

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

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 2nd day of April, 2019.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

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

**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: \$ 6,108.09**  
**To: 006-0400-400101 – Public Assistance**

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

Adopted this 2nd day  
of April, 2019

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

cc: County Auditor  
Jobs & Family Services

**IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE SPECIAL SESSIONS 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 2nd day of April, 2019.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**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**, the Board must set special sessions for the purpose of attending a meeting with Hoge's to review brush from airport obstruction project on Wednesday, April 3, 2019 from 7:00 p.m. – 8:00 p.m. Airport Property line west of terminal building, New Knoxville, Ohio; and for attending 10-County Luncheon on Friday, April 5, 2019 from 1:00 p.m. – 3:00 p.m. at the Bistro off Broadway, 117 E. Fifth Street, Greenville, Ohio or until the conclusion of the meetings.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby set Wednesday, April 3, 2019 from 7:00 p.m. – 8:00 p.m. and does hereby set Friday, April 5, 2019 from 1:00 p.m. – 3:00 p.m. or until such time as the meeting is concluded at the location so named above as the date, time and place to convene special sessions for said Board for the purposes as set forth; and,

**BE IT FURTHER RESOLVED** that a copy of this Resolution to be provided to The Evening Leader, The Wapakoneta Daily News, The Lima News and The Daily Standard to ensure adequate public notice of these special sessions.

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

Adopted this  
2nd day of  
April, 2019

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

cc: newspapers

**IN THE MATTER OF THE ORGANIZATION OF THE JOINT BOARD OF COMMISSIONERS FOR THE GROSS JOINT COUNTY DITCH IMPROVEMENT PROJECT AND PROCEEDING WITH THE SAID IMPROVEMENT.**

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The Boards of Auglaize County and Shelby County Commissioners met in regular session on the 2nd day of April, 2019, at the Chambers of the Auglaize County Commissioners with the following members present:

Don Regula	<u>present</u>	Anthony J. Bornhorst	<u>present</u>
John N. Bergman	<u>present</u>	Julie L. Ehemann	<u>present</u>
Douglas A. Spencer	<u>present</u>	Robert A. Guillozet	<u>present</u>

**WHEREAS**, on March 12, 2019 the Clerk of the Auglaize County Board of Commissioners send out notices for the organizational meeting of the Auglaize/Shelby County Joint Board of Commissioners to be held on April 2, 2019 at 9:30 a.m. for the petition and bond filed on March 4, 2019 for the Gross Joint County Ditch; and,

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a president and vice president pursuant to O.R.C. §6133.04; and,

**IN THE MATTER OF THE ELECTION OF A PRESIDENT AND VICE PRESIDENT:**

Commissioner Ehemann moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a president and vice president pursuant to O.R.C. §6133.04; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Gross Joint County Ditch Improvement Project, that

- 1) The Joint Board hereby elects Doug Spencer as president and elects Robert Guillozet as vice president.

Commissioner Bornhorst seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Regula, yes. Motion carried.

**IN THE MATTER OF THE ELECTION OF A CLERK:**

Commissioner Guillozet moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a clerk pursuant to O.R.C. §6133.04; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Gross Joint County Ditch Improvement Project, that

- 2) The Joint Board hereby elects Esther Lefsel as Clerk.

Commissioner Ehemann seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Regula, yes. Motion carried.

**IN THE MATTER OF THE ELECTION OF A COUNTY AUDITOR AND COUNTY TREASURER TO REPRESENT THE JOINT BOARD AS FISCAL AGENTS:**

Commissioner Bergman moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a county auditor and county treasurer to represent the Joint Board as fiscal agents pursuant to O.R.C. §6133.07; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Gross Joint County Ditch Improvement Project, that

- 3) The Auglaize County Auditor and Auglaize County Treasurer shall represent the Joint Board of County Commissioners for the Gross Joint County Ditch Improvement Project under §6133.07 of the Revised Code.

Commissioner Eneman seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Regula, yes. Motion carried.

**IN THE MATTER OF THE JOINT COUNTY BOARD ACCEPTING THE PETITION AND BOND FOR THE GROSS JOINT COUNTY DITCH PROJECT; FIXING DATE OF VIEW AND HEARING FOR SAME:**

Commissioner Guillozet moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in accordance with O.R.C. §6133.04, the Joint Board may do all things that a board of county commissioners may do in connection with the improvement;

**WHEREAS**, on March 4, 2019, Drainage Technician, TJ Place filed with Board of County Commissioners of Auglaize County, Ohio a petition signed by Paul Schaub and Austin Regula and others, as petitioners, to install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition. Once the project has been completed, the landowners shall have the drainage petition placed on Permanent Maintenance as per section 6131 and 6133 of the Ohio Revised Code.

Commencing at the north side of Little Muchinnippi Creek approximately 800 feet west of Morris-Rose Road and approximately 400 feet south Southland Road in Section 35, Jackson Township, Shelby County; thence northwesterly in direction following the existing open ditch for approximately 600 feet through the Bert Regula property; thence turning north in direction crossing Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Auglaize County northwesterly in direction across the properties of Steve Lotz, Matthew Braun, Bert Regula, Keith Helminger and Austin Regula for approximately 8,500 feet; thence turning west in direction under SR 65 for approximately 100 feet; thence continuing west in direction across the Marvin Zwiebel property for approximately 700 feet; thence turning southwesterly in direction across the Marvin Zwiebel, and Keith Helminger properties for approximately 3,000 feet; and here to terminate approximately 350 east of Indiana & Ohio Railroad and approximately ½ mile north of Southland Road.

The construction of the improvement is necessary and will be conducive to the public welfare.

Said improvement is to be known as the Gross Joint County Ditch Project.

The above described construction; all cost of engineering, construction and future maintenance shall be assessed to the benefitting parcels of ground as described in Section 6131 of the Ohio Revised Code. Exact sizes, depth and location will be determined at the time of the engineering study between the first and second hearings.

**WHEREAS**, it appears to said Joint Board that the proper bond has been filed with the petition, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Auglaize County Engineer in making his survey, maps, plans, profiles and schedules, if the prayer of the petition is not granted, or if said petition is for any cause dismissed.

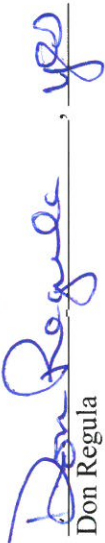
**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Gross Joint County Ditch Improvement Project; that

- 1) The Joint Board does hereby accept the petition and bond for the Gross Joint County Ditch Project; and,
- 2) The Joint Board has set the day of May 7, 2019 at 10:30 a.m., local time, meeting on Southland Road where the open ditch crosses the road (approximately ¼ mile west of Klopfenstein Road).
- 3) The day of June 11, 2019 at 1:30 p.m., local time in the Assembly Room – 2<sup>nd</sup> Floor, Administration Building, 209 S. Blackhoof Street, Wapakoneta, Ohio 45895, be the same is hereby fixed as the time and place for the First Hearing on the petition; and,
- 4) The notice of said view and hearing to be given as requested by law.

Commissioner Bornhorst seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Regula, yes. Motion carried.

Adopted this 2nd day of April, 2019

**AUGLAIZE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

  
Don Regula, yes

  
John N. Bergman, yes

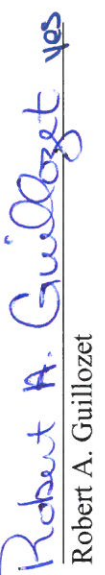
  
Douglas A. Spencer, yes

- cc: ✓ Auglaize County Engineer
- ✓ Auglaize County Auditor
- ✓ Auglaize County Treasurer
- ✓ Shelby County Commissioners

**SHELBY COUNTY  
BOARD OF COUNTY COMMISSIONERS**

  
Anthony J. Bornhorst, yes

  
Julie L. Ehemann, yes

  
Robert A. Guillozet, yes

Robert A. Guillozet

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**CERTIFICATION**

As duly appointed Clerk of the Board of County Commissioners, Joint Board of Auglaize and Shelby Counties of Ohio, for the purpose of the Gross Group Ditch Improvement Project, I do hereby certify that the attached is a true and correct copy of the Resolution passed and approved by the Joint Board on April 2, 2019.

\_\_\_\_\_  
Esther Leffel  
Clerk of Joint Board of County Commissioners  
Auglaize & Shelby Counties, Ohio

Dated: \_\_\_\_\_

# JOINT COUNTY DITCH PETITION

RECEIVED

Revised Code, Sec. 6131.04, 6133.02, .03

MAR -4 2019

Board of County Commissioners  
Auglaize County, Ohio

To the Board of County Commissioners Auglaize and Shelby Counties, Ohio, , 2019

In the Matter of the **GROSS** Joint County Ditch;

**Proceedings to:** To investigate cleaning the existing open ditch, repair damaged outlet pipes and install erosion control. If and when the project has been completed, the landowners shall have the drainage improvements placed on Permanent County Maintenance as per Section 6131 and 6133 of the Ohio Revised Code.

Petitioned for by: **PAUL SCHAUB and AUSTIN REGULA** and others.

The undersigned hereby makes application to your honorable body for: To install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition.

The construction of the improvement is necessary, and will be conducive to the public welfare. The following is the course and termini of said improvement, to wit:

Commencing at the north side of Little Muchinnippi Creek approximately 800 feet west of Morris-Rose Road and approximately 400 feet south Southland Road in Section 35, Jackson Township, Shelby County; thence northwesterly in direction following the existing open ditch for approximately 600 feet through the Bert Regula property; thence turning north in direction crossing Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Auglaize County northwesterly in direction across the properties of Steven Lotz, Matthew Braun, Bert Regula, Keith Helmlinger and Austin Regula for approximately 8,500 feet; thence turning west in direction under SR 65 for approximately 100 feet; thence continuing west in direction across the Marvin Zwiebel property for approximately 700 feet; thence turning southwesterly in direction across the Marvin Zwiebel, and Keith Helmlinger properties for approximately 3,000 feet; and here to terminate approximately 350 east of Indiana & Ohio Railroad and approximately 1/2 mile north of Southland Road.

The above described construction; engineering and future maintenance shall be assessed to the benefitting parcels of ground as required under Section 6131 of the Ohio Revised Code.

All costs of construction, engineering, and future maintenance shall be assessed to the benefitting parcels of land within the watershed area determined by the Auglaize County Engineer.

A list of names and addresses, where known, of all landowners which the Petitioner claims will be benefited or damaged by the construction of the proposed improvement, is attached.

Petitioners:

Bert Regula Austin Regula Dear Spot Dean Egbert

200 6th Steven Lotz William Davity Kendrick Beam Trenton

East Keyok Bert Regula Stevens Sullivan

James A. Swick Melvin Morris Steve Polter

James Swick Melvin Morris

Paul Schaub Jay Warner

Paul Schaub Jay Warner

Tom and Alice Kourkman Keith Helmlinger

Tom & Alice Kourkman

Dave Greve  
Dave Greve

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Admin B Gains Co  
ADMIN B GAINES CO

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Bridget A. Zwickel  
Bridget A. Zwickel

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Shipp Farms LLC  
Shipp Farms LLC

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Sharon Brauer  
Brauer Farms

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# BOND FOR THE GROSS JOINT DITCH PETITION

(TO BE FILED WITH THE DITCH PETITION)

RECEIVED

Revised Code, Sec. 6131.06

MAR - 4 2019

Board of County Commissioners  
Auglaize County, Ohio

KNOW ALL MEN BY THESE PRESENTS, That we

as principal, and

as additional surety are held and firmly bound unto the State

of Ohio, in the sum of **FIVE HUNDRED DOLLARS** 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 at

Wapakoneta, Ohio, on this

day of 2019. THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That,

whereas, on the day of , 2019, filed their petition with the Clerk of the County

Commissioners: **To investigate cleaning the existing open ditch, repair damaged outlet pipes and install erosion control. If and when the project has been completed, the landowners shall have the drainage improvements placed on Permanent County Maintenance as per Section 6131 and 6133 of the Ohio Revised Code.**

petitioned for by **PAUL SCHAUB and AUSTIN REGULA** and others, the following being the course

and termini of said proposed improvement, to-wit:

Commencing at the north side of Little Muchinnippi Creek approximately 800 feet west of Morris-Rose Road and approximately 400 feet south Southland Road in Section 35, Jackson Township, Shelby County; thence northwesterly in direction following the existing open ditch for approximately 600 feet through the Bert Regula property; thence turning north in direction crossing Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Auglaize County northwesterly in direction across the properties of Steven Lotz, Matthew Braun, Bert Regula, Keith Helminger and Austin Regula for approximately 8,500 feet; thence turning west in direction under SR 65 for approximately 100 feet; thence continuing west in direction across the Marvin Zwiebel property for approximately 700 feet; thence turning southwesterly in direction across the Marvin Zwiebel, and Keith Helminger properties for approximately 3,000 feet; and here to terminate approximately 350 east of Indiana & Ohio Railroad and approximately ½ mile north of Southland Road.

The above described construction; engineering and future maintenance shall be assessed to the benefitting parcels of ground as required under Section 6131 of the Ohio Revised Code.

Now, if the said

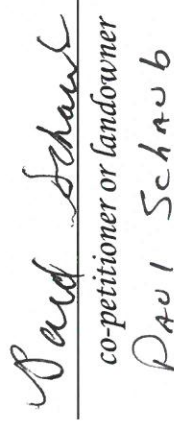
will pay the cost of all notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles, and schedules, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this

4<sup>th</sup> day of March , 2019



petitioner

  
\_\_\_\_\_  
Janet Schuler  
Auglaize County Auditor  
\_\_\_\_\_  
Paul Schaub  
co-petitioner or landowner



**IN THE MATTER OF THE ORGANIZATION OF THE JOINT BOARD OF COMMISSIONERS FOR THE ACCUNTIIUS JOINT COUNTY DITCH IMPROVEMENT PROJECT AND PROCEEDING WITH THE SAID IMPROVEMENT.**

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The Boards of Auglaize County and Shelby County Commissioners met in regular session on the 2nd day of April, 2019, at the Chambers of the Auglaize County Commissioners with the following members present:

John N. Bergman	<u>present</u>	Anthony J. Bornhorst	<u>present</u>
Douglas A. Spencer	<u>present</u>	Julie L. Ehemann	<u>present</u>
Dennis Dicke	<u>present</u>	Robert A. Guillozet	<u>present</u>

Acting Commissioner

**WHEREAS**, on March 27, 2019 the Clerk of the Auglaize County Board of Commissioners send out notices for the organizational meeting of the Auglaize/Shelby County Joint Board of Commissioners to be held on April 2, 2019 at 9:45 a.m. for the petition and bond filed on March 14, 2019 for the Accuntiius Joint County Ditch; and,

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a president and vice president pursuant to O.R.C. §6133.04; and,

**IN THE MATTER OF THE ELECTION OF A PRESIDENT AND VICE PRESIDENT:**

Commissioner Bornhorst moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a president and vice president pursuant to O.R.C. §6133.04; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Accuntiius Joint County Ditch Improvement Project, that

- 1) The Joint Board hereby elects Doug Spencer as president and elects Robert Guillozet as vice president.

Commissioner Dicke seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, ye; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, ye and Mr. Dicke, yes. Motion carried.

**IN THE MATTER OF THE ELECTION OF A CLERK:**

Commissioner Ehemann moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a clerk pursuant to O.R.C. §6133.04; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Accuntiius Joint County Ditch Improvement Project, that

- 2) The Joint Board hereby elects Esther Lefel as Clerk.

Commissioner Bornhorst seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Dicke, yes. Motion carried.

**IN THE MATTER OF THE ELECTION OF A COUNTY AUDITOR AND COUNTY TREASURER TO REPRESENT THE JOINT BOARD AS FISCAL AGENTS:**

Commissioner Dicke moved the adoption of the following

**RESOLUTION**

**WHEREAS**, it is necessary for the Joint Board of County Commissioners to designate a county auditor and county treasurer to represent the Joint Board as fiscal agents pursuant to O.R.C. §6133.07; and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Accuntiius Joint County Ditch Improvement Project, that

- 3) The Auglaize County Auditor and Auglaize County Treasurer shall represent the Joint Board of County Commissioners for the Accuntiius Joint County Ditch Improvement Project under §6133.07 of the Revised Code.

Commissioner Guillozet seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Dicke, yes. Motion carried.

**IN THE MATTER OF THE JOINT COUNTY BOARD ACCEPTING THE PETITION AND BOND FOR THE ACCUTIUS JOINT COUNTY DITCH PROJECT; FIXING DATE OF VIEW AND HEARING FOR SAME:**

Commissioner Bornhorst moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in accordance with O.R.C. §6133.04, the Joint Board may do all things that a board of county commissioners may do in connection with the improvement;

**WHEREAS**, on March 14, 2019, Drainage Technician, TJ Place filed with Board of County Commissioners of Auglaize County, Ohio a petition signed by Emerson Wagner Realty Co. and others, as petitioners, to install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition. Once the project has been completed, the landowners shall have the drainage petition placed on Permanent Maintenance as per section 6131 and 6133 of the Ohio Revised Code.

Commencing at the south side of Pusheta Creek on west side of Winemiller Road located approximately 1,100 feet south Santa Fe – New Knoxville Road and approximately 100 feet west of Winemiller Road in Section 26, Pusheta Township, Auglaize County; thence south in direction with a subsurface drain while following the general location of the existing clay tile through Clayton Wagner, Toby Kramer and Troy Kramer properties for approximately 1,400 feet; thence turning east in direction crossing Winemiller Road; thence continuing southeasterly in direction across the properties of Arthur Fisher, Nadine Hoge and Nancy Kramer for approximately 4,400 feet; then turning south in direction across the Marie Gerstner property for approximately 700 feet; thence continuing south in direction through Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Shelby County and southeasterly in direction across several properties of Emerson Wagner Realty Co. for approximately 2,000 feet to the Emerson Wagner Realty Co./James Reinhart property line and here to terminate approximately ¼ mile west of Pacso-Montra Road and approximately ¼ mile south of Southland Road.

The construction of the improvement is necessary and will be conducive to the public welfare.

Said improvement is to be known as the Accutius Joint County Ditch Project.

The above described construction; all cost of engineering, construction and future maintenance shall be assessed to the benefitting parcels of ground as described in Section 6131 of the Ohio Revised Code. Exact sizes, depth and location will be determined at the time of the engineering study between the first and second hearings.

**WHEREAS**, it appears to said Joint Board that the proper bond has been filed with the petition, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost made by the Auglaize County Engineer in making his survey, maps, plans, profiles and schedules, if the prayer of the petition is not granted, or if said petition is for any cause dismissed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Board of County Commissioners for the Accutius Joint County Ditch Improvement Project that:

- 1) The Joint Board does hereby accept the petition and bond for the Accutius Joint County Ditch Project; and,
- 2) The Joint Board has set the day of May 14, 2019 at 10:00 a.m., local time, meeting on Winemiller Road ¼ mile North of Southland Road.
- 3) The day of June 13, 2019 at 2:30 p.m., local time in the Assembly Room – 2<sup>nd</sup> Floor, Administration Building, 209 S. Blackhoof Street, Wapakoneta, Ohio 45895, be the same is hereby fixed as the time and place for the First Hearing on the petition; and,
- 4) The notice of said view and hearing to be given as requested by law.

Commissioner Guillozet seconded the resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Bornhorst, yes; Ms. Ehemann, yes; Mr. Guillozet, yes; Mr. Bergman, yes; Mr. Spencer, yes and Mr. Dicke, yes. Motion carried.

Adopted this 2nd day of April, 2019

**AUGLAIZE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

John N Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

Dennis Dicke, Yes  
Dennis Dicke, Acting Commissioner

cc: Auglaize County Engineer  
✓ Auglaize County Auditor  
✓ Auglaize County Treasurer  
✓ Shelby County Commissioners

**SHELBY COUNTY  
BOARD OF COUNTY COMMISSIONERS**

Anthony J. Bornhorst, yes  
Anthony J. Bornhorst

Julie L. Ehemann, yes  
Julie L. Ehemann

Robert A. Guillozet, yes  
Robert A. Guillozet

**CERTIFICATION**

As duly appointed Clerk of the Board of County Commissioners, Joint Board of Auglaize and Shelby Counties of Ohio, for the purpose of the Accuntius Group Ditch Improvement Project, I do hereby certify that the attached is a true and correct copy of the Resolution passed and approved by the Joint Board on April 2, 2019.

\_\_\_\_\_  
Esther Leffel  
Clerk of Joint Board of County Commissioners  
Auglaize & Shelby Counties, Ohio

Dated: \_\_\_\_\_

# BOND FOR THE ACCUNTIVS JOINT DITCH PETITION

(TO BE FILED WITH THE DITCH PETITION)

RECEIVED

Revised Code, Sec. 6131.06

MAR 14 2019

Board of County Commissioners  
Auglaize County, Ohio

KNOW ALL MEN BY THESE PRESENTS, That we

as principal, and

as additional surety are held and firmly bound unto the State of Ohio, in the sum of **FIVE HUNDRED DOLLARS** 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 at

Wapakoneta, Ohio, on this

day of 2019. THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, whereas, on the day of , 2019, filed their petition with the Clerk of the County

Commissioners: **To install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition.**

petitioned for by **EMERSON WAGNER REALTY CO.** and others, the following being the course and termini of said proposed improvement, to-wit:

Commencing at the south side of Pusheta Creek on west side of Winemiller Road located approximately 1,100 feet south Santa Fe - New Knoxville Road and approximately 100 feet west of Winemiller Road in Section 26, Pusheta Township, Auglaize County; thence south in direction with a subsurface drain while following the general location of the existing clay tile through the Clayton Wagner, Toby Kramer and Troy Kramer properties for approximately 1,400 feet; thence turning east in direction crossing Winemiller Road; thence continuing southeasterly in direction across the properties of Arthur Fisher, Nadine Hoge and Nancy Kramer for approximately 4,400 feet; thence turning south in direction across the Marie Gerstner property for approximately 700 feet; thence continuing south in direction through Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Shelby County and southeasterly in direction across several properties of Emerson Wagner Realty Co. for approximately 2,000 feet to the Emerson Wagner Realty Co./James Reinhart property line and here to terminate approximately ¼ mile west of Pasco-Montra Road and approximately ¼ mile south of Southland Road.

The above described construction; engineering and future maintenance shall be assessed to the benefitting parcels of ground as required under Section 6131 of the Ohio Revised Code.

Now, if the said

will pay the cost of all notices, plus any other incidental expenses, except the cost made by the Engineer in making his survey, maps, plans, profiles, and schedules, if the prayer of the petition is not granted or if said petition is for any cause dismissed, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

The above bond is approved this

14<sup>th</sup> day of March , 2019

Emerson Wagner Realty Co  
By Clayton F. Wagner  
petitioner at Pasco-Montra Road

Clayton F. Wagner  
co-petitioner or landowner

Janet Schuler  
Auglaize County Auditor

# JOINT COUNTY DITCH PETITION

RECEIVED

Revised Code, Sec. 6131.04, 6133.02, .03

MAR 14 2019

Board of County Commissioners  
Auglaize County, Ohio

To the Board of County Commissioners Auglaize and Shelby Counties, Ohio, \_\_\_\_\_, 2019

In the Matter of the **ACCUTIUS** Joint County Ditch;

**Proceedings to:** To install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition. Once the project has been completed, the landowners shall have the drainage petition placed on Permanent Maintenance as per Section 6131 and 6133 of the Ohio Revised Code.

Petitioned for by: **EMERSON WAGNER REALTY CO.** and others.

The undersigned hereby makes application to your honorable body for: To install subsurface tile, make lateral connections to existing drainage lines, install fittings and elbows, and place catch basins or manholes as required to satisfy the prayer of the petition.

The construction of the improvement is necessary, and will be conducive to the public welfare. The following is the course and termini of said improvement, to wit:

Commencing at the south side of Pusheta Creek on west side of Winemiller Road located approximately 1,100 feet south Santa Fe - New Knoxville Road and approximately 100 feet west of Winemiller Road in Section 26, Pusheta Township, Auglaize County; thence south in direction with a subsurface drain while following the general location of the existing clay tile through the Clayton Wagner, Toby Kramer and Troy Kramer properties for approximately 1,400 feet; thence turning east in direction crossing Winemiller Road; thence continuing southeasterly in direction across the properties of Arthur Fisher, Nadine Hoge and Nancy Kramer for approximately 4,400 feet; thence turning south in direction across the Marie Gerstner property for approximately 700 feet; thence continuing south in direction through Southland Road and crossing the border of Auglaize and Shelby County; thence continuing in Shelby County and southeasterly in direction across several properties of Emerson Wagner Realty Co. for approximately 2,000 feet to the Emerson Wagner Realty Co./James Reinhart property line and here to terminate approximately 1/4 mile west of Pasco-Montra Road and approximately 1/4 mile south of Southland Road.

The exact size(s) and location of said subsurface drainage tile shall be determined by the Auglaize County Engineer at the time of the Survey and Design of the proposed drainage petition.

All costs of construction, engineering, and future maintenance shall be assessed to the benefiting parcels of land within the watershed area determined by the Auglaize County Engineer.

A list of names and addresses, where known, of all landowners which the Petitioner claims will be benefited or damaged by the construction of the proposed improvement, is attached.

Petitioners:

EMERSON WAGNER REALTY CO.  
By: ~~Edmund A. Hoge~~  
Toby Kramer Trustee

John L. Schaub

BJ KW

Don R. Rind

Marion C. Gerstner

Edmund A. Hoge

Clayton F. Wagner

(OVER)