

County Commissioners Office
Auglaize County, Ohio
August 9, 2018

NO. 18-309

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 9th day of August, 2018.

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 #</u>	<u>Amount</u>	<u>Vendor</u>
426739	\$ 427.42	City of St. Marys
426749	\$168,300.00	City of Wapakoneta
426798	\$ 313.92	Alberta Hawk
426823	\$ 89,938.47	A&L Compaction

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

Adopted this
9th day
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regalia
Don Regalia

John N. Bergman
John N. Bergman

✓cc: County Auditor

County Commissioners Office
Auglaize County, Ohio
August 9, 2018

NO. 18-31D

IN THE MATTER OF RATIFYING THE EMPLOYMENT OF REBECCA COOPER TO THE CHILD SUPPORT CASE MANAGER 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 9th of August, 2018.

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 following position of Child Support Case Manager position was posted and interviews conducted with candidates, Rebecca Cooper has been selected to fill the position; and,

WHEREAS, Director Morrow recommended that Ms. Cooper to be hired to the position of Child Support Case Manager Position in the Auglaize County Department of Job and Family Services, effective August 23, 2018 at the pay rate per hour of \$15.76.

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

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regulla
Don Regulla

John N. Bergman
John N. Bergman

✓cc: Auglaize County Department
of Job & Family Services
✓ Auditor

IN THE MATTER OF AUTHORIZING A BUDGET ADJUSTMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of August, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

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

<u>Children Services Fund:</u>		
<u>Amount:</u>	<u>From:</u>	<u>To:</u>
\$100,000.00	050.0004.530200 (Transfer Out)	050.0004.530600 (Contract Services)

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

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yp
Douglas A. Spencer

Don Regula Yp
Don Regula

John N. Bergman Yp
John N. Bergman

cc: Auditor
County Administrator
AFS Director

**IN THE MATTER OF DOCUMENTING THE RECEIPT OF BIDS FOR THE KZ DITCH PROJECT;
AWARDING THE CONTRACT TO WUEBKER DRAINAGE.**

The Board of Auglaize County Commissioners met in regular session on the 9th day of August, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on June 26, 2018, Resolution #18-246 the Board of County Commissioners set July 24, 2018 at 10:00 a.m. as the date to receive bids for the KZ Ditch Project; and,

WHEREAS, the following bids for labor and materials were received:

- From: Wuebker Drainage – 15” Tile \$52,217.80;
- Wuebker Drainage – 18” Tile \$57,932.80;
- Schaub Excavating – 15” Tile \$75,512.00;
- Schaub Excavating – 18” Tile \$83,987.00;
- Engineer’s Estimate - \$65,200.50 – 15” Tile and \$70,915.50 – 18” Tile; and,

WHEREAS, the bids were given to the County Engineer personnel for review and comparison and upon review of the bids, as received, the County Engineer recommended the award be presented to Wuebker Drainage for the KZ Ditch project as its bid is the best and lowest bid.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby award the bid for the construction of the 18” Tile - KZ Ditch project to Wuebker Drainage in the amount of \$57,932.80; and,

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to prepare the contract and bond and, having secured the signatures of said bidder and its surety, present the same to the Board of County Commissioners for approval and execution; and,

BE IT STILL FURTHER RESOLVED that the construction shall be completed by December 31, 2018.

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

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer Yes

Don Regula
Don Regula Yes

John N. Bergman
John N. Bergman Yes

cc: County Engineer
Bidders

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

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 9th day of August, 2018.

Commissioner Bergman 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 6, 2018 through December 31, 2018 at the maximum cost of \$15,000.00 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 Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

John N. Bergman
John N. Bergman

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

County Commissioners Office
Auglaize County, Ohio
August 9, 2018

NO. 18-214

IN THE MATTER OF GRANTING AN EXTENSION OF TIME TO PRESENT SURVEY, REPORTS AND SCHEDULES BY THE COUNTY ENGINEER FOR THE WAYNESFIELD WEST #2 DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 9th day of August, 2018.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, pursuant of Resolution #17-354, dated September 5, 2017, the Engineer's Reports on the Waynesfield West #2 Ditch Project were due to the Board of County Commissioners on this date, August 23, 2018 ; and,

WHEREAS, a Request for Extension of time to complete survey, reports and schedules by the County Engineer was submitted to the Board of County Commissioners by Drainage Technician Ross Wuebker with the following content:

In the matter of the Waynesfield West #2 County Ditch

To the Board of County Commissioners:

In regards to the status of the Waynesfield West #2 drainage petition, previously on July 27, 2017, we held the "Viewing" of the ditch petition, and on August 24, 2017, we held the "First Hearing" on the ditch petition.

On September 5th, 2017 Resolution #17-354 established the date of Thursday, August 23, 2018 at 9:00 a.m. as the date and time to file the "Engineer's Report" and to discuss construction plans, cost estimates, and tentative assessments.

An update on the status of the Village of Waynesfield involvement and affairs with this Petition reveals that the Village has meet with landowner Mr. Mark Dahlinghaus, who retains a parcel of ground just south (downstream) of the Village. The Village and Mr. Dahlinghaus have discussed the coordination and construction of a proposed grassed waterway through the Dahlinghaus property to achieve proper drainage. The purpose of the grassed waterway is to provide the Village with an adequate drainage outlet to address the surface water drainage issues in the areas of the recreational park, and which also give the proposed Waynesfield West #2 Petition an adequate outlet as required by Section 6131 Ohio Revised Code.

Mr. Dahlinghaus has signed up for assistance with the Soil and Water Conservation Office to install this grassed waterway. Our latest communication with that progress reveals that the proposed construction of this grassed waterway is to be performed this fall. Once this waterway is installed and functioning, the Village will then be installing a surface drain through the Village park to help alleviate the surface water issues and drainage problems which directly impact our Waynesfield West #2 drainage petition.

Therefore, I am asking to postpone the date and time of submitting our "Report of the Engineer" and all other schedules, plans, and estimates until such a time that we can complete our survey and engineering plans. This will be dependent upon the progress of the above mentioned waterway and surface drain construction on the Dahlinghaus and Village Park properties. Please allow for an additional 6 months for all of this to be completed.

Respectfully submitted,

s/Ross Wuebker
Ross Wuebker, Drainage Technician

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby grant the extension of time for the completion and submittal of the Engineer's Reports for the Waynesfield West #2 County Ditch to February 26, 2019 at 9:00 a.m. for reasons so above stated.

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

Adopted this
9th day of
August, 2018

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 Engineer

IN THE MATTER OF GRANTING AN ANNEXATION OF 0.524 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW BREMEN FROM GERMAN TOWNSHIP; PETITIONED BY EASTHAVEN, LLC; FILED BY JASON THIS, AGENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of August, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on August 7, 2018, a petition for annexation of 0.524 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Jason This named as Agent for petitioners Easthaven, LLC; and,

WHEREAS, the requirements for the filing of said petition were all met by Agent This, 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 0.524 acres, more or less, to the Village of New Bremen as petitioned by Easthaven, LLC pursuant to ORC Section 709.022.

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

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

John N. Bergman
John N. Bergman

- ✓ cc: County Auditor
- ✓ County Engineer
- ✓ Jason This, Agent
- ✓ German Township Trustees
- ✓ Village of New Bremen

RECEIVED

AUG - 7 2018

Board of County Commissioners
Auglaize County, Ohio

ANNEXATION PETITION

The undersigned, EASTHAVEN, LLC, an Ohio limited liability company, hereinafter referred to as Petitioners, are owners of the following real property located in the Township of German, County of Auglaize and State of Ohio, to-wit:

Tract One:

Exhibit "A" Legal Description as noted in Volume 450, Pages 421-424 and Volume 499, Pages 2012-2013, Auglaize County Recorder's Official Records is owned by Easthaven, LLC, an Ohio limited liability company.

Prior Deed Reference: Volume 450, Pages 421-424 and Volume 499, Pages 2012-2013, Auglaize County Recorder's Official Records.

Tax Parcel No. C10-201-001-00 and C10-201-002-00

Premises known as 422 East Haven Drive, New Bremen, Ohio 45869

A copy of the plat of the real estate is attached to this petition.

The owners of the real estate and the mailing address is EASTHAVEN, LLC, an Ohio limited liability company, whose address is 40-44 South Washington Street, New Bremen, Ohio 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 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.

RECEIVED

AUG - 7 2018

Board of County Commissioners
Auglaize County, Ohio

Attached to this petition is an original copy of the annexation agreement of the Village of New Bremen and German Township.

The undersigned hereby appoints and designates, Jason E. This, as agent for the petitioners, P.O. Box 42, 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.

EASTHAVEN, LLC,
an Ohio limited liability company

July 20, 2018

Date:

Arundy E. Ford

Bradley L. Smith, Assistant Treasurer
40-44 South Washington Street
New Bremen, Ohio 45869

RECEIVED

AUG - 7 2018

Board of County Commissioners
Argosha County, Ohio

I hereby accept the designation as agent for petitioners, dated this 20th day of July, 2018.


Jason E. This

Agent for Petitioners
5030 State Route 66
P.O. Box 42
New Bremen, Ohio 45869
419-629-8108
419-629-0328 (FAX)
jason@this-law.com

RECEIVED

AUG -7 2010

Board of County Commissioners
Auglaize County, Ohio

Leon A. Homan
Kathleen M. Homan
320 Midlane Street
New Bremen, Ohio 45869 (mailing address)

South Haven SD, Lot 23
C10-020-023-00

320 Midlane Street
New Bremen, Ohio 45869 (physical address)

Dennis Heitkamp
Rita Heitkamp
319 Midlane Street
New Bremen, Ohio 45869 (mailing address)

South Haven SD, Lot 28
C10-020-028-00

319 Midlane Street
New Bremen, Ohio 45869 (physical address)

Jason B. Lozier
Jessica L. Lozier
324 Lane Street
New Bremen, Ohio 45869 (mailing address)

South Haven SD, Lot 33
EPT 32
C10-020-033-00

324 Lane Street
New Bremen, Ohio 45869 (physical address)

Kenneth W. Truster
Sybil J. Truster
323 Lane Street
New Bremen, Ohio 45869 (mailing address)

South Haven SD, Lot 44
EPT Lot 43
C10-020-044-00

323 Lane Street
New Bremen, Ohio 45869 (physical address)

RECEIVED

AUG - 7 2018

**Board of County Commissioners
Avon Lake County, Ohio**

Kenneth W. Truster
Sybil J. Truster
323 Lane Street
New Bremen, Ohio 45869 (mailing address)

South Haven SD, Lot 44
EPT Lot 43
C10-020-044-00

323 Lane Street
New Bremen, Ohio 45869 (physical address)

Crown Equipment Corporation
40-44 South Washington Street
New Bremen, Ohio 45869 (mailing address)

16.285 acres, Section 14, German Township
Lot 4 & 5 PT SW 1/4
C09-014-003-02

0 Amsterdam
New Bremen, Ohio 45869 (physical address)

Ron J. Jones
Carol A. Jones
601 East Haven Drive
New Bremen, Ohio 45869 (mailing address)

Lot 3, Dicke Acres SD Phase 2
C10-144-003-00

601 East Haven Drive
New Bremen, Ohio 45869 (physical address)

RECEIVED

AUG -7 2018

Exhibit A

FIRST AMENDED

Board of County Commissioners
Auglaize County, Ohio

[Insert Property description]

SITUATE IN THE TOWNSHIP OF GERMAN, COUNTY OF AUGLAIZE
AND STATE OF OHIO, TO-WIT:

Being part of the NW ¼ of Section 14, T-7-S, R-4-E, German Township,
Auglaize County, Ohio.

Commencing at the N.W. corner Lot #1 of Baumer's Subdivision No. 1 Replat,
Book "C" Page 8;

Thence N 89° 58' E, a distance of 380.08 feet to the place of beginning;

Thence S 1° 10' W, a distance of 299.32 feet to a point;

Thence S 33° 32' E, a distance of 115.42 feet to a point;

Thence N 1° 10' E, a distance of 395.59 feet to a concrete monument;

Thence S 89° 58' W, a distance of 65.72 feet to the place of beginning containing
0.524 acres.

(Being a part of Lot One (1) and Lot (2) of Dicke Subdivision as recorded in Plat
Cabinet A, Page 30, Auglaize County Recorder's Office.)

Tax Parcel No. C10-201-001-00, Tax Parcel No. C10-201-002-00

Prior Deed Reference: Volume 450, Pages 421-424, Auglaize County Recorder's
Official Records.

RECEIVED

Exhibit B

AUG -7 2010

**Board of County Commissioners
Auglaize County, Ohio**

[Insert Annexation Agreement]

Attached to this petition is copy of the annexation agreement of the Village of New Bremen and German Township. The undersigned hereby certifies that said copy is a true and accurate copy of the original.



Jason E. This
Agent for Petitioners
5030 State Route 66
P.O. Box 42
New Bremen, Ohio 45869
419-629-8108
419-629-0328 (FAX)
jason@this-law.com

German Township – Village of New Bremen
Annexation Agreement

This 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 709.021, 709.022 and 709.192 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 fully owned by the Easthaven LLC, an Ohio limited liability company (“*Easthaven*”); 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, with provisions for allocation and/or sharing of tax revenues, and the cooperation for provision of other services to the Property; and

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

WHEREAS, Township has agreed to enter into this Agreement, pursuant to a Resolution dated July 3, 2018 and adopted by the Township effective the 3rd day of July, 2018, and the Village has agreed to enter into this Agreement by Ordinance No. 2018-05-13, effective the 9th day of July, 2018;

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

ARTICLE 1

THE PROPERTY

The Property shall consist of a certain Lot 1 and Lot 2 and certain portions of other parcels owned exclusively by Easthaven LLC, an Ohio limited liability company, 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 only be amended by written agreement of the parties to this Agreement and the County.

ARTICLE 2

ANNEXATION

A. The parties contemplate that the Property shall be annexed into the Village pursuant to and subject to the requirements of the 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 the effected by the County as the Property owner. 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 of the Property into the Village, 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 the annexation. The Township and Village shall fully cooperate with the State and Auglaize County officials to create an additional taxing district, if necessary.

ARTICLE 3

COOPERATION OF THE TOWNSHIP

A. Township hereby assents to the annexation of the Property to Village. Township further agrees to authorize its designated representative to sign any petitions prepared by Village or its agents to agree to the annexation of any roadways or other property owned by it within the Property area.

B. Township further agrees at the written request of the Village, to appear at any hearings before the County and assist the Village in the annexation of the Property, including providing testimony under oath that Township agrees to the annexation, if necessary.

C. 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

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

In lieu of prorating tax revenues pursuant to Section 709.19 O.R.C., the Village agrees to pay the Township the sum of **\$100.00** within sixty (60) days of the passage of the Village Ordinance accepting the property proposed for annexation.

ARTICLE 5

POST ANNEXATION GOVERNMENTAL SERVICES

- A. Upon annexation, Village shall be solely responsible for the zoning of the Property.
- B. Village shall provide to the Property the following municipal services: fire and police protection, waste collection, building and code regulations, civil engineering, traffic engineering, street and road maintenance and repair, parks and recreation, fair employment, fair housing, community development and planning, housing inspection, health and environmental services, economic development and water and sanitary sewer services and municipal electric services, with cost being allocated pursuant to normal Village procedures. The parties agree that the Property is entitled to standard governmental services by Village in the same manner such services are provided to other areas of Village.
- C. The parties agree that the Property is entitled to standard fire protection and emergency medical services by Village and Township in the manner such services are provided to other areas of Village and Township.
- D. Village shall not require any Township representative, Township employee, school or non-profit organization to sign an annexation proxy or consent as a condition precedent to obtaining water service.
- E. All roadways within the Property that will have been the Township's responsibility to maintain and improve but for the annexation shall become the responsibility of Village to maintain and improve. This shall include routine road and street maintenance, including snowplowing, repairing of chuckholes and signage. This shall also include the cost of road capital improvements.

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 XVIII 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 this Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provision 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.

**ARTICLE 12
ASSIGNMENT**

This Agreement shall be binding upon and inure to the benefit of the parties, their agents, servants, officials, trustees, employees, representatives, assigns and successors.

RECEIVED


AUG - 7 2018

Board of County Commissioners
Auglaize County, Ohio

[Remainder of Page Intentionally Left Blank]

In Witness Whereof, this Annexation Agreement is executed, in duplicate, at Auglaize County, Ohio, on the date set forth below.

The Village of New Bremen

By: 

Its Mayor: Jeff Pape

Date: July 9, 2018


The Board of Trustees For
German Township

By: 

By: 

By: 

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


Village Solicitor


County Prosecutor

IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE BIDS FOR THE PURCHASE OF TREATED BULK ROCK SALT TO BE USED ON THE COUNTY ROADWAYS.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 9th day of August, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, County Engineer, Doug Reinhart informed the Board that it is a good time of year to solicit for bids for the purchase of treated bulk rock salt to be used by the County Highway Dept.; and,

WHEREAS, Engineer Reinhart requested that the Board set a date and time to receive bids for the purchase of treated bulk rock salt.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set August 28, 2018 at 10:00 a.m. as the date and time to receive and publicly open bids for the purchase of above mentioned treated bulk rock salt for the Highway Department; and,

BE IT FURTHER RESOLVED that the Board authorizes County Engineer Reinhart to proceed with the necessary legal steps to cause said bid opening.

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

Adopted this
9th day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas-A. Spencer

Don Regula
Don Regula

John N. Bergman
John N. Bergman

✓ cc: County Engineer - Doug Reinhart

IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE SPECIAL SESSION OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 9th day of August, 2018.

Commissioner Bergman 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 a special session on Wednesday, August 15, 2018 from 8:30 a.m. – 3:15 p.m. to attend 2018 Ohio Drainage Expo, Auglaize County Fairgrounds, 1001 Fairview Drive, Wapakoneta, Ohio or until the conclusion of the business for the purposes stated above.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set Wednesday, August 15, 2018 from 8:30 a.m. – 3:15 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 a special session for said Board; 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 this special session.

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

Adopted this
9th day of
August, 2018

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: newspapers
✓✓✓

County Commissioners' Office
Allen and Auglaize County, Ohio
August 9, 2018 Resolution #514-18

RE: JOINT BOARD OF ALLEN AND AUGLAIZE COUNTY COMMISSIONERS ACCEPTS PROPOSAL AND ENTERS INTO CONTRACT WITH TURF CONCEPTS FOR THE CONSTRUCTION OF THE ARTHUR JOINT COUNTY DITCH PROJECT #1329.

The Joint Board of County Commissioners of Allen and Auglaize County, Ohio met in regular session via phone conference on the 9th day of August, 2018 with the following members present:

Allen County: Greg Sneary
Jay Begg ✓
Cory Noonan ✓

Auglaize County: John Bergman ✓
Donald Regula ✓
Douglas Spencer ✓

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to Resolution #453-18 dated July 10, 2018, sealed bids were opened and tabled by the Joint Board for the construction of the Arthur Joint County Ditch Project #1329 as follows:

Turf Concepts	\$17,730.00
Fenson Contracting	\$20,815.00
Engineer's Estimate	\$20,865.00

WHEREAS, Nathan Davis, Allen County Assistant Drainage Engineer, has reviewed the above bids and recommends that the Joint Board accept the proposal and enter into contact with Turf Concepts at a contract price of \$17,730.00; and

WHEREAS, the Joint Board deems this request to be in order and hereby approves same; now therefore

BE IT RESOLVED THAT THE JOINT BOARD OF COUNTY COMMISSIONERS OF ALLEN AND AUGLAIZE COUNTY, OHIO, accepts proposal and enters into contract with Turf Concepts for the construction of the Arthur Joint County Ditch Project #1329 in the amount of Seventeen Thousand, Seven Hundred Thirty and 00/100 (\$17,730.00) Dollars, a copy of which is attached hereto and made a part hereof.

Commissioner Monahan seconded the resolution and upon the roll being called, the vote resulted as follows:

Adopted this 9th
day of August, 2018

BOARD OF COUNTY COMMISSIONERS
ALLEN COUNTY, OHIO

Greg Sneary _____

Jay Begg _____ yes

Cory Noonan _____ yes

