

IN THE MATTER OF ACCEPTING THE PETITION AND BOND FOR THE SPENCER #2 SINGLE COUNTY DITCH IMPROVEMENT; FIXING DATE OF VIEW AND HEARING FOR SAME.

The Board of Auglaize County Commissioners met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Spencer moved the adoption of the following

RESOLUTION

WHEREAS, the County Engineer filed with the Board of County Commissioners of Auglaize County, Ohio, a petition signed by Ronald Spencer and Jim Gossard, as petitioners, to locate and install three subsurface tile with catch basins on the following described course;

Branch #1

Commencing at an existing open tile located 600' west and 1300 feet south of the northeast corner of Section 3, Wayne Township Auglaize County; thence following the general location of an existing subsurface tile in a west-southwest direction for a distance of approximately 1570' to SR# 117 and there to terminate.

Branch # 2

Commencing at an existing open ditch located 600' west and 1300' south of the northeast corner of Section 3, Wayne Township, Auglaize County; thence following the general location of an existing subsurface tile in a southwest direction for a distance of approximately 1650' to State Route # 117 and there to terminate.

Branch #3

Commencing at an existing open ditch located 600' west and 1300' south of the northeast corner of Section 3, Wayne Township, Auglaize County; thence in a south/southeast direction following the general location of an existing tile main a distance of approximately 2,800 feet to SR# 117 and there to terminate.

The exact sizes and location of the three tile lines shall be determined during the engineering study between the times of the first and second hearings held by the Auglaize County Commissioners. All costs of engineering, construction and future maintenance shall be assessed to the benefitting parcels of ground as outline in Section 6131 of the Ohio Revised Code.
and,

WHEREAS, it appears to said Board that the proper bond has been filed with the petition, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles and schedules, if the prayer of the petition is not granted, or if said petition is for any cause dismissed.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby accept the petition and bond for the Spencer #2 Single County Ditch improvement; setting the 7th day of October, 2008, at 10:00 a.m., local time, meeting at SR #117 one-half mile north of the Buckland Holden Road, as the time and place for the view thereon; and,

BE IT FURTHER RESOLVED that the 4th day of November, 2008, at 10:00 a.m., local time, in the Commissioners Chambers of the Auglaize County Administration Building, 209 S. Blackhoof St., Room 201, Wapakoneta, Ohio, be and the same is hereby fixed as the time and place for the first hearing on the petition; and,

BE IT FURTHER RESOLVED that notice of said view and hearing be given as requested by law.

Mr. Kramer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this
28th day of
August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT, _____

John N. Bergman

Douglas A. Spencer, YES

Douglas A. Spencer,

Ivo J. Kramer, YES

Ivo J. Kramer

cc: *i* County Engineer

Spencer # 2 Single COUNTY DITCH PETITION

Revised Code, Sections. 6131, 6137

Wapakoneta, Ohio, _____, 2008
Petition to locate, install two subsurface tile lines with catch basins

To the board of County Commissioners, Auglaize County, Ohio:

The undersigned hereby petition your honorable body to locate, install two subsurface tile with catch basins'

On the course hereinafter set forth.

The construction of the improvement is necessary, and will be conducive to the public welfare.

The following is the course and termini of said proposed improvement, to-wit:

Branch #1

Commencing at an existing open ditch located 600' west and 1300 feet south of the northeast corner of Section 3, Wayne Township Auglaize County; thence following the general location of an existing subsurface tile in a west-southwest direction for a distance of approximately 1570' to SR# 117 and there to terminate

Branch # 2

Commencing at an existing open ditch located 600' west and 1300' south of the northeast corner of Section 3, Wayne Township, Auglaize County; thence following the general location of an existing subsurface tile in a southwest direction for a distance of approximately 1650' to State Route # 117 and there to terminate.

Branch #3

Commencing at an existing open ditch located 600' west and 1300' south of the northeast corner of Section 3, Wayne Township, Auglaize County; thence in a south/southeast direction following the general location of an existing tile main a distance of approximately 2,800 feet to SR# 117 and there to terminate.

The exact sizes and location of the three tile lines shall be determined during the engineering study between the times of the first and second hearings held by the Auglaize County Commissioners. All costs of engineering, construction and future maintenance shall be assessed to the benefitting parcels of ground as outlined in section 6131 of the Ohio Revised Code.

The following is the nature of the work petitioned for:

Location and installation of three subsurface tile mains with catch basins

BOND

(TO BE FILED WITH DITCH PETITION)

Revised Code, SEC. 6131.06

KNOW ALL MEN BY THESE PRESENTS, *That we, Ron Spencer*

, as principal, and

and

as sureties, are held and firmly bound unto the State of Ohio, in the sum of ' five hundred Dollars, To the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by is and dated at *Wapakoneta*, Ohio, this *26th* day of *August*, 2008

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, *That, Whereas, on the*

26th day of *August*, 2008

filed their petition with the Clerk of the County Commissioners to

locate and install two subsurface tile mains with catch basins

petitioned for by and others,

the following being the course and termini of said proposed improvement, to-wit:

Branch #1

Commencing at an existing open ditch located 600' west and 1300 feet south of the northeast corner of Section 3, Wayne Township Auglaize County; thence following the general location of an existing subsurface tile in a west-southwest direction for a distance of approximately 1570' to SR# 117 and there to terminate

Branch # 2

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Branch #3

Commencing at an existing open ditch located 600' west and 1300' south of the northeast corner of Section 3, Wayne Township, Auglaize County; thence in a south/southeast direction following the general location of an existing tile main a distance of approximately 2,800 feet to SR# 117 and there to terminate.

Now, if the said *will pay the cost of* notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles, and schedules, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

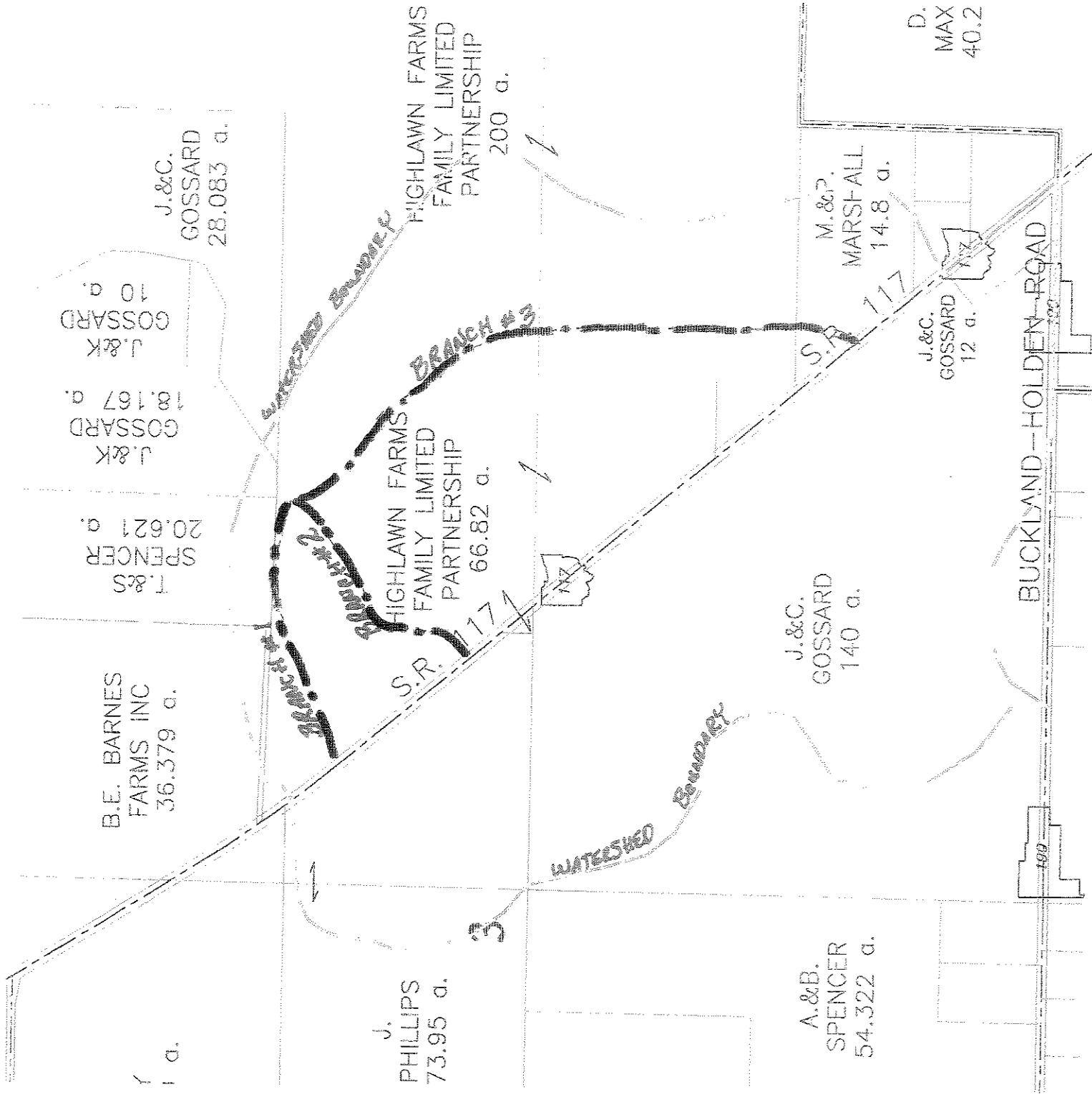
Ron Spencer

The above bond is approved this

26 day of *August*, 2008

Just School

PARCEL#	OWNER	ADD1	NO	STREET	CITY	STATE	ZIP	ACRES
N41-002-002-01	GARY A. YOUNG		19119	SR 117	WAYNESFIELD	OH	45896	3.39
N41-002-002-03	JAMES & CHERYL GOSSARD		6055	HAY ROAD	HARROD	OH	45850	12
N41-002-002-04	GREGORY & STACI DOTSON		19090	SR 117	WAYNESFIELD	OH	45896	2.5
N41-002-002-00	MICHAEL & PENNY MARSHALL		19093	SPENCER ROAD	WAYNESFIELD	OH	45896	14.8
N41-003-005-00	JASON & APRIL CALVERT		19316	SR 117	WAYNESFIELD	OH	45896	2.18
N41-003-004-00	JAMES & CHERYL GOSSARD	C/O RUTH GOSSARD (TRUSTEE)	6055	HAY ROAD	HARROD	OH	45850	140
N41-002-001-00	HIGHLAWN FARMS FAMILY LIMITED PARTNERSHIP		8115	FAULKNER ROAD	HARROD	OH	45850	200
N41-003-006-00	HIGHLAWN FARMS FAMILY LIMITED PARTNERSHIP		8115	FAULKNER ROAD	HARROD	OH	45850	66.82
N41-003-001-00	JOHN F. PHILLIPS & JANICE A. KLAY		2	REDSKIN TRAIL	WAPAKONETA	OH	45895	73.95
N41-003-007-00	B. E. BARNES FARMS INC		18624	SR 117	WAYNESFIELD	OH	45896	36.379
N41-003-007-01	TODD & SHANI SPENCER		19850	SR 117	WAYNESFIELD	OH	45896	20.621
N41-003-006-01	JOHN & KRISTEN GOSSARD		6701	HAY ROAD	HARROD	OH	45850	18.167
N41-003-006-02	JAMES & CHERYL GOSSARD		9850	AMHERST ROAD	HARROD	OH	45850	1.939
	OHIO DEPARTMENT OF TRANSPORTATION		1001	ST. MARYS ROAD	SIDNEY	OH	45365	
	AUGLAIZE COUNTY HIGHWAY DEPARTMENT			P.O. BOX 59	WAPAKONETA	OH	45895	



J.&K.
GOSSARD
10 a.

J.&K.
GOSSARD
18.167 a.

T.&S.
SPENCER
20.621 a.

B.E. BARNES
FARMS INC
36.379 a.

J.&C.
GOSSARD
28.083 a.

J.
PHILLIPS
73.95 a.

HIGHLAWN FARMS
FAMILY LIMITED
PARTNERSHIP
66.82 a.

HIGHLAWN FARMS
FAMILY LIMITED
PARTNERSHIP
200 a.

A.&B.
SPENCER
54.322 a.

J.&C.
GOSSARD
140 a.

M.&P.
MARSFALL
14.8 a.

D.
MAX
40.2

J.&C.
GOSSARD
12 a.

BUCKLAND-HOLDEN ROAD

WATERSHED Boundary

WATERSHED Boundary

Branch #3

Branch #2

S.R. 177

S.R. 177

3

100

200

County Commissioners Office
Auglaize County, Ohio
August 28, 2008

NO. 08-315

IN THE MATTER OF AUTHORIZING THE RETURN TO ST MARYS CHRYSLER, DODGE, JEEP, INC. OF THREE VEHICLES USED BY THE JUVENILE PROBATION SUMMER WORK PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on June 24, 2008 and July 10, 2008, the Board of County Commissioners purchased three (3) vehicles from St. Marys Chrysler, Dodge Jeep, Inc.; namely, a 2001 Dodge Grand Caravan, a 2005 Dodge Grand Caravan and a 2005 Chrysler Town and Country; and,

WHEREAS, these three vehicles were used by the Auglaize County Juvenile Probation Department for its juvenile offender summer work program; said program being funded through a grant; and,

WHEREAS, as it was more advantageous and economical to purchase the vehicles as to lease them, and that the summer work program is complete, it is now time to sell them back to St. Marys Chrysler, Dodge Jeep, Inc. as had been agreed upon at the time of purchase; and,

WHEREAS, the following amounts reflect the costs and pay backs for the use of above mentioned vehicles from St. Marys Chrysler, Dodge Jeep, Inc.:

<u>Vehicle</u>	<u>Purchase cost</u>	<u>Return amount</u>	<u>Cost for Juvenile Probation</u>
2001 Dodge Grand Caravan	\$ 5,095.00	\$ 4,095.00	\$1,255.00*
2005 Dodge Grand Caravan	\$ 7,995.00	\$ 6,995.00	\$1,255.00*
2005 Chrysler Town & Country	\$10,995.00	\$10,295.00	\$ 955.00*

* The 2001 & 2005 Dodge Grand Caravans were used for two months and the 2005 Chrysler Town & Country was used for 1 1/2 months.

WHEREAS, Juvenile Probation will fund the expense for use of the vehicles in the amount of \$3,465.00.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does, pursuant to the agreement between said Commissioners, Juvenile Probation and St. Marys Chrysler, Dodge Jeep, Inc., hereby authorize the return of the three purchased vehicles mentioned above; accepting **\$21,385.00** for the return; and,

BE IT FURTHER RESOLVED that the Board acknowledges that Auglaize County Juvenile Probation will pay the Auglaize County General Fund. \$3,465.00, using grant funding, for the use of the vehicles

Mr. Kramer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
28th day of
August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT _____
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Ivo J. Kramer Yes
Ivo J. Kramer

cc: ~~St. Marys Chrysler, Dodge, Jeep, Inc.~~
/ Juvenile Probation – Sally Imondi

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONIES
CERTIFIED AND NOT APPROPRIATED IN THE JAIL COMMISSARY FUND;**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, under the date of January 3, 2008, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and

WHEREAS, Janet Schuler did inform the Board that monies were certified and unappropriated in the Jail Commissary fund. Therefore, the Board will amend the 2008 Annual Appropriation as follows:

- Increase 059-0059-530300 by \$ 30,000.00**
- Increase 059-0059-530600 by \$ 12,000.00**

THEREFORE, BE IT RESOLVED that the Board of County Commissioners does order the 2008 Annual Appropriation Resolution be amended to show the changes as tabulated above.

Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 28th day
of August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Absent _____,
John N. Bergman

Douglas A. Spencer, 45
Douglas A. Spencer

Ivo J. Kramer, Yes
Ivo J. Kramer

Cc: County Auditor
 Sheriff

County Commissioners' Office
Auglaize County, Ohio
August 28, 2008

No 08-317

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONIES
CERTIFIED AND NOT APPROPRIATED IN THE ST. MARYS RIVER PROJECT FUND;**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, under the date of January 3, 2008, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and

WHEREAS, Janet Schuler did inform the Board that monies were certified and unappropriated in the St. Marys River Project fund. Therefore, the Board will amend the 2008 Annual Appropriation as follows:

Increase 799-0799-535900 by \$ 7,000.00

THEREFORE, BE IT RESOLVED that the Board of County Commissioners does order the 2008 Annual Appropriation Resolution be amended to show the change as tabulated above.

Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 28th day
of August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Absent
John N. Bergman

Douglas A. Spencer YS
Douglas A. Spencer

Ivo J. Kramer Yes
Ivo J. Kramer

Cc: County Auditor
 County Engineer

County Commissioners' Office
Auglaize County, Ohio
August 28, 2008

No 08-318

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO THE
AMENDED CERTIFICATE OF ESTIMATED RESOURCES AMENDMENT AS REPORTED
BY THE COUNTY AUDITOR: SAME BEING FOR THE HANDGUN LICENSE FUND.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, under the date of January 3, 2008, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board by the County Auditor; and

WHEREAS, County Auditor Janet Schuler did inform the Board that an amendment to the Annual Amended Official Certificate for the Handgun License fund was made. The 2008 Annual Appropriation should be amended to include the following:

Increase 020-0020-530600 by \$ 5,000.00

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2008 Annual Appropriation Resolution be amended to show the change as tabulated above.

Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 28th day
of August, 2008

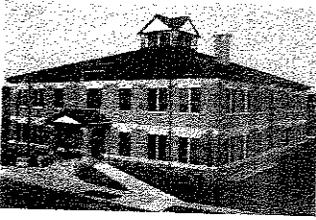
BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Absent _____
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Ivo J. Kramer Yes
Ivo J. Kramer

Cc: ✓ County Auditor
 Sheriff



Members:

*Douglas A. Spencer
John N. Bergman
Ivo J. Kramer*

Board of County Commissioners

209 S. Blackhoof St. - Room 201

Wapakoneta, Ohio 45895-1972

Phone: 419-739-6710 Fax: 419-739-6711

e-mail: commissioner@auglaizecounty.org

FILE COPY

August 28, 2008

Mr. James G. Becker
17338 Middle Pike
Wapakoneta, OH 45895

Dear Mr. Becker,

This letter is to inform you of the findings on the financial statements for Auglaize County. In 2006, the County was found to have a "material noncompliance/significant deficiency". Ohio Revised Code Section 9.38 states that public money must be deposited with the Treasurer of the public office or to a designated depository on the business day following the day of receipt. In 2006, MR/DD had \$897,000.00 that was not deposited with the Treasurer in a timely matter. The County Auditor has talked to Superintendent Alvin Willis about this issue, but it is still continuing.

Again, in 2007, Auglaize County is being found to have a "material weakness/noncompliance citation" because of the same issue. There were approximately only one to two deposits made monthly by the MR/DD Board to the Treasurer. As a result, approximately \$859,758.00 was not deposited in a timely manner.

The failure to deposit receipts promptly may have a material impact on the financial statements of the County since there is an increased risk of the loss or misuse of the money received. There is also a loss of interest earned.

As the representative of the County Commissioners on the MR/DD Board, we are requiring you and the MR/DD Board to come up with a policy directed at making timely deposits. Please have this policy in place and a copy of it to our office by November 30, 2008. As County Commissioners, we can not and will not allow the County to be jeopardized by one office. This issue must receive the utmost attention of the MR/DD Board.

August 28, 2008

Page 2

We are also asking Probate, Juvenile Court Judge Mark Spees to inform his appointees to the MR/DD Board of Trustees of this same issue.

Your immediate attention to this matter is required.

Respectfully,

Absent

John N. Bergman, President


Douglas A. Spencer, Vice President


Ivo J. Kramer, Member
Auglaize County Board of Commissioners

cc: ✓ Judge Mark Spees
✓ Auditor Janet Schuler
✓ Deputy State Auditor Angela M. Sparks
✓ MR/DD Superintendent Alvin Willis

County Commissioners' Office
Auglaize County, Ohio
August 28, 2008

No 08-319

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS WITHIN THE SHERIFF
APPROPRIATION AND THE INMATE TELEPHONE FUND.**

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Kramer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board did receive correspondence from Sheriff Solomon requesting various budget adjustments in the Sheriff appropriation and the Inmate Telephone Fund.

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

From	To	Amount
052-0052-530600	052-0052-530300	\$ 3,000.00
001-0601-530600	001-0601-530301	\$ 10,000.00
001-0601-530600	001-0601-530300	\$ 11,000.00
001-0601-530601	001-0601-530300	\$ 13,000.00

Mr. Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this 28th day
Of August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Absent
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Ivo J. Kramer Yes
Ivo J. Kramer

Cc: County Auditor
 Sheriff

IN THE MATTER OF DOCUMENTING NO BIDS WERE RECEIVED FOR THE PURCHASE OF SALT TO BE USED ON THE COUNTY ROADWAYS DURING THE UPCOMING WINTER SEASON.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 28th day of August, 2008 with the following members present:

Douglas A. Spencer Ivo J. Kramer

Mr. Spencer moved the adoption of the following

RESOLUTION

WHEREAS, the Board of County Commissioners received bid invitation responses from the following companies for the purchase of treated rock salt to be used by the Highway Department on county roadways during the upcoming 2008-2009 winter season:

"No bid" responses were received from:

- Eastern Salt Company, Inc
- Morton Salt
- North American Salt Company
- The Detroit Salt Company
- Central Salt, LLC
- Cargill Incorporated
- American Rock Salt Co., LLC
- *International Salt did not submit a response of any kind.

WHEREAS, the responses, as presented, were given to the County Engineer Chief Deputy for review.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby document that no bids were received for the purchase of salt for the County Highway Dept.; and,

BE IT FURTHER RESOLVED that said Board authorized the County Engineer to investigate alternatives or supplier recommendations and further authorizes the County Engineer, at his own discretion and in the best interest of the county, to purchase salt as he deems appropriate in the upcoming winter season.

Mr. Kramer seconded the Resolution, and upon the roll being called, the Vote resulted in the adoption of the Resolution as follows:

Adopted this
28th day of
August, 2008

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
_____, _____
John N. Bergman

 _____, Yes
Douglas A. Spencer

 _____, Yes
Ivo J. Kramer

cc: County Engineer - Doug Reinhart