

IN THE MATTER ASSIGNING TO THE VILLAGE OF MINSTER THE COUNTY'S ALLOCATION OF AUTHORITY TO ISSUE RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of January, 2010.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") allocates to the County the amount of \$2,550,000 of authority to issue Recovery Zone Economic Development Bonds ("RZEDBs"), as defined in ARRA; and

WHEREAS, pursuant to the authority granted by ARRA, the County has designated the entire area within its boundaries as a "recovery zone"; and

WHEREAS, ARRA permits the County to assign its RZEDB allocation to other bond-issuing authorities located within the County for qualifying projects; and

WHEREAS, the Village of Minster, located within the County, has a wastewater treatment plant project which qualifies for RZEDB funding; and

WHEREAS, the Village has requested the County to assign its RZEDB allocation to the Village, and the County is willing to do so;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Auglaize (herein the "County"), Ohio:

SECTION 1. That the County hereby assigns its Recovery Zone Economic Development Bond allocation, granted to it under ARRA in the amount of \$2,550,000, to the Village of Minster, which is located within the County, for use in the Village's wastewater treatment plant project. Assignment of this allocation does not constitute a commitment by the County to contribute any of its own funds to the Village's project, but is merely a transfer of its ability to issue RZEDB debt.

SECTION 2. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners and that all deliberations of this Board of County Commissioners resulting in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Commissioner 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
January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula, yes
Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

cc: Village of Minster – Don Harrod,
Administrator

IN THE MATTER OF SELECTING CHOICE ONE ENGINEERING AS THE CONSULTANT FOR PROFESSIONAL SERVICES IN PREPARATION OF "VILLAGE OF BUCKLAND SANITARY SEWER FEASIBILITY STUDY AND WATER SUPPLY AND DISTRIBUTION STUDY" WHICH IS FUNDED, ENTIRELY OR PARTIALLY BY FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of January, 2010.

Commissioner Bergman moved the adoption of the following:
RESOLUTION

WHEREAS, January 11, 2010 was the date set by the Board of Auglaize County Commissioners to receive qualification statements and proposals from professional planning and community and economic development consulting firms to perform necessary functions required in the preparation of the "Village of Buckland Sanitary Sewer Feasibility Study and Water Supply and Distribution Study" which is being funded in the amount of \$10,000.00 through the County's FY 2009 Community Development Block Grant Formula Program; and,

WHEREAS, said statements/proposals were submitted in a timely manner from Choice One Engineering, Inc., Poggemeyer Design Group, Inc. and Feller, Finch & Assoc., Inc.; and,

WHEREAS, County Administrator Joseph R. Lenhart, along with representatives from the Village of Buckland, reviewed and evaluated the qualifications/proposals as received, and upon such, County Administrator Lenhart and the Buckland Village Officials have recommended to the Board that the firm of Choice One Engineering. be selected for services as said firm best meets the needs of the communities for the "Village of Buckland Sanitary Sewer Feasibility Study and Water Supply and Distribution Study".

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize Choice One Engineering to perform the functions necessary, as mentioned above, to complete the "Village of Buckland Sanitary Sewer Feasibility Study and Water Supply and Distribution Study" which will use FY 2009 CDBG Formula Program funding; and,

BE IT FURTHER RESOLVED that said Board also authorizes the execution of the contract regarding this selection.

Commissioner 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
January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula *ys*
Don Regula
John N. Bergman
John N. Bergman
Douglas A. Spencer *ys*
Douglas A. Spencer

- cc: ✓ Poggemeyer Design Group, Inc.
- ✓ Choice One Engineering, Inc.
- ✓ Feller, Finch & Assoc., Inc.
- ✓ Village of Buckland – Dan Lambert

IN THE MATTER AUTHORIZING THE EXECUTION OF THE WARRANTY DEED BY THE BOARD OF COUNTY COMMISSIONERS FOR THE SALE OF THE PROPERTY AT 306 S. BEECH STREET, ST. MARYS, OHIO TO ROBERT G. AND SAMMIE KAY MADDY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of January, 2010.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on October 6, 2009, in Resolution 09-386, the Board of County Commissioners authorized the purchase of the property at 306 S. Beech Street, St. Marys, Ohio; and,

WHEREAS, on November 24, 2009, in Resolution 09-465, the Board of County Commissioners authorized the sale of said property, following proper advertisement pursuant to the Ohio Revised Code, to Robert G. and Sammie Kay Maddy at the cost of \$11,000.00; and,

WHEREAS, a warranty deed has been prepared by County Prosecuting Attorney Ed Pierce for the sale of this property.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners , Auglaize County, Ohio. does hereby authorize the execution of the Warranty Deed for the sale of the County owned property situated in the County of Auglaize, in the State of Ohio and in the City of St. Marys, to-wit: Lot Number Five (5) in Block Twenty-six (26) in the East Addition to the City of St. Marys, Auglaize County, Ohio: Auglaize County Permanent Parcel No. K32-015-268-00 to Robert G. and Sammie Kay Maddy.

Commissioner 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
January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO
Don Regula . Y
Don Regula
John N. Bergman
John N. Bergman
Douglas A. Spencer . Y
Douglas A. Spencer

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS :

That, **THE BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY OHIO**, presently consisting of Douglas A. Spencer, John N. Bergman, and Don Regula, the grantor, in consideration of One (1.00) Dollar and other valuable consideration to them paid by, Robert G. Maddy and Sammie Kay Maddy, husband and wife, the grantees, whose tax-mailing address is 104 Foch Street, Celina, Ohio 45822, the receipt whereof is hereby acknowledged, do hereby Grant, Bargain, Sell, and Convey to the said grantees, their heirs, successors, and assigns forever, the following described real estate situated in the City of St. Marys, County of Auglaize, and State of Ohio, to wit:

Situated in the County of Auglaize, in the State of Ohio and in the City of St. Marys, to-wit: Lot Number Five (5) in Block Twenty-six (26) in the East Addition to the City of St. Marys, Auglaize County, Ohio.

Auglaize County Permanent Parcel No.: K32-015-268-00

(The next preceding recorded conveyance through which the grantor herein claims title is recorded in Volume 585 at Page 2694 of the Official Records of Auglaize County, Ohio.)

and all the estate, title and interest of the said grantor either in Law or Equity, of, in, and to the said premises; together with all the privileges and appurtenances of the same belonging, and all the rents, issues and profits thereof; to have and to hold the same to the only proper use of the said grantee, their heirs, successors, and assigns forever. And the said grantor for itself and for its successors, do hereby covenant with the said grantees, their heirs, successors and assigns, that it is the true and lawful owner of the said premises and have full power to convey the same; that the title so conveyed is Clear, Free and Unincumbered and further that they will Warrant and Defend the same against all claim or claims of all persons whomsoever.

Executed this 28th day of January 2010

THE BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY OHIO
By the duly elected and serving County Commissioners

Douglas A. Spencer
Douglas A. Spencer, Auglaize County Commissioner

John N. Bergman
John N. Bergman, Auglaize County Commissioner

Don Regula
Don Regula, Auglaize County Commissioner

THE STATE OF OHIO, COUNTY OF AUGLAIZE, ss:

Be it remembered, that on the 28 day of January in the year of our Lord Two Thousand and ten (2010) before me, the subscriber, a Notary Public, in and for said county, personally came The Board of County Commissioners of Auglaize County, Ohio by its duly elected individual Commissioners, Douglas A. Spencer, John N. Bergman, and Don Regula, the grantor in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year aforesaid.

Joseph R. Lenhart
Notary Public

JOSEPH R. LENHART
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 2-17-10

This instrument was prepared by:

Edwin A. Pierce, Auglaize County Prosecuting Attorney, Courthouse, P. O. Box 1992, Wapakoneta, OH 45895

CLOSING STATEMENT

SELLER: Board of County Commissioners of Auglaize County, Ohio

PURCHASER: Robert G. Maddy and Sammie Kay Maddy, husband and wife, 104 Foch Street, Celina, Ohio 45822

DATE: January 29, 2010

RE: Situated in the County of Auglaize, in the State of Ohio and in the City of St. Marys, to-wit: Lot Number Five (5) in Block Twenty-six (26) in the East Addition to the City of St. Marys, Auglaize County, Ohio.
Auglaize County Permanent Parcel No.: K32-015-268-00

Contract Price **\$11,000.00**

Deductions

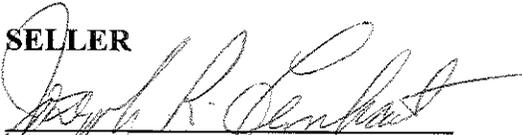
Paid at time of Execution of Real Estate
Purchase Contract \$11,000.00

TOTAL DEDUCTIONS **\$11,000.00**

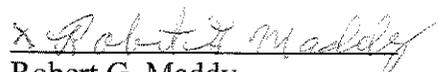
TOTAL AMOUNT DUE UPON CLOSING **\$00.00**

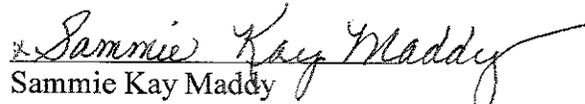
Real Estate Taxes pro-rated to date of closing
which will be paid outside closing.

SELLER


By: Joseph Lenhart
for Board of County Commissioners of
Auglaize County, Ohio

PURCHASERS


Robert G. Maddy


Sammie Kay Maddy

IN THE MATTER OF GRANTING THE ANNEXATION OF 36.914 ACRES± TO THE CITY OF WAPAKONETA AS PETITIONED BY THE CITY OF WAPAKONETA AND FILED BY DENNIS P. FALLER, WAPAKONETA CITY DIRECTOR OF LAW.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of January, 2010.

Commissioner Bergman moved the adoption of the following
RESOLUTION

WHEREAS, on December 31, 2009, Dennis P. Faller, Wapakoneta City Director of Law, filed with the Clerk of the County Commissioners a petition for the annexation, to the City of Wapakoneta, of 36.914 acres, more or less, which is entirely owned by the City of Wapakoneta; and,

WHEREAS, said petition was entered onto the Board of County Commissioners' Journal #108, Pages 340 through 343, under this date of January 5, 2010 by the Clerk of the Board; and,

WHEREAS, pursuant to Ohio Revised Code (ORC) Section 709.15, said petition met all requirements for a municipality directed annexation including:

1. Setting forth that under Ordinance 2009-54, of the City of Wapakoneta, the territory described in the petition was authorized to be annexed.
 2. An accurate legal description was included of the perimeter of the territory proposed to be annexed.
 3. An accurate map or plat of the territory proposed to be annexed was included;
- and,

WHEREAS, pursuant to Ohio Revised Code Section 709.16, the Board must grant the annexation petition within 30 days of the filing, understanding that, pursuant to ORC 709.16 (H), the territory to be annexed shall not be excluded or removed from the township under ORC Section 503.07.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby grant the annexation of 36.914 acres, more or less, to the City of Wapakoneta as petitioned by the City of Wapakoneta.

Commissioner 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
January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula , yes
Don Regula

John N. Bergman , yes
John N. Bergman

Douglas A. Spencer , yes
Douglas A. Spencer

- cc: ✓ County Engineer
 ✓ County Auditor
 ✓ City of Wapakoneta
 ✓ Dennis P. Faller, Solicitor
 ✓ Duchouquet Township Trustees



City Hall
P.O. Box 269
Wapakoneta, Ohio 45895-0269
Telephone (419) 738-3011
Fax (419) 738-4762

RECEIVED
Rodney C. Metz
Mayor
(419) 738-6111
rmetz@wapakoneta.net

William H. Rains
Director of Public Service and Safety
(419) 738-6111
wrains@wapakoneta.net

PETITION FOR ANNEXATION

To: The Board of Commissioners of Auglaize County, State of Ohio:

The City of Wapakoneta, Ohio, respectfully represents that by an Ordinance duly passed by its Council on the 21st day of December, 2009, a copy of which is attached hereto as Exhibit No. 1, the property described on attached Exhibit "A" to said Ordinance was authorized to be annexed to the City of Wapakoneta, Ohio.

An accurate Plat of the Territory marked "Survey for the City of Wapakoneta" is also attached as Exhibit No. 2. The territory proposed to be annexed is contiguous territory to the City of Wapakoneta.

The City of Wapakoneta, therefore, respectfully petitions that the territory be annexed to the City of Wapakoneta pursuant to law as authorized by Ohio Revised Code §709.14; 709.15 and 709.16.

Dennis P. Faller, Wapakoneta City Director of Law
105 S. Blackhoof Street, P.O. Box 413
Wapakoneta, Ohio 45895-0413
(419) 738-4578
Reg. No. 0021522
fallerlaw@bright.net



701 Parlette Court

EXHIBIT "A"

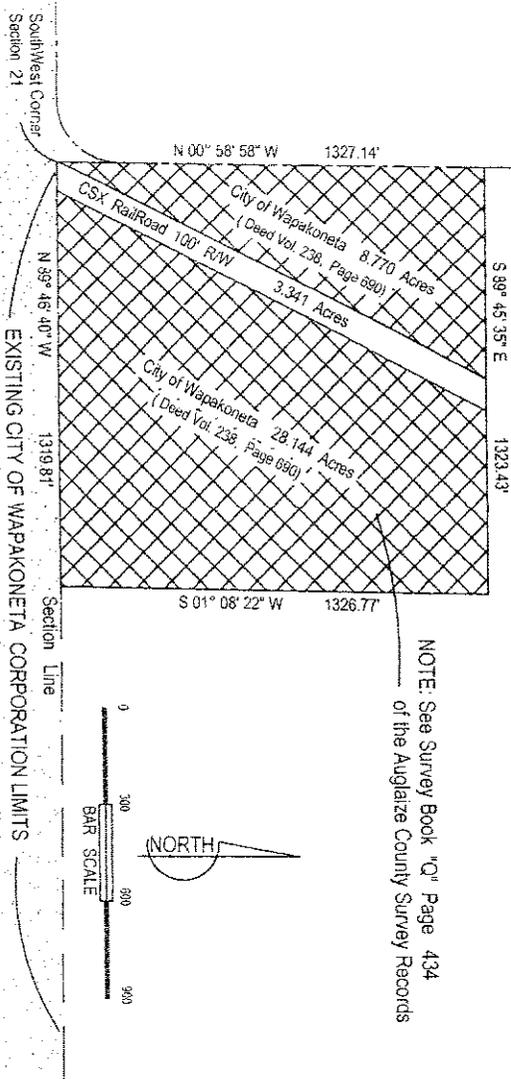
ANNEXATION TO THE CITY OF WAPAKONETA
SouthWest Quarter of the SouthWest Quarter of Section 21
T-5-S R-6-E Duchouquet Township Auglaize County Ohio

DESCRIPTION FOR ANNEXATION

Being all that portion of the southwest quarter of the southwest quarter of Section 21 except the railroad right of way and being more particularly described as follows:

Beginning at the southwest corner of Section 21, Town 5 South, Range 6 East, Duchouquet Township, Auglaize County Ohio, said point being marked with an Auglaize County Section Corner Monument Box
Thence North 00° 58' 58" East along the centerline of Wapakoneta-Cridersville Road and the west line of Section 21, a distance of 1327.14 feet to a gin spindle set;
Thence South 89° 45' 35" East, a distance of 1323.43 feet to an iron bar set;
Thence South 89° 45' 35" East, a distance of 1326.77 feet to an iron bar found in the south line of Section 21;
Thence South 01° 08' 22" West, a distance of 1319.81 feet to the PLACE OF BEGINNING.
Thence North 89° 46' 40" west along the south line of Section 21, a distance of 1319.81 feet to the PLACE OF BEGINNING.
EXCEPTING there from 3.341 Acres located within the railroad right of way, leaving 36.914 Acres owned by the City of Wapakoneta, Ohio being annexed to the City of Wapakoneta. Reference is hereto made to a survey of this property filed in survey Book "Q" Page 434 of the Auglaize County Engineer's Survey Records

Section Line
Wapakoneta - Cridersville Road

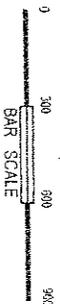
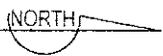


NOTE: See Survey Book "Q" Page 434
of the Auglaize County Survey Records

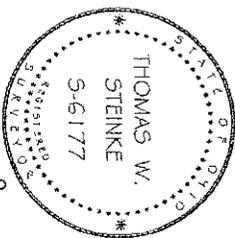
LEGEND
Area to be Annexed



The survey shown hereon is based upon existing and recorded documents. All research is current at the time of the start of this survey.

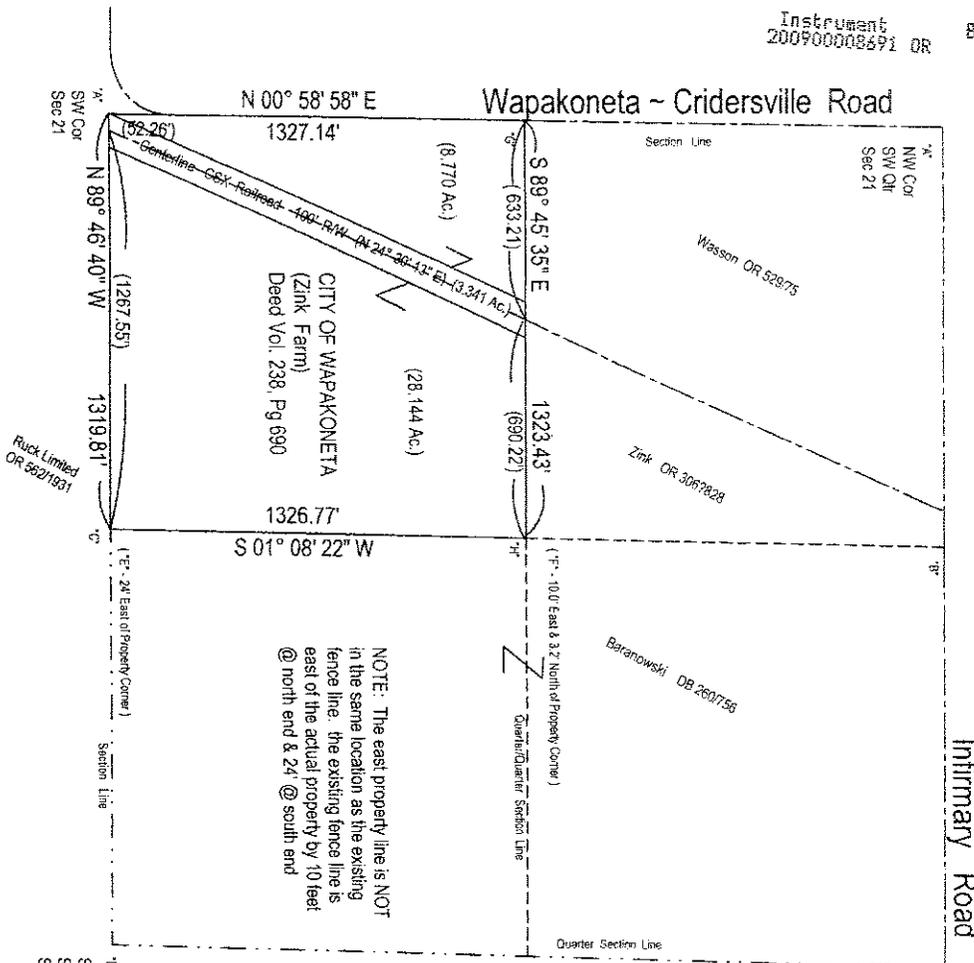


Prepared By
City of Wapakoneta -Engineering Dept
Thomas W. Stenke PS # 8177
102 Perry Street
Wapakoneta, Ohio 45895
Date: November 2009



Thomas W. Stenke
Thomas W. Stenke

EXHIBIT No. 2

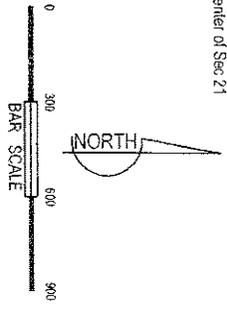


NOTE: The east property line is NOT in the same location as the existing fence line. The existing fence line is east of the actual property by 10 feet @ north end & 24' @ south end

LEGEND

- 'A' = Monument Box Found
- 'B' = PK Nail Found
- 'C' = Iron Bar Found
- 'D' = Corner Stone Found
- 'E' = Wood Corner Post Found
- 'F' = Steel Angle Iron Corner Post found
- 'G' = Gin Spindle Set
- 'H' = Iron Bar Set

Basis of Bearings
See Aug. Co. GPS on Wapakoneta ~ Cridersville Road

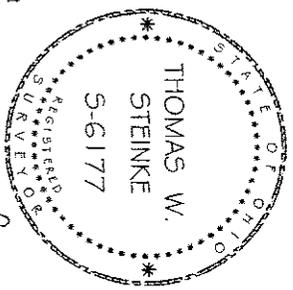


County Road #25-A

RECORDED IN
SURVEY BOOK "Q"
PAGE 434

Prepared by
City of Wapakoneta - Engineering Dept
Thomas W. Steinke PS#6177
102 Perry Street
Wapakoneta, Ohio 45895
Date: October / November 2009

Thomas W. Steinke
Thomas W. Steinke



The survey shown hereon is based upon existing and recorded documents. All research is current at the time of the start of this survey.

Survey for The City Of Wapakoneta Deed Vol 238, Pg 690
8.770 Acres West of Railroad, 28.144 Acres East of Railroad
SouthWest Quarter of the SouthWest Quarter of Section 21
T-5-S R-6-E Duchouquet Township Auglaize County Ohio

ORDINANCE 2009-54

**AN ORDINANCE AUTHORIZING
ANNEXATION OF UNINCORPORATED
PROPERTY OWNED BY THE CITY OF
WAPAKONETA.**

FIRST READ	SECOND READ	THIRD READ		SUSPEND		ADOPT	
				YES	NO	YES	NO
11-16-09	12-7-09	12-21-09	J. NEUMEIER			✓	
			D. CAMPBELL			✓	
			B. WURST			✓	
			D. GRAF			✓	
			W. WELLS			✓	
			E. WALLEN			✓	
			S. WALTER			✓	
			TOTAL			7	0

EXHIBIT NO. 1

WHEREAS, the City of Wapakoneta owns real estate hereinafter described, upon part of which is constructed the City's Compost Facility; and

WHEREAS, the City desires to annex said real estate into the City of Wapakoneta.

NOW, THEREFORE, BE IT ORDAINED by the City of Wapakoneta (herein the "City"), County of Auglaize, State of Ohio, to-wit:

SECTION ONE

THAT the annexation of the property more fully described on attached Exhibit "A" be, and hereby is, authorized.

SECTION TWO

THAT the city Director of Law is hereby authorized to prosecute the proceedings necessary to effect such annexation.

SECTION THREE

THAT this ordinance shall be in force from and take effect from and after the earliest period allowed by law.

Passed this 21st day of
December, 2009

Carlene S Koch
Clerk of Council

[Signature]
President of Council

Approved:

[Signature]
Mayor

Approved as to form:

[Signature]
City Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO AND APPEARED IN ITS ISSUES OF 12-24-09 AND 12-31-09

Carlene S Koch
CLERK OF COUNCIL

200900008691
Filed for Record in
AUGLAIZE COUNTY, OHIO
ANN BILLINGS, COUNTY RECORDER
12-30-2009 At 01:19 pm.
ANNEXATION 36.00
OR Book 587 Page 1780 - 1782

**IN THE MATTER OF APPROVING CONTINUED EDUCATION EXPENSES FOR AUGLAIZE ACRES
EMPLOYEE, JAN KUCK.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day, January, 2010.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners received a form from Auglaize Acres informing it that a staff member, Jan Kuck, of Auglaize Acres Social Services Dept., will participate in continued education seminars as follows:

On Jan. 25, Feb. 10 and Feb. 24, 2010 – Courses entitled, “Ethical Dilemma: Self-Determination VS. Client Safety”, “Substance Abuse in Older Adults” and “Compassion Fatigue” provided by independent care solution (ICS). These seminars will all be held in Lima, Ohio

and,

WHEREAS, authorization for the expenses of this course is requested to be paid as follows:

Jan Kuck – registration fee - \$25.00 total.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the continued education course expense for the Auglaize Acres employee, Jan Kuck, as mentioned above; and,

BE IT FURTHER RESOLVED that the Board does authorize the payment for this registration fee to be paid.

Commissioner _____ 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 January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula , yes
Don Regula

John N. Bergman , yes
John N. Bergman

Douglas A. Spencer , Yes
Douglas A. Spencer

cc: ✓ Auglaize Acres

IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD OF AUGLAIZE COUNTY COMMISSIONERS TO EXECUTE A RESOLUTION OF SUPPORT FOR THE DEVELOPMENT OF THE "GRAND LAKE ST. MARYS RESTORATION INITIATIVE".

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of January, 2010.

Commissioner Bergman moved the adoption of the following
RESOLUTION

WHEREAS, for some time the Board of Auglaize County Commissioners and other interested organizations have been concerned about the deterioration of the water quality of the Grand Lake St. Marys; and,

WHEREAS, Grand Lake St. Marys plays a vital role in the economy and environment of certain sections of Auglaize and Mercer Counties, various individuals and organizations, wishing for the sustainment of said vital role, wish to join together in research and development technologies and funding opportunities to enhance the quality of the water in Grand Lake St. Marys; and,

WHEREAS, it has been proposed to develop the "Grand Lake St. Marys Restoration Initiative" to collaborate said research and develop technologies and find funding opportunities to achieve an enhanced water quality for Grand Lake St. Marys.

THEREFORE BE IT RESOLVED, the Board of Commissioners of Auglaize County, Ohio does hereby wish to support and be involved in the Grand Lake St. Marys Restoration Initiative and does hereby authorize Don Regula, as President of the Board of Auglaize County Commissioners to execute a Resolution of Support for the development of aforementioned Grand Lake St. Marys Restoration Initiative.

Commissioner 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
January, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula , yes
Don Regula
John N. Bergman , yes
John N. Bergman
Douglas A. Spencer , yes
Douglas A. Spencer

cc: Brian Miller, Grand Lake St. Marys State Park
Jarred Ebbing, Mercer County Economic Development Director

