

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

# Resolution

Number 18-0654

Adopted Date April 17, 2018

HIRE HOLLIE GORDLEY AS AN ELIGIBILITY REFERRAL SPECIALIST II, WITHIN THE WARREN COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, HUMAN SERVICES DIVISION

BE IT RESOLVED, to hire Hollie Gordley as an Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division, full-time, 40 hours per week, Pay Grade 6, \$15.07 per hour, under the Warren County Job and Family Service, Human Services compensation plan, effective May 7, 2018, subject to a negative background check, negative drug screen and a 365-day probationary period; and

BE IT FURTHER RESOLVED, Ms. Gordley will not receive the typical three percent (3%) increase upon completion of probation.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea

Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Human Services (file)  
Hollie Gordley's Personnel file  
OMB – Sue Spencer

# Resolution

Number 18-0655

Adopted Date April 17, 2018

## APPROVE HIRING TEMPORARY EMPLOYEE FOR THE WATER AND SEWER DEPARTMENT

WHEREAS, in order to accomplish the seasonal maintenance of the water and sewer facilities, there is a need within the Water and Sewer Department to hire temporary employees; and

NOW THEREFORE BE IT RESOLVED, to hire the following employee within the Water and Sewer Department, for approximately twelve weeks;

Michael Seagraves, as temporary General Laborer, Temporary Rate of \$10.00/hour, full-time, temporary, subject to a negative drug screen and a background (BCI) check

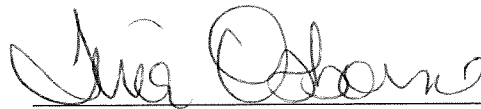
BE IT FURTHER RESOLVED, that a condition of said employment is that all persons hired under this resolution acknowledge that they will be in an "on-call" status from day-to-day, at the discretion of the departmental supervisor and will make themselves available upon call.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Water/Sewer (file)  
Personnel Files  
OMB – Sue Spencer

# Resolution

Number 18-0656

Adopted Date April 17, 2018

SET PUBLIC HEARING TO CONSIDER TEXT AND MAP AMENDMENTS TO THE  
WARREN COUNTY AIRPORT ZONING REGULATIONS

BE IT RESOLVED, to set the public hearing to consider text and map amendments to the  
Warren County Airport Zoning Regulations; said public hearing to be held May 29, 2018, at 9:00  
a.m. in the Commissioners' Meeting Room, 406 Justice Drive, Lebanon, Ohio; and

BE IT FURTHER RESOLVED, to advertise notice thereof in a newspaper of general circulation,  
at least 30 days prior to said public hearing.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon  
call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea

Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

/to

cc: RPC  
RZC (file)  
Text Amendment file  
Bruce McGary  
Township Trustees  
City of Lebanon  
Airport Authority (Al Wolfson & Doug Koenig)

# Resolution

Number 18-0657

Adopted Date April 17, 2018

ENTER INTO CONTRACT WITH R.B. JERGENS CONTRACTORS, INC. FOR THE STATE ROUTE 741 ROAD IMPROVEMENTS ALONG THE ESTATES OF KEEVER CREEK SUBDIVISION FRONTAGE IN TURTLECREEK TOWNSHIP

WHEREAS, pursuant to Resolution #18-0584, adopted April 3, 2018, this Board approved a Notice of Intent to Award Contract for the State Route 741 Road Improvements along The Estates of Keever Creek Subdivision Frontage in Turtlecreek Township to R.B. Jergens Contractors, Inc., for the Base Bid & Alternate B, for a total bid price of \$511,017.90; and

WHEREAS, all documentation, including performance bonds, insurance certificates, etc., has been submitted by the contractor; and

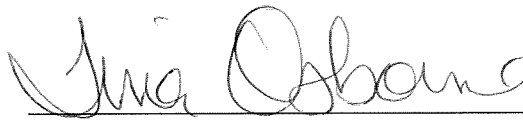
NOW THEREFORE BE IT RESOLVED, to enter into contract with R.B. Jergens Contractors, Inc., 11418 North Dixie Drive, Vandalia, Ohio, for the Base Bid & Alternate B, for a total contract price of \$511,017.90; as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

EH\

cc: c/a—R.B. Jergens Contractors, Inc.  
Engineer (file)  
OMB Bid file

## CONTRACT

**THIS AGREEMENT**, made this 17 day of April, 2018, with the Warren County Board of Commissioners, 406 Justice Drive, Lebanon, Ohio hereinafter called "Owner" and R.B. Jergens Contractors, Inc., 11418 North Dixie Drive, Vandalia, Ohio, doing businesses as (an individual, partner, a corporation) hereinafter called "Contractor."

**WITNESSETH:** That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Owner, the Contractor hereby agrees with the Owner to commence and complete the construction described as follows:

**State Route 741 Road Improvements along the Estates of Keever Creek Subdivision Frontage in Turtlecreek Township, Total Base Bid & Alternate B**

hereinafter called the project, for the sum of \$511,017.90 (Five hundred and eleven thousand and seventeen dollars and ninety cents) and all work in connection therewith, under the terms as stated in the Conditions of the Contract; and as his/her (its or their) own proper cost and expense furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor insurance, and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the Proposal, Conditions of the Contract, the Specifications and Contract Documents. "Contract Documents" means and includes the following:

- Proposal Price (Bid) Sheet
- Exception Sheet
- Bidder Identification
- A) Invitation to Bidders
- B) General Instruction to Bidders
- C) Noncollusion Affidavit
- D) Bid Guaranty & Contract Bond
- E) Performance Bond
- F) Contract
- G) Bonding & Insurance Requirements
- H) Experience Statement
- I) Affidavit of Non-Delinquency of Real and/or Personal Property Tax
- J) Equal Employment Opportunity Requirements, Bid Conditions and Non-discrimination and Equal Employment Opportunity Affidavit
- K) Findings for Recovery Affidavit Wage Rate Determination
- L) Wage Rate Determination
- M) Special Provision/Technical Specifications

The CONTRACTOR hereby agrees to commence work on a date agreed upon by the Contractor and Engineer allowing for a Date of Substantial Completion of November 30, 2018 and all work being Substantially Complete no more than Eight (8) weeks (56 Calendar Days) after any work impacting motorists on SR 741 has commenced. The Contractor further agrees to pay, as liquidated damages, the sum of \$600.00 for each consecutive calendar day thereafter.

This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement. The nonperforming party shall have fifteen calendar days from the date of the termination notice to cure or to submit a plan for cure acceptable to the other party.

OWNER may terminate or suspend performance of this Agreement for OWNER'S convenience upon a written notice to CONTRACTOR. CONTRACTOR shall terminate or suspend performance of the services/work on a schedule acceptable to OWNER.

The CONTRACTOR will indemnify and save the OWNER, their officers and employees, harmless from loss, expenses, costs, reasonable attorneys fees, litigation expenses, suits at law or in equity, causes of action, actions, damages, and obligations arising from (a) negligent, reckless or willful and wanton acts, errors or omissions by CONTRACTOR, its agents, employees, licensees, consultants or subconsultants; (b) the failure of the CONTRACTOR, its agents, employees, licensees, consultants or subconsultants to observe the applicable standard of care providing services pursuant to this agreement; (c) the intentional misconduct of the CONTRACTOR, its agents, employees, licensees, consultants or subconsultants that result in injury to persons or damage to property for which the OWNER may be held legally liable.

The CONTRACTOR does hereby agree to indemnify and hold the OWNER harmless for any and all sums for which the OWNER may be required to pay or for which the OWNER may be held responsible for failure of the CONTRACTOR or any subcontractor to pay the prevailing wage upon this project.

The OWNER agrees to pay the CONTRACTOR in the manner and at such times as set forth in the General Provisions such amounts as required by the Contract Documents.

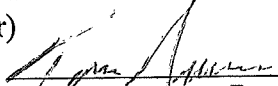
This CONTRACT shall be construed under the laws of the State of Ohio, and the parties hereby stipulate to the venue for any and all claims, disputes, interpretations, litigation of any kind arising out of this Contract being exclusively in the Warren County, Ohio Court of Common Pleas (unless both parties mutually agree in writing to alternate dispute resolution), as well as waiving any right to bring or remove such matters in or to any other state or federal court.

This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

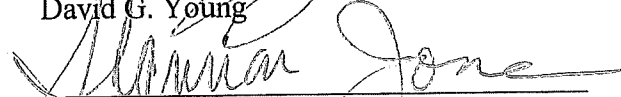
Contractor shall bind every subcontractor to, and every subcontractor must agree to be bound by the terms of, this Agreement, as far as applicable to the subcontractor's work particularly pertaining to Prevailing Wages and EEO requirements. Nothing contained in this Agreement shall create any contractual relationship between any subcontractor and Owner, nor create any obligations on the part of the Owner to pay or see to the payment of any sums to any subcontractor.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in two counterparts, each of which shall be deemed an original on the date first above written.

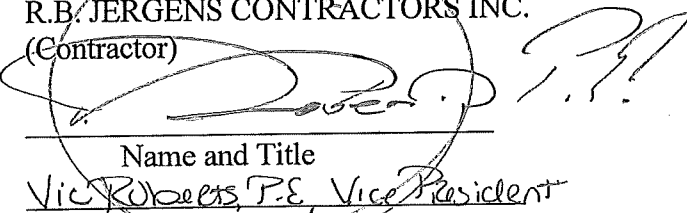
**WARREN COUNTY BOARD OF COMMISSIONERS**  
(Owner)

  
\_\_\_\_\_  
Tom Grossmann, President


  
\_\_\_\_\_  
David G. Young

  
\_\_\_\_\_  
Shannon Jones

R.B. JERGENS CONTRACTORS INC.  
(Contractor)

By:   
\_\_\_\_\_  
Name and Title  
Vic Roberts, P.E., Vice President

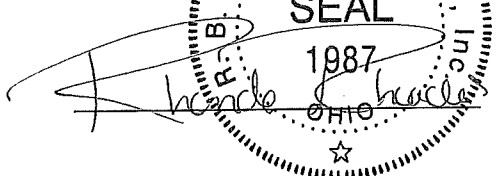
ATTEST:

  
\_\_\_\_\_  
Name

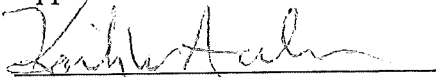
(Seal)

ATTEST:



  
\_\_\_\_\_  
Linda Charles

Approved as to Form:

  
\_\_\_\_\_  
Assistant Prosecutor

*BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO*

# Resolution

Number 18-0658

Adopted Date April 17, 2018

## ACKNOWLEDGE PAYMENT OF BILLS

BE IT RESOLVED, to acknowledge payment of bills as submitted on batches #04/12/2018 #001, #04/12/2018 #002, #04/12/2018 003 and #04/12/2018 #004; said batches are attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea

Mrs. Jones – yea


Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

kh

cc: Auditor 

# Resolution

Number 18-0659

Adopted Date April 17, 2018

## APPROVE VARIOUS REFUNDS

BE IT RESOLVED, to approve various refunds, as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea

Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor VP  
Refunds file



# Resolution

Number 18-0660

Adopted Date April 17, 2018

APPROVE OPERATIONAL TRANSFER FROM COMMISSIONERS FUND #101-1112 INTO CHILDREN SERVICES FUND #273

WHEREAS, the Warren County Children Services has requested that the first and second quarters of their 2018 local share be transferred into the Children Services Fund #273; and

NOW THEREFORE BE IT RESOLVED, to approve the following operational transfer:

\$1,662,748.50 from #101-1112-749-9000 (Commissioners Grants - Children Services)  
into #273-9000-999 (Children Services - Operating Transfers)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:


Mr. Grossmann – yea  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor   
Operational Transfer file  
Children Services (file)  
OMB

# Resolution

Number 18-0661

Adopted Date April 17, 2018

APPROVE APPROPRIATION ADJUSTMENTS FROM COMMISSIONERS GENERAL FUND #101-1110 INTO COMMON PLEAS COMMUNITY CORRECTIONS FUND #101-1224

BE IT RESOLVED, to approve the following appropriation adjustments from Commissioners Fund #101-1110 into Common Pleas Community Corrections Fund #101-1224 in order to process a vacation leave payout for Trevor Porginski former employee of Common Pleas Community Corrections:

\$ 1,072.34      from    #101-1110-882            (Commissioners - Vacation Leave Payout)  
                         into    #101-1224-882            (CP, Community Corrections – Vac. Leave Payout)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea

Mr. Young – yea


Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor   
Appropriation Adjustment file  
Common Pleas (file)  
Community Corrections (file)  
OMB

# Resolution

Number 18-0662

Adopted Date April 17, 2018

APPROVE APPROPRIATION ADJUSTMENT WITHIN BUILDING AND ZONING  
DEPARTMENT FUND #101-2300

BE IT RESOLVED, to approve the following appropriation adjustment:

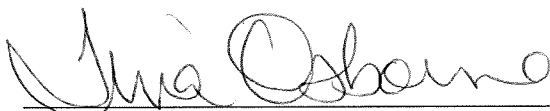
984.00	from	#101-2300-910	(Other Expense)
	into	#101-2300-317	(Capital Purchases under \$10,000)

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:


Mr. Grossmann – yea  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor   
Appropriation Adj. file  
Building/Zoning (file)  
OMB

# Resolution

Number 18-0663

Adopted Date January 23, 2018

## AUTHORIZE PAYMENT OF BILLS

BE IT RESOLVED, to authorize payment of bills as submitted on Batches #04/17/2018 001, #04/17/2018 002, #04/17/2018 003, #04/17/2018 004, #04/17/2018 005, #04/17/2018 006, and #04/17/2018 007; said batches attached hereto and made a part hereof.

Mr. Young moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:


Mrs. Jones – yea  
Mr. Grossmann – yea  
Mr. Young – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS



Tina Osborne, Clerk

cc: Auditor 

# Resolution

Number 18-0664

Adopted Date April 17, 2018

ENTER INTO AN AGREEMENT WITH JOSEPH DAVIS, "SELLER" FOR THE PURCHASE OF REAL PROPERTY FOR A PERMANENT RIGHT-OF-WAY EASEMENT IN CONNECTION WITH THE STATE ROUTE 741 ROAD ASSESSMENT PROJECT SUBJECT TO ADDENDUM FOR ESCROW OF FUNDS

WHEREAS, in order to improve the public safety of State Route 741, it is necessary to widen State Route 741 to construct a left turn lane into the Estates of Keever Creek. In order to do this work it is necessary to purchase real property as a permanent right-of-way from Joseph Davis, "Seller"; and

WHEREAS, the land for the permanent right-of-way is as follows:

Permanent Right-of-Way – Parcel 2 WD .316 acre

WHEREAS, the negotiated price for the permanent right-of-way is \$7,000.00; and

WHEREAS this Board desires an addendum which stipulates funds be placed in escrow until such time that a subordination agreement is in place with the mortgage holders of said property; and

NOW THEREFORE BE IT RESOLVED, to enter into a purchase agreement with Joseph Davis for the purchase of real property for a permanent right-of-way in connection with the widening of State Route 741 to construct a left turn lane into the Estates of Keever Creek for the sum of \$7,000.00, subject to an escrow addendum; and

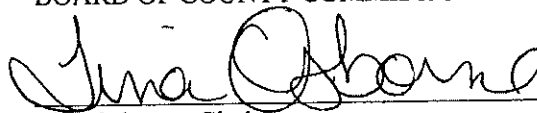
BE IT FURTHER RESOLVED to authorize the County Administrator to sign said agreement, as attached hereto and made a part hereof.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Young. Upon call of the roll, the following vote resulted:

Mr. Grossmann – yea  
Mr. Young – yea  
Mrs. Jones – yea

Resolution adopted this 17<sup>th</sup> day of April 2018.

BOARD OF COUNTY COMMISSIONERS

  
Tina Osborne, Clerk

cc: c/a – Davis, Joseph  
Engineer (file)  
Easement file  
Recorder (certified)  
Project file