

IN THE MATTER OF ACCEPTING THE KUENSTLE DITCH PROJECT FROM AUGLAIZE COUNTY SOIL AND WATER CONSERVATION DISTRICT; SETTING DATE AND TIME TO RECEIVE BIDS FOR SAID PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 25th day of August, 2009.

Commissioner Bergman made the motion to adopt of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners received the following letter of recommendation from the Board of Supervisors of the Auglaize Soil and Water Conservation District:

**AUGLAIZE SOIL AND WATER CONSERVATION DISTRICT'
BOARD OF SUPERVISORS MEETING
August 11, 2009**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Kuenstle Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, August 11, 2009.

John Schwarck called the meeting to order at 3:09 pm. Other board members present were Gary Truesdale, Bill Tostrick and Allen Imwalle.

Allen Imwalle moved to certify the project and the plans to the Auglaize County Commissioners. Bill Tostrick seconded motion. Bill Tostrick, yes; Gary Truesdale, yes; Allen Imwalle, yes; John Schwarck, yes; motion carried.

The following certification is being sent to the Auglaize County Commissioners asking them to adopt the Rules and Regulations of Sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code.

We, the Auglaize Soil and Water Conservation District Board of Supervisors certify our findings after due notice, and conduct of a Public Hearing that on this 11th day of August, 2009 in accordance with the requirements of Section 1515.20 of the Ohio Revised Code. The foregoing findings set forth by the Auglaize Board of Supervisors are as follows:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- County maintenance will be carried out as required by Section 6137 of the Ohio Revised Code.
- The proposed Kuenstle Ditch Project addresses the replacement of an existing subsurface tile originally installed through a ditch petition in 1898.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.
- Proposed assessments (varied rate) for each parcel, determined by the Auglaize County Engineer and approved by the Auglaize County Commissioners, were sent by the Soil & Water Conservation Board of Supervisors, by certified mail, return receipt, to each landowner prior to the public hearing as required under section 1515.24 of the Ohio Revised Code.

- Said legal notice clearly stated: "If you are unable to attend the public hearing and have objections concerning the proposed project, notify the Auglaize SWCD Office in writing at least *five days prior* to the hearing. Failure to notify the Auglaize SWCD of your objections will indicate support for the project."
- The Auglaize county Commissioners and County Engineer were in attendance at said public hearing to explain the method of the assessment determination and hear comments for, and objections against the Kuenstle Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 5% of the estimated cost of the improvement. Therefore landowners bearing 95% of the cost of the improvement were in favor of the construction of the Kuenstle Subsurface Drainage Ditch.

Attached is a plan of the improvement and an outline of the total project area and the areas benefited by the improvement, in sufficient detail to permit you to approve the improvement in accordance to sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code. We recommend your approval and cooperation.

The meeting was adjourned at 3:10 p.m.

Auglaize Soil and Water Conservation District
s/John L. Schwarck

and,

WHEREAS, the Board of County Commissioners, Auglaize County, Ohio does recognize the need for the Kuenstle Subsurface Drainage Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

THEREFORE BE IT RESOLVED that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Kuenstle Subsurface Drainage Ditch legal hearing held August 11, 2009 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.

and,

BE IT FURTHER RESOLVED pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of the Kuenstle Subsurface Drainage Ditch located in Clay Township; and does further certify the estimated assessments for this project; and,

BE IT FURTHER RESOLVED, that the Board witnessed at the SWCD public hearing held August 11, 2009 that the landowners determined: The completion date for construction will be April 1, 2009 and the financing for those not paying their assessment in cash shall be two years (4 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Kuenstle Subsurface Drainage Ditch project for **September 22, 2009 at 3:00 p.m.**, in the office of the Auglaize County Commissioners, Auglaize County Administration Building, Commissioners Chambers, 209 S. Blackhoof St., Wapakoneta, Ohio; and,

BE IT STILL FURTHER RESOLVED that said Board authorizes the County Engineer to proceed with the necessary legal steps to cause the above mentioned sale; and,

BE IT STILL FURTHER RESOLVED that the records, hereby show that a set of plans and specifications for the Kuenstle Subsurface Drainage Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer . Yes
Douglas A. Spencer

ABSENT . _____
Don Regula

John N. Bergman . yes
John N. Bergman

cc: 6 County Engineer
~~Soil & Water Conservation Office~~

IN THE MATTER OF ACCEPTING THE FRITZ DITCH PROJECT FROM AUGLAIZE COUNTY SOIL AND WATER CONSERVATION DISTRICT; SETTING DATE AND TIME TO RECEIVE BIDS FOR SAID PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 25th day of August, 2009.

Commissioner Bergman made the motion to adopt of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners received the following letter of recommendation from the Board of Supervisors of the Auglaize Soil and Water Conservation District:

**AUGLAIZE SOIL AND WATER CONSERVATION DISTRICT'
BOARD OF SUPERVISORS MEETING
August 13, 2009**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Fritz Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, August 13, 2009.

Bill Tostrick called the meeting to order at 3:28 pm. Other board members present were Gary Truesdale and Allen Imwalle.

Allen Imwalle moved to certify the project and the plans to the Auglaize County Commissioners. Gary Truesdale seconded motion. Allen Imwalle, yes; Gary Truesdale, yes; Bill Tostrick, yes; motion carried.

The following certification is being sent to the Auglaize County Commissioners asking them to adopt the Rules and Regulations of Sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code.

We, the Auglaize Soil and Water Conservation District Board of Supervisors certify our findings after due notice, and conduct of a Public Hearing that on this 13th day of August, 2009 in accordance with the requirements of Section 1515.20 of the Ohio Revised Code. The foregoing findings set forth by the Auglaize Board of Supervisors are as follows:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- County maintenance will be carried out as required by Section 6137 of the Ohio Revised Code.
- The proposed Fritz Ditch Project addresses the replacement of an existing subsurface tile originally installed through a ditch petition in 1928. The portions of the existing tile that are not removed will not be place under county maintenance and will be maintained by the owner of the parcels in which they reside.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.
- Proposed assessments (varied rate) for each parcel, determined by the Auglaize County Engineer and approved by the Auglaize County Commissioners, were sent by the Soil & Water Conservation Board of Supervisors, by certified mail, return receipt, to each landowner prior to the public hearing as required under section 1515.24 of the Ohio Revised Code.
- Said legal notice clearly stated: "If you are unable to attend the public hearing and have objections concerning the proposed project, notify the Auglaize SWCD Office in writing at least *five days prior* to the hearing. Failure to notify the Auglaize SWCD of your objections will indicate support for the project."
- The Auglaize county Commissioners and County Engineer were in attendance at said public hearing to explain the method of the assessment determination and hear comments for, and objections against the Fritz Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 0% of the estimated cost of the improvement. Therefore landowners bearing 100% of the cost of the improvement were in favor of the construction of the Fritz Subsurface Drainage Ditch.

Attached is a plan of the improvement and an outline of the total project area and the areas benefited by the improvement, in sufficient detail to permit you to approve the improvement in accordance to sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code. We recommend your approval and cooperation.

The meeting was adjourned at 3:32 p.m.

Auglaize Soil and Water Conservation District
s/John L. Schwarck

and,

WHEREAS, the Board of County Commissioners, Auglaize County, Ohio does recognize the need for the Fritz Subsurface Drainage Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

THEREFORE BE IT RESOLVED that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Fritz Subsurface Drainage Ditch legal hearing held August 13, 2009 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.

and,

BE IT FURTHER RESOLVED pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of Fritz Subsurface Drainage Ditch located in Moulton Township; and does further certify the estimated assessments for this project; and,

BE IT FURTHER RESOLVED, that the Board witnessed at the SWCD public hearing held August 13 2009 that the landowners determined: The completion date for construction will be December 31, 2010 and the financing for those not paying their assessment in cash shall be eight years (16 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Fritz Subsurface Drainage Ditch project for **September 22, 2009 at 3:15 p.m.**, in the office of the Auglaize County Commissioners, Auglaize County Administration Building, Commissioners Chambers, 209 S. Blackhoof St., Wapakoneta, Ohio; and,

BE IT STILL FURTHER RESOLVED that said Board authorizes the County Engineer to proceed with the necessary legal steps to cause the above mentioned sale; and,

BE IT STILL FURTHER RESOLVED that the records, hereby show that a set of plans and specifications for the Fritz Subsurface Drainage Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman yes
John N. Bergman

cc: County Engineer
 Soil & Water Conservation Office

IN THE MATTER OF AUTHORIZING THE BALANCE OF MONIES NEEDED FOR THE CONSTRUCTION OF THE DOENGES JOINT COUNTY DITCH PROJECT TO BE PAID WITH FUNDS FROM THE DITCH ROTARY FUND; AUTHORIZE AN ADVANCEMENT OF FUNDS.

The Board of Auglaize County Commissioners met in regular session on the 25th day of August, 2009.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, it is necessary at this time to acquire funding for the balance of monies needed to complete the Doenges Single County Ditch improvement with the Engineer's Department informing the Board of County Commissioners that \$250.38 remains unpaid from the total amount assessed for said improvement; and,

WHEREAS, generally, at this time, the Board would solicit bids from county financial institutions for a note for said unpaid balance of assessments, however, with the balance being minimal it is not feasible to obtain a note for this amount; and,

WHEREAS, a Ditch Rotary Fund carries a balance of \$1,405.59 with County Auditor Janet Schuler recommending that the Board make payment of the Doenges Ditch project balance from this Fund, with a 4.6% interest charge applied for two (2) years; same being reimbursed to the Ditch Rotary Fund at the time the assessment, having been placed on the property owner's tax duplicate, is collected.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the unpaid balance of assessments for the Doenges County Ditch project, in the amount of \$250.38 to be taken from the Ditch Rotary Fund as recommended by County Auditor Janet Schuler; and,

BE IT FURTHER RESOLVED that the Board authorizes the County Auditor to make the following advancement of funds:
From: 640.0640.503200 – Ditch Rotary Fund
Amount: \$250.38
To: 332.0100.400300 - Doenges Ditch Construction Fund – Transfer In;
and,

BE IT FURTHER RESOLVED that the amount of \$250.38 plus a 4.6% interest rate be placed on the property owner's tax duplicate and is to be repaid in two years (4 semi annual payments); and,

BE IT FURTHER RESOLVED that reimbursement be made to the Ditch Rotary Fund upon payment.

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer , Ys
Douglas A. Spencer

ABSENT , _____
Don Regula

John N. Bergman , Ys
John N. Bergman

IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of August, 2009.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the practice of using "Then and Now Certificates" has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of "Then and Now Certificates", does hereby approve the following:

<u>Check No.</u>	<u>Amount</u>	<u>Vendor</u>
330765	352.95	Powell Co.
330766	370.35	Walter & Sons
330770	208.68	Wapakoneta Daily News
330771	790.77	Stevens Surgical Supply, Inc.
330909	4213.00	Lima Memorial Health System
330780	11871.54	Con-Ag, Inc.
330785	551.48	Dickerson Rightway
330788	671.40	Grace Cultural Learning Center
330793	111.00	Med Corp.
330795	900.00	Time Trak
330801	200.00	Buckeye Exterminating
330802	589.90	EcoLab
330818	265.00	Auglaize Acres Activities
330820	358.42	Sammons Preston
330823	23901.10	Clemans Nelson & Assoc.
330836	188.87	Nickles Bakery
330844	30000.00	Mercer Co. Commissioners
330852	699.36	Key Supply
330865	427.80	New Generations Educational Ctr.
330870	66647.95	Concept Rehab
330873	115.68	CVS Pharmacy
330875	5481.80	Beeber Pharmacies
330883	135.12	A2 Z Balloon Co.
330891	487.83	Prairie Farms
330901	379.32	Minster Bank
330904	1052.28	David Curry
330905	383.00	Diana Boughan
330906	872.00	Steve Schweitzer
330907	354.00	Treasurer of State of Ohio

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman, Yes
John N. Bergman

cc: County Auditor

**IN THE MATTER OF RATIFYING THE EMPLOYMENT OF LORI PAGE AS AN ELIGIBILITY/
REFERRAL SPECIALIST 2 IN THE PUBLIC ASSISTANCE UNIT 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 25th of August, 2009.

Commissioner Bergman 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 position of an Eligibility/Referral Specialist 2 in the Public Assistance Unit of the department was posted and interviews conducted with a candidate, Lori Page being selected to fill the position; and,

WHEREAS, Director Morrow recommended that Ms. Page be hired to the position of Eligibility/Referral Specialist 2 in the Public Assistance Unit of the Auglaize County Department of Job and Family Services , retroactively effective August 20, 2009 at the pay rate per hour of \$12.75.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby ratify the employment of Lori Page 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 Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman, yes
John N. Bergman

cc: ✓ Auglaize County Department
of Job & Family Services
✓ Marty Sawmiller – Deputy Auditor

IN THE MATTER OF AUTHORIZING AN ADVANCEMENT OF FUNDS FROM THE COUNTY GENERAL - CONTINGENCY FUND FOR THE BALANCE OF MONIES NEEDED FOR THE CONSTRUCTION OF THE BARRINGTON COUNTY DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 25th day of August, 2009.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, it is necessary at this time to acquire funding for the balance of monies needed to complete the Barrington Single County Ditch improvement with the Engineer's Department informing the Board of County Commissioners that \$2,088.19 remains unpaid from the total amount assessed for said improvement; and,

WHEREAS, generally, at this time, the Board would solicit bids from county financial institutions for a note for said unpaid balance of assessments, however, with the balance being minimal it is not feasible to obtain a note for this amount; and,

WHEREAS, County Auditor Janet Schuler advised the Board that funds for payment of the Barrington Ditch project balance could be taken from the County General - Contingencies Fund, with a 4.6% interest charge applied; same being reimbursed to the County General Fund at the time the assessment, having been placed on the property owners tax duplicate, is collected.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby authorize the County Auditor to make the following advancement of funds for the unpaid balance of assessments for the Barrington County Ditch project:

**From: 001.1701.538000 – County General – Contingencies Fund
Amount: \$2,088.19**

To: 333.0100.400300 – Barrington Ditch Construction Fund – Transfer In;

and,

BE IT FURTHER RESOLVED that a 4.6% interest rate be charged to the involved property owners for their unpaid balance of Barrington Ditch project assessment; and,

BE IT FURTHER RESOLVED that reimbursement be made to the County General Fund upon payment.

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

ABSENT,
Don Regula

John N. Bergman, yes
John N. Bergman

cc: County Engineer
 County Auditor

IN THE MATTER OF AUTHORIZING PAYMENT TO JILL WILLIAMS FOR CHILD CARE SERVICES.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 25th day of August, 2009.

Commissioner Bergman the adoption of the following:
RESOLUTION

WHEREAS, the Auglaize County Department of Job & Family Services presented the Board with Certificates of Authorization for Payment of Publicly Funded Child Care Services (COAP), Terms of Agreement for child care services provided by Jill Williams for two children; and,

WHEREAS, Job and Family Services Director Michael Morrow requested that the Board of County Commissioners approve and authorize the Terms of Agreement for this type of Child Care Services Funding.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby approve and authorize the "Terms of Agreement" for the Certificates of Authorization for Payment of Publicly Funded Child Care Services (COAP) for payment to Jill Williams.

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

Adopted this
25th day of
August, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

ABSENT,
Don Regula

John N. Bergman, yes
John N. Bergman

cc: ✓ County Department of Job & Family Services –
Michael Morrow