

Ohio School Facilities Commission
February 28, 2008
William McKinley Room 1:30 PM

MINUTES

The meeting was called to order at 1:32 PM.

Roll Call

Members present: Madam Chair Sabety, Vice Chair Hugh Quill, Dr. Steve Puckett, Senator Larry Mumper, Senator Tom Roberts, Representative Clyde Evans and Representative Matt Szollosi.

1. Adoption of the January 24, 2008 Meeting Minutes
Vice Chair Quill moved to approve the January 24, 2007 meeting minutes.
Dr. Puckett seconded the motion.
Approval: Vote 3-0.

2. Executive Director's Report – Presented by Eric Bode
In the absence of Director Shoemaker Eric Bode presented the Executive Director Report. Eric Bode updated the Commission members on the following: dedications; construction process; construction managers; legislative issues; district projects; Ohio School for the Blind and Deaf updates; school visits, special meetings and Dayton City School District - Stivers dedication with 1,500 people present. Eric Bode mentioned that elections were coming up next week and in particular there were 34 school district bond issues on the ballot. Most of the issues were for participation with one of our programs. There are currently 26 school districts that have been offered funding and they have not yet been able to raise their funds. Of these 26 school districts, 20 are on the ballot in March and we wish them luck. The Commission will be updated when those results come in.

Eric Bode introduced two management appointments: Steve Berezansky was named Chief of Projects. Steve has been with the OSFC for seven years, starting as a project administrator and most recently holding the position of Deputy Chief of Projects and Interim Chief of Projects. His career included service in the U.S. naval Reserve, Construction Battalion, and he holds a Bachelor of Science degree in Civil Engineering Technology from the University of Pittsburgh. As Chief of Projects, Steve will oversee the delivery of the design and construction portion of the state's school construction agency. Michael Mendenhall was named Deputy Chief of Projects. Mike brings experience in both public agency construction and school district facilities management. Mike has spent the past four years as a construction administrator with the Ohio Department of Youth Services. He previously served as Administrator of Operations and maintenance for the Chillicothe City School District.

Cheryl Lyman gave an update on the collaboration with eTech on planning for technology in our school construction program.

Elaine Barnes, OSFC Administrator of Energy and Environment, provided an update on LEED questions from last months Commission meeting and reminded the Commission that there will be a full report at the next Commission meeting.

1) Implementation plan for Resolution 07-124

- Spring 2007 – OSFC study of district acceptance of LEED yielded statistics that encouraged adoption of LEED-Silver as the standard for all OSFC funded new buildings and major renovations.
- Sept 27th, 2007 – Commission adopted Resolution 07-124, with focus on Energy and Atmosphere credits to achieve operations savings and long-term performance of buildings.
- October 2007 – Five “Planning Your School Building Project” workshops were held in across state for school district personnel, consultants, and community members. One primary focus of the workshops was to explain and encourage feedback about the green schools initiative.
- November 2007 – Convened meeting with the Office of Budget Management, the Governor’s Energy Advisor and other financial experts to investigate new financing that districts may employ to fund energy and sustainable design features to their school projects. Outcomes included: 1) since funding already exists, a newly created state funded bond pool would not be helpful; and 2) good data on the energy savings benefits for LEED-Silver building projects is essential for developing new funding streams.
- December 2007 – Meeting with AIA-Ohio and principals of school design firms to obtain input on implementation of LEED mandate.
- January 2008 – OSFC hired one new staff person dedicated to LEED implementation; OSFC initiated contracts with consultants for mentoring and training for school districts and their building project teams regarding the implementation of LEED.
- February 2008 – Developed a Project Responsibility Matrix that correlates LEED Checklist responsibilities to specific team members, including: OSFC project administrator, school district, architect/engineer firm, construction manager, and commissioning agent.
- February 2008 – Developed and distributed the internal OSFC LEED Policy and Best Practice Document Draft to planning and project staff.
- March 2008 – LEED for Schools Technical Review and Green Schools Summit to be held in March 2008 collaboratively with the Columbus Green Building Forum. The OSFC is sending 27 staff members to this training.
- April 2008 – Design Manual evaluation process will include evaluating the need to make modifications in response to the LEED requirements. It is noted that renovation projects are budgeted differently and have different scopes than new builds. It is also noted that there may be challenges to districts coming back to CFAP or districts that have completed some work prior to receiving CFAP dollars that may need to be addressed through the Design Manual updates.

➤ Successes and Notes

- OSFC staff negotiated reduced fee for project registration with the USGBC (from \$450/bldg to \$200/bldg); for the projected 250 schools entering the system in the next two years, this will save the state \$62,500 in registration fees alone. We are currently negotiating reduced fees for bulk certifications.
- OSFC staff is collaborating with ODOD and the Columbus Green Building Forum to develop ongoing training opportunities related to the OSFC adoption of the LEED-Silver standard. ODOD is providing funding from the State Energy Program (federal Department of Energy dollars) for this activity.
- As of February 15, 2008, there are 26 OSFC funded Registered LEED-Schools projects and nearly 20 other projects awaiting our new payment system before registering.
- All schools are now entering their performance data into EnergyStar Benchmarking tool; several buildings and one district are very close to achieving EnergyStar designation by the US EPA.
- OSFC Staff and school districts have begun hosting EcoCharrettes that have been a successful tool in quantifying their LEED Score; several projects are reasonably able to aim for LEED-Gold rating on their buildings.
- Since the implementation of the OSFC's green schools initiative, there have been no variances requested that are as a result of the LEED requirement.

2) Using Resolution 07-124 as a catalyst to encourage training and professional development for other State agency staff (also supporting the spirit and objectives of Sub. H.B. No 251 and Executive Order 2007-02S)?

- Creating cross-agency awareness of training opportunities available through our partners, including the March 2008 Green Schools Summit.
- Coordinating with SAO (State Architects Office) to establish uniformity in LEED-related project responsibility list and scope of work documents for A/E and CM contracts.
- Energy Strategy Team – OSFC staff is participating on the Energy Strategy Team and utilizing team meetings as an opportunity to bring awareness to the education and training opportunities we are building through our program.

3) How are we going to use this as a catalyst for economic development by training local, skilled tradesmen and making Ohio the leader in green building practices?

- Working with the Columbus Green Building Forum to establish monthly training opportunities for architects, construction managers, and others to build the capacity to deliver LEED projects.
- Providing training to architects, engineers, vendors, project administrators and others on EnergyStar's Portfolio Manager and Target Finder to enable them to better project energy savings and to enable us to better quantify what project barriers may be.
- February through March 2008 – OSFC Construction Manager Forums focus on LEED implementation during the second half of the day.
- Developing partnerships to implement training for skilled trades workforce with Ohio Agencies and Organizations: Development, Job and Family Services,

Workforce Investment Board, Educational Service Centers, trade associations, labor associations

- Governor's Office indicates strong cross-agency interest; support from community foundations; support from municipalities that have implemented LEED/green building/sustainable building practices into their codes and standards.

3. School Energy Conservation Financing Program Approval – Presented by Mark Wantage
Two School Districts requested participation in the Energy Conservation Financing Program.

Bexley City School District of Franklin County:

- Sabo/Limbach
- Three Buildings
- Total Cost \$644,500 (*Self Funded*)
- Annual Savings \$143,355
- No Applied O&M Savings
- Payback Period 4.5 Years
- New High Efficiency Boiler (1)
- Lighting Retrofit (3)
- Building Automation Controls Upgrades (3)
- Air Distribution Upgrades (1)

Granville Exempted Village School District of Licking:

- Building Controls Integrators (BCI)
- Five Buildings
- Total Cost: \$4,013,989 (Self Funded)
- Annual Savings: \$253,236
- O&M Savings \$72,165 (28%)
- Payback Period 14.4 Years
- Two 10 Kwh Wind Turbines (1)
- Solar Water Heater (2)
- Expand Solar Array (3)
- Lighting & Control Upgrades (4)
- Building Automation Upgrade (4)
- New Boilers & Chiller (4)
- New Air-Handlers (2)
- Roof Replacement (5)

These projects have been reviewed by the Ohio Department of Development/Office of Energy Efficiency and the staff of the OSFC and were recommended for approval of Resolution 08-20.

Eric Bode gave a HB264 update. Since its inception in 1985, 963 Projects have been approved with an investment of over \$1Billion and annual savings of \$101 Million a year. The operational savings are limited to 30% as a maximum and of the projects that have been approved in the last two years the average has been 18%.

Dr. Puckett moved to approve Resolution 08-20.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

4. Maintenance Plans Approval – Presented by Mark Wantage

There were four maintenance plans for Commission approval. The maintenance plans are in fulfillment of the law and the project agreement. Staff reviewed the maintenance plans for the districts and they met all the requirements. Resolution 08-21 was recommended for approval.

School District	Buildings Included in the Maintenance Plan
Galion CSD of Crawford County	Galion 9-12 HS
Geneva CSD of Ashtabula County	New Geneva HS
Licking Valley LSD of Licking County	New ES, Licking Valley JHS, Licking Valley HS
Lorain CSD of Lorain County (Final)	ES – Frank Jacinto, Garfield, Helen Steiner Rice, Larkmoor, Palm, Toni Morrison and Washington MS – General Johnnie Wilson and Longfellow

Vice Chair Quill moved to approve Resolution 08-21.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

5. Master Facilities Plan Amendments Approval – Presented by Steve Lutz

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for Ada Exempted Village School District in Hardin County for their participation in the Classroom Facilities Assistance Program. The amendment provides a 4.4% increase to the project budget to address market conditions. The amendment will add \$925,000 to the \$20,772,357 budget. The Commission staff recommended approval of Resolution 08-22.

Vice Chair Quill moved to approve Resolution 08-22.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for Gallia-Jackson-Vinton Joint Vocational School District, a 2006 Vocational Facilities Assistance Program participant. The amendment provided a \$1,913,092 increase to the original \$16,011,381 project budget. The increase addressed the following: the estimate cost of the HVAC design ran \$860,000 above budget; the low HVAC bid ran \$530,000 above estimate; \$373,000 of additional scope was required for replacement of demountable partitions and doors not identified in the assessment. This has been a common problem in 1970 vintage joint vocational school districts and staff is working to revise the assessment tool to budget for this work in the future; \$268,000 was added for a fire protection reserve tank needed due to insufficient flow to supply the new sprinkler system; the assessment relies on the district to provide water pressure and flow information and that information was not available at the time of assessment; the high cost of the HVAC work tracks with the market conditions in this area of the state. We have experienced higher than expected bidding in several trades. We have

recently needed to rebid several nearby projects in Gallipolis City, Ironton City and South Point because of high costs. The staff has worked with the District and the design architect to confirm the need for additional scope and recommended approval of Resolution 08-23.

Answering a question from Senator Mumper, Steve Lutz stated we are seeing consistent problems in the bidding climate in the counties in this particular area. OSFC has asked the Construction Managers to redouble their efforts to solicit bidder interest. Eric Bode added that from a statewide prospective, we are actually seeing a very good bidder climate generally, just since the beginning of the year we had two examples from northwest Ohio, one Fort Laramie that was bid in January with a \$15.9 Million budget and came in 5% under budget and in Washington we had a new 3-8 elementary school that came in under budget and were able to add some alternates and it still remained under budget. There are some places in the state where it is very good news, much different than the geography in the southern part of the state. Representative Evans responded that in talking to some of the districts down there they do not find that many prime contractors in some of those rural areas and that is one of the reasons why they are having trouble. Answering a question from Vice Chair Quill, Steve Lutz stated the facility was originally designed without a sprinkler system for fire protection and our standard is to provide that. When a fire protection system is activated it takes a lot of flow all at once and the piping that served the facility did not have the capacity to provide adequate flow. The solution to that is to provide a storage tank and pump to provide that surge capacity to activate the system. When the facility was assessed the flow rate of the existing system were not known. Vice Chair Quill asked if it made sense to discount or to take into consideration the regional differences that we are experiencing. Steve Lutz responded that we have the state sub-divided into nine regions to apply sensitivity to regional cost factors to our budgets. To capture this bidding climate in this area we would have to create additional sub-divisions within the state because the regions are fairly large. Chair Sabety suggested with the direction of the economy, we should wait to further sub-divide the regions. Senator Roberts asked in the nine regions why the bidding difference is not taken up front as opposed to later on. Steve Lutz responded that does adjust the budgets up front. The condition that is driving the market in Gallia Jackson Vinton was unknown at the time and we did not have a sub-set for that rural southern area that would call out an adjustment factor appropriate for the bidding climate. Eric Bode commented that the overwhelming factor here is the general construction inflation that has gone on and in a three-year period has been about a 20% increase, which affected everyone statewide. When we set the budget before design even starts and then it takes a couple years before districts come up with their money, we get into design and we finally get to bidding. The faster the process goes the less likely you are to be affected by inflation. The overall factor here is districts that had a budget set in 2005.

Dr. Puckett moved to approve Resolution 08-23.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration two districts that elected to accept the Commission's offer to amend their Master Facilities Plan to fund an allowance to support the design of their buildings to achieve LEED Silver certification with an emphasis on energy points. The Commission staff recommended approval of Resolution 08-24.

<u>School District</u>	<u>County</u>	<u>Program</u>	<u>State Share</u>	<u>Local Share</u>	<u>Total Budget</u>
Elyria CSD	Lorain	ENP	\$22,253,229	\$34,806,333	\$57,059,562
Gallipolis CSD	Gallia	CFAP	\$17,360,448	\$8,943,261	\$26,303,709

Vice Chair Quill moved to approve Resolution 08-24

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for New Knoxville Local School District in Auglaize County for their 2005 participation in the Classroom Facilities Assistance Program. The amendment provided a 4.8% increase to the budget to provide modular units for swing space for the renovation of their K-12 facility, budget supplement to fund the Ohio School Design Manual technology scope and to address market conditions. This amendment will add \$385,000 to the project fund. The Commission staff worked with the district to contain costs and recommended approval of Resolution 08-25.

Dr. Puckett moved to approve Resolution 08-25.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

Steve Lutz presented for Commission consideration an amendment to the Master Facilities Plan for Strasburg Franklin Local School District in Tuscarawas County for their 2007 participation in the Classroom Facilities Assistance Program. This amendment increased the budget \$684,550 to adjust for oversize space and increase the square footage by 1,026 square feet. The Commission staff worked closely with the district to assure that the balance of their K-12 project under the Classroom Facilities Assistance Program met the district's program needs and recommended approval of Resolution 08-26.

Vice Chair Quill moved to approve Resolution 08-26.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

6. Expedited Local Partnership Program Agreement Amendment Approval

Presented by Steve Lutz

Steve Lutz presented for Commission consideration a second amendment to the Expedited Local Partnership Program agreement with the Hillsboro City School District in Highland County. This amendment reconciled the project scope and credit amount with work completed under the Expedited Local Partnership Program. The amendment increased the credit by \$1,246,485 bringing the Expedited Local Partnership Program credit to \$14,138,760 and to reflect the actual square footage designed and constructed under the Expedited Local Partnership Program. Part of the increase over budget was driven by market conditions and by the expense of building core areas, HVAC and other utilities for the K-5 facility. The Commission staff recommended approval of Resolution 08-27.

Dr. Puckett moved to approve Resolution 08-27.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

7. Architectural Agreements and Amendments Approval – Presented by Steve Berezansky
 Steve Berezansky presented design profession agreement and amendments for Commission consideration. The Commission staff reviewed and recommended approval of Resolution 08-28.

Agreements:

School District	Project	Architect	Amount
Madison LSD	Additions to Madison Jr/Sr High School to house grades PK - 12.	Cole Russell + Fanning Howey Associated Architects	\$998,687.64

Amendments:

School District	Project	Architect	Fees to Date	Amount	Total
Cleveland City School District - Seg. 4	Additional (HVAC Geothermal) engineering at Adlai Stevenson, additional square footage due to MP enrollment changes at Adlai Stevenson and technology design for Adlai Stevenson and Robert Jamieson.	Richard L. Bowen + Associates Inc.	\$1,148,270.00	\$125,616.00	\$1,273,886.00
Cleveland City School District - Seg. 4	Additional (HVAC Geothermal) engineering services for Silver LEED certification for Euclid Park, Nathan Hale, New Mound and Charles Dickens, additional square footage due to increased enrollment, and fee for technology design not covered in the original contract.	Cleveland Educational Design Alliance	\$2,604,893.00	\$772,886.00	\$3,377,779.00
Scioto County Joint Vocational School District	Master plan change included unforeseen asbestos abatement, which required additional design work, fascia panel removal, water infiltration problems, and replacement of rooftop units.	Burges & Niple, Inc.	\$894,786.00	\$230,832.00	\$1,125,618.00
Springfield City School District	New High school change of scope involving a re-bidding of certain technology components.	Lesko Associates, Inc.	\$10,194,131.00	\$50,000.00	\$10,244,131.00

Locally Funded Initiatives:

School District	Project	Architect	Amount
Columbus City School District	Scope change to include additional design services for an expanded eight lane track, new tennis courts and redesign of the entry plaza.	Design Group	\$20,640.00
Canton City School District	McKinley High School electrical and technology.	Lawrence, Dykes, Goodenberger, Vandegrift & Clancy Architects, Inc.	\$4,688.75
Lakota Local School District	Additional academic space, weight room, wrestling practice room, 16,000 square feet High school gym, 7,500 square feet Middle school gym, standing seam metal roof, baseball and softball fields and sewage plant.	Garmann/Miller & Associates, Inc.	\$425,370.51

Scioto County Joint Vocational School District	Additional engineering services to finish replacements for EEA work, fascia panel removal, water infiltration problems, and replacement of rooftop units.	Burges & Niple, Inc.	\$21,168.00
--	---	----------------------	-------------

Answering a question from Chair Sabety, Steve Berezansky said that approximately \$100,000 was for LEED for the Architect for Cleveland Educational Design Alliance the architect for Cleveland City School District for Segment 4.

Dr. Puckett moved to approve Resolution 08-28.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

8. Construction Manager Agreement and Amendments Approval – Presented by Steve Berezansky

The following Construction Manager Agreements were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-29.

CM Firm	District	County	Total CM Compensation
Hammond Construction	Lorain City School District	Lorain	\$3,880,790
LGB LLC.	Toledo City School District - Seg. 4	Lucas	\$6,031,254
Turner Construction Company	Cincinnati City School District - Seg. 3a	Hamilton	\$10,804,550

Vice Chair Quill moved to approve Resolution 08-29.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

The following Construction Manager amendments were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-30.

School District	Construction Management Company	Amount
Scioto County JVSD	BBL Construction Services	\$222,412
Newcomerstown EVSD	PCS/Regency	\$112,674
Licking Valley LSD	Regency/Ruhlin	\$56,575

Dr. Puckett moved to approve Resolution 08-30.

Vice Chair Quill seconded the motion.

Approval: Vote 3-0.

The following Construction Manager amendments for “locally funded initiative” were presented for approval. The commission staff has reviewed and recommends approval of Resolution 08-31.

<u>School District</u>	<u>Construction Manager</u>	<u>Amount</u>
Scioto County JVS	BBL Construction Services	\$91,076
Hillsboro CSD	The Quandel Group	\$31,494
Tri-Valley LSD	Turner Construction Company	\$17,904

Vice Chair Quill moved to approve Resolution 08-31.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

9. Trade Construction Contracts Approval – Presented by Steve Berezansky

All contracts represent the lowest responsible bidder. Steve Berezansky pointed out two contracts that went to the second low bidder, lowest responsible bidder. Both were on the Seneca East Project for demolition scope. Abdoo Wrecking, LLC, the apparent low for both contracts, did not include bid bond and were deemed non-responsive and the contracts were awarded to A.J. Riley, Inc. and Allen Excavating, Inc. Answering a question from Senator Mumper, Steve Berezansky said this was the first time the contractor was bidding on one of our projects and was not aware that a bid bond was needed. The Commission staff reviewed and recommended approval of Resolution 08-32.

<u>School District</u>	<u>Contracting Entity</u>	<u>Scope Of Work</u>	<u>\$ Amount</u>
Akron CSD	Medhurst Mason Contractors, Inc.	Masonry	\$1,668,400.00
Akron CSD	Mid West Telephone Service, Inc.	Cabling	\$121,400.00
Akron CSD	Cardinal Environmental Services, Inc.	Asbestos Abatement	\$208,750.00
Akron CSD	Doan Pyramid, LLC	Telephone System	\$46,946.00
Akron CSD	Bob Bennett Construction	Demolition	\$143,460.00
Cincinnati CSD	R P C Mechanical, Inc.	HVAC	\$1,398,900.00
Cincinnati CSD	Midwestern Plumbing Service, Inc.	Plumbing	\$790,000.00
Cincinnati CSD	Westside Paving & Excavating	Demolition	\$176,200.00
Cleveland CSD	Martin Enterprises, Inc.	Site Work	\$696,000.00
Cleveland CSD	21st Century Concrete Construction	Site Concrete Flatwork	\$198,000.00
Cleveland CSD	Doan/Pyramid, LLC	Technology Work	\$7,735,471.00
Cleveland CSD	Doan/Pyramid, LLC	Technology Work	\$4,299,071.00
Columbus CSD	T P Mechancial Contractors	Fire Protection	\$145,841.00
Columbus CSD	T P Mechanical Contractors, Inc.	Plumbing, Fire Protection, HVAC	\$2,011,000.00
Columbus CSD	Settel Muter Electric	Electrical	\$2,151,000.00
Columbus CSD	Dalmatian Fire, Inc.	Fire Protection	\$121,000.00
Columbus CSD	Smith Roofing, Ltd	General Trades	\$196,377.00
Columbus CSD	The Albert M. Higley Co.	General Trades	\$6,471,800.00
Dayton CSD	Data Eclipse, Inc	Technology	\$278,000.00
Galion CSD	LVI Environmental Services, LLC	Environmental Hazard Abatement & Related Work	\$202,620.00
Gorham Fayette LSD	Game Time c/o David Williams and Associates, Inc.	Playground Equipment	\$106,300.00
Gorham Fayette LSD	Farnham Equipment Company	Library Specialties	\$44,300.00

Gorham Fayette LSD	Valley Electrical Consolidated, Inc.	Video Distribution Equipment	\$229,545.00
Hillsboro CSD	Cox Paving, Inc.	Demolition	\$81,313.00
Knox County Career Center	Lepi Enterprises, Inc.	Asbestos Hazard Abatement & Related Work	\$126,633.00
Knox County Career Center	C & T Design and Equipment Company, Inc.	Career Center Additions	\$271,950.00
Licking Valley LSD	Beheler Excavating, Inc.	Sanitary Sewer Extension	\$87,000.00
Painesville City LSD	Doan/Pyramid, LLC	Security System	\$137,200.00
Scioto County JVSD	Ohio Technical Services, Inc.	Asbestos Abatement	\$153,624.00
Seneca East LSD	A. J. Riley, Inc. * * *	Demolition	\$205,900.00
Seneca East LSD	Allen Excavating, Inc. * * *	Demolition	\$134,106.00
Seneca East LSD	Total Environmental Srevices, LLC	Asbestos Abatement	\$47,730.00
South Point LSD	Total Environmental Services, LLC	Abatement	\$167,065.00
South Point LSD	Continental Office Furniture	Loose Furnishings	\$206,578.32
South Point LSD	Solid Rock Construction Services, LLC	Demolition	\$436,000.00
Springfield CSD	Continental Office Environments	Outdoor Furniture	\$30,375.00
Springfield CSD	Continental Office Environments	Furniture	\$14,342.66
Toledo CSD	Transtar Electric, Inc.	Technology	\$721,200.00
Toledo CSD	Doan/Pyramid, LLC	Technology	\$695,155.00
Toledo CSD	Brint Electric, Inc.	Electrical	\$638,100.00
Toledo CSD	Warner Mechanical Corporation	HVAC	\$983,444.00
Toledo CSD	Hank's Plumbing & Heating Co.	Plumbing	\$306,000.00
Toledo CSD	Accel Fire Systems, Inc.	Fire Protection	\$84,250.00
Toledo CSD	Willson Builders, Inc.	General Trades	\$3,353,000.00
Toledo CSD	Transtar Electric, Inc.	Technology	\$735,500.00
Toledo CSD	Transtar Electric, Inc.	Technology	\$678,500.00
Toledo CSD	Salenbien Trucking & Excavating, Inc.	Site	\$527,000.00
Tri-Valley LSD	Environmental Restoration Group, Inc.	Asbestos Abatement	\$31,500.00
Trotwood-Madison CSD	Evans Landscaping, Inc.	Demolition	\$469,699.00
Trotwood-Madison CSD	Continental Office Environments	Loose Furnishings	\$240,395.00
Trotwood-Madison CSD	Elements IV Interiors	School Specialties	\$128,556.50
Washington Court House CSD	Nor-Com, Inc.	Technology	\$2,318,050.00
Washington Court House CSD	Innovative Energy Solutions	HVAC Controls	\$420,930.00
Youngstown CSD	Delphi Consulting, Inc.	Demolition	\$489,000.00
Youngstown CSD	Valley Electrical Consolidated, Inc	Cablings	<u>\$116,200.24</u>
*** Lowest Responsible, Second Low Bidder			TOTAL \$44,476,677.72

Dr. Puckett moved to approve Resolution 08-32.
Vice Chair Quill seconded the motion.
Approval: Vote 3-0.

10. Settlement Agreement – Presented by Jon Walden
Canton City School District:

The masonry prime contractor on the project submitted a claim for delay and acceleration in excess of \$80,000. The Project finished on schedule and on budget. The Contractor claimed that an unplanned re-sequencing of the trades work by the project team impacted their productivity. The Contractor also sought contract balance and retainage totaling approximately \$70,000. After the contractor sued Canton in Stark County, Canton filed a counterclaim against the Contractor

for failure to complete its work and for the costs incurred to perform corrective work. Canton also named OSFC as a third-party to have the suit removed to the Court of Claims. After negotiation and confirmation from the CM that certain of the Contractor's claims had merit, the parties agreed to settle for a \$40,000 payment to Moser. Under the settlement, the Commission will be releasing claims related to costs associated with the Canton's counterclaim, but retaining claims regarding warranty and latent defects. The Commission Staff and Attorney General's Office recommended approval of Resolution 08-33.

Answering questions from Representative Szollosi, Jon Walden said the total of the contract balance was approximately \$48,000 and the retainage was \$23,000. The nature of the corrective action was there were concerns with quality of the masonry work in the hallway of some of the buildings and actual work product. The district and the district counsel because of the small cost that would come from the contract balance are in fact helping push this litigation to be resolved. According to district counsel, the district is comfortable with this settlement.

Senator Mumper commented that he worried about the liability that we may be creating for the State of Ohio when the decision is made not to pay a company working on Project B until a settlement is consummated on Project A. Chair Sabety responded this is a discussion we should probably have. We have had long and extensive discussions about good actors, not so good actors and bad actors and our ability to control the way in which we use the very rigid system to do that.

Vice Chair Quill moved to approve Resolution 08-33.

Dr. Puckett seconded the motion.

Approval: Vote 3-0.

11. Public Testimony

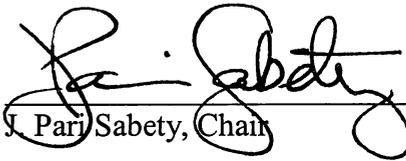
Al Adams provided testimony to the Commission regarding contractors hiring illegal immigrants. A copy of his testimony is attached to the minutes.

James Peppers provided testimony to the Commission regarding a follow-up to last month's presentation regarding MLM Enterprises LLC. A copy of his testimony is attached to the minutes.

Chair Sabety responded since the Executive Director is absent, she will follow-up with him and ask him to give an update on these at the next Commission meeting.

Senator Mumper asked Mr. Adams if he was aware that there was a bill introduced in the House this year that covers illegal aliens and does not cover the employer to be responsible. Mr. Adams said he was not aware of that bill, but felt that this Commission and people who are supposed to investigate the contractors before they award them should be looking into matters like this. Senator Mumper said it proved to him that an overall bill would save a lot of these and we should work on that.

The meeting was adjourned at 2:57 PM.



J. Paul Sabety, Chair

These meeting minutes were prepared by:
Carolyn McClure
Executive Assistant
Ohio School Facilities Commission

Ohio School Facilities Commission Meeting

Witness Form

Name: Alan Adams Title: _____

School District/Company: _____

Address: 5312 Elaine City/State/Zip: Tolledo, 43613

Phone: 419-350-5700 Fax: _____

Testimony Subject:

Contractors hiring illegal immigrants

Will you be providing handouts/materials? Yes

*****Please return the Witness Form and ten (10) copies of your testimony and materials to the Committee Secretary prior to testifying.*****

ABC Precision Masonry & Concrete INC.

I want to thank you for the opportunity to speak here today. The purpose of this presentation is to bring to your attention the glaring problem of irresponsible contractors performing work on your projects. I am here to specifically talk to you about ABC Precision Masonry & Concrete INC., This summary will outline the irresponsible practices of the management of ABC Precision Masonry & Concrete INC. and showcase the fact that ABC Precision Masonry & Concrete INC. and any other company under this management, now or in the future should be considered a “non-responsible” contractor and should be removed from the list of qualified, responsible contractors.

In a December 13, 2007 Cincinnati Enquirer newspaper article, four men were brutally murdered. The families of these four men were unable to be notified of their loss for over a week, because of a lack of identification, because all four were illegal immigrants. The police were asking for assistance from their employer ABC Precision Masonry & Concrete, specifically Bryan McCurley who notified the police that his employees had not shown up to work. He was unwilling to divulge their names to help investigators identify the men. This alone is very irresponsible and brings into question the ethics and management of the company.

This story is compounded by the fact that these men were illegal immigrants working at ABC Precision Masonry & Concrete; this is a possible reason for the unwillingness to divulge the names. A reasonable person would conclude that they needed the men for work, called the police to do a wellness check when they didn't show for nine days, and then deliberately withhold the names of the men. This implies that they were fully aware of the status of these men and that they may be in violation of the law and were trying to distance their company from the situation.

You also need to be aware of another fact that he also has a tax lien with the IRS filed on December 6, 2006 for \$9970.66.

ABC Precision Masonry & Concrete who employed 4 men, who were illegal immigrants, and who were brutally murdered in their apartment, also owes the federal government nearly \$10,000.00 for the workers he does legally claim as employees. This contractor should be deemed irresponsible and removed immediately from the bidders list for your projects. The incidences that happened in early December are a sad commentary on the exploitation of these workers and their efforts to provide for their families, these men lived very meagerly, went to work everyday then came home, kept to themselves and wired their money back home.

Contractors like ABC Precision Masonry knowingly exploit these men for their gain. This contractor also has an outstanding IRS tax lien. Because of these practices ABC Precision Masonry & Concrete should not be allowed to benefit from the award of our tax dollars. I trust you do your diligence investigating these facts and at the conclusion you will find them truthful and take prompt action against these types of contractors. We only know of these 4 men on his payroll because Mr. McCurley needed them for work. There may be many other illegal immigrants on his payroll but the public has no way of knowing this. We do know that these men worked for ABC Precision Masonry for 4 or 5 years, that they had no Social Security number required to pay State and Federal Taxes, they had no valid drivers license, no paycheck stubs. The company willfully withheld critical information in the past regarding these issues, what is to say they will not withhold information again?

At a time when jobs for Ohioans is at a critical point, it is unconscionable that contractors that hire illegal aliens that pay no taxes be awarded contracts funded by tax money. How can this board expect responsible contractors, that hire Ohio workers and pay their taxes compete against these types of irresponsible contractors. Again your processes have caused the exclusion of these responsible contractors on your projects.

11799 Department of the Treasury - Internal Revenue Service
Notice of Federal Tax Lien

Form 668 (Y)(c)
 (Rev. February 2004)

Area: **SMALL BUSINESS/SELF EMPLOYED AREA #2** Serial Number: **332435806**
 Lien Unit Phone: (800) 913-6050

For Optional Use by Recording Office

As provided by sections 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue. a Corporation

Name of Taxpayer **ABC PRECISION MASONRY & CONCRETE INC**

Residence **7577 CENTRAL PARK BOULEVARD
 MASON, OH 45040-6809**

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refilled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
941	06/30/2006	20-3237403	09/18/2006	10/18/2016	9970.66

Place of Filing **COUNTY RECORDER
 WARREN COUNTY
 LEBANON, OH 45036** Total \$ **9970.66**

This notice was prepared and signed at **DETROIT, MI** on this,

the **06th** day of **December**, **2006** **BOOK 4360 PAGE 246**

Signature **R. A. Mitchell** Title **REVENUE OFFICER** **22-07-1265**
 for **SHERRILL SWANN** **(513) 881-2014**

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax Lien Rev. Rul. 71-488, 1971-2 C.B. 409) Form 668(Y)(c) (Rev. 2-2004) CAT. NO 60025X
 Part 1 - kept by Recording Office

Subj: **Emailing: UPI-1-20071218-15261800-bc-us-fourdead.htm**
 Date: 1/14/2008 9:57:48 AM Eastern Standard Time
 From: rmedlin@tcco.com
 To: altheopal24@aol.com

NewsDaily

The latest headlines ...
 from around the world

All News

- Top News
- Business
- Science
- Entertainment
- Sports
- Quirks

Topics

- Arts, Culture And Entertainment
- Crime, Law And Justice
- Disaster And Accident
- Economy, Business And Finance
- Education
- Environmental Issue
- Health
- Human Interest
- Labour
- Lifestyle And Leisure
- Politics
- Religion And Belief
- Science And Technology
- Social Issue
- Sport
- Unrest, Conflicts And War
- Weather

4 immigrants found dead in Ohio apartment

SHARONVILLE, Ohio, Dec. 18 (UPI) -- Federal immigration officials have investigation into the killing of four Hispanic men in an Ohio apartment, off Tuesday.

Police in Sharonville, about 15 miles northeast of Cincinnati, found the bodies Thursday. The men's employer, Abc Precision Masonry & Concrete in Mason, asked for a check on their wellbeing after they failed to show up for nine days.

At a news conference Monday, Hamilton County Coroner O'Dell Owens said that all four had been stabbed in the heart. They had also been battered with a blunt object, and in two cases appeared to have struggled against an attacker.

"It's clear that they wanted to be sure these four individuals didn't live," Owens said.

Investigators were trying to determine the men's identities. A spokesman for Immigration and Customs Enforcement said that agents will have access to their files if they were in the United States legally.

By all accounts, the four were quiet and hardworking men. In the apartment, police found a receipt to show that one had recently sent \$2,500 home to Mexico.

Another man had \$1,500 in his pocket, suggesting that robbery was not a motive.

Related Headlines

Jail checks turn up illegal im
 2, 2008) -- U.S. Customs agents immigrants at a Missouri jail since daily visits there in October. The [story](#)

Elderly N.Y. woman robbed c
 (November 11, 2007) -- An 80-two armed men made off with \$7! New York apartment recently after legs. Carmen ... > [full story](#)

Italians examine death of Bri
 (November 3, 2007) -- Police o looking for clues in the killing of a student. Police found Meredith Ke afternoon ... > [full story](#)

6 bodies found in high-rise a
 21, 2007) -- Investigators were ti Saturday what killed six men four apartment building near Vancouv

Police question man in deadl
 5, 2007) -- Philadelphia police w described as a person of interest two retired officers in a money tru

Copyright 2007 by United Press International. All Rights Reserved.

Subj: **Emailing: article.htm**
 Date: 1/14/2008 9:55:40 AM Eastern Standard Time
 From: rmedlin@tcco.com
 To: altheopal24@aol.com

Welcome to Times Recorder Zanesville, Ohio

Customer Service: Sub

zanesvilletimesrecorder.com [Weather](#) [Jobs](#) [Cars](#) [Apartments](#) [Shopping](#) [Classifieds](#)



Search Zanesville:

[Home](#)

[News](#)

[Local News](#)

[Local Sports](#)

[High School Sports](#)

[Nation/World](#)

[Ohio News](#)

[Obituaries](#)

[Opinion](#)

[Forums](#)

[Lifestyles](#)

[Milestones](#)

[Photo Galleries](#)

[Technology](#)

[Travel](#)

[Weather](#)

[Customer Service](#)

[Entertainment](#)

[RSS Feeds](#)

[Newspaper](#)

[Network](#)

▼ ADVERTISEMENT ▼

▼ ADVERTISEMENT ▼

▼ ADVERTISEMENT ▼

What kind of compassion is this? What allows four men to live and die in the shadows?

By PETER BRONSON
 The Cincinnati Enquirer

Four men from Mexico died violently in a sparse, unfurnished apartment in Sharonville. The foam pad on the floor. The inventory of their refrigerator was sad and short: "Four dozen eggs," said County Coroner O'dell Owens.

Someone hit them in the head with a blunt object, then stabbed them through the heart, "a He believes one was caught by surprise, two were attacked while they slept and the fourth for nine days before police found them Dec. 13.

▼ ADVERTISEMENT ▼ Sharonville had zero homicides in 2006. "Nationwide, it's a big case," said John Cook. "It's outrageous that this happened here in a quiet community."

But Cincinnati does not seem outraged. The reaction to a quadruple homicide has been unwe were invisible.

But that's the way they seemed to live.

"We're not sure" if they were illegals, Cook said. "Our main goal is to find out who did it."

But they had no identification. Neighbors knew them only as "the Mexicans" who got up at Precision Masonry and Concrete in Mason. Their boss said they were hard workers there,

They apparently sent their earnings home to Villa de Ramos, a village near Guadalajara. F

It took nearly a week to find out who they were: Jose de Jesus Davila Duenas, 21; Manuel Davila, 45; and Manuel Lopez Guardado, 21. The four were originally from Zacaton, a rural Guadalajara.

"We've not had a case like this before," Cook said. "We're making progress and we feel co

But it will be costly and difficult, he said. "We had four individuals who were dead for nine c start and we had a language barrier and no identification."

Richard Kastigar is chief of criminal investigations for the Pima County Sheriff's Department. "We see this type of crime far too often - and I underscore far too often," he said.

The perpetrators disappear in Mexico, and the victims are ghosts that leave no footprints. I no job or police records - no paper trail that the rest of us leave like tracks in wet sand.

Friday, February 22, 2008 America Online: ALTHEPAL24

"They don't necessarily speak the language, and they are very susceptible to becoming vic pangs of sympathy, compassion and understanding for people who are coming here to be taken advantage of."

Owens said the Timber Ridge apartment where the Mexicans lived left a big impression. He beer bottles. They had an old TV and a cheap stereo. "They lived on the floor," he said.

"Illegals or not, what impressed me was the way they sent money home. I wish some people their families. We got people who sit on their butts and don't do anything. There are people and sacrifice."

He said the stab wounds and cuts on the bodies suggest the killings were methodical and entry. The only wallet found contained \$1,300.

Four guys holding large amounts of cash because they were afraid to use a bank? What ki

Maybe there's no big outrage because we add two and two and decide crimes among illeg coming across the porous border too, Kastigar said. "There is a significant amount of illeg coming into this country - people who think nothing of robbing, killing and sexual assault."

Some said the murders should make us evaluate our attitude and be more compassionate

We all feel pangs of sympathy. But maybe we should evaluate the moral consequences of immigrants to live and die in the shadows, vulnerable to extortion, intimidation and exploits protections of citizenship.

They say the road to hell is paved with good intentions. I think it runs from Mexico to an en four men lived and died invisible.

pbronson@enquirer.com
513-768-8301

STORYCHAT

 [Post a Comment](#)  [View All Comments](#)

As heartless as it sounds sympathy goes to the americans who use to have these jobs and this is nothing more than the result of two governments allowing something none on earth would ever allow. It is a backlash of no action from Washington and the wrong action from the Mexican government to stop it. This is just as easy a drug deal gone very badly, we will see. Either way the reaction is exactly what i expect, as sad as that sounds.

Posted: Wed Jan 09, 2008 2:19 pm

"They say the road to hell is paved with good intentions. I think it runs from Mexico to an empty apartment in Sharonville, where four men lived and died invisible."

I say it starts in Mexico. As a Gov. they do all they can do help get rid of their uneducated (ave. grade level is 7th grade), welfare type and help them cross the border. Hence, they even put out a book to help show them how to cross over. Mexico loves having the illegals sending that money back, by the billions. Why don't you ever hear about them demonstrating there, like they did here for more rights?

Why were they able to send so much money home and live they way they did? who knows. I think the masonry company they were working for so long, should be investigated to see if they were using illegal aliens for work. Were they using fake SS#s or none at all? (which would prove if they were illegal), and getting paid lower wages "under the table"
No wonder wages are being suppressed in the construction, hospitality and

other occupations.

I agree, no one deserves do die that way though, but if things were better in Mexico, I'm sure they would have stayed home to be with their families.

Posted: Wed Jan 09, 2008 1:36 pm

My sympathy goes out to these families. No one deserves to die like that. ☹️

Posted: Wed Jan 09, 2008 7:30 am

[Post a Comment](#) [View All Comments](#)

Originally published January 9, 2008

 [Print this article](#)  [E-mail this to a friend](#)  [Subscribe Now](#)



[Subscribe](#) | [Place an ad](#)
Copyright ©2008 Times Recorder
All rights reserved.

Users of this site agree to the
[Terms of Service](#) and [Privacy Policy/Your California Privacy Rights](#)
(Terms updated March 2007)



Submit Content |

Weather Events | Visitor's Guide | Classifieds Jobs Cars Homes Apartments Shopping Dating



THE ENQUIRER

Search: All Articles Yellow Pages

Cincinnati.Com | NKY.com | Enquirer | CiN Weekly | Community Press & Recorder | cincyMOMS.com | Cincinnati Home | Local News | Sports | Business | Opinion | Life | Entertainment | Nation/World | Obituarie

Local news

Cincinnati.Com » The Enquirer » Local news » Slain men worked hard
Last Updated: 10:43 am | Thursday, December 13, 2007

Slain men worked hard

BY EILEEN KELLEY AND STEVE KEMME | EKELLEY@ENQUIRER.COM AND SKEMME@ENQUIRER.COM

E-mail | Print | digg us! | del.icio.us!

SHARONVILLE – They lived a sparse existence; sleeping on mattresses on the floor with little other furniture for an apartment that fetches about \$700 a month.

For the past two years, the men could be seen getting into a car and dutifully heading off to work before 8 a.m. each day at the Timber Ridge Apartments in the 11600 block of Timber Ridge Lane.

Around the large complex, they were simply known as “The Mexicans.”

ADVERTISEMENT • More Sharonville news

The routine that many here became accustomed to stopped more than nine days ago when the men stopped showing up for work.

Thursday, Sharonville police, who were asked to do a wellness check on the four men, found themselves in the middle of a crime scene.

The bodies of the men were found in their apartment, heavily decomposed.

One man was found in the hallway inside the unit, the remaining three in two of the bedrooms.

The deaths of the men at Timber Ridge were homicides, Hamilton County Coroner O'dell Owens said.

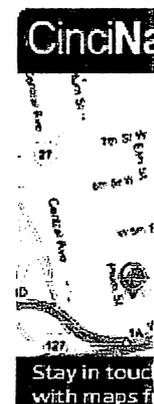
Owens did not release the identities of the men, but said they were Hispanic. Both he and police suggested it would take time to track down families.

“We have quite a mess on our hands,” said Sharonville Lt. John Cook. “These guys were pretty loyal workers and it was unusual that they would not be there at work.”

There were signs of violence and struggle, police said. Early indications suggest the men were stabbed to death and not shot.

Word that there was a quadruple homicide raced through the large complex off busy Reed Hartman Highway and Kemper roads as people were getting out of work on Thursday.

Rick Lawwill said his nephew called him and suggested he may want to move. Lawwill said he



Related News

- Readers di
- More letter
- Probe in 4
- Communit
- 4 slain me
- Service se
- community
- Men found
- Tough tim
- Slayings s
- (12/21/200
- 4 slain me
- U.S. Immig
- (12/19/200
- Four men :
- Feds helpi
- Coroner: S
- Van linked
- Quadruple

The best Cincinnati photography book ever published is on sale now!

11,891 photos
333,177 votes
+ 1,020 photographers
1 GREAT BOOK



\$39⁹⁵



cincinnati

click here

won't.

"This stuff happens everywhere," he said.

Deaths by of four people at once is unheard of even for trouble spots in Cincinnati.

The deaths are the second, third, fourth and fifth homicides for the city of roughly 14,000 residents this year. Last year was a homicide-free year.

"I just don't know what to say," said Adam Ficke, 22, a resident who arrived home from work from his job as a cook at Bob Evans to find the parking lot spilling over with television antennas, police and men in white protective suits.

"It's just so strange to come into my neighborhood and find out that something like this has happened."

The men worked for Abc Precision Masonry & Concrete Inc. in Mason and hadn't shown up since Dec. 4. Abc co-owner Bryan McCurley said the men, who he would not identify, worked for the small firm off and on for four or five years.

"They were excellent workers. We're grieving and we're hurting," he said. "They were like family, that's why it hurts so much."

An odor had begun to alarm some neighbors, but many thought it was just a dead animal, police said.

Police were called Thursday by the masonry company to check on the men.

"It is clearly a quadruple homicide," said Owens. "There is no indication of a homicide-suicide."

Neighbors said they felt safe at the complex that also offers a clubhouse, swimming pool, volleyball court and playground. That safety factor was so strong for some that they admitted that they didn't even lock their doors in the day.

"We'll be sure to lock it now," said Joyce Smith, 69.

Smith and her husband Thomas have lived at the complex for 15 years.

"It's pretty horrifying. It makes you wonder if there's anyplace that's safe," Thomas Smith said.

Jim Minor, who lives across the hall, said he saw police arrive in the morning and shortly after saw four bodies removed.

"They had the door open and I saw the blood inside," he said.

Minor said at least four people lived in the apartment, but he often saw more than that going in and out.

"They're quiet and kept to themselves," he said. "They'd just say 'hi' and that was about it."

Jennifer Hammond, 33, of West Chester is the on-scene manager of Timber Ridge apartments.

She and the rest of the residents of the 248-unit complex are stunned by the killings.



The bodies of 1 Sharonville pol been dead for :

Quick Links

- Sign up for
- Sign up for
- Check out
- Post your

ADVERTISEMENT



Advertise

Protect You
Experienced
State and F
Today at 85
Alerding La

If Joe Can..
Joe Mercad
real estate in
report Joe u
www.NoFee

6 Weeks to
Weight loss
Professiona
18th -Weste
www.Person

Ohio's Pon
4 acres dev
garden! Ove

"They've just been great residents," she said.

www.green

She's sent a letter to the rest of the complex residents telling them to contact her or Sharonville police if they have questions or concerns about the four men killed there.

Free 1-hour
5 Foods for
Hills -Sat, F
20th 7-8pm.
www.Person

Information about how the men died was not released.

It was unclear if all the victims lived at the same apartment but one of their cars was in the parking lot.

Cincinnati
Take care o
Nutrition Lu
Analysis, Ex
www.Nutritic

Investigators are looking for a purple Plymouth Voyager minivan with Ohio license plate EFL 6029.

Anyone with information should call Sharonville Police at 513-563-1147 or Crime Stoppers at 513-352-3040.

Ads by Go

Staff writers Kimball Perry and Quan Truong contributed.

Don't Pay f
In Less Tha
Million Sch

 [E-mail](#) |  [Print](#) |  [digg.us!](#) |  [del.icio.us!](#)
[Cincinnati.Com](#) » [The Enquirer](#) » [Local news](#) » [Slain men worked hard](#)

Lawsuits
Local free la
1976
rust-consulti

Legal Salar
Find Legal &
Positions Or
www.iHireL

EDUCATION

- CPS whistle-blower gets trial

GOOD THINGS HAPPENING

- Schott Foundation to help build care homes

ADVERTISEMENT



Heart Throb Thursdays 7pm
Classic romance on the silver screen through February.



[Home](#) [Local News](#) [Sports](#) [Business](#) [Life](#) [Opinion](#) [Entertainment](#) [Nation/World](#) [Obituaries](#) [Archives](#) [Search](#)

Site Map: [Cincinnati.Com](#) | [NKY.com](#) | [Enquirer](#) | [CiN Weekly](#) | [Community Press & Recorder](#) | [cincyMOMS.com](#) | [connect](#) | [Cincinnati](#)

Customer Service: [Search](#) | [Subscribe Now](#) | [Customer Service](#) | [Place An Ad](#) | [Contact Us](#)

Classified Partners: [Jobs: CareerBuilder.com](#) | [Cars: cars.com](#) | [Homes: HomeScape](#) | [Apartments: apartments.com](#) | [Shopping: Shop](#)

Copyright © 2007 The Enquirer. All rights reserved. Users of this site agree to the [Terms of Service](#) and [Privacy Policy/Your California Priv](#)



THE ENQUIRER

Local news

Cincinnati.Com » The Enquirer » Local news » Feds helping Sharonville cops
Last Updated: 11:10 am | Tuesday, December 18, 2007

Feds helping Sharonville cops

BY JENNIFER BAKER | JBAKER@ENQUIRER.COM

E-mail | Print | digg us! | del.icio.us! | Click-2-Listen

SHARONVILLE - Federal immigration officials said this morning they are assisting Sharonville detectives in the investigation of a brutal quadruple homicide of four Hispanic men found last week.

Sharonville police remain the lead investigators into who stabbed and beat the men inside an apartment complex off East Kemper Road, said Greg Palmore, a spokesman for U.S. Immigration and Customs Enforcement (ICE) in Detroit, the regional office that covers Ohio and Michigan.

"We got a call from Sharonville police and we are cooperating with them," he said, declining further comment.

ADVERT SERMENT ICE agents would have access to federal immigration files on the men if they were in this country legally.

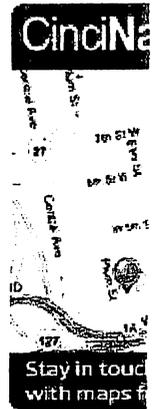
The men's identities remain a mystery. Police found the men Thursday, more than a week after they stopped showing up for work at a Mason masonry company.

A \$2,500 receipt was found in the men's apartment showing that at least one victim sent money to Mexico.

Robbery has been considered an unlikely motive in the slayings. One victim's wallet containing \$1,300 was found at the scene. The wallet left no other clues, such as identification.

The Enquirer will update this story as information develops.

E-mail | Print | digg us! | del.icio.us! | Click-2-Listen
Cincinnati.Com » The Enquirer » Local news » Feds helping Sharonville cops



Related New

EDUCATION

- CPS must decide on levy
- Goods that do good

Ohio School Facilities Commission Meeting

Witness Form

Name: James Peppers Title: _____

School District/Company: _____

Address: 1308 W. Sylvan City/State/Zip: Toledo, OH 43612

Phone: 419-476-7505 Fax: 419-476-7506

Testimony Subject:

Follow up to last month's presentation
regarding MLM Enterprise LLC.

Will you be providing handouts/materials? Yes

*****Please return the Witness Form and ten (10) copies of your testimony and materials to the Committee Secretary prior to testifying.*****

I want to thank you for the opportunity to follow-up my presentation last month. I ask the Commission to take a look at the documentation in front of you regarding a mechanics lien filed 5 days after my last presentation. This is a lien filed against MLM Enterprises for the material used on a recent OSFC/TPS project – New Libbey Middle School. Sherwin Williams has also listed Toledo Public Schools and the General Contractor, J.L. Judge, as additional parties responsible for the unpaid materials. Now MLM's practices have impacted a public authority. My tax dollars will now be spent answering this matter. This money along with the tax dollars he already owes compounds the public's frustration to the fact that he is still on OSFC projects and may be awarded more.

This single lien may not seem significant, but when you add it to the documentation I presented last month it illustrates that this is a very irresponsible contractor and you should take emergency action against this contractor. This contractor is showing signs of real trouble. He has been awarded millions of dollars of work funded by this Commission. I urge you to recognize the fact even though he has had millions of dollars of work he chooses to not pay his bills, does not pay his taxes and frankly cheats the people of Ohio.

I feel immediate action is needed because these types of problems seem to keep coming up with this contractor.

Thank you.



20080129-0004451

6750-8646-6
Job 62

AFFIDAVIT FOR CLAIM

Pages: 5 Fee: \$52.00

01/29/2008 08:52:56 AM

T20080004912

Jeanine Perry
Lucas County Recorder LIEN

STATE OF OHIO)
) SS.
COUNTY OF MEDINA)

The undersigned, Evan Mangan, being first duly sworn, states that he is a District Credit Manager for the Sherwin-Williams Company, whose address is 1321 North Industrial Parkway, Suite 1000, Brunswick, Ohio 44212, and that Sherwin-Williams Company furnished material for the public improvement which is provided for in a contract between MLM Enterprises, 6051 Telegraph Road, Suite 31, Toledo, Ohio 43612, Subcontractor to J.L. Judge Construction, 1551 Rosa Parks Blvd., Suite B, Detroit, Michigan 48216, General Contractor and The Toledo City School District, 420 East Manhattan Blvd., Toledo, Ohio 43608, in connection with the project commonly known as the New Libby Middle School, located at 430 Nebraska Avenue, Toledo, Lucas County, Ohio. The material furnished by Sherwin-Williams Company was pursuant to a contract with MLM Enterprises. The last of the material was furnished on December 27, 2007. There is due and unpaid over and above all credits and setoffs thereon to Sherwin-Williams Company for material furnished the sum of Two Thousand Five Hundred Fifty Nine Dollars and Fourteen Cents (\$2,559.14) or which Sherwin-Williams Company claims a lien upon the unpaid portion of the contract between MLM Enterprises, J.L. Judge Construction and The Toledo City School District.

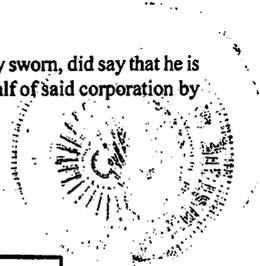
A Notice of Furnishing, pursuant to Section 1311.261 of the Ohio Revised Code was served upon the Public Authority, General Contractor and Surety on October 20, 2006. A copy of the Notice of Furnishing is attached hereto as Exhibit "A".

Evan Mangan
Evan Mangan, District Credit Manager
for the Sherwin Williams Company

STATE OF OHIO)
) ss.
COUNTY OF MEDINA)

On the 21 day of January, 2008, personally appeared before me Evan Mangan who, being by me duly sworn, did say that he is a District Credit Manager for The Sherwin Williams Company and that the above instrument was signed on behalf of said corporation by authority, and said Evan Mangan acknowledged to me that he as such attorney in fact executed the same.

Deborah Sage
Notary Public



This instruction was prepared by:

SEE ENV
Michael B. Bach
Attorney at Law
DeHaan & Bach Co. L.P.A.
11256 Cornell Park Drive, #500
P. O. Box 429321
Cincinnati, Ohio 45242
#215-4507

DEBORAH S. SAGE
Notary Public, State of Ohio
Medina County
My Comm. Expires Nov. 4, 2008

NOTICE OF FURNISHING MATERIALS
(FOR USE IN CONNECTION WITH PUBLIC IMPROVEMENTS)

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

TO: OWNER: TOLEDO CITY SCHOOL DISTRICT (Owner)
420 E MANHATTAN BLVD
TOLEDO, OH 43608

CONTRACTOR: JL JUDGE CONSTRUCTION SVCS LLC
1551 ROSA PARKS BLVD STE B
DETROIT MI 48216

The undersigned notifies you that he has furnished or performed or will furnish or perform:

for the improvement of the real property identified as:

LIBBEY JR HIGH
430 NEBRASKA AVE
TOLEDO OH

under order given by: MLM CO
6051 Telegraph Rd #31
TOLEDO OH 43612

The labor, work or materials were first furnished or performed or will be furnished
or performed on: 10/19/2006

Sherwin Williams Company is furnishing this notice to comply with your state law and to
protect its legal rights. This notice is, in no way, a negative reflection upon your contractor, The
Sherwin Williams Company's valued customer. IF A NOTICE OF COMMENCEMENT AND/OR
PAYMENT BOND EXISTS FOR THIS PROJECT, PLEASE FORWARD A COPY TO THE UNDERSIGNED.

Dated: 10/20/2006

Sherwin Williams Company

When responding to this request for Notice of
Commencement, please return a copy of
this letter for easy reference.



cc: MLM CO
THE CONTINENTAL INS CO

11256 Cornell Park Drive, Suite 500
Cincinnati, Ohio 45242 (513) 489-7671 FAX
1805 / 62 / 076736

2. Article Number

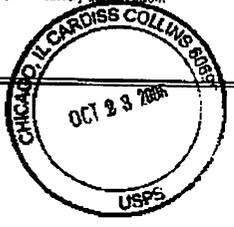
71603901984895372774

3. Service Type **CERTIFIED MAIL**
4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:
THE CONTINENTAL INS CO
C.N.A. CENTER
CHICAGO IL 60685
076736

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <i>[Signature]</i>	B. Date of Delivery
C. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No	



Monday, October 29, 2007 .max

2. Article Number



71603901984896372750

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

TOLEDO PUBLIC SCHOOLS
420 E MANHATTAN BLVD
TOLEDO OH 43608
076736

PS Form 3811, January 2009

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Recipient Signature (Print Clearly)
Cates

B. Date of Delivery
10-23-06

C. Signature
Cates

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below
 Yes
 No

2. Article Number



71603901984895372767

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:
**JL JUDGE CONSTRUCTION
1551 ROSA PARKS BLVD STE B
DETROIT MI 48216
076736**

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Print or Stamp)

RAYMOND A. HENRI

October 30, 2006

C. Signature

[Handwritten Signature]

D. Is delivery address different from item 1?
If YES, enter delivery address below

Agent
 Addressee
 Yes
 No

PS Form 3811, January 2003

Domestic Return Receipt