



# RESOLUTION 23-2022

## OF THE VILLAGE OF ASHVILLE

### A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE CONTRACTS FOR RESIDENTIAL AND COMMERCIAL BUILDING SERVICES AND DECLARING AN EMERGENCY.



WHEREAS, THE VILLAGE OF ASHVILLE, OHIO is responsible for providing residential and commercial building services; and

WHEREAS, Toole and Associates is qualified to offer contracted residential and commercial building inspection services; and

WHEREAS, engaging the services of Toole and Associates will meet those municipality responsibilities; NOW THEREFORE

BE IT RESOLVED BY THE VILLAGE OF ASHVILLE, OHIO:

#### SECTION ONE

The Mayor or Village Administrator is hereby authorized to contract for commercial and residential building, Exhibit A.

#### SECTION TWO

Funding for this agreement will be out of 1000-410-399-0000.

#### SECTION THREE

That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Village and its inhabitants for the reason that there exists an imperative necessity for the earliest passage of this resolution to meet the obligations of the Village and will go into effect immediately upon its passage by Council.

Therefore, this resolution will take immediately upon its passage.

Offered by: Nelson R. Embrey  
Seconded to the Motion Offered by: Roger L. Clark

Upon roll call on the adoption of the resolution, the vote was as follow:

Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No	Council Member	Yes	No
Roger L. Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nelson R. Embrey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Randy S. Loveless	<input checked="" type="checkbox"/>	<input type="checkbox"/>	R. David Rainey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Matt Scholl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Steve Welsh	<input type="checkbox"/>	<input type="checkbox"/>

Abstained

THIS 20<sup>TH</sup> DAY OF DECEMBER, 2022.

ATTEST:

DATE: 1/10/2023

April D. Grube, Clerk-Fiscal Officer

APPROVED:

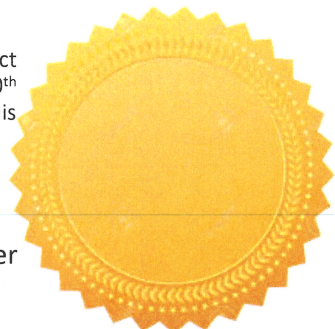
DATE: 10 JAN 2022

Charles K. Wise, Mayor

Prepared: 10/13/2022  
Revised Date:  
Review Date:

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Village of Ashville Council held on 20<sup>th</sup> day of December 2022, and that I am duly authorized to execute this certificate.



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Clerk-Fiscal Officer  
(TITLE)

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(Original signature of April D. Grube)

# Toole & Associates



September 6, 2022

Mr. Franklin Christman  
Village of Ashville  
200 East Station Street  
Ashville, OH 43103-1035

**Re: 2023 Contract for Building Department Service**

Dear Mr. Christman:

Enclosed please find your 2023 Toole & Associates Building Department Contract. We are sending contracts in early September 2022 so they can be completed prior to yearend. Please review and sign both copies and return both in the provided envelope. Upon receipt we will sign our copy and send back with proof of our professional liability insurance and Workers' Compensation Insurance.

Please note we all contracts need finalized by December 31, 2022, for continued service in 2023. Please contact us should you have any questions or concerns.

Thank you for your continued trust in our services; we look forward to working with your department in the following year.

Sincerely,

William R. Toole, CBO  
Principal



September 6, 2022

Mr. Franklin Christman  
Village of Ashville  
200 East Station Street  
Ashville, OH 43103-1035

**Re: Contract for Residential and Nonresidential Building Department Services**

Dear Mr. Christman,

We are pleased to submit this proposal for residential and commercial building department services to The Village of Ashville. We propose to provide the following services to Village for the period January 1, 2023 through December 31, 2023.

1. **Chief Building Official/Residential Building Official:** The Chief Building Official shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Chief Building Official is responsible for building department administration. The Building Official shall issue Certificates of Plan Approval for Construction, Certificates of Occupancy, and all other orders as may be necessary for enforcement of the OBC. The Chief Building Official oversees all reports required by the State.
2. **Plans Examiner/Residential Plans Examiner:** The Plans Examiner shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The primary responsibility of the Plans Examiner is to review residential and commercial building plans and specifications for compliance with the provisions of the OBC and issue a detailed plan review as directed by the OBC.
3. **Building Inspector/Residential Building Inspector:** The Building Inspector shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Building Inspector is responsible for structural and mechanical inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards. We offer individuals who have multiple residential and commercial certifications which allows for more latitude for the time convenience of the applicant.
4. **Electrical Inspector:** The Electrical Inspector shall have and maintain all Ohio certifications in accordance with the Ohio Building Code (OBC). The Electrical Inspector is responsible for electrical inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards.
5. **Plumbing Inspector:** The Plumbing Inspector shall have and maintain all Ohio certification in accordance with the Ohio Building Code (OBC). The Plumbing Inspector is responsible for plumbing inspections, investigation and determination of conformance and compliance with all current Ohio building codes and standards.



6. **Walk Thru Plan Review:** Toole & Associates will provide walk thru plan review for those projects deemed necessary by the Chief Building Official and Plans Examiner. Projects of greater complexity that may require extensive coordination between all parties are those seen as having a use for such services. Walk thru plan review is scheduled with the Chief Building Official and Plans Examiner and generally occur in the offices of Toole & Associates. Depending on the scope of the project there may or may not be issued a plan review at the time of the walk thru.
7. **Plan Review:** It is the goal of Toole & Associates to provide timely plan review to all applicants equally. The Village of Ashville shall forward the plans to Toole & Associates offices via UPS or local courier. We make every effort to complete commercial plan review within 10 working days of receipt of application in our office and residential plan review within 3 working days. Upon completion we will return the review to the building department either via local courier or UPS. Toole & Associates is required by the Ohio Board of Building Standards to complete all plan review in the order received and acknowledges we have up to 30 days after an application has been made to issue our review.
8. **Professional Liability Insurance:** Toole & Associates shall carry Professional Liability Insurance in the base amount of \$1,000,000. The amount of recoverable damages for any error or omission or negligence by Toole & Associates shall be limited to a maximum of the annual fees paid to Toole & Associates by the Village of Ashville for that year. Each party agrees to waive claims for inconsequential damages.
9. **Monthly Invoices:** Invoices are provided monthly by the 10<sup>th</sup> of the following month for all services performed. The Village shall review each invoice and authorize payment within thirty calendar days. Questions regarding items invoiced shall be resolved within fifteen calendar days of invoice receipt, and a replacement invoice will be submitted if required.
10. **Duration of Agreement:** This agreement shall be in effect for a period of one year. Each September moving forward Toole & Associates will provide the Village of Ashville with an updated contract for the following year that shall go in effect January 1. No services can be provided without a current contract. Adjustments in labor and/or expense rates may only be made at the time of renewal. Should either the Village of Ashville or Toole & Associates chose to end the contract a minimum of 30 days' notice in writing is required.
11. This Agreement shall be construed and enforced under the laws of the State of Ohio, Franklin County. Each provision of this Agreement shall be separable. If any provision of this Agreement is found to be void or unenforceable, the balance of the Agreement shall remain in full force and effect.

Resolution 23-2022

12. Rates: The current rates for 2023 are listed below:

Chief Building Official Services:	\$100.00 / Hour	
Residential Plan Review – New Build	\$120.00/Per Plan	
Residential Plan Review – Additions/Alterations	\$ 70.00/Per Plan	
Plans Examiner Commercial:	\$ 85.00 / Hour	
Inspection Services:	\$ 60.00 / Hour	
Certificate of Occupancy Issuance	\$ 45.00 each	
Year End BBS Report	\$100.00	
Direct Expenses:		
Mileage (Rate directed by IRS adjusted as they do) for CBO Services	\$0.585 (IRS)	
Postage and delivery	Actual Cost + 20%	
Copying and reproduction (as necessary)	Actual Cost + 20%	

Village of Ashville 2023 Contract Agreement:

We very much appreciate the opportunity to provide residential and commercial building department services to the Village of Ashville.

Sincerely yours in safety,

**Toole & Associates, LLC**

\_\_\_\_\_  
William R. Toole, CBO  
Principal

We agree as to the terms and conditions as set forth above. This Agreement is entered the

\_\_\_\_\_ day of \_\_\_\_\_, 2022. This agreement is in effect for the period of

January 1, 2023 to December 31, 2023.

For Village of Ashville:

Approved as to form:

  
\_\_\_\_\_  
Franklin Christman, Village Administrator

\_\_\_\_\_  
Aaron M. Glasgow, Solicitor/Law Director