

**RECEIVED**  
**AUG 17 2017**  
Board of County Commissioners  
Auglaize County, Ohio

COUNCIL MEMBER	YES	NO	ABSTAIN
Rick Schwartz	X		
Tom Herkenhoff	X		
Paul Enneking	X		
Curt Albers	X		
Craig Oldiges	X		
Nicole Clune	X		
Mayor Dennis Kitzmiller			

**ORDINANCE 17-08-02**

**AN ORDINANCE APPROVING THE REQUEST TO PETITION TO ANNEX THE PROPERTY OWNED BY THE VILLAGE AND LOCATED ON SOUTH STATE ROUTE 66 AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Minster recently acquired 32.33 acres of land located along State Route 66 south of the village corporation limits; and

WHEREAS, a portion of this land is located in both Jackson Township, Auglaize County and in McLean Township, Shelby County; and

WHEREAS, the Council desires to annex the land into the Village.

NOW THEREFORE, BE IT RESOLVED, by the Village of Minster Council:

SECTION 1: That the Council of the Village of Minster does authorize the filing of a petition for annexation with the Auglaize County Commissioners for the portion of the property located in Auglaize County.

SECTION 2: That the Council of the Village of Minster does authorize the filing of a petition for annexation with the Shelby County Commissioners for the portion of the property located in Shelby County.


SECTION 3: That for both annexation petitions, Donald W. Harrod is appointed agent for the Village as required by Revised Code Section 709.02(C) (3).

SECTION 3: This Ordinance is hereby declared to be an emergency measure to expedite the filing of the petition for annexation and for the benefit of the health, safety and welfare of the resident of the Village of Minster, this Ordinance shall take immediate effect.

ADOPTED: August 15, 2017

Attest:

  
John W. Ateschschulte, Fiscal Officer

  
Dennis Kitzmiller, Mayor

## PETITION FOR ANNEXATION

Under authorization by the Village of Minster Council through the passage of Ordinance 17-08-02 on August 15, 2017, the undersigned petitioner, The Village of Minster (the "Petitioner"), being the sole owner of certain real estate proposed for annexation consisting of 20.221 acres, more or less, (the "Territory") hereby petitions to annex the Territory to the Village of Minster, Auglaize County, Ohio (the "Village") and from the Township of Jackson (the "Township") being filed under Sections 709.16 of the Revised Code of Ohio.

Petitioner has attached hereto and made part of this petition a legal description of the perimeter of the Territory sought to be annexed, marked as Exhibit "A".

The described Territory is contiguous with the Village of Minster, Ohio.

Petitioner has further attached hereto and made a part of this petition, an accurate map or plat of the Territory sought to be annexed, marked as Exhibit "B".

Donald W. Harrod, is hereby appointed agent for the undersigned Petitioner as required by the Revised Code, with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition.

Said amendment, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition description and plat by said agent without further expressed consent of the Petitioner.



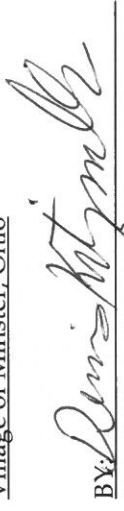
Donald W. Harrod  
Village Administrator  
Village of Minster, Ohio  
5 West Fourth Street  
Minster, Ohio 45865  
E-mail: [dharrod@minsteroh.com](mailto:dharrod@minsteroh.com)  
Phone: 419-628-3497  
Fax: 419-628-1037

"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.

SIGNATURE OF PETITIONER, TYPED NAME AND ADDRESS

DATE

Village of Minster, Ohio

By: 

Dennis Kitzmiller, Mayor

5 West Fourth Street

Minster, Ohio 45865

8/17/17

ADDITIONAL INFORMATION TO PETITION FOR ANNEXATION  
(VILLAGE OF MINSTER, OHIO)

1. OWNER IN TRACT PROPOSED FOR ANNEXATION:

Village of Minster  
P.O. Box 1  
Minster, Ohio 45865  
Parcel #: E1403401201

2. TRACTS ADJACENT TO TRACT PROPOSED FOR ANNEXATION:

Eiting Family Limited Partnership  
P.O. Box 320  
Fort Loramie, Ohio 45845  
Parcel #: E1403401200

Eiting Family Limited Partnership  
c/o Julie Shuffleton CPA  
P.O. Box 320  
Fort Loramie, Ohio 45845  
Parcel #: E1502801300

Village of Minster  
P.O. Box 1  
Minster, Ohio 45865  
Parcel #: E1502801301

Village of Minster Sewage Plant  
P.O. Box 1  
Minster, Ohio 45865  
Parcel #: E150280900

Arrowhead Park Golf Course  
01122 Dirkson Road  
Minster, Ohio 45865  
Parcel #: E1403400600

Knostman Farms Inc.  
c/o William Knostman  
2670 Shady Tree Drive  
Troy, Ohio 45373  
Parcel #: E1403500700

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Village of Minster  
P.O. Box 1  
Minster, Ohio 45865  
Parcel #: 35-07-03-200-005

Knostman Farms Inc.  
c/o William Knostman  
2670 Shady Tree Drive  
Troy, Ohio 45373  
Parcel #: 35-07-02-100-004

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**EXHIBIT A**

**Legal Description of the Property to be Annexed**

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## LEGAL DESCRIPTION

### ANNEXATION OF 20.221 ACRES TO THE VILLAGE OF MINSTER, OHIO

SITUATE IN SECTION 34, TOWN 7 SOUTH, RANGE 4 EAST, JACKSON TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at a Mag nail set at the southeast corner of Section 34 and being on the centerline of State Route 66 and being on the southerly Auglaize County line and also being the southeast corner of 20.221-acre tract of land owned by the Village of Minster as described in Official Record 667, Page 873 of the Auglaize County Deed Records and the northeast corner of a 12.109-acre tract of land owned by the Village of Minster as described in Official Record 2046, Page 32 of the Shelby County Deed Records;

thence, North  $89^{\circ}-18'-45''$  West, 1821.03 feet, along the south line of said Section 34 and said south Auglaize County line to an iron pin found at the northwest corner of said 12.109-acre Village of Minster tract and being on the east line of the Miami-Erie Canal, passing for reference an iron pin found at 40.14 feet;

thence, North  $03^{\circ}-27'-46''$  West, 1070.46 feet, along the east line of the Miami-Erie Canal to and iron pin found at the southwest corner of a 5.320-acre tract of land owned by the Village of Minster as described in Deed Book 131, Page 470 of the Auglaize County Deed Records;

thence, South  $89^{\circ}-06'-09''$  East, 588.94 feet, along the southerly line of said 5.320-acre Village of Minster tract an its extension to an iron pin found at the southeast corner of a 1.804-acre tract of land owned by the Village of Minster as described in Official Record 459, Page 2198 and being on the west line of a 22.518-acre tract of land owned by Eiting Family Limited Partnership as described in Official Record 365, Page 466 of the Auglaize County Deed Records;

thence, South  $01^{\circ}-42'-49''$  West, 833.36 feet, along the west line of said 22.518-acre Eiting Family Limited Partnership tract and it's extension to an iron pin found at the southwest corner of 8.489-acre tract of land owned by Eiting Family Limited Partnership as described in Official Record 663, Page 1515 of the Auglaize County Deed Records;

thence, South  $89^{\circ}-01'-59''$  East, 1327.94 feet, along the south line of said 8.489-acre Eiting Family Limited Partnership tract to a Mag nail set on the centerline of State Route 66, passing for reference an iron pin found at 1287.92 feet;

thence, South  $01^{\circ}-33'-18''$  West, 225.81 feet, along the centerline of State Route 66 to the place of beginning.

Containing 20.221 acres more or less with all being subject to any legal highway and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a survey performed under his direction and dated July 19, 2017.



**EXHIBIT B**

**Accurate Map or Plat of the Property Sought to be Annexed**





# ANNEXATION TO THE VILLAGE OF MINSTER, OHIO

## SEC. 34, T 7 S, R 4 E, JACKSON TWP., AUGLAIZE CO., OHIO

TRANSFERRED AND NUMBERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

PLAT CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_

AUGLAIZE COUNTY AUDITOR \_\_\_\_\_

AUGLAIZE COUNTY RECORDER \_\_\_\_\_

**VILLAGE OF MINSTER ADMINISTRATOR**

THIS PLAT WAS INSPECTED AND APPROVED BY ME THIS 7<sup>th</sup> DAY OF August 2017.

*David J. Gaud*  
VILLAGE OF MINSTER ADMINISTRATOR

**AUGLAIZE COUNTY COMMISSIONERS**

AT A MEETING OF THE AUGLAIZE COUNTY COMMISSIONERS HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ THE ANNEXATION OF THE TERRITORY SHOWN HEREON TO THE VILLAGE OF MINSTER, WAS APPROVED.

**VILLAGE OF MINSTER COUNCIL**

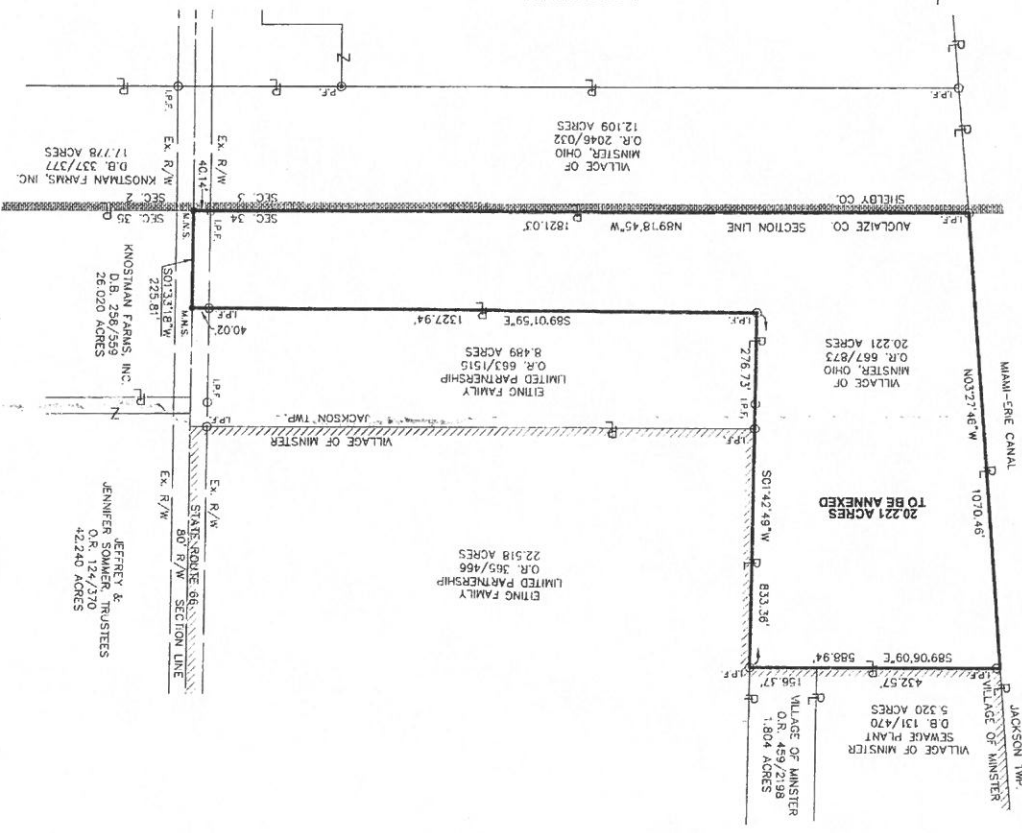
AT A MEETING OF THE VILLAGE OF MINSTER COUNCIL HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ THE ANNEXATION OF THE TERRITORY SHOWN HEREON TO THE VILLAGE OF MINSTER, WAS APPROVED AND ACCEPTED BY ORDINANCE No. \_\_\_\_\_

CLERK OF COUNCIL \_\_\_\_\_ MAYOR \_\_\_\_\_

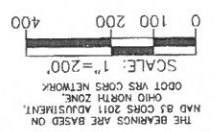
**AUGLAIZE COUNTY ENGINEER**

THIS PLAT WAS APPROVED FOR RECORDING BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_ AUGLAIZE COUNTY ENGINEER



- LEGEND**
- I.P.S. 5/8" X 30" REBAR
  - I.P.S. W/CAP SET
  - I.P.F. IRON PIN FOUND
  - M.N.S. MAG NAIL SET
  - M.N.F. MAG NAIL FOUND
  - ⊙ I.P.F. IRON PIPE FOUND
  - ▨ COUNTY LINE
  - ▨ CORPORATION LIMITS



THE BEARINGS ARE BASED ON NAD 83 CORRS 2011 ADJUSTMENT, OHIO NORTH ZONE, COOT VMS CORRS NETWORK.

ALLEN J. BERTKE, P.S. #8629  
*Allen J. Bertke*  
DATE 8-2-17

REGISTERED PROFESSIONAL SURVEYOR  
STATE OF OHIO  
ALLEN J. BERTKE  
8629

ChoiceOne Engineering  
SHERY, OHIO 937.687.0000  
LONDON, OHIO 913.288.9554  
PORTLAND, OREGON 262.786.2500  
www.choiceoneengineering.com

DATE: 07-19-2017  
DRAWN BY: R.M.F.  
JOB NUMBER: AUGMIN1702  
SHEET NUMBER: 1 OF 1

**IN THE MATTER OF APPROVING A CONTRACT BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND NATIONAL YOUTH ADVOCATE PROGRAM FOR PROFESSIONAL SERVICES.**

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The Board of County Commissioners of Auglaize County, Ohio met in special session on the 22nd day of August, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Department of Job and Family Services has the responsibility of contracting with various agencies for placement and related services for children who are in the care and custody of said Department , as well as, the protective services for dependent, neglected and abused children; and,

**WHEREAS**, a contract for said professional services, between the Auglaize County Department of Job and Family Services, a Title IV-E Agency, and National Youth Advocate Program was provided to the Board of County Commissioners by the Job & Family Services Dept. with a request that the Board approve the contract with the term of contract being August 3, 2017 through December 31, 2017 at the maximum cost of \$10,000.00 for contracted services.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby approve the contract between Auglaize County Department of Job and Family Services and National Youth Advocate Program for the professional services to dependent, neglected and abused children in the custody and care of the Job & Family Services Dept.; and,

**BE IT FURTHER RESOLVED** that the Board does hereby authorize the execution of said contract by the Board of County Commissioners.

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

Adopted this  
22nd day of  
August, 2017

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 Department of Job & Family Services –  
Michael Morrow

County Commissioners Office  
Auglaize County, Ohio  
August 22, 2017

NO. 17-336

**IN THE MATTER OF AUTHORIZING EXPENDITURES FOR SPECIAL PROSECUTOR AS ORDERED BY COURT OF COMMON PLEAS JUDGE.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 22nd day of August, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on or about August 17, 2017, an application was made to the Common Pleas Court of Auglaize County, Ohio for the appointment of a Special Prosecuting Attorney; and,  
**WHEREAS**, on August 17, 2017, the Court of Common Pleas of Auglaize County Ohio did issue a journal entry appointing such special prosecutor; and,  
**WHEREAS**, such journal entry set compensation for the special prosecutor at the hourly rate of \$125.00, plus expenses, to be approved by the Court before payment.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby approve and authorize the payment of compensation and expenses as set forth in the Journal Entry Appointing Special Prosecutor for Case No: 2017MISC0022.

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

Adopted this  
22nd day of  
August, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman yes

Douglas A. Spencer  
Douglas A. Spencer yes

Don Regula  
Don Regula yes

cc:  Auglaize County Court of Common Pleas  
 Auglaize County Prosecuting Attorney  
 Special Prosecutor

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION AS REQUESTED BY THE COUNTY ADMINISTRATOR.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 22nd day of August, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, under date of January 3, 2017, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2017 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

**WHEREAS**, County Auditor Janet Schuler informed the Board that an amendment was made to the Annual Amended Official Certificate of Estimated Revenue for the (076) Airport Rotary Fund by \$10,000.00; and,

**WHEREAS**, County Administrator, Erica Preston, requested that the Board amend the 2017 Annual Appropriation to reflect the following increase:

- Increase – 076.0076.500100 (Medicare) by \$124.00;**
- Increase – 076.0076.510200 (Salaries) by \$8,550.00;**
- Increase – 076.0076.536400 (Workers Comp) by \$129.00;**
- Increase – 076.0076.536700 (PERS) by \$1,197.00.**

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2017 Annual Appropriation Resolution be amended to show the changes as tabulated above.

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

Adopted this  
22nd day of  
August, 2017

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 - Janet Schuler  
County Administrator

**IN THE MATTER OF RECOMMENDING THE APPOINTMENT OF ROBERT WARREN TO THE MENTAL HEALTH AND RECOVERY SERVICES BOARD OF ALLEN, AUGLAIZE AND HARDIN COUNTIES.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 22nd day of August, 2017.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Auglaize County is a participating county in the Mental Health and Recovery Services Board of Allen, Auglaize and Hardin Counties; and,

**WHEREAS**, the Board of Auglaize County Commissioners is to have three member appointments to this Mental and Recovery Services Board; and,

**WHEREAS**, a vacancy exists on said Board which is to be filled by an Auglaize County recommendation; and,

**WHEREAS**, Robert Warren has submitted a letter of interest to serve on said Mental Health and Recovery Services Board of Allen, Auglaize and Hardin Counties for a four year term commencing July 1, 2017 and terminating June 30, 2021; and,

**WHEREAS**, Robert Warren has accepted the nomination to serve as mentioned.

**THEREFORE, BE IT RESOLVED** by the Board of Commissioners, Auglaize County, Ohio, does hereby recommend to the Mental Health and Recovery Services Board of Allen, Auglaize and Hardin Counties that it offers the name Robert Warren for an appointment, for the term so stated above, to said Mental Health and Recovery Services Board on behalf of Auglaize County to the Director of the Ohio Department of Alcohol and Drug Addiction Services.

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

Adopted this  
22nd day of  
August, 2017

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

✓ cc: Allen/Auglaize/Hardin Counties Alcohol, Drug Addiction  
and Mental Health Services Board - Michael Schoenhofer  
✓ Robert Warren