation of the State Auditor, the term "transfer of funds" is incorrect and should be "reimbursement of funds"; and,

WHEREAS, the County Auditor has requested that the Board of County Commissioners amend Resolution #08-015, using the correct terminology.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby amend Resolution #08-015, dated January 8, 2008, to be a reimbursement of funds from various ditch construction funds to various maintenance funds, MVGT funds and County General Fund as requested by the County Engineer; and,

BE IT FURTHER RESOLVED that the following correction be made to the second "WHEREAS" in Resolution #08-015:

WHEREAS, at this time, it is appropriate for the County Engineer to request the remaining balance of monies from construction accounts for said completed ditches be **transferred** into either the County Engineer's MVGT Account for the reimbursement of Engineering Fees, and/or into the respective Ditch Maintenance Accounts established with the County Auditor for future ditch maintenance work; and to reimburse the County General Fund for Postage; and,
is now to read:

WHEREAS, at this time, it is appropriate for the County Engineer to request the remaining balance of monies from construction accounts for said completed ditches be ("~~transferred~~") "**moved**" into either the County Engineer's MVGT Account for the reimbursement of Engineering Fees, and/or into the respective Ditch Maintenance Accounts established with the County Auditor for future ditch maintenance work; and to reimburse the County General Fund for Postage; and,.

Mr. 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
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

ABSENT

Douglas A. Spencer

Ivo J. Kramer, Yes
Ivo J. Kramer

cc: ✓ Auglaize County Engineer
 ✓ Auglaize County Auditor

County Commissioners' Office
Auglaize County, Ohio
September 9, 2008

No 08-332

**IN THE MATTER OF DECLARING RESOLUTION #08-235 DATED JUNE 17, 2008 NULL AND VOID;
AND AUTHORIZING AN ADVANCE FROM CHILDREN SERVICES TO COUNTY GENERAL.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Auditor has brought to the attention of the Board of County Commissioners that Resolution #08-235 dated June 19, 2008 is incorrect and should be voided.

THEREFORE, BE IT RESOLVED, pursuant to the County Auditor's request, the Board of County Commissioners does declare Resolution #08-235 dated June 19, 2008 null and void. and,

WHEREAS, the Board did receive the following correspondence from JFS Director Mike Morrow:

I wish to request the following advance:

From:	To:	Amount:
050-0300-400200 (PCSA)	001.1200.400100 (County General)	\$50,000.00

Thank you for your attention to this request.

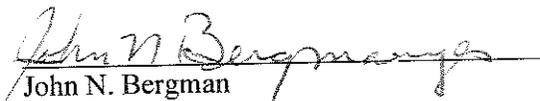
THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the following advance:

**From: 050-0004-530200 – Advance Out
Amount: \$ 50,000.00
To: 001-1200-400100 – Advance In**

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

Absent _____
Douglas A. Spencer


Ivo J. Kramer

Cc: County Auditor
 Job & Family Services

County Commissioners' Office
Auglaize County, Ohio
September 9, 2008

No 08-233

IN THE MATTER OF DECLARING RESOLUTION #08-043 DATED JANUARY 24, 2008 NULL AND VOID; AND AUTHORIZING AN ADVANCE FROM COUNTY GENERAL TO CHILDREN SERVICES.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Auditor has brought to the attention of the Board of County Commissioners that Resolution #08-043 dated January 24, 2008 is incorrect and should be voided.

THEREFORE, BE IT RESOLVED, pursuant to the County Auditor's request, the Board of County Commissioners does declare Resolution #08-043 dated January 24, 2008 null and void. and,

WHEREAS, the Board did receive the following correspondence from JFS Director Mike Morrow:

I wish to request the following advance:

From:	To:	Amount:
010 0902.532800 (County General)	050.0300.400200 (PCSA)	\$150,000.00

Thank you for your attention to this request.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the following advance:

From: 001-0902-532800 – Advance for Children Services
Amount: \$ 150,000.00
To: 050-0300-400200 – Advance In

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Absent
Douglas A. Spencer

Ivo J. Kramer, Yes
Ivo J. Kramer

Cc: County Auditor
Job & Family Services

**IN THE MATTER OF SETTING DATES, TIMES AND LOCATIONS AT WHICH TO CONVENE
SPECIAL SESSIONS OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.**
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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following

RESOLUTION

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

WHEREAS, the Board must set special sessions on the following dates, times and locations for the reasons so given:

- on September 13, 2008 from 9:00 a.m. to 1:00 p.m. or when meeting is completed, the Board will be participating in the Open House at Auglaize County Council on Aging in St. Marys, Ohio;
 - on September 29, 2008 from 1:00 p.m. to 8:00 p.m. or when meeting is completed, the Commissioners will be attending the N. W. District CCAO/CEAO quarterly meeting held in Galion, Ohio;
- and,

WHEREAS, the Board will be in special session until such time as the purposes are met, as noted above.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set the above mentioned dates, times and places to convene special sessions of said Board; and,

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

Mr. 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
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

ABSENT
Douglas A. Spencer

Ivo J. Kramer, YES
Ivo J. Kramer

cc: newspapers

County Commissioners' Office
Auglaize County, Ohio
September 9, 2008

No 08-335

IN THE MATTER OF AUTHORIZING A REIMBURSEMENT TO THE COUNTY GENERAL FUND.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board did receive the following correspondence from Chief Juvenile Probation Office Sally Imondi:

I am requesting that \$3465.00 be transferred from Fund #018.0032.531000 to Fund #001.0700.401802 to reimburse the BOCC for monies used for rental of 3 vehicles used during Juvenile Court Summer Service Project.

Thank you for your assistance with this.

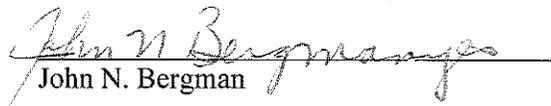
THEREFORE, BE IT RESOLVED that the Board does authorize the County Auditor to make the following reimbursement:

From: 018-0032-531000 – Youth Services
Amount: \$ 3,465.00
To: 001-0700-401802 – County General

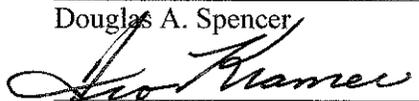
Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 7th day
Of August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

Douglas A. Spencer

 YES
Ivo J. Kramer

Cc: County Auditor
 Juvenile Probation

IN THE MATTER OF APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, AUGLAIZE COUNTY, AS BOARD OF DIRECTORS FOR THE COUNTY SOLID WASTE MANAGEMENT DISTRICT, AND KIMBERLY BAKER, LTD. FOR PROFESSIONAL LEGAL SERVICES INVOLVING THE SOLID WASTE DISTRICT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of September, 2008 the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners, being the Board of Director of the Auglaize County Solid Waste Management District, have the authority pursuant to Ohio Reviewed Code Section 343.01(E)(1) to enter into an agreement with an attorney who would advise the Board on particular matters dealing with the District; and,

WHEREAS, the Board has met with Kimberly Baker of Kimberly Baker, Ltd., discussing the possibility of using the professional services of Ms. Baker for legal matters of the Solid Waste District, such as; counseling, drafting, negotiations, research and representation in courts and administrative agencies; and,

WHEREAS, Ms. Baker submitted an agreement to the Board for said legal services for the Solid Waste Management District as mentioned above; at the rate of compensation of \$125.00 per hour with the term of the agreement being twelve months.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio as the Board of Directors for the Auglaize County Solid Waste Management District, does hereby approve the proposition of Kimberly Baker of Kimberly Baker Ltd. to provide legal professional services as mentioned above for said District; and,

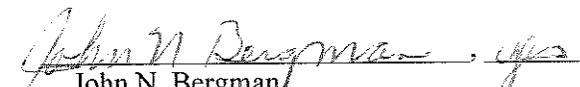
BE IT FURTHER RESOLVED that the Board does accept and authorize the entering into of the agreement as so attached and presented for the legal services of Kimberly Baker; and,

BE IT FURTHER RESOLVED that the Board of County Commissioners does hereby ratify the execution by said Board of the agreement between the Board of County Commissioners/Board of Directors of the Auglaize County Solid Waste Management District.

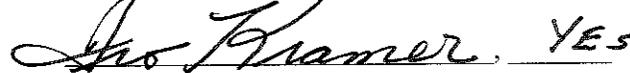
Mr. Bergman seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
9th day of
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

ABSENT
Douglas A. Spencer

 YES
Ivo J. Kramer

- cc: Kimberly Baker, Attorney
- David Reichelderfer, Solid Waste/Recycle Coordinator
- Asst. Clerk of the Board

AGREEMENT

This Agreement made and entered into this 9th day of Sept., 2008, by and between the Board of Commissioners of Auglaize County, Ohio, in their capacity as the Board of Directors of the Auglaize County Solid Waste Management District (hereinafter referred to as "Board") and The Law Office of Kimberly Baker, Ltd, (hereinafter referred to as "Attorney").

WHEREAS, the Board is in need of general legal representation regarding solid waste planning and funding; and

WHEREAS, pursuant to Ohio Revised Code Section 343.01(E)(1), the Board has authority to employ an attorney to advise the Board on particular matters; and

WHEREAS, the Board believes it is in the best interest of the district to retain the legal services of Attorney to represent said Board's interests.

NOW THEREFORE, in consideration of the mutual promises contained herein, and the mutual benefits to be gained hereby, the parties hereby agree as follows:

1. Attorney shall provide general legal representation regarding solid waste planning and funding for the Board as requested by the Board. Legal services rendered will include, but not be limited to, counseling, drafting, negotiations, research and representation in courts and administrative agencies as requested by the Board.
2. The Board agrees to pay Attorney for said legal services at the rate of \$125 per hour. Attorney shall submit detailed invoices of services performed monthly and said invoices shall be paid within thirty (30) days of receipt.

3. The term of this Agreement shall be for a period of twelve (12) months commencing _____, 2008 and expiring _____, 2009. This Agreement shall automatically renew for one (1) year, unless either party gives written notice not to renew thirty (30) days before the original expiration date.
4. Either party may terminate this Agreement by giving the other party thirty (30) days written notice of the intention to terminate as set forth below. Board, upon written notice to Attorney, may terminate Attorney's representation at any time with or without cause. Attorney shall have the right to withdraw its representation if the Board fails to observe and perform any of its obligations hereunder or for any other reason which would cause Attorney to be permitted or required to withdraw as counsel under the Code of Professional Responsibility or as permitted by the rules of any federal or Ohio court. In the event of any such withdrawal, Attorney will promptly notify the Board.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate on the day and year first written above.

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

**THE LAW OFFICE OF
KIMBERLY BAKER, LTD**



John Bergman

Kimberly S. Baker



Ivo Kramer

Doug Spencer

IN THE MATTER OF APPROVING THE CONTRACT WITH POGGEMEYER DESIGN GROUP, INC. FOR PROFESSIONAL SERVICES FOR THE ADMINISTRATION AND IMPLEMENTATION OF FY 2008 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) GRANT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer 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 Ohio Office of Housing and Community Partnerships under the Small Cities Community Development Block Grant Community Housing Improvement Program (CHIP) for FY 2008 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 \$110,500.00, with the administration and implementation of its FY 2008 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 2008 CHIP Grant at the terms so specified in said contract; and,

BE IT FURTHER RESOLVED that said Board authorizes the President of the Board, John N. Bergman, to execute said letter contract.

Mr. 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
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman *yes*
John N. Bergman

ABSENT

Douglas A. Spencer

Ivo J. Kramer *YES*
Ivo J. Kramer

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



POGGEMEYER
DESIGN GROUP

September 3, 2008

Mr. Joseph Lenhart
County Administrator
Auglaize County Board of Commissioners
209 South Blackhoof Street, Room 201
Wapakoneta, Ohio 45895

Re: Proposed FY 2008 CHIP Administrative Contract
Proposal No. 08-2008-2038

Dear Mr. Lenhart:

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 FY 2008 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 FY 2008 CHIP Grant as outlined in the May 2, 2008 CHIP Grant Application and subsequent executed grant agreement between the County and the State of Ohio's Office of Housing and Community Partnerships. Specifically, PDG will provide CHIP technical assistance to County staff for the duration of the CHIP grant period with regard to federal program and OHCP regulations. PDG will also be responsible for the following: preparation of the environmental review record document; application intake and processing including providing general information, corresponding with clients, and eligibility determination; property inspections and related activities; specification writing, lead-based paint risk assessments and preparation of related reports, lead-based paint mitigation specifications where applicable; contractor walk-throughs and invitations to bid; loan processing, including OHPO/ Floodplain Coordination and annual reporting; preparation of closing documentation; scheduling and conducting loan closings; construction management, including preparation of change order(s) and payment request(s) documentation; performing lead-based paint clearances as needed and preparation of related reports, client file closeout; obtaining contractor release of liens and warranties; fair housing outreach and trainings; and status/performance reports associated with the CHIP.

PDG will complete these services within twenty-eight (28) months (from September 1, 2008 and December 31, 2010) following execution of this agreement.

PDG's proposed fee for providing these basic services is a time and expense fee based on PDG's current hourly rate schedule with a maximum fee of **\$110,500** including reimbursables. The program cost breakdown includes both general and project administrative fees, as well as individual project soft costs.

"It is our goal to
service each client
at the highest
professional level,
delivering innovative
design, technical
superiority, and
outstanding quality."
-Mission Statement

An Employee Owned Company



Mr. Joseph Lenhart
 September 3, 2008
 Pg. 2

Below is a breakdown of these costs:

- Private Rehabilitation (10 units) \$45,500
- Home Repair (13 units) \$22,000
- Environmental Review Record Document \$ 4,000
- Fair Housing \$ 4,000
- General Administration & walk away costs \$35,000

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, 2010 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, with Exhibits A (1 page), B (1 page), C (2 pages), and 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, 2008 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


 Gregory N. Telecky, P.E.
 Principal Owner

Accepted this 9th day of Sept., 2008 by the undersigned who is duly and legally authorized to enter into such legal contracts for the above-referenced entity.

By: 
 John N. Bergman

Title: President
 Board of Auglaize County
 Commissioners



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 in addition to 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.

EXHIBIT C



Ohio Department of Public Safety
DIVISION OF HOMELAND SECURITY
<http://www.homelandsecurity.ohio.gov>

GOVERNMENT BUSINESS AND FUNDING CONTRACTS

In accordance with section 2909.33 of the Ohio Revised Code

DECLARATION REGARDING MATERIAL ASSISTANCE/NO ASSISTANCE TO A TERRORIST ORGANIZATION

This form serves as a declaration of the provision of material assistance to a terrorist organization or organization that supports terrorism as identified by the U.S. Department of State Terrorist Exclusion List (see the Ohio Homeland Security Division Web site for reference copy of the Terrorist Exclusion List).

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, and financial services that are in excess of one hundred thousand dollars, as well as 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 (419) 352-7537		WORK PHONE		

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

LAST NAME Tecpanecatl		FIRST NAME Paul		MI Z.
BUSINESS/ORGANIZATION NAME Poggemeyer Design Group, Inc.			PHONE (419) 352-7537	
BUSINESS ADDRESS 1168 North Main Street				
CITY Bowling Green	STATE Ohio	ZIP 43402	COUNTY Wood	

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

In the event of a denial of a government contract or government funding due to a positive indication that material assistance has been provided to a terrorist organization, or an organization that supports terrorism as identified by the U.S. Department of State Terrorist Exclusion List, a review of the denial may be requested. The request must be sent to the Ohio Department of Public Safety's Division of Homeland Security. The request forms and instructions for filing can be found on the Ohio Homeland Security Division Web site.

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 on page 1 of this declaration.

Paul G. [Signature]
APPLICANT SIGNATURE

Sept. 3, 2008
DATE



EXHIBIT D
POGGEMEYER DESIGN GROUP, INC.
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.

**IN THE MATTER OF DECLARING RESOLUTION #08-275 DATED JULY 17, 2008 NULL AND VOID;
AND AUTHORIZING A BUDGET ADJUSTMENT AND A TRANSFER OF FUNDS FOR 2007 FLEX
SPENDING APPROPRIATION AS REQUESTED BY THE COUNTY AUDITOR.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Auditor has brought to the attention of the Board of County Commissioners that Resolution #08-275 dated July 17, 2008 is incorrect and should be voided.

THEREFORE, BE IT RESOLVED, pursuant to the County Auditor's request, the Board of County Commissioners does declare Resolution #08-275 dated July 17, 2008 null and void. and,

WHEREAS, the Board did receive the following correspondence from County Auditor Janet Schuler:

Please make the following adjustment.

FROM	TO	AMOUNT
094.0094.539700	094.0094.539800	\$1715.49

then, please transfer these unused Flex Spending monies

FROM	To	AMOUNT
094.0094.539800	001.1100.400100	\$1715.49

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the above mentioned budget adjustment and transfer of funds for 2007 Flex Spending Fund as requested.

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Absent
Douglas A. Spencer

Ivo J. Kramer, Yes
Ivo J. Kramer

Cc: County Auditor

IN THE MATTER OF DECLARING RESOLUTION #08-088 DATED FEBRUARY 26, 2008 NULL AND VOID; AND AUTHORIZING A REIMBURSEMENT FROM THE KAH SANITARY SEWER FUND TO THE COUNTY GENERAL FUND.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Auditor has brought to the attention of the Board of County Commissioners that Resolution #08-088 dated February 26, 2008 is incorrect and should be voided.

THEREFORE, BE IT RESOLVED, pursuant to the County Auditor's request, the Board of County Commissioners does declare Resolution #08-088 dated February 26, 2008 null and void. and,

WHEREAS, the Board did receive the following correspondence from County Auditor Janet Schuler:

As you know at the time of the Kah Sanitary Sewer the County General Fund paid \$29,552.45 with the assurance that is money would be repaid to the General Fund.

Balance Due County February 26, 2008	\$ 19,208.69
Reimbursement for 2008	<u>1,477.68</u>
Balance remaining	17,731.01

Cash balance February 26, 2008 (before reimbursement)	15,320.77
--	-----------

Please make the following REIMBURSEMENT:

From 241.0241.540300 to 001.0700.401802 \$1,477.68

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

**From: 241-0241-540300 – Kah Sanitary Sewer – Other Expense
Amount: \$ 1,477.68
To: 001-0700-401802 – County General Fund – Reimb. from Other Fund**

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Absent
Douglas A. Spencer

Ivo J. Kramer, Yes
Ivo J. Kramer

Cc: County Auditor

IN THE MATTER OF DECLARING RESOLUTION #08-022 DATED JANUARY 10, 2008 NULL AND VOID; AND AUTHORIZING A BUDGET ADJUSTMENT WITHIN THE MUNICIPAL COURT PROJECT FUND; AND ALSO AUTHORIZING A REIMBURSEMENT FROM THE MUNICIPAL COURT PROJECT FUND TO THE COUNTY GENERAL FUND.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the County Auditor has brought to the attention of the Board of County Commissioners that Resolution #08-022 dated January 10, 2008 is incorrect and should be voided.

THEREFORE, BE IT RESOLVED, pursuant to the County Auditor's request, the Board of County Commissioners does declare Resolution #08-022 dated January 10, 2008 null and void. and,

WHEREAS, the Board did receive the following correspondence from Judge Gary Herman:

moved Upon request of the County Commissioners the Court orders the sum of \$124,309.00 ~~transferred~~ from the Court's special project fund to the salary account of the court to reimburse wages of the additional probation officer for 2007 and 2008.

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

From: 034-0034-535800 – Transfer Out
Amount: \$ 124,309.00
To: 034-0034-530900 – Other Expense and,

THEREFORE BE IT FURTHER RESOLVED that the Board does authorize the County Auditor to make the following reimbursement:

From: 034-0034-530900 – Municipal Court Project – Other Expense
Amount: \$ 124,309.00
To: 001-0700-401802 – County General Fund – Reimb. From Other Fund

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes

John N. Bergman

Absent _____
Douglas A. Spencer

Ivo J. Kramer, Yes

Ivo J. Kramer

Cc: County Auditor
 Municipal Court Judge

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONIES
CERTIFIED AND NOT APPROPRIATED IN THE REAL ESTATE ASSESSMENT FUND;**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, under the date of January 3, 2008, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and

WHEREAS, Janet Schuler did inform the Board that monies were certified and unappropriated in the fund. Therefore, the Board will amend the 2008 Annual Appropriation as follows:

Increase 014.0012.53603 by \$ 519,000.00

THEREFORE, BE IT RESOLVED that the Board of County Commissioners does order the 2008 Annual Appropriation Resolution be amended to show the change as tabulated above.

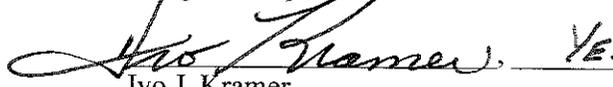
Mr. Bergman seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 9th day
of September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


John N. Bergman

Absent
Douglas A. Spencer


Ivo J. Kramer

Cc: County Auditor

County Commissioners' Office
Auglaize County, Ohio
September 9, 2008

No 08-342

IN THE MATTER OF AUTHORIZING A BUDGET ADJUSTMENT WITHIN THE JUVENILE PROBATION ACCOUNT.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman

Ivo Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board did receive the following correspondence from Juvenile Judge Mark E. Spees requesting a budget adjustment within the Juvenile Probation account.

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

**From: 001.0205.530400 Juvenile Equipment Fund
Amount: \$9,000.00
To: 001.0206.530700 Juvenile Travel fund**

Mr. 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 September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Absent _____
Douglas A. Spencer

Ivo Kramer, YES
Ivo Kramer

Cc: County Auditor
Juvenile Judge, Mark E. Spees

**IN THE MATTER OF CERTIFYING DELINQUENT SEWER BILLS TO THE COUNTY AUDITOR FOR
PLACEMENT ON THE PROPER REAL ESTATE TAX DUPLICATES; RATIFYING THE EXECUTION OF
SEWER DELINQUENCIES LISTING AS SUBMITTED BY THE SANITARY ENGINEER'S DEPT.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Sanitary Engineer's Secretary, Ronette Kill, informed the Board of County Commissioners that county property owners using county owned sewage treatment plants, have delinquent charges on their quarterly sewer bills; and,

WHEREAS, the County Prosecuting Attorney Ed Pierce advised the Board that it is necessary for said Board to certify these delinquent charges to the County Auditor for placement on the proper real estate tax duplicates for collection; and,

WHEREAS, a list showing these delinquencies was presented to the Board by the Auglaize County Sanitary Dept., along with a request for the delinquencies to be certified to the County Auditor for placement on real estate tax duplicates.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby ratify the execution of the Sewer Delinquencies assessments list by the President of the Board of County Commissioners, John N. Bergman; and,

BE IT FURTHER RESOLVED that this sewer delinquencies assessments list is hereby certified to the County Auditor for placement of said delinquencies on the proper real estate tax duplicates for collection.

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

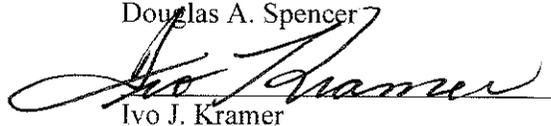
Adopted this
9th day of
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

 , YES
John N. Bergman

AGENDA

Douglas A. Spencer

 , YES
Ivo J. Kramer

attachment

cc: County Sanitary Engineer
County Auditor

DATE: September 5, 2008

FOR TAX YEAR: 2008

TOWNSHIP:
MUNICIPALITY Auglaize

SIGNATURE OF OFFICIAL:

ASSESSMENT NAME Sewer Delinquencies
ORDINANCE # _____

John N. Bergman
John N. Bergman, President
Title: Board of Auglaize County Commissioners

NAME	PARCEL I.D.	AMOUNT
Enderud, Lonnie	K31-103-008-00	Pleasantview \$284.05
Dripps, Timothy	L33-182-002-00	Arrowhead \$159.39
Kohrman, Michael	B05-192-003-00	Sherwood Forest \$213.67
Hawkey, Ronald	K31-171-035-00	Grand Lake \$217.92
Knutzen, Earl	K31-171-007-00	Grand Lake \$217.92
McKee, June	K31-017-007-00	Grand Lake \$210.99
Minnich, Mike	K31-171-001-00	Grand Lake \$217.92
Plattner, Raymon	K31-191-005-00	Grand Lake \$217.92
Townsend, Larry	K31-171-022-00	Grand Lake \$435.84
Everage, Matthew	K31-053-028-00	Sandy Beach \$221.82
Goodwin, William	K31-006-013-00	Sandy Beach \$188.32
Hollandsworth, Kris	K31-045-011-00	Sandy Beach \$188.32
Hussey, Douglas	K31-055-009-00	Sandy Beach \$188.32
McCauley, Lori	K31-058-014-00	Sandy Beach \$188.32
Mobley, Vivian	K31-049-001-00	Sandy Beach \$188.32
Cartwright, William	K31-037-037-01	Sandy Beach \$96.99

IN THE MATTER OF APPROVING CONTRACTS FOR CHILD CARE SERVICES BETWEEN THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND CHRISTINE LOCHARD, BARBARA MURRAY AND GLENDA PANGLE AS TYPE B CARE PROVIDERS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of September, 2008 with the following members present:

John N. Bergman Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Auglaize County Department of Job & Family Services presented the Board with contracts for child care services from the following as a Type B day care providers:

Christine Lochard – from September 1, 2008 to August 31, 2009

Barbara Murray – from September 1, 2008 to August 31, 2009

Glenda Pangle – from September 1, 2008 to August 31, 2009;

and,

WHEREAS, the Board was solicited to approve and execute said contracts.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the contracts, as presented, for effective dates as mentioned above, between Auglaize County Department of Job & Family Services and Christine Lochard, Barbara Murray and Glenda Pangle for child care services for said department; and,

BE IT FURTHER RESOLVED that the Board ratifies the execution of said contracts.

Mr. 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
September, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman . yes
John N. Bergman

AGENDA
Douglas A. Spencer

Ivo J. Kramer . YES
Ivo J. Kramer

Cc: County Job & Family Services Dept. –
Michael Morrow