

**BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO**

-- December 16, 2014 --

The Board of County Commissioners convened in regular session at 8:00 a.m. on Tuesday, December 16, 2014 in the Commissioners Chambers with the following members present: John N. Bergman, Douglas A. Spencer and Don Regula. The meeting of the Board was called to order by President Bergman.

AGENDA

- 7:00 a.m. Ag Breakfast (RJ Coffey Cup)
- 8:00 a.m. Commissioners sign resolutions/documents (Chambers)
- 8:30 a.m. Staff Meeting (Chambers)
- 9:15 a.m. – 10:30 a.m. Meeting with Mike Morrow (ACDJFS)
- 11:00 – 11:15 a.m. Phone Conference with Allen County – Joint Board for Etzkorn Ditch Project (Chambers)
- 11:15 a.m. Rick Bice – Meeting
- 1:00 p.m. Ed Pierce & Doug Reinhart – Meeting to discuss railroad license (Chambers)
- 1:30 p.m. John & Erica – EMA Board Meeting (Meeting Room)
- 2:00 p.m. April Bowersock – Quarterly Investment Meeting (Chambers)
- 2:30 p.m. Chris Davis, S & W Board Member & Abbey Tobe with Grand Lake/Wabash Coordinator (Chambers)
- 3:00 p.m. – 4:00 p.m. Discuss budget (Chambers)
- 3:30 p.m. Present and discuss upcoming resolutions (Chambers)
- 7:15 p.m. – 9:15 p.m. Don – Special showing of Farmland movie (James F. Dicke Auditorium)

PROCEEDINGS OF THE DAY

- 8:00 a.m. Commissioner Spencer moved to approve the resolutions as presented.
Commissioner Regula seconded the motion. The resolutions were then distributed for each Commissioner's vote and execution.
- 8:05 a.m. The Commissioners reviewed and signed the check register as presented by the County Auditor's Office.
- 8:30 a.m. Clerk Leffel read the minutes of the December 11, 2014 meeting. The minutes were approved with some clarification.
Administrator Preston stated that all county employees should be getting their new insurance cards.
Commissioner Bergman has contacted Steve Egbert concerning the 10" inch tile at the Airport.
- 9:30 a.m. The Commissioners and County Administrator met with Auglaize County Department Jobs & Family Services Director Mike Morrow and Business Manager Amy Ruppert for the monthly update. Auglaize County has been approved as a recipient for a new funding program from the State of Ohio. Ms. Ruppert asked if the Board had reached a decision on a percentage pay increase. The Board has not reached a decision yet.
- 11:00 a.m. The Auglaize County Commissioners held a phone conference with the Allen County Commissioners to approve the costs associated with the Joint County Etzkorn Ditch project.
- 11:15 a.m. Maintenance Supervisor Rick Bice met with the County Administrator and the Board to discuss preventative maintenance contracts with The Perfection Group.

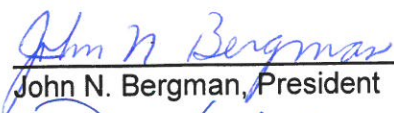
- 1:00 p.m. County Engineer Doug Reinhart and County Prosecutor Ed Pierce met to discuss payment for use of an easement transferable from the former Village of Uniopolis. The Board determined that they could only honor the obligations of the Memorandum of License and Agreement effective February 4, 1982 between Detroit, Toledo and Ironton Railroad Company, a Delaware Corporation and the Village of Uniopolis. Ed had contacted the Village Solicitor Angela Elliott and she could not find any amendment to this agreement. The Agreement in Section 11 states it to be binding upon the successors, heirs and assigns of the parties hereto. The prosecutor will make contact with the railroad company for further clarification.
- 1:30 p.m. Commissioner Bergman and County Administrator Preston attended a meeting hosted by the EMA Coordinator Troy Anderson.
- 2:00 p.m. Commissioners Spencer and Regula met with County Treasurer April Bowersock for the quarterly investment update.
- 2:30 p.m. Commissioners Regula and Spencer met with Auglaize Soil and Water Conversation District Board member Ron Wilker and Office Manager Chris Davis and Grand Lake Wabash Watershed Alliance Coordinator Abbey Tobe to request funding for the coordinator position. The Board did agree to provide the same funding of \$3,000 and this will be added to the Soil & Water's allocation effective for 2015.
- 3:00 p.m. Commissioner Spencer met with the County Auditor to discuss the funding process for the North West Group Services (NWGS) group.
- 3:30 p.m. The resolutions for consideration at the December 18, 2014 meeting were presented.
- 3:35 p.m. The County Administrator and Commissioners concluded the employee review process.

The following Resolutions were presented to the Board, for its consideration (the entire texts of same are documented in the Board's Journal by the Clerk of the Board):

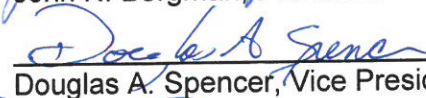
- #14-579 Matter of authorizing the County Auditor to draw warrants for Then & Now Certificate Payments.
- #14-580 Matter of authorizing budget adjustments.
- #14-581 Matter of amending the annual appropriation due to moneys certified and not appropriated.
- #14-582 Matter of setting date, time and location at which to convene special session of the Auglaize County Board of Commissioners.

5:45 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting for the day.

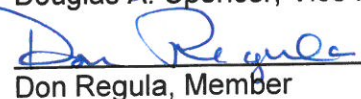
The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 16th day of December, 2014.



John N. Bergman, President




Douglas A. Spencer, Vice President



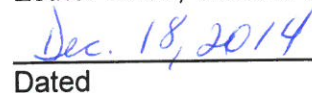
Don Regula, Member



Erica L. Preston, County Administrator



Esther Leffel, Clerk of the Board



Dated

UNDERGROUND FACILITY

FORM U. T. R. 1974

MEMORANDUM OF LICENSE AND AGREEMENT, effective the 4th day of February, 1982, by and between DETROIT, TOLEDO AND IRONTON RAILROAD COMPANY, a Delaware Corporation - hereinafter called the "Licensor," of the first part, and VILLAGE OF UNIOPOLIS, a Municipal Corporation - Uniopolis, Ohio 45888 hereinafter called the "Licensee," of the second part.

WHEREAS, the Licensee desires permission to install, maintain and use a n. 8" sanitary sewer,

upon, along and (or) across and underneath the surface of the premises and right of way of the Licensor at Village of Uniopolis, M.P. 141.96, County of Auglaize, State of Ohio, at the location hereinafter described, and

WHEREAS, the Licensor is willing to grant the Licensee such permission upon the terms and conditions hereinafter contained,

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

1. The Licensor will permit the Licensee, upon the terms and conditions hereinafter set forth, and not otherwise, to install, maintain and use the facilities aforesaid at the point, County and State aforesaid, and in the location indicated in red on the attached blue print which is hereby made a part hereof. Plan L-2-2-B2
2. Said facilities shall be installed, maintained, renewed, repaired and removed by the Licensee at its sole cost and expense, and shall be installed at a depth of not less than 4 feet below the base of the rails of the Licensor's tracks, and shall be provided with such appliances for safety as are usual and proper in such cases.
3. All work herein contemplated to be done by the Licensee shall be done, and the said facilities shall be maintained in a perfect condition of repair, to the entire satisfaction of the Chief Engineer of the Licensor, and when any work hereunder is completed, the Licensor's property and right of way will be left in a neat, smooth and level condition.
4. If at any time the Licensor shall change the present grade of its track or tracks over said facilities hereby licensed, or make any other changes or additions to its tracks or facilities at said point, which it hereby reserves the right to do, the Licensee, at its own expense, agrees to lower said facilities so that said facilities shall always be maintained not less than the required depth below the base of the rails of said tracks, or to remove the same, or to perform any other work made necessary by reason of such changes or additions and so that said facilities will not interfere with the full use by the Licensor of its property and right of way at said point.
5. No work of installing, maintaining, repairing or removing said facilities shall be done until the Licensor shall have had sufficient prior notice of at least forty-eight (48) hours to send its inspector to the place where said work is to be performed, under whose inspection all such work shall be done at any and all times when deemed necessary by the Licensor, provided, however, that in case of emergency arising out of breaks in said facilities any necessary repairs may be made without the necessity of the notice above provided for but on the express understanding that immediate notice of such emergency shall be given to the Licensor and that all such repairs so made shall be subject to the approval and acceptance of the Superintendent of the Licensor in charge of that territory, and on the further understanding that the lines of railroad of the Licensor at all times shall be kept open for traffic, and the Licensee will pay to the Licensor the entire cost and expense incurred by the Licensor in caring for, protecting and supporting its track or tracks during the performance of any work herein contemplated, and all other expenses necessarily incurred by the Licensor on account of the installation, maintenance, renewal, repair, or use of said facilities, or the removal of the same from the right of way and premises of the Licensor.
6. It is agreed that if the Licensee has the work herein provided for performed by a contractor, that the dealings of the contractor with the Licensor shall be handled through the Licensee and not directly with the Licensor and that any contract made with a contractor relative to said work shall be subject to all the terms of this license and agreement.
7. The Licensee assumes and will bear and pay all loss, injury or damage to person or property of the Licensor, employees of the Licensor, Licensee, employees of the Licensee, or third parties, which may result from, grow out of, or be attributable to any cause whatsoever in connection with the permit herein given, or arising from breaks in said facilities as a result of either the weight of or vibration or derailment of passing trains, cars or engines on the track or tracks of the Licensor, or otherwise, or arising from installing, maintaining, repairing, renewing or removing said facilities, or from a failure to maintain, repair and renew the same, and the Licensee hereby undertakes and agrees to indemnify and save the Licensor harmless of and from all responsibility and liability so assumed by it, the Licensee, and from all costs and expense arising from, growing out of, or in any manner attributed thereto, whether caused by the negligence of the Licensor, its agents, employees, or otherwise. The Licensee undertakes and agrees that in case claim is made or suit is instituted against the Licensor for such loss, injury or damage, the Licensee will, upon notice from the Licensor, settle, adjust or defend the same at its sole cost and expense and without expense to the Licensor, and will pay any judgment rendered therein together with costs of court.

8. This license is given for the period of one year and thereafter from year to year, but at all times the same may be revoked by the Licensor, or cancelled by the Licensee, upon sixty (60) days' previous written notice of such intention, any notice to be given to the Licensor hereunder to be addressed only to its Property and Tax Commissioner at Detroit, Michigan, who, it is understood, constitutes its agent for such purpose.

9. On the cancellation or revocation hereof, the Licensee, at its own expense, agrees to remove the said facilities and its other material from the land of the Licensor, leaving the Licensor's premises in a neat, clean and level condition. If the Licensee shall fail so to do within twenty (20) days after the cancellation or revocation hereof, then the Licensor may do the work specified and the expense thereof will be repaid to the Licensor by the Licensee within thirty (30) days after bill for same is rendered.

10. For the privileges herein contained the Licensee agrees to pay the Licensor, in advance, for the first year or fraction thereof, the sum of TWO HUNDRED TEN (\$210.00) DOLLARS and thereafter, annually, in advance, the sum of TEN (\$10.00) DOLLARS per annum for each add'l. ten-year period or fraction thereof.

"100⁰⁰ last paid in 2003 to start a 10 yr period in 2004

10.(a) In accordance with Clause 5, notice may be given to Licensor's Engineer of Surveys & Construction, Mr. F. W. Pieper, in Dearborn, Michigan, at (313) 336-9600.

11. This license and agreement shall inure to the benefit of, and be binding upon the successors, heirs and assigns of the parties hereto.

12. If Licensor has no inspector and/or flagman available at the time notice is given pursuant to Clause 10.(a), Licensee will NOT proceed with any work involving the licensed premises until the proper personnel can be assigned.

IN WITNESS WHEREOF, the parties hereto have executed the within license, effective as of the day and year first above written.

Signed, sealed and delivered in the presence of:

E. C. Cunningham, Jr.

DETROIT, TOLEDO & IRONTON RAILROAD COMPANY, a Delaware Corporation

BY *F. J. ...* Its Manager of Real Estate & Tax

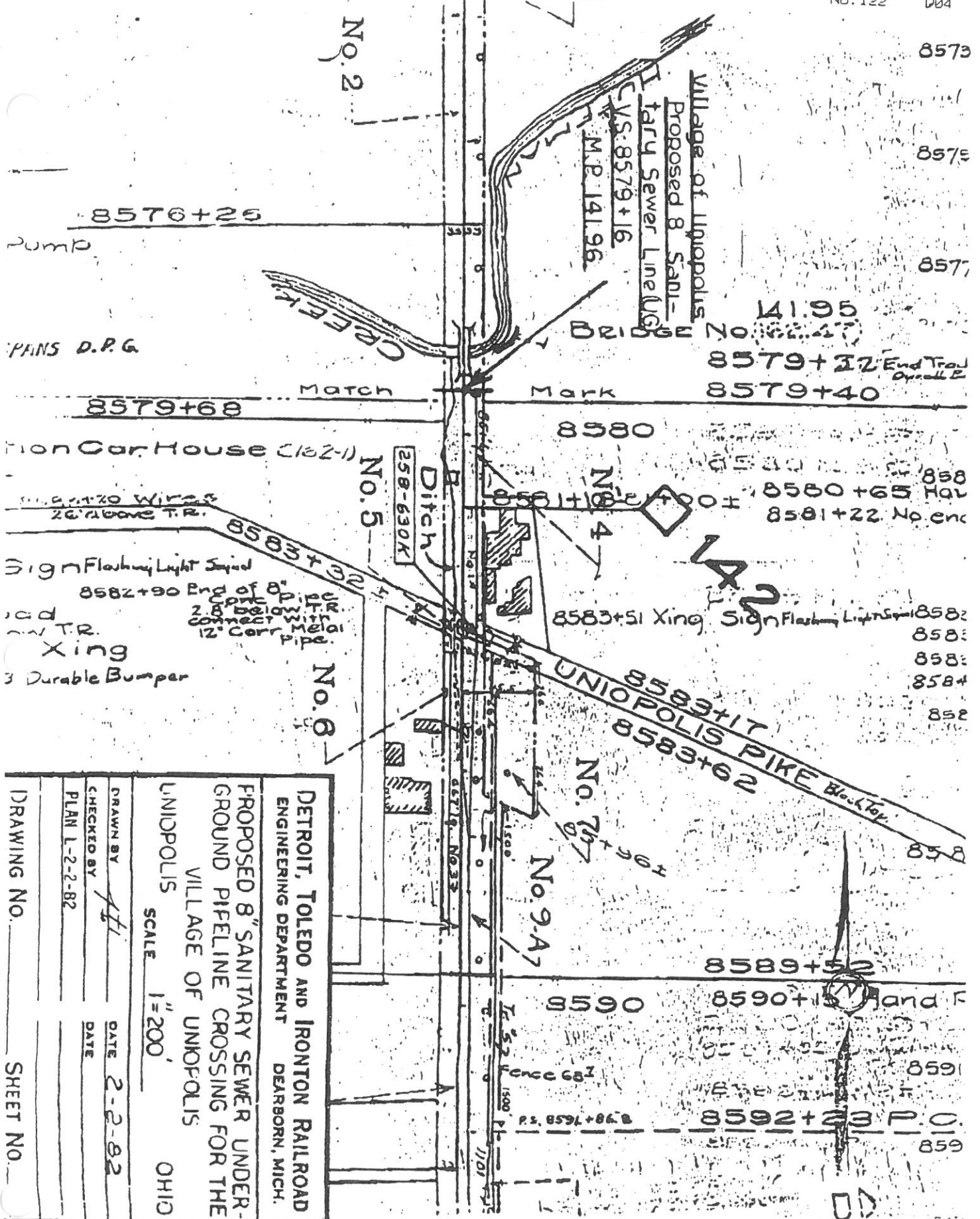
VILLAGE OF UNIOPOLIS, a Municipal Corporation

XX *Eugene Buchanan*

BY X *Eugene Buchanan* Its

L-441-1 17986 LICENSE	FROM	DETROIT, TOLEDO & IRONTON RAILROAD CO.
	TO	VILLAGE OF UNIOPOLIS, a Municipal Corp.
	FOR	install, mtn. & use 8" sanitary sewer.
	AT	Uniopolis, Ohio, M.P. 14].96
		Date February 4, 1982
		Expires Sixty (60) days' notice
		Renewal \$210.00 1st 10-yr. per. or frac.
		\$10.00 ea. add'l. 10-yr. per. or frac.

Angela Elliott is solicitor for the village of Uniopolis (current)



DETROIT, TOLEDO AND IRONTON RAILROAD
 ENGINEERING DEPARTMENT DEARBORN, MICH.
 PROPOSED 8" SANITARY SEWER UNDER-
 GROUND PIPELINE CROSSING FOR THE
 VILLAGE OF UNIOFOLIS
 UNIOFOLIS OHIO
 SCALE 1"=200'

DRAWN BY	DATE
CHECKED BY	DATE
PLAN L-2-2-82	
DRAWING NO.	SHEET NO.

**BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO**

-- December 18, 2014 --

The Board of County Commissioners convened in regular session at 8:00 a.m. on Thursday, December 18, 2014 in the Commissioners Chambers with the following members present: John N. Bergman, Douglas A. Spencer and Don Regula. The meeting of the Board was called to order by President Bergman.

AGENDA

- 8:00 a.m. Commissioners sign resolutions/documents (Chambers)
- 8:30 a.m. Staff meeting (Chambers)
- 8:45 a.m. Meeting with Judge Pepple to discuss probation office space (Courthouse)
- 9:15 a.m. – 11:45 a.m. Discuss budget (Chambers)
- 1:30 p.m. Matt Bailey – Airport monthly update meeting (Neil Armstrong Airport)
- 2:30 p.m. Meet Rachel Barber to tour Olive Branch, Mooney Museum & Wapakoneta Museum Buildings (New Knoxville, St. Marys & Wapakoneta, Ohio)
- 3:30 p.m. Present and discuss upcoming resolutions (Chambers)

PROCEEDINGS OF THE DAY

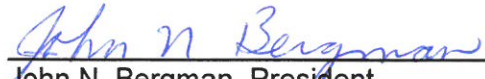
- 8:00 a.m. Commissioner Regula moved to approve the resolutions as presented. Commissioner Spencer seconded the motion. The resolutions were then distributed for each Commissioner's vote and execution.
- 8:10 a.m. Clerk Leffel read the minutes of the December 16th, 2014, meeting. The minutes were approved with some clarification.
- 8:25 a.m. Administrator Preston asked if the lease continuation agreement proposal by the BMV is acceptable with the Commissioners. This would allow the State BMV to have a registrar in place if needed.
- 8:55 a.m. The Board, County Administrator and Maintenance employee Dave Masonbrink met with Judge Pepple and staff members of Adult Probation Office to view the proposed office space that could be utilized as another office.
- 10:20 a.m. The County Administrator and the Commissioners reviewed the proposed budget for the upcoming year.
- 1:30 p.m. Airport Manager Matt Bailey met with the County Commissioners for the monthly update. Mr. Bailey reported that he and Bob have been repairing door seals on some of the hangars. One of the snow plow trucks has had four new tires put on for the upcoming snow season. Matt is working with EMA coordinator Troy Anderson on updating the emergency response plan. Matt and Bob are working on updating the preventative maintenance plan. Matt informed the Board that he is preparing for obtaining his Class B CDL. He asked when the forklift certification will take place. He also reviewed the financials with the Board.
- 2:30 p.m. The Commissioners toured three Auglaize County Historical museum/sites with members of the Historical society. The sites included Shinbone Methodist Church, the Mooney Museum in Saint Marys and the Museum in Wapakoneta. The tour was scheduled to show the Commissioners the need for increased funding for maintenance upkeep.
- 4:30 p.m. The resolutions for consideration at the December 23, 2014 meeting were presented.

The following Resolutions were presented to the Board, for its consideration (the entire texts of same are documented in the Board's Journal by the Clerk of the Board):


- #14-583 Matter of approving a contract between Auglaize County Department of Job & Family Services and the Marsh Foundation for professional services.
- #14-584 Authorizing the execution of the 2015 Litter Management Grant Application for the Auglaize County Solid Waste Management District by the President of the Board.

4:45 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting for the day.

The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 18th day of December, 2014.



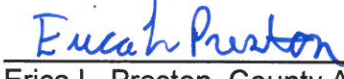
John N. Bergman, President




Douglas A. Spencer, Vice President



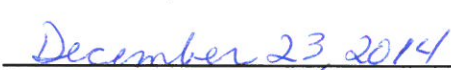
Don Regula, Member



Erica L. Preston, County Administrator



Esther Leffel, Clerk of the Board



Dated

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

-- December 19, 2014--

The Board of County Commissioners convened in special session on Friday, December 19, 2014 to conduct a work day for the Board. The following members were present, John N. Bergman, Douglas A. Spencer and Don Regula. The meeting was called to order by President Bergman at 8:00 a.m.

8:00 a.m. The Commissioners Bergman and Spencer reviewed part of the 2015 budget with Administrator Preston.

11:30 a.m. Commissioner Regula arrived at the office.

11:30 a.m. The Board and County Administrator attended the Jobs & Family Services Christmas Luncheon and Award Presentation.


1:15 p.m. The Commissioners attended the Engineer's Christmas Party held Junior Fair Building.

2:00 p.m. The 2015 budget review resumed.


3:00 p.m. Commissioner Bergman left the office for the day.

4:30 p.m. As the need for this special session having been met, Vice President Spencer adjourned the meeting for the day.


The MINUTES constitute a true and accurate synopsis to the best of the Clerk's knowledge, on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 19th day of December, 2014.



John N. Bergman, President




Douglas A. Spencer, Vice President




Don Regula, Member


ATTEST:



Erica L. Preston, County Administrator



Esther Leffel, Clerk



Date