

**IN THE MATTER OF AUTHORIZING AN INCREASE IN ROOM RATES AT AUGLAIZE ACRES,
EFFECTIVE JANUARY 1, 2012.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize Acres Administrator Connie Pierce has recommended to the Board that the room rates at the facility be adjusted effective January 1, 2012; and,

WHEREAS, the Board has discussed this recommendation with Ms. Pierce and finds the room rate increase to be necessary.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize an increase in room rates at the Auglaize Acres facility, as recommended, with the effective date being January 1, 2012 said room rates being:

- Semi-Private with shared bathroom \$180.00 per day
- 1-East-Semi-Private with common bath \$180.00 per day
- Memory Unit \$187.50 per day
- 1-East-Private with common bath \$190.00 per day
- Private with Private bathroom \$192.50 per day

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: Auglaize Acres
County Auditor

IN THE MATTER OF APPROVING AUGLAIZE ACRES ADMINISTRATOR TO BE A PRECEPTOR FOR CANDIDATE, GARY DENIG, FOR AN ADMINITRATOR INTERNSHIP TRAINING PROGRAM (AIT).

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize Acres Administrator Connie Pierce submitted the following correspondence:

As you are aware, I have been approached regarding being a preceptor for Gary Denig. This would begin on January 3, 2012 and be completed in October of 2012.

Mr. Denig would not be an employee of Auglaize Acres, nor would he receive any kind of compensation for this position. Under current state regulations to become a nursing home administrator, a candidate must serve a 1500 training internship under a licensed administrator who is qualified to be a preceptor.

I have met with Gary several times and reviewed the training plan and pre-training assessment with him. He has completed the required criminal background check. Even though he is not an employee, he would be required to meet the same requirements that an employee does such as confidentiality, etc. He also understands that this is not in any way a commitment to employment at Auglaize Acres at the end of his internship.

I would like to recommend that you allow me to do this, as I do not believe that it will interfere with my duties as Administrator at Auglaize Acres.
s/Connie Pierce

WHEREAS, the Board of County Commissioners has reviewed this request and approves the request that Connie Piece be a preceptor for the Administrator Internship Training Program for Gary Denig starting January 3, 2012 through October, 2012.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the request from Connie Pierce to be a preceptor for the Administrator Internship Training Program for Gary Denig as stated above.

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman
Douglas A. Spencer Yes
Douglas A. Spencer
Don Regula Yes
Don Regula

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested by County Administrator Lenhart to increase the Annual Appropriation with moneys that were certified and unappropriated; and,

WHEREAS, the request is to amend the 2011 Annual Appropriation to reflect the following increase in the (005) Dog & Kennel Fund:

Increase 005.0002.530600 (Contract Services) by \$ 10,000.00.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2011 Annual Appropriation Resolution be amended to show the increase as tabulated above.

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman , yes
John N. Bergman

Douglas A. Spencer , yes
Douglas A. Spencer

Don Regula , yes
Don Regula

cc: County Auditor
Dog Warden – Russ Bailey

IN THE MATTER OF AUTHORIZING A TRANSFER OF FUNDS FROM PUBLIC ASSISTANCE GRANT FUND TO PA TRANSFER IN FUND AS REQUESTED BY THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES DIRECTOR.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

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

November 9, 2011

Board of Auglaize County Commissioners
Auglaize County Administration Building
209 S. Blackhoof St.
Wapakoneta OH 45895

Re: Transfer of Funds

Board of Auglaize County Commissioners:

I wish to make the following transfer:

From	To	Amount
001.0905.533400 (Public Assist Grant)	006.0400.400104 (PA Transfer In)	\$150,000.00

Thank you for your attention to this matter.

Sincerely,
s/Mike Morrow
Michael S. Morrow
Director

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the above mentioned transfer of funds for the PCSA fund as mentioned in the request of the Director of the Auglaize County Department of Job and Family Services.

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, *yes*
John N. Bergman

Douglas A. Spencer, *yes*
Douglas A. Spencer

Don Regula, *yes*
Don Regula

cc: County Auditor
Job & Family Services

IN THE MATTER OF AUTHORIZING THE APPROVAL OF THE RULES AND REGULATIONS OF THE AUGLAIZE COUNTY SOLID WASTE DISTRICT.

The Board of County Commissioners, Auglaize County, Ohio, met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of Directors of the Auglaize County Solid Waste Management District, Auglaize County, Ohio met in regular session on the 1st day of November, 2011 with the following members present: John N. Bergman, Don Regula and Douglas A. Spencer; and,

WHEREAS, the Auglaize County Solid Waste Management Plan approved by the Ohio Environmental Protection Agency on November 16, 2009 authorizes the Auglaize County Solid Waste Management District Board of Directors in accordance with the provision of O.R.C. 343.01 (G) to adopt, publish and enforce rules doing any of the following:

1. Prohibiting or limiting the receipt of solid waste generated outside the district or outside a service area proscribed in the solid waste management plan or amended plan, at facilities covered by the plan.
2. Governing the maintenance, protection, and use of solid waste collection or other solid waste facilities located within the district.
3. Governing the development and the implementation of a program for the inspection of solid waste generated outside the boundaries of this state that are disposed of at solid waste facilities included in the district's solid waste management plan or amended plan.
4. Exempting the owner or operator of any existing or proposed solid waste facility provided for the plan or amended plan from compliance with any amendments to a township zoning resolution.

WHEREAS, Auglaize County Solid Waste Management District Board of Directors have reviewed District Rules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 which were adopted through the ratification of the first ratified 10-year District Plan, approved and ordered for implementation on June 17, 1992, and have determined that the listed Rules are not necessary to provide for the safe and sanitary management of solid within the Solid Waste District, or to protect the public health and welfare, or to assure the proper implementation of the Plan.

THEREFORE, BE IT RESOLVED that the Auglaize County Solid Waste Management District Board of Directors are repealing Rules 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13. Please see Exhibit A for the complete wording of Rules to be repealed.

WHEREAS, Auglaize County Solid Waste Management District Board of Directors have reviewed the Resolution of Final Designation which was approved on February 4, 1994 and which directed all solid waste generated from within Auglaize County to be deposited at the St. Marys Landfill, located in Noble Township, Auglaize County, Ohio, and have determined that the Rule is not necessary.

THEREFORE, BE IT RESOLVED that the Auglaize County Solid Waste Management District Board of Directors is repealing the Resolution of Final Designation which was approved on February 4, 1994.

WHEREAS, the Board has determined that the Solid Waste Management District must provide for, or cause to be provided for, the diligent supervision, maintenance and protection of the solid waste collection system and solid waste facilities within the Solid Waste District, and regulation of the use thereof, in order to assure the safe and sanitary management of solid waste within all of the incorporated and unincorporated territory of the Solid Waste District and to assure that the Plan is properly implemented; and,

WHEREAS, the following rules and regulations are authorized by the Revised Code and the Plan, and the Board has determined that such rules and regulations are necessary to provide for the safe and sanitary management of solid waste within the incorporated and unincorporated territory of the Solid Waste District, and to protect the public health and welfare and assure the proper implementation of the Plan.

BE IT RESOLVED, by the Board of Directors of the Auglaize County Solid Waste Management District:

Rule 1.0 Auglaize County Solid Waste Management District - CONSTRUCTION OR IMPROVEMENT OF SOLID WASTE FACILITIES: Any person, Municipal Corporation, township or other political subdivision proposing to construct a new Solid Waste Facility or Modify an existing in-District Solid Waste Facility shall:

A. Provide General Plans and Specifications of the proposed facility to the Board. Such General Plans and Specification shall include, but may not be limited to, the following documents and information:

1. A site plan for the proposed Solid Waste Facility;
2. Architectural drawings or artists renderings of the proposed Solid Waste Facility;
3. Availability of necessary utilities;
4. Projected size and capacity of the proposed Solid Waste Facility;
5. Hours of operation;
6. Anticipated source of solid waste or recyclable materials to be received at the proposed Solid Waste Facility. If recycling activities will be conducted at the proposed facility, a detailed description of the recycling activity including materials to be recycled, technology to be utilized to accomplish the separation and processing of the recyclable materials, the anticipated percentage of waste reduction anticipated from the operation of the facility and the identification of the market for the sale of the recyclable materials recovered at the facility must be submitted;
7. Type and anticipated number of vehicles utilizing the proposed Solid Waste Facility on an hourly and daily basis;
8. Routes to be used by vehicles utilizing the facility and methods of ingress and egress to the facility, and
9. Any other information necessary for the Board to evaluate whether the proposed Solid Waste Facility complies with each of the criteria listed below:

B. Adequately demonstrate to the Board that the construction or modification and subsequent operation of the proposed Solid Waste Facility will:

1. Be consistent with the goals, objectives, and strategies contained in the Plan;
2. Not adversely affect financing for the implementation of the Plan;
3. Not adversely affect the Board's obligation to provide for the maximum feasible utilization of existing in-District Solid Waste Facilities;
4. Be installed, operated, and maintained to be harmonious and appropriate in appearance and use with the existing and intended character of the area;

5. Be adequately served by essential public facilities and services;
6. Not create excessive additional requirements at public cost for public facilities or services;
7. Not be detrimental to the economic welfare of the community;
8. Not involve the excessive production of traffic, noise, smoke, fumes, or odors;
9. Have vehicular approaches to the property that are designed not to create an interference with traffic;
10. Not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance; and
11. Not adversely affect property values within the surrounding community.

C. The Applicant shall submit any additional information as the Board requests to establish, to the reasonable satisfaction of Board, that the construction or modification and subsequent operation of the proposed Solid Waste Facility or proposed modification of an existing in-District Solid Waste Facility will comply with the Plan.

D. The Board will review the Plans and Specifications following the procedures set forth in “Procedure Implementing Siting Strategy” in the most recent approved edition of the Auglaize County Solid Waste District Plan.

E. The Board reserves the right to waive application of the Rule=s requirement for the submission and Board approval of general plans and specifications, and any portion or all of the Siting Strategy if the Board concludes such Waiver is in the best interests of the District, its residents and businesses and will assist the Board in the successful implementation of the Plan and further District goals with respect to solid waste and waste reduction activities.

F. For the purposes of this section, the following definitions shall apply:

1. **Solid Waste Facilities** shall mean all solid waste collection, storage, disposal, transfer, recycling, processing of solid waste and composting facilities.

2. **General Plans and Specifications** shall mean that information required to be submitted to the Board for review for the construction or modification of any proposed Solid Waste Facility and includes, but is not limited to, a site plan for the proposed facility, architectural drawings or artists renderings of the proposed facility, the projected size and capacity of the proposed facility and all other information identified in the Siting Strategy which is included in Chapter IV of the approved District Solid Waste Management Plan.

3. **Applicant** shall mean a person, Municipal Corporation, township or other political subdivision proposing to construct or modify a Solid Waste Facility within the District.

4. **Modify or Modification** shall mean a significant change in the operation of an existing in-District Solid Waste Facility: (1) that requires the approval of the Director of the Ohio Environmental Protection Agency, of (2) that involves a change in the type of material, manner of operation, or activities conducted at the facility (i.e., a conversion of a legitimate recycling facility to a transfer station).

Rule 2.0 Auglaize County Solid Waste Management District - PROHIBITING THE DISPOSAL OF RECYCLABLE MATERIAL: No person shall incinerate or landfill recyclable materials which have been separated from municipal solid waste for the purpose of recycling without the prior consent of the Auglaize County Solid Waste Management District.

Rule 3.0 Auglaize County Solid Waste Management District - PROHIBITING THE SCAVENGING OF SOLID WASTE OR RECYCLABLE MATERIAL: No person shall remove solid waste or recyclable material from any solid waste facility or from any solid waste or recyclable material collection site unless that person is authorized to do so by the District. The following persons are authorized by the Solid Waste District to remove solid waste or recyclable material from the solid waste facilities and from solid waste and recycling collection sites:

- A. Persons that are registered with the Auglaize County Health Department to collect, process or dispose of solid waste generated within or transported into the Solid Waste District;
- B. Municipal corporations located within the District, and their agents, that are registered with the Auglaize County Health Department to collect, process or dispose of solid waste generated within the Solid Waste District;
- C. Persons that have been given express written permission by the Solid Waste District;
- D. Any Person transporting solid waste or recyclable material that was generated by that person to a designated solid waste or recycling facility.

Rule 4.0 Auglaize County Solid Waste Management District - PROHIBITING TAMPERING OR DAMAGING FACILITIES: No person shall tamper with or damage any Solid Waste Facility or Recycling Facility located within the Solid Waste District or any appliance, appurtenance, accessory, or fixture used in conjunction with such facility.

Rule 5.0 Auglaize County Solid Waste Management District - PENALTIES FOR VIOLATION OF RULES: Any person who violates rules 02, 03, 04 shall be subject to a fine not to exceed \$1000. Each separate act or violation shall constitute a separate offense. Each day of violation shall constitute a separate offense.

BE IT FURTHER RESOLVED that a copy of this resolution be mailed by the Clerk of this Board to the Auglaize County Solid Waste Management Policy Committee at the District's offices in St. Marys, Ohio.

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

EXHIBIT A

LIST OF RULES TO BE REPEAL

1. The District reserved the right to amend or add rules as deemed appropriate for the implementation of the plan. This right is already reserved in the approved District Plan. A rule is not necessary.
2. The District reserved the right to establish a Rules, Regulations and Enforcement Committee for future modification of the rules. To the best of our knowledge, the District has never used this provision. The District Board of Directors has the right and the responsibility to enforce rules.
3. To encourage participation in recycling programs requires haulers to provide per unit billing programs. Although a number of haulers and municipal waste collection programs utilize volume based rates, this rule has not been enforced and would be difficult to enforce in areas of the county where exclusive hauling contracts are not utilized.
4. All solid waste load received by in-district solid waste disposal facilities and solid waste that is located at the curbside within the District is subject to inspection to assure compliance with all local, state and federal regulations: This rule is partially outdated in that there are no solid waste disposal facilities in the District at this time. The District does not have a system set up to enforce this rule. Municipalities waste collection programs and private waste haulers can inspect waste set out by customers to assure that the waste is in compliance with the specifications set out in municipal rules or in service agreements.
5. The District has the right to take steps to regulate the flow of solid wastes: The District has not implemented the option to regulate the flow of waste (designation or flow control). But the District has reserved the right to designate in the approved Plan. If designation (regulation of the flow of wastes) were to be enacted, the District would be required to adopt a specific rule to authorize and enforce designation.
6. The Board of Directors has the right to regulate incineration: There are currently no incinerators operating in the District and it very unlikely that an incinerator will be constructed. This rule is not currently relevant to District operations.
7. Established the District's right to establish rules to prohibit certain materials designated for recycling from being land filled and allows the District to assist in marketing recyclable goods. The Plan allows the District to adopt rules if necessary and the District may assist in marketing recyclables without the authority stated in this rule.
8. This Rule addresses facility siting. The approved District Plan has set forth a different and far less complicates siting strategy which is believed to be more compatible with the District's actual authority. A new rule that replaces Rule 8 will be proposed.
9. The District has the ability to assess District fees and prepare budgets to finance activities: The District already has this right as set out and limited in the governing sections of the Ohio Revised Code. A rule is not necessary.
10. The Board of Directors will include the Technical Advisory Council in activities associated with Plan Implementation: This rule is not currently being implemented because the District does not have a Technical Advisory Committee. This rule was more appropriate when it was thought that the District might be designing or siting facilities like landfills or incinerators.

11. The Board of Directors will work with existing waste disposal facilities and the local health department regarding the establishment and enforcement of rules and regulations regarding solid waste disposal, solid waste hauling: This is a common sense procedure, it does not necessarily need to be a District rule to be implemented.

12. The District established responsibilities for solid waste haulers doing business in the District. These include submission of records to the District, participation in recycling programs and compliance with open dumping laws. While the requirements of this rule are well intended, this rule has not been enforced in its entirety and some provisions would be very difficult to enforce.

13. Reserves the District right to enforce, modify and enact new rules: This power is reserved for the District in the solid waste management plan.

In addition to the above rules, the District adopted a rule on February 4, 1994 which went into effect on May 1, 1994 designating the St. Marys Landfill as the only facility in which solid waste generated in Auglaize County may be deposited: Although not repealed, this rule is no longer relevant since the St. Marys Landfill is closed. The District has not, at the present time, designated any facility for the disposal of solid waste. It is not recommended that the District designate facilities at this time.

IN THE MATTER OF AUTHORIZES A RETAINAGE REDUCTION IN THE ACCOUNTS FOR VARIOUS CONTRACTORS WHEN NECESSARY DURING THE COURTHOUSE RENOVATION PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 17th day of November, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, during the Courthouse Renovation Project the various contractors will request a reduction in the retainage amount on account with the Board of Auglaize County Commissioners; and,

WHEREAS, the Board of County Commissioners does approve these reductions when necessary and authorizes the County Administrator to approve each individual request; and,

WHEREAS, the Clerk of the Board and Treasurer will process the necessary paperwork to issue the payment for the reduction of retainage to the various contractors.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the necessary reduction in retainage accounts with the various contractors associated with the Courthouse Renovation Project; and,

BE IT FURTHER RESOLVED that County Administrator is hereby authorized to approve said reduction in retainage account request as presented by the various contractors associated with the Courthouse Renovation Project.

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

Adopted this
17th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

cc: County Administrator
Treasurer – April Bowersock
Garmann/Miller