

County Commissioners Office
Auglaize County, Ohio
April 3, 2012

NO. 12-134

IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the practice of using "Then and Now Certificates" has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of "Then and Now Certificates", does hereby approve the following:

<u>Check #</u>	<u>Amount</u>	<u>Vendor</u>
360732	\$ 7,420.91	Wapakoneta Municipal Utilities
360747	\$ 2,443.00	Joseph A. Benavidez
360782	\$ 397.00	Nicole Winget
360795	\$ 312.86	Victor Geib
360806	\$ 7,510.91	Gordan Foods
360834	\$ 2,579.71	Mitchell & Associates, Inc.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: County Auditor

**IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE A
SUBORDINATION AGREEMENT FOR THE BENEFIT OF CHIP RECIPIENT BETH A. SLIFE.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, on January 21, 2005, Beth A. Slife, executed a mortgage in favor of the Board of County Commissioners as the Board authorized the expenditure of CHIP funds in the total amount of \$31,884.00 for the renovations of the property where Beth A. Slife now resides; and,

WHEREAS, Ms. Slife further executed the following mortgages in favor of the Board of County Commissioners as the Board for above mentioned property: 06/29/05 - \$2,200.00; 04/25/07 - \$1,282.00; and,

WHEREAS, Beth A. Slife has now requested the Board execute a subordination agreement so as to allow her to secure a new loan in the amount of \$80,000.00; and,

WHEREAS, the Board finds the request to be reasonable as the appraised value of the property is \$100,000.00.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the President of the Board to execute the subordination agreement for the benefit of CHIP recipient Beth A. Slife; and,

BE IT FURTHER RESOLVED that a fully executed copy of this agreement be hereto attached and thus become a part of this Resolution.

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

Adopted this 3rd day
of April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

Attachment

Cc: Beth A. Slife
CHIP file
Prosecuting Attorney – Ed Pierce
Jason E. This – Attorney at Law

SUBORDINATION OF MORTGAGE

This subordination agreement is made this 3rd day of April, 2012, Beth A. Slife, unmarried, and the Board of County Commissioners, Auglaize County, Ohio and by Minster Bank under the following terms and conditions:

A. The Board of County Commissioners, Auglaize County, Ohio, are the holders of an Open End Mortgage executed by Beth A. Slife, unmarried, ("Borrower"), to Board of County Commissioners Auglaize County, Ohio, in the sum of \$31,884.00 dated January 21, 2005 and filed for record on January 31, 2005 in Volume 519, Page 2694, Auglaize County Recorder's Official Records, (the "Existing Mortgage One"), which is a lien on the real estate described in the attached Exhibit "A".

B. The Board of County Commissioners, Auglaize County, Ohio are the holders of an open Mortgage from Beth A. Slife, unmarried, ("Borrower") to Board of County Commissioners Auglaize County, Ohio, in the amount of \$2,200.00, dated June 29, 2005, filed for record July 12, 2005 at 3:21 o'clock p.m. and recorded in Volume 527, Page 1491, Auglaize County Recorder's Official Records (the "Existing Mortgage Two"), which is a lien on the real estate described in the attached Exhibit "A". Note: Ann L. Dammeyer the true record owner did not sign this document.

C. The Board of County Commissioners, Auglaize County, Ohio are the holders of an open Mortgage from Beth A. Slife, unmarried, and Ann L. Dammeyer ("Borrower"), to Board of County Commissioners Auglaize County, Ohio, in the amount of \$1,282.00, dated April 25, 2007, filed for record May 9, 2007 at 3:44 o'clock p.m. and recorded in Volume 554, Page 110, Auglaize County Recorder's Official Records (the "Existing Mortgage Three"), which is a lien on the real estate described in the attached Exhibit "A". Note: This mortgage supplements O.R. 519, Pg. 2694.

D. Beth A. Slife has purchased the real estate and has terminated their land installment contract pursuant to a warranty deed from Ann Lynn Dammeyer aka Ann L. Dammeyer to Beth A. Slife, dated March 9, 2012, filed for record March 20, 2012 at 1:33 o'clock p.m. and recorded in Volume 614, Page 2052, Auglaize County Recorder's Official Records and said real estate described in the attached Exhibit "A".

E. The Minster Bank is the holder of an Open-end Mortgage executed by Beth A. Slifeunmarried, in the sum of \$80,000.00, dated March 9, 2012 and filed for record on March 20, 2012 in Volume 614, Page 2055, with the Recorder of Auglaize County, Ohio (instrument #201200001713) in the Official Records (the "New Mortgage"), which is also a lien on the real estate described above.

F. As part of the consideration and to induce the Minster Bank to make a loan to Beth A. Slife, the Board of County Commissioners Auglaize County, Ohio, have agreed to subordinate the lien of the Existing Mortgage One (recorded in Volume 519, Page 2694, Auglaize County Recorder's Official Records) and the lien of Existing Mortgage Two (recorded in Volume 554, Page 110, Auglaize County Recorder's Official Records) and the lien of Existing Mortgage Three (recorded in Volume 554, Page 110, Auglaize County Recorder's Official Records) to the lien of the New Mortgage of Minster Bank upon the terms and conditions set forth in this agreement.

NOW THEREFORE, Board of County Commissioners Auglaize County, Ohio, Ann L. Dammeyer, unmarried, Beth A. Slife, unmarried, and Minster Bank agree as follows:

1. Board of County Commissioners, Auglaize County, Ohio, subordinates the lien of their Existing Mortgage One, Existing Mortgage Two, and Existing Mortgage Three to the lien of the New Mortgage of Minster Bank; however, this subordination shall not otherwise affect the validity or priority of their Mortgages of Board of County Commissioners, Auglaize County, Ohio.

2. This Subordination Agreement shall be binding upon and inure to the benefit of Board of County Commissioners, Auglaize County, Ohio, Beth A. Slife, unmarried and Minster Bank, their respective successors and assigns.

SIGNED as of the date first written above.

BETH A. SLIFE

STATE OF OHIO, COUNTY OF AUGLAIZE, ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by Beth A. Slife, unmarried.

Notary Public

Board of County Commissioners,
Auglaize County, Ohio

Douglas A. Spencer
Representative

STATE OF OHIO, COUNTY OF ~~Auglaize~~ Auglaize ss:

The foregoing instrument was acknowledged before me this 3rd day of April, 2012 by Board of County Commissioners, Auglaize County, Ohio, by and through its President, Douglas A. Spencer.



ESTHER M. LEFFEL
Notary Public, State of Ohio
My Commission Expires 02/12/17

Esther M. Leffel
Notary Public

MINSTER BANK

by: _____

STATE OF OHIO, COUNTY OF _____, ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by Minster Bank by _____.

Notary Public

Exhibit "A"

Situated in the State of Ohio, County of Auglaize, and the City of St. Mary's and being lot number One Hundred Seventeen (117) in the Hillsdale Third Addition to the City of St. Mary's, Auglaize County, Ohio. Subject to easements and restrictions of record.

Prior Instrument Reference: Volume 614, Page 2052

Parcel ID #: K32-028-011-00

The property is conveyed subject to, and there are hereby excepted from the general warranty covenants, the following:

- (i) All easements, rights-of-way, restrictions, covenants, reservations, and encumbrances of record;
- (ii) All legal highways;
- (iii) Building and zoning statutes, ordinances, codes, rules, and regulations;
- (iv) Real estate taxes and assessments not yet due and payable.

Premises known as 414 Concord Avenue, St. Marys, Ohio

IN THE MATTER AMENDING RESOLUTION#12-119 TO INCLUDE THE CORRECT BID OPENING DATE AS REQUESTED BY THE COUNTY ENGINEER.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, Doug Reinhart, County Engineer, informed the Board of County Commissioners that the correct bid opening date is set for April 10, 2012 at 2:00 p.m. as the date and time to receive bids for the purchase of herbicides for control of noxious weeds on our roadside and permanent maintenance drainage ditches; same will be used by the Highway Department during the 2012 season.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby correct and set April 10, 2012 at 2:00 p.m. as the date and time to receive and publicly open bids for herbicides to be used by the Highway Department.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

<u>Douglas A. Spencer</u>	<u>Yes</u>
Douglas A. Spencer	
<u>Don Regula</u>	<u>yes</u>
Don Regula	
<u>John N. Bergman</u>	<u>yes</u>
John N. Bergman	

cc: County Engineer

IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE A SPECIAL SESSIONS OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

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

WHEREAS, the Board must set special sessions for the purpose of attending the Franklin B. Walters Awards Dinner on Wednesday, April 4, 2012, from 6:00 p.m. – 8:30 p.m. at the Wapakoneta High School, Wapakoneta, Ohio and for attending the Ten County Luncheon on Friday, April 6, 2012, from 1:00 p.m. – 4:00 p.m. at the Versailles Inn, Versailles, Ohio; until such time that the Commissioners arrive back in Wapakoneta or the conclusion of the meeting.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set Wednesday, April 4, 2012 from 6:00 p.m. – 8:30 p.m. and set Friday, April 6, 2012 from 1:00 p.m. – 4:00 p.m. or until such time as the meeting is concluded or the that the Commissioners arrive back in Wapakoneta, Ohio, at the location so named above as the date, time and place to convene a special sessions for said Board for the purpose as set forth; and,

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

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: newspapers

IN THE MATTER OF ACCEPTING THE RESIGNATION OF DEBORAH VAN TILBURG AS THE PART-TIME JANITOR/HOUSEKEEPER FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, Deborah Van Tilburg, Part-time Janitor/Housekeeper of the Board of Auglaize County Commissioners, submitted the following correspondence to the Board of County Commissioners:

March 28, 2012

Auglaize County Commissioners & County Administrator
209 S. Blackhoof St.
Wapakoneta, Ohio 45895

Dear Doug, John, Don and Mike:

I am giving you my retirement notice effective June 1, 2012. Thank you for hiring me five years ago. The job has been rewarding but challenging at times. I have enjoyed meeting and working with the different offices. I am looking forward to traveling with my husband and spending time with old friends and grandchildren. I will miss everyone. Best Wishes!

Sincerely,
s/Deborah Van Tilburg
Deborah Van Tilburg

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Auglaize County does hereby accept the resignation of Deborah Van Tilburg as Part-time Janitor/Housekeeper of the Board of Auglaize County Commissioners; same to be effective at 11:59:59 p.m., May 31, 2012; and,

BE IT FURTHER RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does commend Part-time Janitor/Housekeeper Deborah Van Tilburg for her faithfulness and dedication to the citizenry of Auglaize County, and does further, extend its best wishes in her retirement.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: ~~Deborah Van Tilburg~~
~~County Auditor~~

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested by Sheriff, Allen Solomon to decrease the Annual Appropriation with moneys that were certified and unappropriated; and,

WHEREAS, the request is to amend the 2012 Annual Appropriation to reflect the following decrease in the (199) Residential Intervention & Diversion Grant Fund:

Decrease 199.0199.530600 (Services) by \$27,308.50;
Increase 199.0199.531000 (Reimbursement) by \$23,340.00.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2012 Annual Appropriation Resolution be amended to show the decrease as tabulated above.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer . Yes
Douglas A. Spencer

Don Regula . Yes
Don Regula

John N. Bergman . Yes
John N. Bergman

cc: County Auditor
Sheriff Solomon

IN THE MATTER OF APPROVING THE 2012 BRIDGE REPLACEMENT/REHABILITATION PROGRAM AS PRESENTED BY COUNTY ENGINEER DOUGLAS REINHART.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, County Engineer, Doug Reinhart, presented the 2012 county bridge replacement/rehabilitation program to the Board of County Commissioners with the following bridges listed for upgrading:

3 SIDED PREMANUFACTURED CONCRETE BOXES

WAY-200-25.53	Allen Union Wayne 0.5 miles East of SR# 196	\$ 34,278.
NOB-015-16.72	Koenig Road one mile north of SR# 33	\$ 39,021.
NOB184A-05.86	St. Marys Kossuth over 6-mile creek	\$ 54,707.

COUNTY MANUFACTURED CONCRETE BRIDGE BEAMS

SAL-200-05.54	Barber Werner over Miami & Erie Canal	\$ 40,483.
NOB184A-05.87	St. Marys Kossuth over 6-mile creek	\$ 80,311.

LARGE DIAMETER REINFORCED CONCRETE PIPE

UNI-180-23.33	Fairmont Road 1/3 mile east of Graham	\$ 40,345.
WAS-33A-07.47	CR# 33A over Schultz Ditch	\$ 17,786.

BRIDGE DECK REHABILITATION

DUC-191-16.20	Townline Lima 0.2 mile north of Blank Pike	\$ 32,871.
GER-050-02.02	Amsterdam Road east of Tri-Township	\$ 28,523.
JAC-036-05.69	North Corporation Road west of East Shelby	\$ 7,101.
WAS-101-11.95	Bay Road south of Weifenbach Road	\$ 10,095.
WAS-103A-10.88	Moulton Angle west of Moulton Knoxville	\$ 9,965.
WAS-106-06.01	Holtkamp Road east of East Shelby	\$ 6,622.
14-21	CR#33A	<u>\$147,092.</u>

2012 BRIDGE PROGRAM TOTAL \$ 549,200.

THEREFORE BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the above shown 2012 Bridge Replacement Program and does authorize Engineer Doug Reinhart to proceed with plans to cause the mentioned replacements.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested to authorize budget adjustment as follows: and,

Sheriff Fund:

Amount:	From:	To:
\$ 4,000.00	001.0601.530400 (LE Equipment)	001.0601.531300 (Allowances)

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustment to show the changes as tabulated above.

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

Adopted this
3rd day of
April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

cc: County Auditor
✓ Sheriff

County Commissioners' Office
Auglaize County, Ohio
April 3, 2012

No 12-142

IN THE MATTER OF AUTHORIZING THE PAYMENT OF THE COUNTY'S MANDATED SHARE OF PUBLIC ASSISTANCE FOR APRIL.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 3rd day of April, 2012.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary to pay the county's mandated share of Public Assistance for April.

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

From: 001-0905-533500 – Public Assistance Grant
Amount: \$ 7,429.42
To: 006-0400-400101 – Public Assistance

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

Adopted this 3rd day
of April, 2012

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

Cc: County Auditor
Jobs & Family Services