

IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE IN A SPECIAL SESSION ON JANUARY 10, 2011 OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on January 10, 2011, pursuant to O.R.C. Section 305.05, the Board of County Commissioners will hold its annual Reorganizational meeting; and,

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, after the reorganization of the Board of Auglaize County Commissioners is completed, a Special session of said Board will be called for the purpose of conducting a Community Improvement Corporation annual meeting which will be held in the Board's Chambers at 9:30 a.m.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set the above mentioned date, time and place to convene a special session of said Board; 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 this special session.

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

Adopted this
4th day of
January, 2011

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: newspapers

IN THE MATTER OF AUTHORIZING AN EXECUTION BY SOLID WASTE COORDINATOR OF THE 2011 LITTER CLEANUP GRANT AGREEMENT FOR THE COUNTY SOLID WASTE MANAGEMENT DISTRICT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, a Litter Cleanup Grant has been offered by the Ohio Department of Natural Resources to the Auglaize County Solid Waste Management District; and,

WHEREAS, the grant funds allocated to the Auglaize County Solid Waste Management District are in the amount of \$945.00 and is to be used for the purpose of implementing a Litter Cleanup project; and,

WHEREAS, Solid Waste Coordinator David Reichelderfer has reviewed grant agreement and has advised that the agreement is in order and has further requested authorization to execute said grant agreement.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize David Reichelderfer, Coordinator of the Auglaize County Solid Waste Management District, to execute the "2011 Litter Cleanup" grant agreement.

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

Adopted this
4th day of
January, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

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

cc: Solid Waste Coordinator – David Reichelderfer

IN THE MATTER OF SETTING A DATE AND TIME AT WHICH TO HOLD A SECOND PUBLIC HEARING TO RECEIVE PUBLIC COMMENT AND REVIEW CONCERNING THE COUNTY'S FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners, Auglaize County, Ohio, has agreed to make application to the Ohio Department of Development for funding under the Community Development Block Grant (CDBG) Economic Development Program for the benefit of the Village of Minster infrastructure improvements and support new construction within the Village; and,

WHEREAS, the County will apply for up to an estimated infrastructure/administration grant of up to \$500,000.00 FY '10 CDBG funding; and,

WHEREAS, a first public hearing for the FY 2010 CDBG Program was held on February 4, 2010, and it is now necessary to conduct a second public hearing for the FY 2010 CDBG Economic Development Program for the above mentioned project.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby set January 18, 2011 at 9:30 a.m. as the date and time at which to convene a public hearing in reference to the County's proposed use of the Fiscal Year 2010 Community Development Block Grant Economic Development Program; this hearing will be convened in the Commissioners Chambers, Auglaize Acres Nursing Home, 13093 Infirmary Road Wapakoneta, Ohio.

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

Adopted this
4th day of
January, 2011

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: Poggemeyer Design Group – Dianne Guenther
Village of Minster – Don Harrod

*BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO
209 S. Blackhoof St., Wapakoneta, Ohio 45895*

Phone: 419-739-6710

Fax: 419-739-6711

January 4, 2011

TO: The Evening Leader

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Public Notice to be published in The Evening Leader

Please publish, in the **smallest print possible**, in the Non-Legal Section of the **The Evening Leader**, the accompanying Public Notice on Saturday, January 8, 2011.

Please send **Certificate of Publication to and invoice to:**

Board of County Commissioners
209 S. Blackhoof St., Room 201
Wapakoneta, OH 45895

Thank you.

Esther Leffel,
BOCC Clerk

NOTICE OF SECOND PUBLIC HEARING
Auglaize County FY2010 CDBG Economic Development Program

The Auglaize Board of County Commissioners of Auglaize County, Ohio intends to apply to the Ohio Department of Development (ODOD) for funding under the Community Development Block Grant (CDBG) Small Cities Economic Development Program, a federal program administered by the State of Ohio. The County is eligible for up to \$500,000 in CDBG Economic Development funds, providing program requirements are met. The Board is proposing to use the infrastructure/administration funds for completion of necessary infrastructure improvements, including engineering, required to support a new construction project within the Village of Minster. The off-site infrastructure improvements entail approximately \$6 million in sanitary sewer facility improvements (demolition and re-construction of the village wastewater treatment plant and related appurtenances) in order to process anticipated increased demand from a proposed local plant expansion. The proposed project will create approximately 51 FTE jobs over a three-year period. Other potential funding includes private financing, ARRA bonds, and local village funds.

The first of two required public hearings was held February 4, 2010 to inform citizens about the CDBG program, eligible activities, and other requirements. A second public hearing will be convened by the Board on Tuesday, January 18, 2011 at 9:30 a.m. in the Commissioners Chambers located on the 2nd Floor of the Auglaize Acres Nursing Home, 13093 Infirmary Road, Wapakoneta, Ohio 45895 to give citizens an opportunity to review and comment on the County's proposed project before the grant application is submitted to ODOD.

Citizens are encouraged to attend this public hearing to express their views concerning the application. Should any participant require auxiliary aids due to disability or non-English languages, please contact this office at least one week prior to the hearing date to ensure needs will be accommodated. Citizens wishing to submit written comments prior to the hearing may direct them to Mr. Joseph Lenhart, County Administrator, at the address given above or jlenhart@auglaizecounty.org.

By Order of the Board of County Commissioners, Auglaize County, Ohio
Don Regula, President
John Bergman
Douglas A. Spencer

Publish: Saturday, January 8, 2011

IN THE MATTER OF AUTHORIZING THE SECUREMENT OF INTEREST COST FOR NOTES NEEDED FOR THE BALANCES OF MONEY FOR THE BENNETT SINGLE COUNTY DITCH IMPROVEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary, at this time, to obtain notes for the balances of money needed to complete the Bennett project; and,

WHEREAS, the County Engineer's office informed the Board of County Commissioners that the amounts remaining as the unpaid balances from the total amounts assessed and the time periods for the notes are:

Bennett Ditch Improvement: Sixteen (16) semi-annual installments note \$100,112.58.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the necessary steps be taken to secure interest cost for said notes for the balances of money needed to complete the above named Ditch improvement projects in the amounts as mentioned above.

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

Adopted this
4th day of
January, 2011

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

IN THE MATTER OF APPROVING THE CONTRACT AND BOND OF TUMBUSCH CONSTRUCTION FOR THE MIAMI & ERIE CANAL DITCH PROJECT; AND AUTHORIZING AND EXECUTING THE CONTRACT FOR INSPECTION SERVICES WITH GENE BURKE.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, the Engineer's office has filed with this Board a contract and bond Tumbusch Construction for labor and materials for said Miami & Erie Canal Ditch project; and,

WHEREAS, the Board of County Commissioners has been requested to approve and execute the contract and bond, as all appears to be in order.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the contract and bond with Tumbusch Construction as presented, for the Miami & Erie Canal Ditch project, executing same; and,

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to record said contract and bond in the Commissioners' Journal; and,

BE IT FURTHER RESOLVED that the Engineer's Secretary prepare assessment billing notices in accordance with the list of assessments as presented by the County Engineer; for each parcel of land, each public corporation and each department, office, or institution of the State of Ohio as given; and,

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to place unpaid assessments, after due payment period, on the County tax duplicates.

WHEREAS, the Engineer's office has filed a contract for inspection services with Gene Burke for \$1100.00 per month for the Miami & Erie Canal project.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, does hereby approve the contract with Gene Burke for inspection services as presented, for the Miami & Erie Canal Ditch project, executing same.

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

Adopted this
4th day of
January, 2011

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

DITCH CONTRACT

Revised Code, Sec. 6131.41

In the Matter of the

MIAMI & ERIE CANAL

Single County Ditch Petitioned for by

THE VILLAGE OF MINSTER *and others.*

THIS AGREEMENT, *made and entered into on this* 4th *day of* January 2011, *by and between the County Commissioners of* AUGLAIZE COUNTY Ohio, *and hereinafter designated as "First Party," and* TUMBUSCH CONSTRUCTION of 401 STACHLER ROAD, ST. HENRY, OHIO 45883 *hereinafter designated as "Second Party."*

WITNESSETH, THAT SAID "SECOND PARTY," *For and in consideration of the sum of* FIVE HUNDRED AND SIX THOUSAND THREE HUNDRED FIFTY FIVE AND 73/100 (\$ 506,355.73) *Dollars, to be paid as hereinafter specified, hereby agree to furnish unto said "First Party." all the necessary materials, and do all the work and labor required to construct the* MIAMI & ERIE CANAL *improvement petitioned for by* THE VILLAGE OF MINSTER *and others, in accordance with plans, drawings and specifications for the same hereto attached, which plans, drawings and specifications are hereby declared to be a part of this contract.*

Said "Second Party" further agrees to furnish said materials and to do the said work and labor promptly, in a good substantial and workmanship manner, under the direction of the County Engineer in charge, without hindrance or delay to any other branch or class of work on said MIAMI & ERIE CANAL, *and to work in harmony with and to render such assistance to other branches of work as their connection therewith and the progress of the* MIAMI & ERIE CANAL *may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the* 31st *day of* DECEMBER, 2011.

AND SAID "FIRST PARTY," *for and in consideration of the true and faithful performance of said work and labor and furnishings of said materials as aforesaid, hereby agree to pay unto the said "Second Party" said sum of* FIVE HUNDRED AND SIX THOUSAND THREE HUNDRED FIFTY FIVE AND 73/100 (\$ 506,355.73) *Dollars, in installment from time to time, upon the certificate of acceptance of the County Engineer and as provided by law.*

Now if the said TUMBUSCH CONSTRUCTION of 401 STACHLER ROAD, ST. HENRY, OHIO 45883 *shall faithfully perform and complete such work and labor and furnish such*

materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of

Randee J. Yerk
signed

Matthew J. Quito
witness

Turnbush Construction Inc.
company

Nancy Turnbush
witness

401 Stadler Dr.
street

St. Henry, Ohio 415883
city, state, zip

The above Contract being good and sufficient is approved this 4th day of January, 2011.

Don Regula
Commissioner - Auglaize County

John W. Bergman
Commissioner - Auglaize County

Douglas A. Pence
Commissioner - Auglaize County

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the MIAMI & ERIE CANAL
Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by THE VILLAGE OF MINSTER and others

KNOW ALL MEN BY THESE PRESENTS, That we, TUMBUSCH CONSTRUCTION

of 401 STACHLER ROAD, ST. HENRY, OHIO 45883

as Principal, and ERIE INSURANCE COMPANY (IN THE FORM OF A BID

GUARANTY AND CONTRACT BOND) as their SURETY are held and firmly bound unto the

State of Ohio for the benefit of AUGLAIZE COUNTY and for the benefit of any owner

having a right of action thereon as is provided by law, in the penal sum of' FIVE HUNDRED AND

SIX THOUSAND THREE HUNDRED FIFTY FIVE AND 73/100 (\$ 506,355.73) Dollars,

which is 100% of the Ditch Contract , 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 us, and dated this 4th day of January , 2011

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, whereas, the above Bound

TUMBUSCH CONSTRUCTION of 401 STACHLER ROAD, ST. HENRY, OHIO 45883

have entered into a Contract with said Board of County Commissioners, First, to furnish the materials and

perform the work and labor for the construction of the MIAMI & ERIE CANAL improvement

petitioned for by THE VILLAGE OF MINSTER and others specified in said Contract, to the

satisfaction and acceptance of the County Engineer, on or before the 31st day of DECEMBER,

2011, for the compensation of FIVE HUNDRED AND SIX THOUSAND THREE

HUNDRED FIFTY FIVE AND 73/100 (\$ 506,355.73) Dollars.

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Forth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said TUMBUSCH CONSTRUCTION of 401 STACHLER ROAD, ST. HENRY, OHIO 45883 shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of

Randall J. Tusch
Signed

Matthew J. Quirk
witness

Tumbusch Construction Inc
company

Nancy Tumbusch
witness

401 Stachler Rd.
street

St. Henry, Ohio 45883
city, state, zip

The above Bond being good and sufficient is approved this 4th day of January, 2011.

Don Regula
Commissioner - Auglaize County

John N. Bugman
Commissioner - Auglaize County

Douglas A. Soren
Commissioner - Auglaize County

CONTRACT FOR INSPECTION SERVICES
MIAMI AND ERIE CANAL RECONSTRUCTION

This contract for inspection services for the Miami & Erie Canal Petition through the Auglaize County Commissioners is entered into this 30th day of December, 2011 and is between the Auglaize County Commissioners and Gene Burke, hereinafter known as the "Inspector".

Hereinafter the Auglaize County Engineer or his staff shall be known as the "Engineer".

It will be the responsibility of the Inspector to perform all the necessary inspection and documentation of all worked performed on the Miami & Erie Canal Reconstruction Petition from First Street through Seventh Street in the Village of Minster, according to the plans and specifications as developed by the Engineer.

The Inspector will also be responsible for the coordination of the construction between the Contractor and the Auglaize County Commissioners, Auglaize County Engineer, Village of Minster Public Works Director, Ohio Department of Natural Resources and the adjacent property owners to the Miami & Erie Canal.

The Inspector will be under the direct supervision of the Engineer and his engineering staff.

The Inspector will be responsible for taking daily logs of the work done including but not limited to: location and quantity of rip-rap placed; staking and inspecting the replacement/repair of drainage outlet pipe; other bid items to be performed by the contractor. Based upon the load slips received from the trucking firm, the Inspector will assist the Engineer in determining quantities of rip-rap placed between each street section and pay quantities when requested by the Contractor.

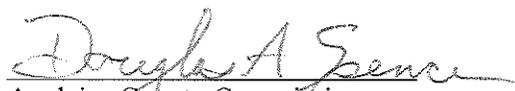
The following are the terms of the contract:

1. The Commissioners shall pay the inspector One Thousand One Hundred Dollars (\$1100.00) per month beginning 15 days prior to the commencement of the placement of the rip-rap and/or pipe repair by the Contractor and will terminate 30 days after the completion of the field work by the Contractor. Should the Inspector need any assistants, that assistant(s) need to be first approved by the Engineer and their wages shall be the responsibility of the Inspector.
2. At no cost to the Inspector, the Engineer will provide to the Inspector a cell phone (to be used solely for this project) and business cards giving the Inspector's cell phone number and other vital information to be distributed to all interested parties.
3. The Engineer shall provide to the Inspector at no cost: Plans and specifications, measuring devices, cameras, log books, marking paint, flags, ribbon and all other necessary items to perform the inspection duties for the Miami & Erie Canal Reconstruction Petition.


Inspector, Gene Burke


Auglaize County Commissioner


Auglaize County Commissioner


Auglaize County Commissioner

IN THE MATTER OF APPROVING LEASES AT THE NEIL ARMSTRONG AIRPORT FOR VARIOUS HANGAR SPACES; RATIFYING THE EXECUTION OF THE LEASES.

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 4th day of January, 2011.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, at the Auglaize County owned Neil Armstrong Airport, there are various hangars which are rented to numerous companies and individuals by the Auglaize County Airport Authority, designated as Agent for Auglaize County, for non-commercial storage of aircraft and auxiliary incidental uses associated therewith; and,

WHEREAS, the subsequent companies/individuals have entered into twelve (12) month leases, commencing January 1, 2011:

Hahn Aviation	\$156.00/month
Hovey's Aviation	\$675.00/month
Shelby and Company	\$156.00/month
Seeth Ravipati	\$156.00/month
Brent Gaston	\$ 92.50/month
Michael Schnell	\$156.00/month
Truck Drivers Institute, Inc.	\$156.00/month
Will and Associates	\$312.00/month
Mark Gesler	\$ 92.50/month
Robert L. Schnabel	\$156.00/month
KGS Investments, LLC	\$312.00/month
Paul LeBlanc	\$105.00/month
Randall & Naomi St. Julian	\$156.00/month
Globus Printing	\$346.50/month
Ned Koenig	\$156.00/month
Kenneth Boyd	\$ 92.50/month
NBO Enterprises	\$500.00/month

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorize the above mentioned Hangar leases with companies and individuals as listed for airplane hangars as specified in the lease agreements; and,

BE IT FURTHER RESOLVED that said Board ratifies the execution of said lease agreements.

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

Adopted this
4th day of
January, 2011

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: Sean Stroh - Airport Manager
Todd Kitzmiller - Airport Authority