

IN THE MATTER OF AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT FORMULA PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following:
RESOLUTION

WHEREAS, the Board of County Commissioners has received notification from the Ohio Department of Development that the County has been allocated the sum of \$173,000.00 in Community Development Block Grant (CDBG) Community Development Formula funds for fiscal year 2010; and,

WHEREAS, the Board solicited projects for funding consideration; and,

WHEREAS, the Board adopted Resolution No. 10-164 on May 6, 2010 setting this date to receive public comment on the Board's proposed projects for F.Y. 2010; and,

WHEREAS, the Board received no verbal or written comments concerning the proposed allocation of funds.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the submittal of an application to the Ohio Department of Development for fiscal year 2010 CDBG funding; and,

BE IT FURTHER RESOLVED that the Board does authorize its President, Don Regula, to execute the grant application.

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

Adopted this
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
Don Regula

John N. Bergman - yes
John N. Bergman

Douglas A. Spencer - yes
Douglas A. Spencer

cc: Poggemeyer Design Group - Dianne Guenther

IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE QUOTATIONS FOR THE DEMOLITION OF RESIDENCES LOCATED IN THE CITY OF WAPAKONETA; USING NEIGHBORHOOD STABILIZATION PROGRAM GRANT FUNDING .

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following:
RESOLUTION

WHEREAS, Auglaize County entered into a Amended Subrecipient Agreement with Miami County Commissioners for funding through the FY 2008 Neighborhood Stabilization Program (NSP) Grant; and,

WHEREAS, under this Agreement, Auglaize County was awarded funding to demolish blighted structures in the NSP Target Area; and,

WHEREAS, the City of Wapakoneta has five (5) blighted structures which are eligible for this program; same being located at 406 W. Plum Street, 110 River Street, 508 Maple Street, 706 Court Street and 502 Maple Street; and,

WHEREAS, specifications have been drafted for each demolition project, making it necessary to set a date and times to open quotations for said projects.

THEREFORE BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby set June 10, 2010 at the following time to received quotations for the demolition of blighted structures at address so listed:

- 1:30 p.m. – 406 W. Plum Street, Wapakoneta
- 1:45 p.m. – 110 River Street, Wapakoneta
- 2:00 p.m. – 508 Maple Street, Wapakoneta
- 2:15 p.m. – 706 Court Street, Wapakoneta
- 2:30 p.m. – 502 Maple Street, 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
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

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

Phone: 419-739-6710

Fax: 419-739-6711

May 27, 2010

TO: The Wapakoneta Daily News

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: CLASSIFIED AD

Please publish the following Classified Ad in your newspaper for three (3) days as follows: **Tuesday, June 1; Wednesday, June 2; Thursday, June 3, 2010.**

DEMOLITION WORK. The Auglaize County Commissioners are demolishing five residences in Wapakoneta. Quotes for each demolition project will be due on June 10, 2010 at 1:30, 1:45, 2:00, 2:15 and 2:30 p.m. Any questions, call 419-739-6710.

Also, please send Invoice and Certificate of Publication to:
Board of Auglaize County Commissioners
209 S. Blackhoof St., Room 201
Wapakoneta, OH 45895

Thank you.

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

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 27th day of May, 2010.

Mr. Bergman moved the adoption of the following:

RESOLUTION

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

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: \$ 8,189.33
To: 006-0400-400101 – Public Assistance**

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

Adopted this 27th day
of May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Cc: County Auditor
 Jobs & Family Services

IN THE MATTER OF ACCEPTING THE APPLICATION FOR EXTENSION OF THE BARNES #2 SINGLE COUNTY DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on May 25, 2010, the Board of Auglaize County Commissioners held the first public hearing on the Barnes #2 Single County Ditch, located in Sections 11, Goshen Township petitioned by Ronald Barnes and others; and,

WHEREAS, the Board did, at that hearing, approve the project of the Barnes #2 Single County ditch, as per resolution #10-119 to proceed to the filing of the Engineer's Reports; and,

WHEREAS, at said first hearing, landowner Tim Manchester, filed an application for extension of the improvement; same being:

Being an amendment to the petition to replace an existing subsurface tile with a 12" dia tile across the 53 acre Searfoss Farm (Parcel #D12-010-005-00) starting at a point near the East Line of said Searfoss Farm and ending at the Manchester East property line (Parcel #D12-010-004-00).

Said Amendment shall be referred to as the Manchester Branch of the Barnes Ditch #2 petition.

THEREFORE BE IT RESOLVED, the Board of Auglaize County Commissioners does hereby approve the request for said extension of the Manchester Branch of the Barnes #2 Single County Ditch as per the signed application from the Tim Manchester, and that said extension be part of the plan for construction.

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

Adopted this
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

cc: County Engineer

IN THE MATTER OF DOCUMENTING THE RECEIPT OF QUOTATIONS FOR THE MOULTON TOWNSHIP HALL WINDOW REPLACEMENT PROJECT FOR MOULTON TOWNSHIP, USING F.Y. 2009 CDBG FORMULA PROGRAM FUNDS; AWARDED PROJECT TO DAVID STEINKE HOME IMPROVEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following:
RESOLUTION

WHEREAS, this being the date set in Resolution #10-166 dated May 6, 2010, the Board of County Commissioners did receive, open and publicly read aloud two (2) quotations for the Moulton Township Hall Window Replacement project for Moulton Township for which F.Y. '09 CDBG Formula Program Grant Funds will be used; and,

WHEREAS, the following quotes were received for the purchase of window replacement project:

From: David Steinke Home Improvement \$5,875.00
15595 Moulton Ft. Amanda
Wapakoneta, Ohio 45895

Jerry Morris Carpentry \$6,550.00
P.O. Box 185
Wapakoneta, Ohio 45895

and,

WHEREAS, those present for the quotations opening were the Commissioners, County Administrator Joe Lenhart, Dianne Guenther of Poggemeyer Design Group and Larry Johns, Fiscal Officer of Moulton Township; and,

WHEREAS, the Board presented the quotations, as received, for review by the Admin. Lenhart, Ms. Guenther and Mr. Johns, after which it was recommended that the award of the project be made to David Steinke Home Improvement.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby document the receipt of the above mentioned quotations for the Moulton Township Window Replacement project for Moulton Township, using funds from F.Y. '09 CDBG Formula Program.

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

Adopted this
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
Don Regula

John N. Bergman yes
John N. Bergman

Douglas A. Spencer yes
Douglas A. Spencer

cc: Poggemeyer Design Group – Dianne Guenther

IN THE MATTER OF AUTHORIZING THE CONTINUANCE/TERMINATION OF TAX INCENTIVE AGREEMENTS WITHIN THE ACTIVE ENTERPRISE ZONES LOCATED IN THE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, pursuant to the Ohio Revised Code Section 5709.68, the status of all enterprise zone activities are to be reviewed by the Tax Incentive Review Councils (TIRC) for those communities having established enterprise zones; and,

WHEREAS, Tax Incentive Review Council meetings for all active Enterprise Zones within the County have been completed by various relative review council members; and,

WHEREAS, minutes of each tax incentive agreement review meeting, along with a recommendation of the TIRC from each Enterprise Zone Review Council meeting has been received; same being submitted by County Auditor Janet Schuler.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby make the minutes of Tax Incentive Review Council meetings with Wapakoneta City, St. Marys City, New Bremen and Waynesfield, along with the recommendations of Auglaize County TIRC for each tax incentive agreement's continuance/termination a part of this Resolution; and,

BE IT FURTHER RESOLVED that said Board of County Commissioners does hereby authorize the continuance/termination of each Tax Incentive Agreement as follows:

Wapakoneta City Enterprise Zone:		St. Marys City Enterprise Zone:	
Gamco	Expired	AAP (1997)	Continue
Kantner Ingredients/ IDI, INC.	Continue	AAP (2002)	Continue
		AAP (2004)	Continue
		AAP (2006)	Continue
Waynesfield Village Enterprise Zone:			
Fetter Finishing	Expired	Murotech Ohio Corp. (1998)	Continue
		Murotech Ohio Corp. (2004)	Continue
		Omni Mfg. (1996)	Expired
		Omni Mfg. (2001)	Continue
New Bremen Village Enterprise Zone:			
Safeway Building	Continue	Parker Hannafin	Continue
		Setex (2001)	Continue

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

Adopted this
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
Dón Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, ye
Douglas A. Spencer

cc: Village of New Bremen – Karen Mauck
County Auditor – Janet Schuler
St. Marys City – Todd Fleagle

Village of Waynesfield – Michael Ridenour
City of Wapakoneta – Greg Myers
Companies with tax incentive agreements

IN THE MATTER OF APPROVING THE CONTRACT AND BOND OF MARIA STEIN TRENCHING AND EXCAVATING FOR THE MUDDY CREEK JOINT COUNTY DITCH IMPROVEMENT.

The Joint Board of Auglaize/Shelby County Commissioners met in special session on the 27th day of May, 2010.

Auglaize County: SPENCER, BERGMAN, _____

Shelby County: KLEINHANS, TOOMEY, _____

Mr. KLEINHANS made the motion to adopt of the following:

RESOLUTION

WHEREAS, the Auglaize County Engineer has filed, with the Joint Board of Auglaize/Shelby County Commissioners, the contract and bond of Maria Stein Trenching and Excavating for labor and materials for the Muddy Creek Joint County Ditch project

THEREFORE, BE IT RESOLVED that the Joint Board of Commissioners of Auglaize and Shelby Counties, Ohio, does hereby approve and execute the contract and bond, as presented of Maria Stein Trenching and Excavating for the Muddy Creek Joint County Ditch project; and,

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

BE IT FURTHER RESOLVED that the Secretary of the Auglaize County Engineer prepare assessment billing notices in accordance with the list of assessments as presented by the Auglaize 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 STILL FURTHER RESOLVED that the Auglaize County Auditor and Shelby County Auditor is hereby directed to place unpaid assessments, after due payment period, on the proper County tax duplicates.

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

Adopted this 27th day of May, 2010

**BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO**

**BOARD OF COUNTY COMMISSIONERS
SHELBY COUNTY, OHIO**

ABSENT, _____
Don Regula

ABSENT, _____
Dale DeLoye

John N. Bergman, yes
John N. Bergman

Jack Toomey, yes
Jack Toomey

Douglas A. Spencer, yes
Douglas A. Spencer

Larry Kleinhans, yes
Larry Kleinhans

DITCH CONTRACT

Revised Code, Sec. 6131.41

In the Matter of the

MUDDY CREEK

JOINT County Ditch Petitioned for by WAYNE BAMBAUER *and others.*

THIS AGREEMENT, *made and entered into on this* *day of* 2010,

by and between the County Commissioners of AUGLAIZE COUNTY AND SHELBY COUNTIES
Ohio, and hereinafter designated as "First Party," and MARIA STEIN TRENCHING AND
EXCAVATING *of* 2324 CLUNE-STUCKE ROAD, MARIA STEIN, OHIO 45860
hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," *For and in consideration of the sum*
of ONE HUNDRED TWENTY FOUR THOUSAND EIGHT HUNDRED TWENTY
ONE AND 85/100 (\$ 124, 821.85) *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 MUDDY CREEK DITCH improvement petitioned for by WAYNE BAMBAUER
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 MUDDY CREEK
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 MUDDY CREEK DITCH *may require. The whole*
to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st *day of*
MAY, 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 ONE HUNDRED TWENTY FOUR THOUSAND EIGHT HUNDRED
TWENTY ONE AND 85/100 (\$ 124, 821.85) *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 **MARIA STEIN TRENCHING AND EXCAVATING** of

2324 CLUNE-STUCKE ROAD, MARIA STEIN, OHIO 45860

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

Marvin Heitkamp
signed

Ronette Hill
witness

Maria Stein Trenching & Excavating Inc.
company

Mary Lou Hume
witness

2324 Clune Stucke Rd
street

Maria Stein, Ohio 45860
city, state, zip

The above Contract being good and sufficient is approved this 29th day of May, 2010.

Commissioner - Augaize County

Larry Blusham
Commissioner - Shelby County

John N Bergma
Commissioner - Augaize County

Jack Toomy
Commissioner - Shelby County

Deborah A Spina
Commissioner - Augaize County

Commissioner - Shelby County

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the MUDDY CREEK

Joint County Ditch No.

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by WAYNE BAMBAUER and others

KNOW ALL MEN BY THESE PRESENTS, That we, MARIA STEIN TRENCHING AND EXCAVATING of 2324 CLUNE-STUCKE ROAD, MARIA STEIN, OHIO 45860 as Principal, and CASH BOND IN THE FORM OF A CERTIFIED CASHIERS CHECK as their SURETY are held and firmly bound unto the state of Ohio for the benefit of AUGLAIZE AND SHELBY COUNTY and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of ONE HUNDRED TWENTY FOUR THOUSAND EIGHT HUNDRED TWENTY ONE AND 85/100 (\$ 124, 821.85) 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 24th day of May, 2010

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

MARIA STEIN TRENCHING AND EXCAVATING of 2324 CLUNE-STUCKE ROAD, MARIA STEIN, OHIO 45860 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

MUDDY CREEK improvement petitioned for by WAYNE BAMBAUER and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1st day of MAY, 2011, for the compensation of ONE HUNDRED TWENTY FOUR THOUSAND EIGHT HUNDRED TWENTY ONE AND 85/100 (\$ 124, 821.85) 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 **MARIA STEIN TRENCHING AND EXCAVATING** of **2324 CLUNE-STUCKE ROAD, MARIA STEIN, OHIO** 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

Marvin E. Nathan

Signed

Theresa Henricks

witness

Maria Stein Trenching & Exc. Co.

company

2324 Clune Stucke Rd

street

Marine Bruns

witness

Maria Stein, Ohio 45880

city, state, zip

The above Bond being good and sufficient is approved this *29th* day of *May*, 2010.

Commissioner - Augaize County

Larry Blenkins

Commissioner - Shelby County

John W. Bergman

Commissioner - Augaize County

Joe Tom

Commissioner - Shelby County

Deborah A. Spina

Commissioner - Augaize County

Commissioner - Shelby County

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT/S.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of May, 2010.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

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

Grand Lake Task Force Local Match fund:

Amount:	From:	To:
\$5,000.00	003.0003.530400 (GLTF Local Equipment)	003.0003.530600 (GLTF Local Contract Services)

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustment/s to show the changes as tabulated 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
27th day of
May, 2010

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
Don Regula

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

cc: County Auditor
 Sheriff