

**IN THE MATTER OF AUTHORIZING A BUDGET ADJUSTMENT AND TRANSFER OF FUNDS FROM FLEX SPENDING FUND TO COUNTY GENERAL FUND AS REQUESTED BY THE COUNTY AUDITOR.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of June, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the following correspondence was received by the Board of County Commissioners:

Dear Commissioners,  
There is a balance in the 2009 Flex Spending fund that now needs to be transferred to the General fund. Please make the following budget adjustment and transfer:

From 094.0094.539700 to 094.0094.539800 \$1,758.90  
And Then:  
From 094.0094.539800 to 001.1100.400100 \$1,758.90

Thank you for your attention to this matter.

Sincerely,  
s/Janet Schuler  
Janet Schuler  
Auglaize County Auditor

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the following budget adjustment:

**From:** 094.0094.539700 – 09 Flex Spending **to** 094.0094.539800 – Transfer Out ---- Amount \$1,758.90

and then this transfer of funds as requested by the Auglaize County Auditor:

**From:** 094.0094.539800 – Transfer Out **to** 001.1100.400100 – Co. Gen. Fund – Transfer in -  
**Amount - \$1,758.90**

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

Adopted this  
1<sup>st</sup> day of  
June, 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 Auditor

**IN THE MATTER OF APPROVING THE CONTRACT AND BOND OF PULVER CONSTRUCTION AND ENGINEERING, LLC FOR THE BRYANT DITCH PROJECT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of June, 2010.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, the Engineer's office has filed with this Board a contract and bond with Pulver Construction and Engineering, LLC for labor and materials for said Bryant 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 Pulver Construction and Engineering, LLC as presented, for the Bryant 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.

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

Adopted this  
1st day of  
June, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

Douglas A. Spencer ✓  
Douglas A. Spencer

cc: ✓ County Engineer

# DITCH CONTRACT

Revised Code, Sec. 6131.41

*In the Matter of the*

**BRYANT DITCH**

*Single County Ditch Petitioned for by* **LANCE AND CAROL BRYANT** *and others.*

**THIS AGREEMENT,** *made and entered into on this*                    *day of*                    **2010,**  
*by and between the County Commissioners of* **AUGLAIZE COUNTY Ohio,** *and hereinafter designated*  
*as "First Party," and* **PULVER CONSTRUCTION AND ENGINEERING, LLC**  
*of* **2221 STEWART ROAD, SOUTH CHARLESTON, OHIO 45368**  
*hereinafter designated as "Second Party."*

**WITNESSETH, THAT SAID "SECOND PARTY,"** *For and in consideration of the sum*  
*of* **FORTY FOUR THOUSAND FOUR HUNDRED FIVE AND 90/100**  
**(\$ 44,405.90) 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 BRYANT DITCH*  
*improvement petitioned for by LANCE AND CAROL BRYANT 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 BRYANT*  
**DITCH,** *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 BRYANT DITCH may require. The whole*  
*to be completed to the satisfaction and acceptance of said "First Party" on or before the 31<sup>st</sup> day of*  
**DECEMBER, 2010.**

**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 FORTY FOUR THOUSAND FOUR HUNDRED FIVE AND 90/100*  
**(\$ 44,405.90) 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 PULVER CONSTRUCTION AND ENGINEERING, LLC of

2221 STEWART ROAD, SOUTH CHARLESTON, OHIO 45368

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

*Joseph M. Pulver*  
signed

*Doreen A. Yodanis*  
witness

*Pulver Construction & Engineering, LLC*  
company

*Janifer Stutz*  
witness

*2221 Stewart Rd.*  
street

*South Charleston, OH 45368*  
city, state, zip

The above Contract being good and sufficient is approved this *1st* day of *June*, 2010.

*Don Regan*  
Commissioner - Auglaize County

*John N. Bergman*  
Commissioner - Auglaize County

*Douglas A. Swann*  
Commissioner - Auglaize County



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 PULVER CONSTRUCTION AND ENGINEERING, LLC  
of 2221 STEWART ROAD, SOUTH CHARLESTON, OHIO 45368  
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

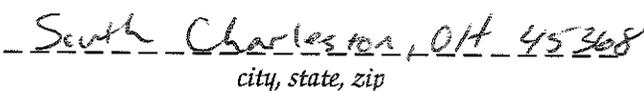
  
Signed

  
witness

  
company

  
witness

  
street

  
city, state, zip

The above Bond being good and sufficient is approved this 1st day of June, 2010.

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Commissioner – Auglaize County

  
Commissioner – Auglaize County

  
Commissioner – Auglaize County

**IN THE MATTER OF FINDING FOR THE IMPROVEMENT OF THE BARNES #2 SINGLE DITCH PROJECT; PETITIONED BY RONALD BARNES & OTHERS; SETTING DATE TO RECEIVE ENGINEER'S REPORTS ON SAID PROJECT.**

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The Board of Auglaize County Commissioners met in regular session on the 1st day of June , 2010.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners, in Resolution #10-119, dated March 30, 2010, set, May 25, 2010, for the first hearing of the petition of the Barnes #2 Single County Ditch improvement, the Board met in the Assembly Room of the County Administration Building and conducted the hearing by causing the petition to be publicly read to those present by County Engineer Douglas Reinhart; and,

**WHEREAS**, the Board finds that due and legal notice has been given in the manner and for the length of time required by law, to all owners of land affected by said improvement; and,

**WHEREAS**, the Board has made an actual view of the proposed improvement on May 4th, and has heard either in person or by counsel all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or any application therefore; and,

**WHEREAS**, the County Engineer's Preliminary Report has determined that the route and termini of the proposed improvement meets the prayer of the petition and that there are no reasonable alternative routes; and,

**WHEREAS**, the cost of the proposed improvement is less than the benefits derived.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby direct the County Engineer to proceed with the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cuttings and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Ohio Revised Code; and,

**BE IT FURTHER RESOLVED** that the Board does set September 7, 2010 at 10:00 a.m. as the date and time for the filing of the above mentioned County Engineer's Reports.

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

Adopted this  
1st day of  
June, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

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

cc: County Engineer

**IN THE MATTER AUTHORIZING INCREASE IN QUARTERLY FEES FOR FIVE COUNTY OWNED SEWAGE TREATMENT FACILITY WHICH ARE OWNED BY THE COUNTY.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of June, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Douglas Reinhart, Auglaize County Sanitary Engineer, submitted the following letter to the Board of County Commissioners:

**Requesting increases in Quarterly Fees for 5 County Owned Sewer Treatment Plants**

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

May 26, 2010

Of the seven sewage treatment facilities owned by the County Commissioners and operated by my department, five are in need of rate adjustments. Since the last rate adjustment four years ago, the following increased treatment costs have occurred:

1. Mandated by the Ohio EPA, all effluent is to be chlorinated and then de-chlorinated. The cost of these chemicals and testing has increased annually. Recent EPA permits now require monthly testing for E. Coli, phosphorus, oil and grease on a monthly basis by a state certified lab.
2. The cost of wasting the sludge (by an EPA certified applicator) from the treatment plants has gone from \$120.00 per load in 1995 to \$350.00 per load in 2003 to \$575 in 2010. It is necessary to waste sludge a minimum of two times a year. Plants near capacity require sludge to be wasted three times.
3. Four of the five plants are in excess of 30 years old with Forest Lane being the newest being built 23 years ago resulting in increased replacement of the pumps, blowers, electrical wiring and piping.
4. A 2009 Bureau of Workers Compensation inspection mandated that these plants have the grip struts replaced that cover the tanks (\$2,500). Along with this, lock out & tag out systems have been implemented at each of the plants.

As a result of the above, the annual carryovers for the following districts are at minimums and I am requesting the following rate adjustment for developed lots over the next three years. A \$4/quarter fee increase equates to \$1.33/month or a 4 ½% to 7% increase based upon current rates.

District	Current Quarterly Fee	7/1/2010	1/1/2011	1/1/2012
Arrowhead	69	73	77	81
Beverly Hills	56	60	64	68
Forest Lane	80	84	88	92
Pleasantview	75	79	83	87
Sharlon	89	93	97	101

I am requesting the first fee increase to become effective from July 1, 2010 (Oct. 1, 2010 billing) with the next increases becoming effective on January 1, 2011 & 2012.

Resolution – continued  
Sewage Treatment Plant Rate Increase  
June 1, 2010

As a point of comparison, since 2006 the City of St. Marys has raised sanitary sewer rates by over 65% and the City of Wapakoneta is currently increasing rates by 15% plus raising the outside rate surcharge from 15% to 25%.

Sincerely,

Douglas Reinhart, P.E., P.S.  
Auglaize County Sanitary Engineer

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners does hereby authorize that the quarterly sewer rates of lot owners in the above mentioned five (5) County Owned Sewer Treatment Plants shall be increased as mentioned above in the correspondence of Sanitary Engineer Reinhart.

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

Adopted this  
1st day of  
June, 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 Sanitary Engineer Doug Reinhart

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF TWO (2) VANS FOR THE JUVENILE PROBATION DEPARTMENT FROM RICK'S 501 MOTORS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 1st day of June, 2010.

Commissioner Spencer moved the adoption of the following:  
**RESOLUTION**

**WHEREAS**, it is necessary to purchase two (2) vehicles for the use by the County Juvenile Probation Department during the Department's Summer Youth Work Program; and,

**WHEREAS**, Rick's 501 Motors has provided quotes as follows:

<b>2005 Grand Caravan (#1181A)</b>	<b>\$ 9,265.00</b>
<b>2005 Town and County (#1188A)</b>	<b>\$ 9,265.00</b>

and,

**WHEREAS**, the Board does feel that the above stated quotes are fair and reasonable amounts for said vehicles.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the purchase of a 2005 Grand Caravan (1181A) for \$9,265.00 and a 2005 Town and County (#1188A) for \$9,265.00 from Rick's 501 Motors for use by the Juvenile Probation 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  
1st day of  
June, 2009

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula . yes  
Don Regula

John N. Bergman . yes  
John N. Bergman

Douglas A. Spencer . y  
Douglas A. Spencer

cc: Juvenile Probation – Sally Imondi