

County Commissioners Office  
Auglaize County, Ohio  
August 18, 2015

NO. 15-343

**IN THE MATTER OF GRANTING AN ANNEXATION OF 5.074 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW BREMEN FROM GERMAN TOWNSHIP; PETITIONED BY ROBERT C. MINNICH AND CARLA A. MINNICH AND OTHERS; FILED BY WAYNE YORK, AGENT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 18th day of August, 2015.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on August 14, 2015, a petition for annexation of 5.074 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Wayne York named as Agent for petitioners Robert C. Minnich and Carla A. Minnich, Daniel A. Luebke, John B. Bornhorst and Rosella E. Bornhorst, Co-Trustees of the Bornhorst Family Revocable Living Trust, Linda L. Fortkamp, Successor Trustee, Connie S. Hoelscher, Successor Trustee, under Ralph Boerger and Eileen Boerger Revocable Family Trust Agreement; and,

**WHEREAS**, the requirements for the filing of said petition were all met by Agent York, including:

- 1.) The petition meets all the requirements set forth in, and was filed in the manner provided, in the Ohio Revised Code Section 709.022.
- 2.) The persons who signed the petition represent 100% of the owners of the property; signatures having been obtained in the time frame required.
- 3.) An accurate legal description of the perimeter of the territory proposed to be annexed.
- 4.) An accurate map or plat of the territory.
- 5.) Named the party acting as agent for the petitioners.
- 6.) A list of all tracts, lots or parcels in the territory proposed to be annexed and all tracts, lots or parcels located adjacent to the territory to be annexed, listing the name of owner, mailing address and permanent parcel number from the County Auditor's system (ORC 319.28).
- 7.) An annexation agreement of the Village of New Bremen and German Township as provided for in ORC 709.192.

and,

**WHEREAS**, the petitioners requested that the special procedure be used and waived their right to appeal any action taken by the Board of County Commissioners; and,

**WHEREAS**, the Board determined that this annexation is in order, meeting all criteria.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby approve and grant the annexation of 5.074 acres, more or less, to the Village of New Bremen as petitioned by Robert C. Minnich and Carla A. Minnich, Daniel A. Luebke, John B. Bornhorst and Rosella E. Bornhorst, Co-Trustees of the Bornhorst Family Revocable Living Trust, Linda L. Fortkamp, Successor Trustees, Connie S. Hoelscher, Successor Trustee, under Ralph Boerger and Eileen Boerger Revocable Family Trust Agreement pursuant to ORC Section 709.022.

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

Adopted this  
18th day of  
August, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Sperfer  
Douglas A. Sperfer

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

cc:  County Auditor  
 County Engineer  
 Wayne York, Agent  
 German Township Trustees  
 Village of New Bremen

RECEIVED

APR 14 2005

Board of County Commissioners  
Auglaize County, Ohio

ANNEXATION PETITION

The undersigned, Robert C. Minnick and Carla A. Minnich, husband and wife, Daniel A. Luebke, single, John B. Bornhorst, and Rosella E. Bornhorst, Co-Trustees of the Bornhorst Family Revocable Living Trust, UAD October 28, 1997, Linda L. Fortkamp, Successor Trustee, Connie S. Hoelscher, Successor Trustee, under the Ralph Boerger and Eileen Boerger Revocable Family Trust Agreement dated April 8, 1996, hereby referred to as Petitioners, are all owners of the following real property located in the Township of German, County of Auglaize and State of Ohio, to wit:

See attached Exhibits "A" and "B".

Prior Parcel No.:	Minnich – C09-015-019-03
	Luebke – C09-015-018-01
	Bornhorst – C09-015-019-00
	Boerger – C09-015-019-01

The owners of the real estate to be annexed and their mailing address are:

1. Robert C. and Carla A. Minnich  
05136 State Route 66  
New Bremen, OH 45869
2. Daniel A. Luebke  
05158 State Route 66  
New Bremen, OH 45869
3. John B. Bornhorst and Rosella E. Bornhorst, Co-Trustees  
05096 State Route 66  
New Bremen, OH 45869
4. Linda L. Fortkamp, Successor Trustee  
119 ~~Bear~~ Drive *Bear Y*  
New Bremen, OH 45869
5. Connie S. Hoelscher, Successor Trustee  
439 Canal Street  
New Bremen, OH 45869

Petitioners represent that they are One Hundred Percent (100%) of the owners of the property described above.

Petitioners therefore petition to annex their property to the Village of New Bremen from the Township of German pursuant to Ohio Revised Code Section 709.022. The petitioners represent that the property is not unreasonably large and that on balance, the general good of

1/3 *WJF*

the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the petition is granted.

Attached to this petition is an original copy of the annexation agreement of the Village of New Bremen, 214 North Washington Street, P.O. Box 27 and German Township.

The undersigned hereby appoints and designates, Wayne York, as agent for the petitioners, New Bremen, Ohio, 45869.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

5/12/15  
Date

Robert C. Minnich  
Robert C. Minnich  
05136 State Route 66

New Bremen, OH 45869

5/12/15  
Date

Carla A. Minnich  
Carla A. Minnich  
05136 State Route 66  
New Bremen, OH 45869

5/14/15  
Date

Daniel A. Luebke  
Daniel A. Luebke  
05158 State Route 66  
New Bremen, OH 45869

5/11/15  
Date

John B. Bornhorst  
John B. Bornhorst, Co-Trustee  
05096 State Route 66  
New Bremen, OH 45869

2/3 *WY*

5/11/15  
Date

Rosella E. Bornhorst

Rosella E. Bornhorst, Co-Trustee  
05096 State Route 66  
New Bremen, OH 45869

5/11/15  
Date

Linda Fortkamp, Successor Trustee

Linda L. Fortkamp, Successor Trustee  
119 Bear Drive  
New Bremen, OH 45869

5-11-15  
Date

Connie S. Hoelscher, Successor Trustee

Connie S. Hoelscher, Successor Trustee  
439 Canal Street  
New Bremen, OH 45869

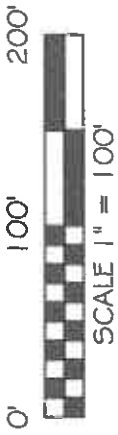
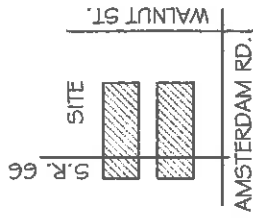
I hereby accept the designation as agent for petitioners, dated this 14 day of May, 2015.

Wayne York

Wayne York  
Agent for Petitioners  
214 North Washington Street  
P.O. Box 27  
New Bremen, OH 45869  
419-629-2827  
419-629-2302 (FAX)

3/3 WJG

VICINITY MAP  
NO SCALE



BASIS OF BEARING: BEARINGS ARE BASED UPON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15 BEING N 00°40'25" EAST AS PER SURVEY "GER-14-8" FILED IN THE AUGLAIZE COUNTY TAX MAP OFFICE.

NOTE: ACREAGES ARE PER SURVEYS PERFORMED BY MYSELF AND OTHERS AS PER D-56, G-269, I-265, J-756, Q-488, GER 14-10, GER 15-16 & CAB D PG. 167.

PLAT OF LANDS PETITIONED TO BE ANNEXED  
TO THE VILLAGE OF NEW BREMEN  
S.E. 1/4 SEC. 15, T 7S, R 4E  
GERMAN TWP., AUGLAIZE, OH  
EXHIBIT "A"

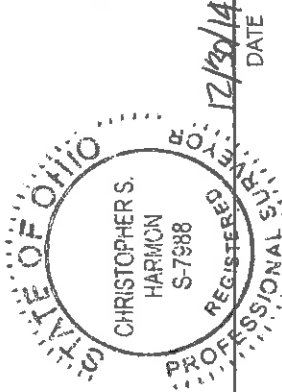
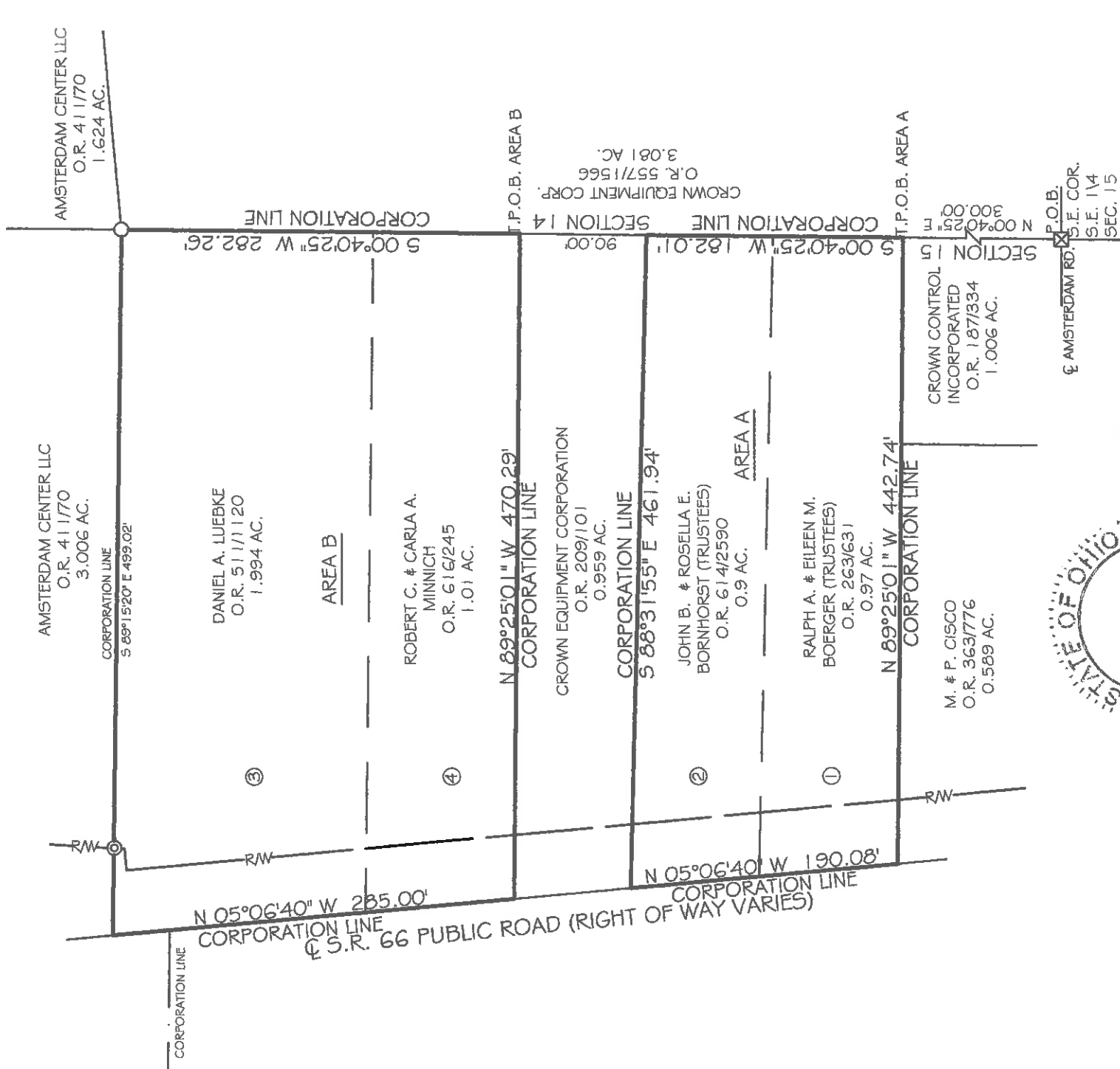
AREAS TO BE ANNEXED

- AREA A 1.926 ACRES
- AREA B 3.148 ACRES

TOTAL: 5.074 ACRES

PARCELS TO BE ANNEXED

- AREA A  
TRACT 1 RALPH A. & EILEEN M. BOERGER (TRUSTEES)  
O.R. 263 PG. 631
- TRACT 2 JOHN B. & ROSELLA E. BORNHORST (TRUSTEES)  
O.R. 614 PG. 2590
- AREA B  
TRACT 3 DANIEL A. LUEBLE, O.R. 211 PG. 1120  
TRACT 4 ROBERT O. & CARLA A. MINNICH, O.R. 616 PG. 248



*Christopher S. Harmon*  
CHRISTOPHER S. HARMON P.S. #7988

DATE  
12/30/14

SURVEY NOTE:  
THIS DRAWING AND LEGAL DESCRIPTION REPRESENT A COMPILATION OF RECORD SURVEYS AND LEGAL DESCRIPTIONS AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE.

I HEREBY STATE THAT THIS PLAT OF A 5.074 ACRE ANNEXATION WAS PREPARED BY ME FROM AVAILABLE RECORDS.

LOCK-TWO SURVEYING  
5166 LOCK TWO RD, NEW BREMEN, OH  
419-753-3332



PLAT OF LANDS PETITIONED TO BE ANNEXED  
TO THE VILLAGE OF NEW BREMEN  
S.E. 1/4 SEC. 15, T 75, R 4E  
GERMAN TWP., AUGLAIZE, OH

EXHIBIT "B"

DESCRIPTION OF AREA A. 1.926 ACRES FOR ANNEXATION PURPOSES

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 15, T 75, R 4E, GERMAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING ALL OF THOSE LANDS OWNED BY RALPH A. & EILEEN M. BOERGER AS RECORDED IN OFFICIAL RECORD 263 PAGE 631 AND JOHN B. & ROSELLA E. BORNHORST (TRUSTEES) AS RECORDED IN OFFICIAL RECORD 614 PAGE 2590 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning for reference at a 1 inch iron pin found in a monument box at the southeast corner of the southeast quarter of Section 15 and the in the centerline of Amsterdam Road;

Thence, with the east line of the southeast quarter of Section 15, North 00°40'25" East, 300.00 feet to the southeast corner of a 0.97 acre tract of land owned by Ralph A. & Eileen M. Boerger (Trustees) as recorded in Official Record 263 Page 631, said corner marking the True Point of Beginning of the tract herein described;

Thence, with the north line of a 1.006 acre tract of land owned by Crown Control Incorporation as recorded in Official Record 187 Page 334 and a 0.589 acre tract of land owned by M. & P. Cisco as recorded in Official Record 363 Page 776, North 89°25'01" West, 442.74 feet to the centerline of State Route 66;

Thence, with the centerline of State Route 66, North 05°06'40" West, 190.08 feet to the north west corner of a tract of land owned by John B. & Rosella E. Bornhorst (Trustees) as recorded in Official Record 614 Page 2590;

Thence, with the south line of a 0.959 acre tract owned by Crown Equipment Corporation as recorded in Official Record 209 Page 101, South 88°31'55" East, 461.94 feet;

Thence, with the east line of the southeast quarter of Section 15 and the west line of a 3.081 acre tract of land owned by Crown Equipment Corporation as recorded in Official Record 557 Page 1566, South 00°40'25" West, 182.01 feet to the True Point of Beginning containing 1.926 acres more or less and being subject to all legal rights of ways, easements, restrictions and agreements of record.

DESCRIPTION OF AREA B 3.148 ACRES FOR ANNEXATION PURPOSES

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 15, T 75, R 4E, GERMAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING ALL OF THOSE LANDS OWNED BY DANIEL A. LUEBKE AS RECORDED IN OFFICIAL RECORD 511 PAGE 1120 AND ROBERT C. & CARLA A. MINNICH AS RECORDED IN OFFICIAL RECORD 616 PAGE 245 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning for reference at a 1 inch iron pin found in a monument box at the southeast corner of the southeast quarter of Section 15 and the in the centerline of Amsterdam Road;

Thence, with the east line of the southeast quarter of Section 15, North 00°40'25" East, 572.01 feet to the southeast corner of a 1.01 acre tract of land owned by Robert C. & Carla A. Minnich as recorded in Official Record 616 Page 245, said corner marking the True Point of Beginning of the tract herein described;

Thence, with the north line of a 0.959 acre tract of land owned by Crown Equipment Corporation as recorded in Official Record 209 Page 101, North 89°25'01" West, 470.29 feet to the centerline of State Route 66;

Thence, with the centerline of State Route 66, North 05°06'40" West, 285.00 feet to the northwest corner of a 1.994 acre tract of land owned by Daniel Luebke as recorded in Official Record 511 Page 1120;

Thence, with the south line of a 3.006 acre tract of land owned by Amsterdam Center LLC as recorded in Official Record 411 Page 70, South 89°15'20" East, 499.02 feet to the east line of the southeast quarter of Section 15;

Thence, with the east line of the southeast quarter of Section 15, South 00°40'25" East, 282.26 feet to the True Point of Beginning containing 3.148 acres more or less and being subject to all legal right of ways, easement and agreements of record.

LOCK-TWO SURVEYING  
5166 LOCK TWO RD. NEW BREMEN, OH  
419-753-3332



LOCKTWSURVEYING@NKTELCO.NET

#14015.05

GERMAN TOWNSHIP-VILLAGE OF NEW BREMEN  
ANNEXATION AGREEMENT

This Agreement is made at Auglaize County, Ohio, by and between the Board of Trustees for German Township, Auglaize County, Ohio (hereinafter referred to as "Township"), whose mailing address is 123 North Main Street, New Bremen, Ohio 45869, and the Village of New Bremen (hereinafter referred to as "Village"), whose mailing address is 214 North Washington Street, New Bremen, Ohio 45869.

WITNESSETH:

WHEREAS, Township and Village desire to establish an Annexation Agreement, as permitted under Ohio Revised Code Section 709.19.2 for the development of certain real property (hereinafter referred to as "Property"), as more fully described in Exhibit 'A', attached hereto, which property is situated in Township; and

WHEREAS, the foregoing described property is proposed for annexation to Village from Township; and

WHEREAS, Township and Village are desirous of entering into an annexation agreement which contemplates that the property will be annexed into the Village; and

WHEREAS, both Township and Village residents will benefit from the provisions of the Agreement; and

WHEREAS, Township has agreed to enter into this annexation agreement, pursuant to a Resolution dated July 7, 2015, and effective the 7<sup>th</sup> day of July, 2015, and the Village has agreed to enter into this annexation agreement, by Ordinance No. 2015-7-31 effective the 13<sup>th</sup> day of May, 2015;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement and pursuant to Ohio Revised Code, the parties agree as follows:

ARTICLE 1

THE PROPERTY

The Property shall consist of a certain 5.074 acre parcel located in German Township, Auglaize County, Ohio, as further described in Exhibit 'A', a map depicting said Property, which is incorporated herein by reference. The Property described in Exhibit 'A' may be only amended by a written agreement of the parties.

ARTICLE 2

ANNEXATION

A. The parties contemplate that the Property shall be annexed into the Village of New Bremen pursuant to and subject to the requirements of Ohio Revised Code Chapter 709. Township agrees that the annexation of the Property may occur in one proceeding, or in several separate proceedings, in the discretion of the Village and when effected by the Property owners. In the event of the failure of the annexation of the Property, this Agreement shall be null and void.

B. In the event of any annexation into the Village of New Bremen from the Property, it is agreed that the Property shall be treated for tax purposes the same as all other parts of the Village located within German Township following the approval and acceptance of said annexation.

ARTICLE 3

COOPERATION OF THE TOWNSHIP

A. The Township hereby assents to the annexation of the Property to Village.

B. Township waives any objections to said annexation and waives any rights it may have to contest such annexation, including rights of appeal or injunctive relief, including but not limited to, any rights it may have under Section 709.07 or Chapter 2506 of the Ohio Revised Code.

ARTICLE 4

ALLOCATION OF TAX REVENUES AND DURATION

A. This Agreement is intended to provide the same allocation of tax revenues for the Property being annexed as all other portions of the Village located within German Township.

B. In Lieu of prorating tax revenues pursuant to Section 709.19 O.R.C., the Village agrees to pay the Township the sum of \$3,607.37 within sixty (60) days of the passage of the Village Ordinance accepting the property proposed for annexation.

ARTICLE 5

POST ANNEXATION OF GOVERNMENTAL SERVICES

A. Zoning – Upon annexation the Village shall be solely responsible for the zoning of the Property.

B. Standard Governmental Services – The Village shall make available to the



Property the following municipal services: fire and police protection, waste collection, water and sanitary sewer services, and municipal electric services. The Property is entitled to standard governmental services by the Village in the same manner as those services are provided to other areas of the Village.

C. Emergency Medical Services – The parties agree that the Property shall have available to it the standard fire protection and emergency medical services in the same manner as such services are provided to other areas of the Village.

#### ARTICLE 6

#### MEDIATION AND NOTICE OF CLAIMED BREACH

In the event the parties have a dispute as to any of the terms or to the applicability of this Agreement, the parties agree to use their best efforts to resolve the dispute through a mutually acceptable mediation process or, if they are unable to agree, to utilize whatever mediation process may then be in existence and used by the Auglaize County Common Pleas Court. Each party retains all legal rights available to them under this Agreement and under the law.

#### ARTICLE 7

#### MUNICIPAL POWER

Nothing in this Agreement shall be construed to be in derogation of the powers granted to municipal corporations by Article XVII of the Ohio Constitution.

#### ARTICLE 8

#### MODIFICATION

This Agreement may not be modified except by official legislative action of both Village and Township.

#### ARTICLE 9

#### LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in the Agreement are held to be invalid, illegal or enforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provisions of this Agreement. The titles of the Articles of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement.

#### ARTICLE 10

#### PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the entire Agreement of the parties and supersedes

any prior understandings, or previous oral or written agreements between the parties respecting the subject matter of this Agreement.

ARTICLE 11


GOVERNING LAW

This Agreement, and all the rights, duties and obligations of Village and Township, shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Auglaize County, Ohio.

Executed, in duplicate, at Auglaize County, Ohio, on the date set forth below.

Signed and acknowledged:

THE VILLAGE OF NEW BREMEN

By:   
Jeffrey L. Pape  
It's Mayor

THE BOARD OF TRUSTEES FOR  
GERMAN TOWNSHIP

By:   
Vernon Paul

By:   
David Albers

By:   
Robert Heitkamp

Date: July 21, 2015

Date: July 21, 2015

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
STEPHEN T. SMITH  
VILLAGE SOLICITOR

  
ERIC A. REINA  
COUNTY PROSECUTOR

**IN THE MATTER OF AUTHORIZING THE LEASE OF A COPIER FROM PERRYPROTECH FOR THE TREASURER'S OFFICE.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 18th day of August, 2015.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, PerryproTech was contacted about the lease of said copier for the Treasurer's Office; and,  
**WHEREAS**, it was determined that the Konica Bizhub 654e printer/copier/scanner would best fit the need of the Treasurer's Office; and,  
**WHEREAS**, a quotation was submitted to the Board of County Commissioners by PerryproTech for the monthly lease for said copier for so stated office in the amount of \$524.00 for said Konica Bizhub 654e printer/copier/scanner to the Board of County Commissioners.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize a 0%, 60 month fair market value lease agreement from PerryproTech and does authorize the monthly lease of the Konica Bizhub 654e printer/copier/scanner for the Treasurer's Office; and,

**BE IT FURTHER RESOLVED** that the Board does authorize the President of the Board to execute said lease agreement.

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

Adopted this  
18th day of  
August, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer  
Douglas A. Spencer ye

Don Regula  
Don Regula yes

John N. Bergman  
John N. Bergman yes

cc: Perry ProTech  
✓ Treasurer

APPLICATION NO.  AGREEMENT NO.

The words Lessee, you and your refer to Customer. The words Lessor, we, us and our refer to PERRY proTECH, Inc.

**CUSTOMER INFORMATION**

FULL LEGAL NAME County of Auglaize STREET ADDRESS 209 S Blackhoof, Room 201  
 CITY Wapakoneta STATE OH ZIP 45895 PHONE (419) 739-6710 FAX (419) 739-6711  
 BILLING NAME (IF DIFFERENT FROM ABOVE) \_\_\_\_\_ BILLING STREET ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL \_\_\_\_\_

EQUIPMENT LOCATION (IF DIFFERENT FROM ABOVE)

**EQUIPMENT DESCRIPTION**

MAKE/MODEL/ACCESSORIES KONMB654e NOT FINANCED UNDER THIS AGREEMENT  SERIAL NO. \_\_\_\_\_ STARTING METER \_\_\_\_\_  
 See the attached Schedule A  See the attached Billing Schedule

**TERM AND PAYMENT SCHEDULE**

60	Payments* of \$	524.00	The lease contract payment ("Payment") period is monthly unless otherwise indicated.	*plus applicable taxes
Payment includes	15,000	B&W Clicks per month	Excess Click Charge billed monthly at \$	\$ .0059 per B&W click*
Payment includes	NA	Color Clicks per month	Excess Click Charge billed monthly at \$	NA per Color click*
Payment includes		Scans per month	Excess Scan Charge billed monthly at \$	per scan*

By initialing here, you agree that service and supplies are not included in this Agreement.

**END OF LEASE OPTIONS**

You will have the following option at the end of the original term, provided that no event of default under the Agreement has occurred and is continuing. To the extent that any purchase option indicates that the purchase price will be the "Fair Market Value" for "FMV", such term means the current market value of the Equipment. 1) Purchase all but not less than all the Equipment for the Fair Market Value per paragraph 1, 2) Renew the Agreement per paragraph 1, or 3) Return the Equipment per paragraph 3.

**THIS IS A NONCANCELABLE / NONREFUNDABLE / IRREVOCABLE AGREEMENT; THIS AGREEMENT CANNOT BE CANCELED, ASSIGNED OR TERMINATED.**

**LESSOR ACCEPTANCE**

PERRY proTECH, Inc. \_\_\_\_\_  
 LESSOR SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ DATED \_\_\_\_\_

**CUSTOMER ACCEPTANCE**

By signing below, you certify that you have reviewed and do agree to all terms and conditions of this Agreement on this page and on page 2 attached hereto. Upon signing below, your promises herein will be irrevocable and unconditional in all respects.

County of Auglaize  
 CUSTOMER (as referenced above) SIGNATURE X Douglas Agnew TITLE President DATED 8/18/15

34-6400073

FEDERAL TAX I.D. #

PRINT NAME

**CONTINUING GUARANTY**

You unconditionally and absolutely, jointly and severally, guarantee that Customer will fully and promptly pay and perform all obligations under the Agreement and any amendments and supplements thereto. This is a continuing Guaranty and shall not be revoked by your death, bankruptcy, incompetency or insolvency. You may not terminate or revoke this Guaranty without written notice to us, and this Guaranty shall continue in full force and effect with regard to all of Customer's obligations arising prior to the date of such notice. We may make changes, including compromise or settlement, with the Customer, and you waive any abatement, setoff, defense or counterclaim for any reason and all notices of any changes or default. It is not necessary for us to proceed first against the Customer before enforcing this Guaranty. You certify that the financial information you have given us is true, complete and accurate in all material respects. You authorize us to obtain credit bureau reports for credit and collection purposes and to share them with our affiliates and agents. Without our prior written consent, you will not transfer your obligations under this Guaranty or all or substantially all your assets to anyone. This Guaranty will be binding on your estate, heirs, successors and assigns. We may assign this Guaranty without notice. The undersigned, as to this guaranty, agree(s) to the designated forum and consent(s) to personal jurisdiction, venue, and choice of law as stated in the Agreement, agree(s) to pay all costs and expenses, including attorney fees, incurred by Lessor or Lessor's assignee related to this guaranty and the Agreement. YOU AND WE IRREVOCABLY WAIVE ALL RIGHTS TO A TRIAL BY JURY IN ANY LITIGATION RELATED HERETO.

GUARANTOR SIGNATURE (AS AN INDIVIDUAL) \_\_\_\_\_ HOME PHONE \_\_\_\_\_ DATED \_\_\_\_\_

**ACCEPTANCE OF DELIVERY**

The Customer hereby certifies that all the Equipment: 1) has been received, installed, and inspected, and 2) is fully operational and unconditionally accepted.

County of Auglaize  
 CUSTOMER (as referenced above) SIGNATURE X Douglas Agnew TITLE President DATED 8/18/15

Resolution No. 15-345

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(BOARD OF COUNTY COMMISSIONERS)

Rev. Code, Secs. 1705.34, .35

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 18th day of Auglaize, 2015, at (Regular or Special) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, at the office of \_\_\_\_\_ said Commissioners with the following members present:

- \_\_\_\_\_ Douglas A. Spencer
- \_\_\_\_\_ Don Regula
- \_\_\_\_\_ John N. Bergman

Mr. Regula moved the adoption of the following Resolution: **WHEREAS, This Board of County Commissioners in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2016; and**

**WHEREAS, The Budget Commission of Auglaize County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it**

**RESOLVED, By the Board of County Commissioners of Auglaize County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further**

**RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as**

follows:  
General Fund  
Within teh Ten Mill Limit

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 M. Limitation	Amount to Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
A. General Fund	2657746		25	
D. Road and Bridge Fund				
E. District Board of Health		795621		1.00
D. General Bond Retirement Funds		4616687		6.75
Q. Airport Construction Funds		1401369		1.50
Q. Building Construction Funds		846187		1.00
Q. Bridge Construction Funds				
Q. Ditch Construction Funds				
Q. Sewer Construction Funds				
Q. Water Construction Funds				
Q. Incinerator Construction Funds				
Q. Road Construction Funds				
Q. Other — Miscellaneous Construction Funds				
S. Relief and Welfare Special Levy Funds				
S. Child Welfare Services Special Levy Funds				
S. Health, Mental Health and Clinics Special Levy Funds				
S. Airports and Commerce Special Levy Funds				
S. Parks and Recreation Special Levy Funds				
S. Other — Miscellaneous Special Levy Funds				
<b>TOTAL</b>	2657726	7689824	25	10.25

**SCHEDULE B**

**LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	YEAR	Maximum Rate Authorized to Be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>			
Current expense levy authorized by voters on	.		
not to exceed	years.		
Current expense levy authorized by voters on	.		
not to exceed	years.		
Current expense levy authorized by voters on	.		
not to exceed	years.		
Current expense levy authorized by voters on	.		
not to exceed	years.		
<b>TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION</b>			
<b>SPECIAL LEVY FUNDS:</b>			
Levy authorized by voters on	.		
not to exceed	years.		
Levy authorized by voters on	.		
not to exceed	years.		
Levy authorized by voters on	.		
not to exceed	years.		
Levy authorized by voters on	.		
not to exceed	years.		
Levy authorized by voters on	.		
not to exceed	years.		

Levy authorized by voters on	
not to exceed _____ years.	
Levy authorized by voters on	
not to exceed _____ years.	
Levy authorized by voters on	
not to exceed _____ years.	
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not to exceed _____ years.	
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not to exceed _____ years.	
Levy authorized by voters on	
not to exceed _____ years.	
Levy authorized by voters on	
not to exceed _____ years.	

and be it further

RESOLVED, That the Clerk of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. Bergman seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr. Ragusa, ye

Mr. Don Ragusa, ye

Mr. John Bergman, ye

Adopted the 18th day of August, 2015 Year

Clerk of the Board of County Commissioners of Auglaize County, Ohio.

CERTIFICATE OF COPY  
ORIGINAL ON FILE

The State of Ohio, Auglaize County, ss.

I, Esther Leffel, Clerk of the Board of County Commissioners within and for said County, and in whose custody the Files and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Resolution No. # 15-345

now on file with said Board, that the foregoing has been compared by me with said original and copied from the original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 18th day of August, 2015 Year

*Esther Leffel*  
Clerk of the Board of County Commissioners,  
Auglaize County, Ohio.

No. 15-345

BOARD OF COUNTY COMMISSIONERS,  
Auglaize County, Ohio.

RESOLUTION  
ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET COM-  
MISSION AND AUTHORIZING THE NECES-  
SARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY AUDITOR.  
(Board of County Commissioners)

Adopted August 18, 2015  
*Esther Leffel*  
Clerk.

Filed \_\_\_\_\_  
Year \_\_\_\_\_  
County Auditor.

By \_\_\_\_\_  
Deputy.

1. A copy of this Resolution must be certified to the County Auditor before the first day of October, or at such later date as may be approved by the Department of Taxation of Ohio.



**IN THE MATTER OF RATIFYING THE EMPLOYMENT OF CHRISTEL DZENDZEL AS AN SOCIAL WORKER 2 POSITION AT THE AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 18th of August, 2015.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Michael S. Morrow, Director of the Auglaize County Department of Job & Family Services, informed the Board that the following position of Social Service Worker 2 Position was posted and interviews conducted with candidates, Christel Dzendzel has being selected to fill the position; and,

**WHEREAS**, Director Morrow recommended that Ms. Dzendzel be hired to the position of Social Service 2 Position in Children's Service Unit of the Auglaize County Department of Job and Family Services, effective August 27, 2015 at the pay rate per hour of \$18.01.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby ratify the employment of Christel Dzendzel to the position so mentioned above in the Auglaize County Department of Job & Family Services; employment in accordance with the specifications as mentioned above.

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

Adopted this  
18th day of  
August, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Speiser  
Douglas A. Speiser

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

- ✓ cc: Auglaize County Department of Job & Family Services
- ✓ Lori Yahl – Deputy Auditor

**IN THE MATTER OF ACCEPTING THE 2016 ALTERNATE PLAN OF DISTRIBUTION OF LOCAL GOVERNMENT FUNDS AND LOCAL GOVERNMENT REVENUE ASSISTANCE FUNDS FOR AUGLAIZE COUNTY, OHIO AS PROPOSED BY THE COUNTY'S BUDGET COMMISSION.**

\*\*\*\*\*

2015. The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 18th day of August,

Commissioner Regula moved the adoption of the following

**RESOLUTION**

**WHEREAS**, the Auglaize County Budget Commission submitted the following itemized rates for the 2015 Undivided Local Government and the rates for Undivided Revenue Assistance Funds:

SUBDIVISION	%
Clay Twp	0.9125
Duchouquet Twp.	0.9125
German Twp	0.9125
Goshen Twp	0.9125
Jackson Twp.	0.9125
Logan Twp.	0.9125
Moulton Twp.	0.9125
Noble Twp.	0.9125
Pusheta Twp.	0.9125
Salem Twp.	0.9125
St. Marys Twp.	1.3125
Union Twp.	0.9125
Washington Twp.	0.9125
Wayne Twp.	1.1125
St. Marys City	14.11250
Wapakoneta City	14.11250
Cridersville Village	4.6125
Minster Village	5.1125
New Bremen Village	5.1125
Buckland Village	2.8125
New Knoxville Village	2.9125
Uniopolis Village	
Waynesfield Village	2.8625
Park District	1.6125
Auglaize County	33.3625

**THEREFORE BE IT RESOLVED**, the Board of County Commissioners, Auglaize County, Ohio does hereby accept the 2016 alternate plan of distribution of Local Government Fund for Local Government Revenue Assistance Funds for Auglaize County, Ohio as proposed by the Auglaize County Budget Commission.

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

Adopted this  
18th day of  
August, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula yes  
Don Regula

John N. Bergman yes  
John N. Bergman

✓ cc: Auglaize County Budget Commission

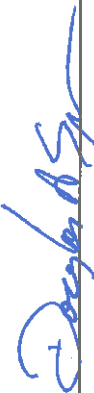

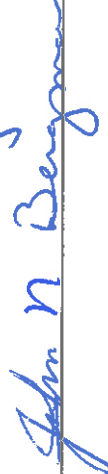
**ITEMIZED REPORT ON DISTRIBUTION OF  
ESTIMATED UNDIVIDED LOCAL GOVERNMENT FUND  
FOR 2016**

**AUGLAIZE COUNTY**

<b>SUBDIVISION</b>	<b>LOCAL GOVERNMENT</b>	<b>%</b>
CLAY TWP	12,137.44	0.009125
DUCHOUQUET TWP	12,137.44	0.009125
GERMAN TWP	12,137.44	0.009125
GOSHEN TWP	12,137.44	0.009125
JACKSON TWP	12,137.44	0.009125
LOGAN TWP	12,137.44	0.009125
MOULTON TWP	12,137.44	0.009125
NOBLE TWP	12,137.44	0.009125
PUSHETA TWP	12,137.44	0.009125
SALEM TWP	12,137.44	0.009125
ST MARYS TWP	17,457.95	0.013125
UNION TWP	12,137.44	0.009125
WASHINGTON TWP	12,137.44	0.009125
WAYNE TWP	14,797.69	0.011125
ST MARYS CITY	187,714.58	0.1411250
WAPAKONETA CITY	187,714.58	0.1411250
CRIDERSVILLE VILLAGE	61,352.24	0.046125
MINSTER VILLAGE	68,002.89	0.051125
NEW BREMEN VILLAGE	68,002.89	0.051125
BUCKLAND VILLAGE	37,409.90	0.028125
NEW KNOXVILLE VILLAGE	38,740.03	0.029125
UNIOPOLIS VILLAGE		
WAYNESFIELD VILLAGE	38,074.97	0.028625
PARK DISTRICT	21,448.34	0.016125
AUGLAIZE COUNTY	443,764.53	0.333625
	<b>1,330,129.87</b>	<b>\$1.00</b>
	1,330,129.87	1.00

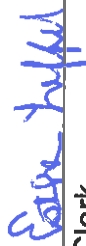
RETURN BY AUGUST 31

BE IT RESOLVED that the 2016 alternate plan of distribution of Local Government fund and Local Government Revenue Assistance funds for Auglaize County, Ohio as proposed by the Auglaize County Budget Commission, and attached hereto, be, and is hereby accepted / rejected. (CIRCLE ONE)

CERTIFICATION

I hereby certify that the foregoing is a true and exact copy of Resolution No 15-347, passed at a Regular / Special meeting of the Board of County Commissioners, Auglaize County, Ohio  
Auglaize County, Ohio on the 18<sup>th</sup> day of August, 2015.

  
Clerk

**IN THE MATTER OF AUTHORIZING A BUDGET ADJUSTMENT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 18th day of August, 2015.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

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

<b><u>GIS Fund:</u></b>	<b><u>From:</u></b>	<b><u>To:</u></b>
<b><u>Amount:</u></b>	<b>001.1207.530600 (Contract Services)</b>	<b>001.1207.530400 (Equipment)</b>
<b>\$ 10,000.00</b>		

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustment to show the changes as tabulated above.

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

Adopted this  
18th day of  
August, 2015

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes  
Douglas A. Spencer

Don Regula Yes  
Don Regula

John N. Bergman Yes  
John N. Bergman

cc:  County Auditor  
 County Administrator  
 Engineer