

WEDNESDAY, JULY 29, 2015

THE BOARD OF DARKE COUNTY COMMISSIONERS MET IN REGULAR SESSION AT 1:30 P.M. WITH MEMBERS PRESENT: Commissioner Chairman Michael W. Rhoades and Vice Chairman Michael E. Stegall; Robin Blinn, Administrative Clerk/Secretary; Patty Harter, Asst. Clerk/Secretary; Erik Martin w/Daily Advocate; and DC Citizen Leon Rogers.

ABSENT: Comissioner Member Diane L. Delaplane

Mr. Stegall moved to approve the minutes from Monday, July 27, 2015; motion seconded by Mr. Rhoades and both voted YEA.

IN THE MATTER OF RESOLUTION (R-171-2015) EXAMINATION AND ALLOWANCE OF BILLS

County Bills Approved

It was moved by Mr. Stegall and seconded by Mr. Rhoades that the following resolution be adopted

The attached vouchers dated July 29, 2015 for County Bills, including any "Then & Now" Certificates, in the amount of the General Fund \$ 37,485.35; Outside General Funds \$ 115,591.12; for a Grand Total of \$ 153,076.47; are hereby approved for payment.

Michael W. Rhoades
Michael E. Stegall
absent
Board of Darke County Commissioners

IN THE MATTER OF RESOLUTION (R-172-2015) AWARDING FY2014 CHIP HOMEOWNER REHAB LOANS

The below listed resident(s) of Darke County have made proper application to the FY 2014 CHIP Rehab declining loan program; and they have qualified to receive a Ten Year Declining Balance Loan in the amounts indicated below, said Loans are thereby awarded as follows;

Pamela Oehrtman, 425 E Wood St, Versailles, Ohio 45380
Amount of \$38,050.00

** (NOTE: However, because of the possibility of change orders and lead based paint, the Grants Office may increase these amounts to \$45,000.00 for Rehab work and \$10,000 for safe lead based paint work, but in no case shall a loan exceed \$55,000)

Mr. Stegall moved the Resolution.

Mr. Rhoades seconded the resolution and all voted as follows:

both
All voted YEA.

Michael W. Rhoades
Michael W. Rhoades- Chairman
Michael E. Stegall
Michael E. Stegall- Vice-chairman
absent
Diane L. Delaplane- Member

DARKE COUNTY COMMISSIONERS

Robin Blinn
Robin Blinn, Adm. Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-173-2015) AWARDING FY 2014 CHIP REPAIR GRANTS

The below listed resident(s) of Darke County have made proper application to the FY 2014 CHIP Repair and Sewer grant program; and they are qualified to receive a grant in the amount(s) indicated below, said grants are thereby awarded;

Nicholas Chanos, 709 E Fourth St, Greenville, Ohio 45331
New Roof- \$10,012.00
Not to exceed \$12,000.00

Diana Sleppy, 519 Locust St, Greenville, Ohio 45331
New Roof-\$13,150.00
Not to exceed \$16,000.00

Mr. Stegall moved the Resolution.
Mr. Rhoades seconded the resolution and all voted as follows:
both
All voted YEA.

Michael W. Rhoades
Michael W. Rhoades -Chairman

Michael E. Stegall
Michael E. Stegall -Vice-Chairman

absent
Diane L. Deleplane - Member

DARKE COUNTY COMMISSIONERS

Robin Blinn
Robin Blinn, Clerk/Secretary

IN THE MATTER OF RESOLUTION (R-174-2015) FUND TRANSFER (DARKE Co. JOB & FAMILY SERVICES/CHILDREN SERVICE SUPPORT (JULY 2015))

WHEREAS, the Board of Darke County Commissioners met in "Regular Session" on December 31, 2014, and signed Resolution (R-323-2014), for approval of the 2015 Annual Appropriations; and

WHEREAS, per the Budget's Estimated Receipts and Appropriations; we therefore

RESOLVE, the following transfer needs to be made:

JFS (Children Services) - Support for July 2015

\$48,083.33 From: County Fund-#001-8070.591028 To: Child. Serv.-#151-5101.491000

Mr. Stegall moved the resolution; and Mr. Rhoades
seconded the resolution and ALL voted as follows:

Michael W. Rhoades YEA

Michael E. Stegall YEA

absent YEA
Board of Darke County Commissioners

Robin R. Blinn
Robin R. Blinn
Administrative Clerk/Secretary

IN THE MATTER OF CERTIFICATE OF APPOINTMENT FOR FULL-TIME RESIDENTIAL COUNSELOR FOR MICHAELS RESOURCE TREATMENT CENTER

Mr. Stegall moved to approve the following 'Appointment'; motion seconded by Mr. Rhoades and both voted YEA.

Certificate of Appointment (cont.)

TO: DARKE COUNTY AUDITOR'S OFFICE
PAYROLL DEPARTMENT

I hereby certify that I have this day appointed Caitlin Kelly to the

position of Full-Time Residential Counselor, in my Office of County
(DEPUTY-CLERK-ETC.)
Michael's Resource Treatment Center, at a salary of \$ 14.00 per hour.

Said appointment is to take effect 8/10/15, and the said salary to be
paid bi-weekly from the County Treasury, upon the warrant of the County
(MONTHLY-BI-WEEKLY)
Auditor.

Said employee has credited to their account _____ days of accumulated sick leave from
prior political sub-division employment with _____

(POLITICAL SUB-DIVISION)
WITNESS MY HAND AND OFFICIAL SEAL THIS 27th DAY OF July
2015.

SIGNED Gracie G. Overholser
Gracie G. Overholser
TITLE Director

Date: 7-27-15

IF CIVIL SERVICE EMPLOYEE, COMPLETE THE FOLLOWING:

APPROVED BY: Michael D. Rhoades
Michael Stegall
Board of Commissioners
Darke County

IN THE MATTER OF PERSONNEL ACTION FOR DARKE COUNTY JOB & FAMILY SERVICES

Mr. Stegall moved to approve the following 'Personnel Action'; motion seconded by Mr. Rhoades and both voted YEA.

NAME	LAST	FIRST	M.I.
FROM:	Zumbrink	Diana	
	LAST	FIRST	M.I.
EFFECTIVE DATE			
MO	DAY	YR	
08	10	2015	
FROM: Unit Support Worker 2			
<input checked="" type="checkbox"/> 1 FULL TIME PERMANENT			

1. Michael D. Rhoades
 ALL ITEMS ON PRE-HIRE FORM HAVE BEEN COMPLETED

2. Michael Stegall

3. absent 7/27/15

APPROVAL OF APPOINTING AUTHORITY	SIGNATURE	DATE
Darke County Commissioners	<u>Gracie G. Overholser</u>	<u>7-27-15</u>
SIGNATURE OF RELEASING AUTHORITY		DATE
<u>Gracie G. Overholser, Director</u>		

IN THE MATTER OF AUTHORIZATION OF MEETING EXPENSES (DARKE CO. PROSECUTING ATTY.)

Mr. Stegall moved to approve the following request; motion seconded by Mr. Rhoades and both voted YEA.

#001-1300.532000 (RECOMMENDED)
Attending: Sexual Assault Advocate Training/August 17 & 18, 2015/Celina, OH/Shelly Haber
Transportation: \$51.20/Estimated total for meeting: \$51.20

IN THE MATTER OF MOTIONS FOR APPROVING "NOTICE OF AWARD", "STANDARD FORM OF AGREEMENT" AND "NOTICE OF COMMENCEMENT" WITH TOM'S CONSTRUCTION, INC., OF ST HENRY, OHIO, FOR PROJECT KNOWN AS BASE BID 'A' - DARKE COUNTY JAIL AND COUNTY HOME SEWER EXTENSION

Mr. Stegall moved to approve the signing of the following "Notices" etc.; motion seconded by Mr. Rhoades and both voted YEA.

Dated July 29, 2015

TO: Toms Construction Inc.
(BIDDER)

821 Cooper Drive, St. Henry Ohio 45883
(Address)

CONTRACTOR FOR:

You are notified that your Bid dated May 20, 2015 for the above Contract has been considered. You are the apparent Successful BIDDER and have been awarded a Contract for: Base Bid "A" -

Jail and Darke County Home Sewer Extension
(Indicate total Work, alternates or sections or Work awarded)

The Contract Price of your Contract is Six Hundred Forty Six Thousand Eight Hundred and Sixty Five Dollars (\$646,865.00).

Three copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award. No sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within fifteen days of the date of this Notice of Award, that is by August 15, 2015

1. You must deliver to the OWNER three(3) fully executed counterparts of the Contract Documents. Each of the Contract Documents must bear your signature on page A-8.
2. You must deliver with the executed Contract Documents the Contract Security (Bond) as specified in the Instructions to Bidders (ARTICLE 20), General Conditions (paragraph 5.01).

Failure to comply with these conditions within the time specified will entitle OWNER to consider your Bid in default, to annul this Notice of Award and to declare your Bid Security forfeited.

Within ten days after you comply with the above conditions, OWNER will return to you one fully executed counterpart of the Contract Documents.

Darke County Commissioners

By: Michael W. Rhoades
(Authorized Signature)

Chairman
(Title)

By: Michael Edwards
(Authorized Signature)

Vice Chairman
(Title)

By: Absent
(Authorized Signature)

(Title)

**EJCDC
STANDARD FORM OF AGREEMENT
BETWEEN OWNER AND CONTRACTOR
ON THE BASIS OF A STIPULATED PRICE**

THIS AGREEMENT is by and between Darke County Commissioners

(hereinafter called OWNER and Tom's Construction Inc.

(hereinafter called CONTRACTOR).

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 - WORK

1.01 CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The construction of Darke County Jail and County Home Sewer Extension as detailed in the plans and specifications dated March, 2015 along with all addendums. This is a contract for Base Bid "A" as bid on May 20, 2015 at the Darke County Commissioners Office.

ARTICLE 2 - THE PROJECT

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

Agreement (cont.)

The construction of Darke County Jail and County Home Sewer Extension as detailed in the plans and specifications dated March, 2015 along with all addendums. This is a contract for Base Bid "A" as bid on May 20, 2015 at the Darke County Commissioners Office.

ARTICLE -- 3 ENGINEER

3.01 The Project has been designed by

Access Engineering Solutions, LLC

Who is hereinafter called ENGINEER and who is to act as OWNER's representative, assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 - CONTRACT TIMES

4.01 Time of the Essence

A. All time limits for Milestone, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 Dates for Substantial Completion and Final Payment

A. Bidder agrees that the Work will be substantially complete by June 1, 2016. Contractor shall be completed and ready for final payment by July 1, 2016..

4.03 Liquidated Damages

A. CONTRACTOR shall pay OWNER the amount of \$250 for each day that expires after the time specified in paragraph 4.02 for completion and readiness for final payment until the Work is completed and ready for final payment.

ARTICLE 5 - CONTRACT PRICE

5.01 OWNER shall pay CONTRACTOR for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to paragraphs 5.01. A

A. For all Unit Price Work, and amount equal to the sum of the established unit price for each separately identified item of Unit price as detailed on Attachment "A". Work times the estimated quantity of that item as indicated in this paragraph 5.01. A:

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

A. CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

6.02 Progress Payment; Retainage

A. OWNER shall make progress payments on account of the Contract Price on the basis of CONTRACTOR's Applications for Payment on or about the 25th day of each month during performance of the Work as provided in paragraphs 6.02.A.2 below. All such payments will be measured by the schedule of values established in paragraph 2.07.A of the General; Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:

(ARTICLE 7 THRU 10 CAN BE SEEN IN FULL IN THE 2015 CONTRACT AND/OR DARKE CO. SOUTH INDUSTRIAL WAY FILE)

This Agreement will be effective on July 29, 2015 (which is the Effective Date of the Agreement).

OWNER:

CONTRACTOR:

Darke County Commissioners

Tonis Construction, Inc

By: Michael W. Reed

By: T-L

Attest: Robin Blinn

Attest: Clayton Kaul

Address for giving notices:

Address for giving notices:

520 S. Broadway
Greenville, OH 45331

821 Cooper Drive
St. Henry, OH 45883

Designated Representative:

Name: Chris Canary

Title: Project Manager

Address: 821 Cooper Drive
St. Henry, OH 45883

Phone: 419-678-2457

Fax: 419-678-2293

**DOCUMENT 00514
NOTICE OF COMMENCEMENT FOR
PUBLIC IMPROVEMENT
SECTION 1311.252 OHIO REVISED CODE**

Notice is hereby given by the undersigned public authority that construction will commence for the following public improvement.

1. The public improvement is identified as:

Name: Base Bid "A" -Darke County Jail & County Home Sewer Extension

Location: Darke County, Ohio

Project Number: 214801.01

2. The public authority's name and address:

Darke County Board of Commissioners

520 South Broadway

Greenville, Ohio 45331

3. The name and address of all principle contractors involved with the public improvement, and the trade of each principal contractor:

Principal Contractors Trade

Tom's Construction Inc General (Base Bid)

821 Cooper Drive

St. Henry, Ohio 45883

4. The name and address of the sureties for all principal contractors involved with the public improvement:

Surety Principal Contractor

The Cincinnati Insurance Co. Tom's Construction Inc.

6200 S. Gilmore Rd.

Fairfield, Ohio 45014

5. The name and address of the public authority's representative for the purposes of being served and affidavit pursuant to Section 1311.26 of the Revised Code.

Michael J. Alward
Michael Alward

Public Authority

By: Michael Alward

Title: Chairman

State of Ohio,
County of Darke:

Signed and sworn to before me this 29th day of July, 2015.

Robert Blum
Notary Public

IN THE MATTER OF PAY INS

Pay In#080760	Received of Commissioners	WAGC-Sales & Use Tax Refund /Vectren	\$64.56
Pay In#080788	Received of Commissioners	County-3 rd qtr. 2015 (Butler Twp.)	\$300.00

IN THE MATTER OF PUBLIC ATTENDEES COMMENTS/QUESTIONS

**None

MR. STEGALL MOVED TO ADJOURN; SECONDED BY MR. RHOADES AND BOTH VOTED YEA. THE MEETING WAS ADJOURNED AT 1:40 P.M.

MICHAEL W. RHOADES

ROBIN R. BLINN, ADMINISTRATIVE CLERK/SECY.

MICHAEL E. STEGALL

PATRICIA S. HARTER, ASSISTANT CLERK/SECY.

ABSENT
DIANE L. DELAPLANE,
DARKE COUNTY BOARD
OF COMMISSIONERS

IN THE MATTER OF FURTHER DISCUSSION BY THE BOARD

**Commissioners Rhoades & Stegall, along with Adm. Clerk/Secy. Robin Blinn, met with County Treasurer Scott Zumbrink for the 3rd Quarterly Investment Advisory meeting.

**Commissioners Rhoades & Stegall met with Gary Orr, of Energy Systems Group, regarding energy efficiency for the county.