

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

-- December 2, 2008 --

The Board of County Commissioners convened in regular session in the Commissioners Chambers on Tuesday, December 2, 2008 at 8:00 a.m. with the following members present: John N. Bergman, Ivo J. Kramer and Douglas A. Spencer. The meeting of the Board was called to order by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

8:00 a.m. Staff meeting (Chambers)

9:00 a.m. Open bids for four ditches – 9:00 – Easterly; 9:15 – Helmstetter; 9:30 – McKee; 9:45 – Burr Oak (Chambers)

10:00 a.m. Engineer/MVGT/Sanitary Engineer/Sewers/GIS budget meeting (Chambers)

1:30 p.m. Job & Family Services Budget meeting (Chambers)

3:00 p.m. MR/DD Board budget meeting

**PROCEEDINGS OF THE DAY**

8:10 a.m. Staff meeting was held.

9:00 a.m. Board opened bids for the Easterly Ditch project. Those present for the bid opening were Asst. Co. Eng. Kevin Schnell, TJ Place of Soil & Water and various bidders. Six bids were received and opened and then given to Eng. Schnell for comparison and review. The bid of Bucks Tree Service Excavating was incomplete and thus not acceptable. A bid award recommendation is forthcoming from the Engineer's Dept.

9:15 p.m. Board opened bids for the Helmstetter Ditch project. Those present for the bid opening were Asst. Co. Eng. Kevin Schnell, TJ Place of Soil & Water and various bidders. Five bids were received and opened and then given to Eng. Schnell for comparison and review. The bid of Bucks Tree Service Excavating was incomplete and thus not acceptable. A bid award recommendation is forthcoming from the Engineer's Dept.

9:30 a.m. Board opened bids for the McKee Ditch project. Those present for the bid opening were Asst. Co. Eng. Kevin Schnell, TJ Place of Soil & Water and various bidders. Seven bids were received and opened and then given to Eng. Schnell for comparison and review. The bid of Bucks Tree Service Excavating was incomplete and thus not acceptable. A bid award recommendation is forthcoming from the Engineer's Dept.

9:45 a.m. Board opened bids for the Burr Oak Ditch project. Those present for the bid opening were Asst. Co. Eng. Kevin Schnell, TJ Place of Soil & Water and various bidders. Seven bids were received and opened and then given to Eng. Schnell for comparison and review. The bid of Bucks Tree Service Excavating was incomplete and thus not acceptable. A bid award recommendation is forthcoming from the Engineer's Dept.

10:00 a.m. Board met with Co. Eng. Doug Reinhart for the 2009 budget meeting for the Engineer, MVGT, Sanitary Engineer, Sewers, GIS departments. Those present with the Board and Eng. Reinhart were Co. Admin. Lenhart and Karen Campbell of WDN. Engineer Reinhart requested in June a budget that is a wish list. At the end of December, the County Auditor will certify the amount of money he will have in 2009. He will then get with Joe and balance his budget.

1:30 p.m. Board met with Auglaize County Department of Job and Family Services Director Mike Morrow and Office Administrator Amy Ruppert for the 2009 budget for said department. Karen Campbell of WDN was also present. ACDJFS has a problem with budgeting this year, because they operate on a State fiscal year. (July to June) The State has proposed cuts in the budget for the year they are currently in and they have no idea what will be coming in July 2009. There budget is a best guess.

3:00 p.m. Board met with Al Willis and Todd Busse of MR/DD Board for the 2009 budget for the MR/DD Board. Karen Campbell of WDN was also present. They have included the 27<sup>th</sup> pay in there budget for 2009. Within the employee salary line item is an amount of about \$50,000 plus that is used to but out employee's health insurance.

### **STAFF MEETING**

Clerk Cordonnier reviewed scheduled appointments through December  
Asst. Clerk Hill reported that she has completed the typing of the dog tag list for the Dog Warden.

Co. Admin. Lenhart related the following:

- Co. Recorder Ann Billings stated that she has accepted, for her office, the Personnel Policy Manual with some minor changes.
- Tom Harrison has been contacted about the Humane Society in relation to the Co. Dog Warden. Sandy Harrison is gone for a few days and will return Wednesday. When the time is right, he will present the issue to Sandy.
- Pros. Ed Pierce stated that Commissioner Kramer's resignation for his position may be effective at 11:59:59 p.m. on December 31, 2008.
- Some contractors have reported that they are having trouble finding yellow cable to be used at the Auglaize County Department of Job and Family Services parking lot. The board discussed using yellow gas line pipe or the covering used by ODOT on its guy wires. Some of the bids will not include the covering.
- An invoice in the amount of \$1,067.00 has been received from Kimberly Baker for legal services for the Solid Waste District. Co. Admin. Lenhart asked if this should be given to Dave Reichelderfer. The Board said yes.
- Council on Rural Services is selling "Generous Joe Coffee" as a fund raiser.
- Related a conversation with a man who expressed his negative opinion on the two handicap parking spaces on Blackhoof St. in front of the Administration Building.
- The health insurance opt down/opt out incentive was brought up by Commissioner Kramer. Co. Admin. Lenhart stated that there are six responses to this incentive program.

Commissioner Kramer mentioned that he has been approached with questions on the status of the dog pound construction.

Commissioner Spencer related that he will be attending an Economic Development Council/Coalition meeting on Friday, December 5, 2008.

Commissioner Bergman presented the following:

- ❖ Many questions have been asked about doubling the cost of the dog tags.
- ❖ Inquired if any more has been brought up concerning the road vacation at Mudsock and Duchouquet Rds. Co. Admin. Lenhart answered no.
- ❖ Mentioned various budget requests and items which must be decided: i.e.; Sheriff's, Recorder's, Soil & Water, Grant for Humane Society. Also a decision must be made on the 2009 wage increase for employees. This must be decided by December 10<sup>th</sup>.
- ❖ Discussed Commissioner Elect Don Regula's meeting with Co. Admin. Lenhart. Mr. Lenhart stated that Mr. Regula took home some reports which the office receives. Mr. Regula and his wife are moving to Wapakoneta and will be getting email at that time. Clerk Cordonnier reported that the stationery and business cards are being ordered. Asst. Clerk Hill reported that a name plate has been ordered.

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):


- #08-465 Making appointments and re-appointments to the Ohio Area #8 Workforce Investment Act. Policy Board.
- #08-466 Setting amounts of bonds for elected officials for terms beginning 2009.
- #08-467 Approving and authorizing the Program Expenditures Tracking System (PET) maintenance agreement for 2009 between Maximus and Auglaize County Department of Job and Family Services.
- #08-468 Amending annual appropriation for the VOCA Fund and the Auglaize Acres Fund.
- #08-469 Authorizing payment of the County's mandated share of Public Assistance for December.
- #08-470 Authorizing budget adjustments within the Law Library Trust Fund and the Dog & Kennel Fund.
- #08-471 Declaring Resolution #08-452 null and void as directed by the County Auditor.
- Allen Co. Reso. #904-08 - Joint Board of Allen & Auglaize County Commissioners authorizing County Auditor to issue notices of cash assessments for the Joint Co. Little Ottawa River Stream Enhancement project #1260.
- Allen Co. Reso. #903-08 – Joint Board of Allen and Auglaize County Commissioners denying a request for an extension to allow completion of the Little Ottawa River Stream Enhancement Project #1260.
- #08-472 Appointing David Reichelderfer as representative for the Auglaize County Solid Waste Management District to the Organization of Solid Waste Districts of Ohio.
- #08-473 Approving contract for child care services between Auglaize County Department of Job and Family Services and Grace Cultural Learning Center as a full service care provider.

4:30 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 2nd day of December, 2008.



John N. Bergman, President



Joseph R. Lenhart, County Administrator



Douglas A. Spencer, Vice President



Connie Cordonnier, Clerk of the Board



Ivo J. Kramer, Member



Patricia Hill, Asst. Clerk of the Board

Dated: 12-4-08

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

**-- December 4, 2008 --**

The Board of County Commissioners convened in regular session at 8:00 a.m. on Thursday, December 4, 2008 with the following members present: John N. Bergman, Douglas A. Spencer and Ivo J. Kramer. The meeting of the Board was called to order in its office by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

- 9:00 a.m. Dog & Kennel budget meeting (Chambers)
- 10:00 a.m. TJ Place – Kellermeyer Ditch assessments (Chambers)
- 11:30 a.m. Otterbein tour – Kathy Hunt (St. Marys)
- 2:00 p.m. Kettler Ditch view (S & W Ditch) – Tri-Township Rd. approx. ½ mile North of Southland Rd.
- 2:30 p.m. Kettler Ditch hearing (St. Marys Township House)

**PROCEEDINGS OF THE DAY**

- 9:00 a.m. Board and Admin. Lenhart met with County Dog Warden Russ Bailey for the 2009 budget for the Dog & Kennel Fund.
- 10:00 a.m. Board met with TJ Place, Co. Eng. Doug Reinhart and Asst. Co. Eng. Kevin Schnell to review assessments for the Kellermeyer Ditch.
- 11:45 a.m. Board left the office to travel to St. Marys Otterbein for a tour of the facility and lunch. From Otterbein, the Board traveled to the view of the Kettler Ditch project.
- 2:00 p.m. Board attended the view of the petitioned Kettler Ditch project. This was petitioned through the Soil & Water Conservation District.
- 2:30 p.m. Board attended the Kettler Ditch project first hearing which was held at the St. Marys Township House.
- 4:45 p.m. Board returned to the office and extended the meeting day for discussion of budget matters, etc.

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):

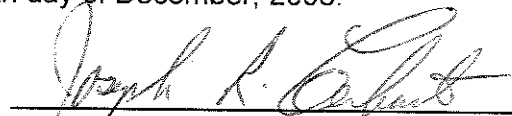
- #08-474 Setting bid date and time for the purchase of a four door cab and chassis to be used by the County Highway Department.
- #08-475 Documenting receipt of bids for the Helmstetter Ditch project; awarding the contract to Edge Excavating, LLC.
- #08-476 Setting bid date and time for the replacement of the sanitary sewer with manholes in a portion of the Villa Nova Sewer System.
- #08-477 Authorizing the County Auditor to issue a warrant to Minster from the MVGT Permissive Tax Fund as recommended by the County Engineer.
- #08-478 Documenting receipt of bids for the McKee Ditch project; awarding the contract to Cy Schwieterman, Inc.
- #08-479 Authorizing an appropriation adjustment of funds and an appropriation transfer of funds for the 2008 Flex Spending Fund and a budget adjustment within the Board of elections appropriation.
- #08-480 Authorizing budget adjustments within the Auglaize Acres Fund.
- #08-481 Documenting receipt of bids for the Burr Oak Ditch project; withholding award until recommendation of County Engineer is received.
- #08-482 Setting date, time and place to reconvene the final hearing for the Freeman Single County Ditch.

- #08-483 Documenting the receipt of bids for the Easterly Ditch project; awarding contract to Gene Topp drainage service.
- #08-484 Authorizing budget adjustments within the MR/DD Fund.
- #08-485 Approving contract for child care services between the Auglaize County Department of Job and Wapakoneta YMCA as a full service care provider.
- #08-486 Approving the contract and bond of Jeff Topp Excavating, LLC for the Luedeke Ditch project.
- #08-487 Approving contract for child care services between the Auglaize County Department of Job and Family Services and Rachelle McGhee as Type B care provider.
- #08-488 Authorizing a pay increase for Charla Lauth, employee at the Auglaize County Department of Job and Family Services.

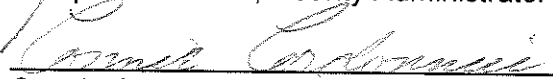
9:30 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting in the office for the day.

The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 4th day of December, 2008.

  
\_\_\_\_\_  
John N. Bergman, President

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

  
\_\_\_\_\_  
Connie Cordonnier, Clerk of the Board

  
\_\_\_\_\_  
Ivo J. Kramer, Member

\_\_\_\_\_  
Patricia Hill, Asst. Clerk of the Board

Dated: Dec. 9, 2008

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

**-- December 9, 2008 --**

The Board of County Commissioners convened in regular session in the Commissioners Chambers on Tuesday, December 9, 2008 at 6:30 a.m. with the following members present: John N. Bergman and Douglas A. Spencer.

Commissioners Bergman and Spencer, along with Co. Administrator Joe Lenhart, traveled to Columbus, Ohio to attend the CCAO/CEAO Winter Conference.

At 8:00 a.m., Commissioner Ivo J. Kramer arrived in the office.

9:30 a.m. Commissioner Kramer left the office for a medical appointment.

1:45 p.m. Commissioner Kramer returned to the office.

2:40 p.m. Commissioners Bergman and Spencer arrived in the office for the remainder of the afternoon.

The minutes of the previous meeting were provided to the Board.

3:00 p.m. Board received Commissioner Kramer's letter of resignation.

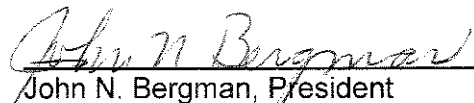
3:30 p.m. Board met with County Elected Officials and Department Heads to arrive at decisions concerning the 2009 budget. Commissioners informed the Elected Officials/Dept Heads that we are in a financial crunch. There will not be a wage increase for 2009. For 2009, they have taken the salary budget figures back to the 2008 figure and cut the Worker Comp to 2%. With that, they are asking each office to cut 5% from the remaining of their budget. This is to be completed by Tuesday December 16, 2008 @ 4:30 pm. The Commissioners explained that they are cutting all the budgets and entities in the general fund: i.e.; Soil and Water, OSU Extension, Fairgrounds, Airport etc. The Commissioners stated that the Director of Ohio's OMB indicated that this economic down turn will continue through 2011. The State is forecasting a \$4.7 billion shortfall by the end of 2011. No one knows when the economy will turn around. Officials need to be prepared to make more cuts if needed and the Board of County Commissioners suggested preparing now a Plan B if the initial reductions are not enough..

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):

No Resolutions were passed on this date.

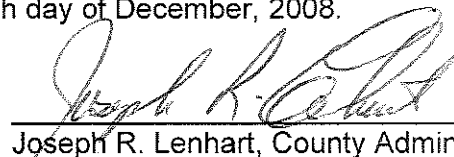
4:30 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting for the day.

The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 9th day of December, 2008.

  
John N. Bergman, President

  
Douglas A. Spencer, Vice President

  
Ivo J. Kramer, Member

  
Joseph R. Lenhart, County Administrator

  
Connie Cordonnier, Clerk of the Board

  
Patricia Hill, Asst. Clerk of the Board

Dated: 12-16-08

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

-- December 11, 2008 --

The Board of County Commissioners convened in regular session at 8:00 a.m. on Thursday, December 11, 2008 with the following members present: John N. Bergman, Douglas A. Spencer and Ivo J. Kramer. The meeting of the Board was called to order in its office by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

- 7:30 a.m. Joe – CVB monthly meeting (CVB office)
- 8:30 a.m. Brian Fisher – monthly update meeting (Chambers)
- 10:30 a.m. Monthly meeting with Dave Reichelderfer (Recycle Center)
- 11:30 a.m. Doug – United Way luncheon
- 1:30 p.m. Fred Piehl to talk about buildings (Chambers)
- 3:00 p.m. OSU Extension quarterly update meeting
- 4:00 p.m. Sarah & Lew Mancini – Freeman Ditch (Chambers)
- 4:30 p.m. Ed Pierce – Executive Session

**PROCEEDINGS OF THE DAY**

- 8:30 a.m. Board met with Brian Fisher for his monthly update meeting.
- 10:10 a.m. Board left the office to travel to St. Marys
- 10:30 a.m. Board met with Dave Reichelderfer at the Recycle Center for the monthly update meeting.
- 11:30 a.m. Commissioner Spencer attended the United Way luncheon  
Board met with Sanitary Engineer employee Fred Wierwille who brought in the Villa Nova Sewer upgrade plans.
- 1:30 p.m. Board met with Fair Manager Fred Piehl to discuss buildings. Also in attendance was County Administrator Lenhart. The following decisions were made:
  - 1. All repairs to buildings will be made by the Agricultural Society
  - 2. Accident damages will be turned into the insurance with the Commissioners paying the deductible.
  - 3. The buildings and grounds are owned by the Commissioners.
- 2:50 p.m. Board met with Sheriff Solomon. Also in attendance was County Administrator Lenhart. The Sheriff informed us that an inmate had passed away at the jail.
- 3:10 p.m. Board met with Lois Clark, Beth Miller, and John Smith for the quarterly OSU Extension update meeting. County Administrator Lenhart was also in attendance. The following reports were given:
  - Beth reported on the Carteens program.
    - 1. Total number of participants is 184
  - Lois reported:
    - 1. 130 youth participated in the Real Money-Real World Program
    - 2. 14 people participated in the Health Aid Program
    - 3. They are still doing a food nutrition program for people on food stamps
  - John reported that the noon dairy luncheon is still going on
- Commissioner Bergman informed them that the 2009 budget for Extension will be the amount as budgeted in 2007 minus 5% for right now.
- 4:15 p.m. Board met with Sarah & Lew Mancini on the Freeman Ditch.
- 4:52 p.m. Board and Joe talked with Ed Pierce about the budget process and the meeting he was not able to attend.

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):

- #08-489 authorizing budget adjustments for the Juvenile Probation & Probate Court appropriations.
- #08-490 amending the annual appropriation due to the amended certificate; same being for various funds.
- #08-491 adopting a temporary appropriation for the 2009 fiscal year for the purpose of meeting the January 2, 2009 payroll
- #08-492 authorizing the purchase from Tom Ahl of a van to be used by the Veterans Service Commission
- #08-493 accepting resignation of Ivo Kramer as Auglaize County Commissioner
- #08-494 authorizing the County Auditor to issue a warrant to City of Wapakoneta from Permissive License Plate Tax Fund.
- #08-495 authorizing budget adjustments within the Victims Service appropriation, Clerk of Courts appropriation and Certificate of Title Fund.
- #08-496 authorizing budget adjustments for the Humane Society appropriation.
- #08-497 authorizing the County Auditor to make fund transfers from permanent ditch maintenance funds to Engineer's MVGT fund.
- #08-498 entering into a revolving loan fund administration agreement with the State of Ohio Department of Development


6:10 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting in the office for the day.

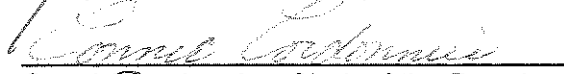
The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 11th day of December, 2008.

  
\_\_\_\_\_  
John N. Bergman, President

  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

  
\_\_\_\_\_  
Ivo J. Kramer, Member

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Connie Cordonnier, Clerk of the Board

  
\_\_\_\_\_  
Patricia Hill, Asst. Clerk of the Board

Dated: 12-16-08



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

-- December 16, 2008 --

The Board of County Commissioners convened in regular session in the Commissioners Chambers on Tuesday, December 16, 2008 at 8:00 a.m. with the following members present: John N. Bergman, Ivo J. Kramer and Douglas A. Spencer. The meeting of the Board was called to order by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

- 7:00 a.m. Ag Breakfast (R J Coffey Cup)
- 8:00 a.m. Staff meeting (Chambers)
- 9:00 a.m. Meeting with Mike Morrow (ACDJFS)
- 11:00 a.m. April Bowersock – Investment committee meeting
- 1:00 p.m. John – Family Services Planning Committee meeting (Job & Family Services Dept.)
- 1:30 p.m. CANCELLED – Doug Reinhart – monthly update (Engineer's Office)
- 1:30 p.m. Nick Scheck (Chambers)
- 2:30 p.m. Sarah & Lew Mancini – Freeman Ditch (Chambers)
- 4:00 p.m. Joel Hume & Mark Schaub – Burr Oak Ditch bid award

**PROCEEDINGS OF THE DAY**

- 7:00 a.m. No one attended the Ag Breakfast
- 8:10 a.m. Staff meeting was held.
- 9:10 a.m. Board traveled to Auglaize County Department of Job and Family Services for a meeting with Mike Morrow, Director. Items for discussion:
  - A report was sent to the State via email. TANF Money: Early Learning, gone; Help Me Grow – gone.
  - Will be working on front office personnel and looking for new hours to be 8:00 a.m. to 4:30 p.m.
  - On December 8<sup>th</sup> the agency had 121 walk-ins – all new clients.
  - Five employees have been told that they will be laid off. Two are leaving for other jobs in child welfare.
  - Local contracts need to be addressed as soon as possible. Notifications anticipated for January 2009.
- 11:10 a.m. Board met with Co. Treasurer April Bowersock for an Investment Committee meeting.
- 1:00 p.m. Commissioner Bergman participated in the Family Services Planning Committee meeting at Job & Family Services Dept.
- 1:10 p.m. Sheriff Solomon met with the Board.
- 1:38 p.m. Board met with Auglaize Acres Administrator Nick Scheck.
- 2:35 p.m. Board met with Sarah Hauenstein and Lewis Mancini to discuss concerns the couple have with the Freeman Ditch project. They do not support the project.
- 3:30 p.m. Commissioner Bergman signed documents for West Central Development Corp.
- 4:15 p.m. Board met with Joel Hume & Mark Schaub, landowners involved in the Burr Oak Ditch project. Mr. Hume and Mr. Schaub expressed their thoughts on the two lowest bidders for said project. They presented to the Board a document encouraging said Board to award the bid to the second lowest bidder. This document was signed by themselves, Rick Elsass and Dennis Kohler. These landowners represent 71% of the total project costs.

**STAFF MEETING**

- Clerk Cordonnier reviewed scheduled appointments through this week.
- Asst. Clerk Hill presented utility expense summaries for the Administration Building, Courthouse, Law Enforcement Center and Municipal Court West. These reports were discussed at length. Waibel feels that the HVAC system for the Administration Building is working as efficiently as it can.

Co. Admin. Lenhart related the following:

- Mentioned that Commissioner Spencer sent an email requesting a time to meet with Tom Harrison at the Humane Society.
- The renter, Bradley Lyon, at 207 S. Perry St. was contacted by Admin. Lenhart. Mr. Lenhart presented to Mr. Lyon the certified mailing which he did not pick up from the Post Office. He was told that the cats must go, the screen and window must be repaired and he owes the County \$15.00 dollars for an overdraft charge from his last rent check which did not clear the bank.
- Inquired if the old Veterans Service van is to be used by any office needing a vehicle. The Board agreed to this usage, and our office will control the use of the van.
- Mentioned that Treas. April Bowersock related that the 1<sup>st</sup> floor offices will remain open on December 24<sup>th</sup> afternoon and close all day on the 26<sup>th</sup>. The Courthouse offices will be doing the same. The question was asked how to handle the heating and maintenance on these days as the Housekeeping and Maintenance staff will be on the Commissioners schedule of working half a day on the 24<sup>th</sup> and open all day on the 26<sup>th</sup>. Dave Masonbrink and Deb Brenneman are planning to wax floors at the Courthouse on the 26<sup>th</sup>.

Commissioner Spencer related the following:

- ◆ He received a phone call from Steve Klosterman who inquired if there were any low interest loans available for development project on the south side of the lake.
- ◆ Bob Huff is to contact him.
- ◆ He stopped by the Mancini property to look at the proposed project area.
- ◆ On Wednesday, while visiting Midnet Media, it was learned that the project is pretty close to being done. Who is to take care of a disclaimer was briefly mentioned. The Sheriff should be informed that the template for his website will not be using the same colors as in the past. Darrin will contact Admin. Lenhart about pictures of offices. The project should be given to the County for internal review by January 1<sup>st</sup>. Office holders will then have the opportunity to critique his/her site.

Commissioner Kramer mentioned that he has been cleaning out his desk in anticipation of his retirement. Tomorrow (12/17), the Board is planning a Special Session and Mr. Kramer informed the Board that he will be absent for part of the day due to an appointment at the Social Security office. Also, Karen Campbell of WDN, will be interviewing him at 1:30 p.m.


Commissioner Bergman mentioned that the extra time worked by the Asst. Dog Wardens must be addressed.

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):


- #08-499 Setting date, time and location to convene a Special Session of the Auglaize County Board of Commissioners.
- #08-500 Approving contract and bond of Gene Topp Drainage Services for the Easterly Ditch project.
- #08-501 Authorizing reimbursement of funds from various ditch construction funds to various maintenance funds, MVGT funds and County General Fund as requested by the County Engineer.
- #08-502 Authorizing budget adjustments within the Heritage Park Fund, the Auditor's appropriation, the Kah Sewer Fund, the Sanitary Engineer Appropriation and the Solid Waste Fund.
- #08-503 Amending the annual appropriation due to monies certified and not appropriated in the Indigent Appl Fee Fund.
- #08-504 Authorizing budget adjustments within the Dog & Kennel Fund.

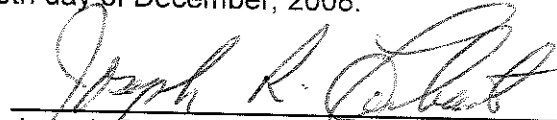
4:30 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting for the day.

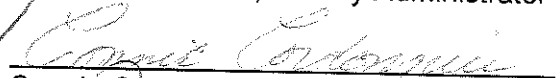
The MINUTES constitute a synopsis on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 16th day of December, 2008.


  
John N. Bergman, President

  
Douglas A. Spencer, Vice President

  
Ivo J. Kramer, Member

  
Joseph R. Lenhart, County Administrator

  
Connie Cordonnier, Clerk of the Board

  
Patricia Hill, Asst. Clerk of the Board

Dated: 12-17-08

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
-- December 17, 2008--**

The Board of County Commissioners convened in special session on Wednesday, December 17, 2008 at 8:00 a.m. with the following members present, John N. Bergman, Douglas A. Spencer and Ivo J. Kramer. This session was called for general purposes.

The meeting of the Board was called to order in its office by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

11:30 a.m. Safety Council meeting @ WSU-Lake – Joe and Dave

**PROCEEDINGS**

10:11 a.m. Commissioner Kramer left the office for an appointment.

10:30 a.m. Admin. Joe Lenhart left the office to attend the Safety Council meeting at Wright State Univ. – Lake Campus. Solid Waste Coordinator David Reichelderfer also attended this meeting with Mr. Lenhart.

1:40 p.m. Karen Campbell of WDN interviewed Commissioner Kramer.

2:12 p.m. Pros. Atty. Ed Pierce and Pat Hire of Clemans/Nelson met with the Board.

4:10 p.m. Commissioner Bergman left the office.


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):

#08-505 Authorizing a budget adjustment within County General Fund.

#08-506 Reappointing Tom Piper as the Auglaize County Apiary Inspector for 2009.

4:30 p.m. With no further business to bring before the Board, Vice President Spencer adjourned the meeting in the office for the day.


The MINUTES constitute an 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 18th day of December, 2008.

  
\_\_\_\_\_  
John N. Bergman, President

  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

  
\_\_\_\_\_  
Ivo J. Kramer, Member

ATTEST:

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Connie Cordonnier, Clerk

  
\_\_\_\_\_  
Patricia Hill, Asst. Clerk

Date: 12-18-08

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

**-- December 18, 2008 --**

The Board of County Commissioners convened in regular session at 8:00 a.m. on Thursday, December 18, 2008 with the following members present: John N. Bergman and Ivo J. Kramer. The meeting of the Board was called to order in its office by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

- 9:30 a.m. Doenges Ditch view (S & W. ditch) – North side CR 66A approx. ¼ mile east of Schillinger Road
- 10:00 a.m. Doenges Ditch hearing (Noble Township House)
- 1:30 p.m. Sean Stroh Airport monthly update meeting (Neil Armstrong Airport)

**PROCEEDINGS OF THE DAY**

- 9:00 a.m. Board left the office to attend the Doenges Ditch view.
- 9:30 a.m. Board participated in the Doenges Ditch view. Commissioner Douglas A. Spencer joined Commissioners Bergman and Kramer at the view. This project is a Soil & Water project.
- 10:00 a.m. Board attended the first public hearing for the Doenges Ditch project.
- 11:15 a.m. Board returned to the office.
- 11:30 a.m. At the request of Co. Engineer Doug Reinhart, the Board of County Commissioners wrote a letter to all County employees, except Sheriff's employees, Auglaize Acres, Health Dept. and MR/DD Board employees, informing them as to why there would not be funding for pay increases in 2009. The Co. Engineer made this suggestion in order that all employees could hear the explanation from "one voice". The letter was sent out with paychecks of 12/19.
- 1:30 p.m. Board met with Sean Stroh, Airport Manager, at the Neil Armstrong Airport.
- 2:36 p.m. Board returned to the office.
- 2:45 p.m. Brad Garmann and Rudi Quinter of Garmann/Miller Architects met briefly with the Board.
- 3:50 p.m. Co. Dog Warden Russ Bailey met with the Board.

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):

- #08-507 Authorizing an appropriation budget adjustment as requested by the County Auditor.
- #08-508 Approving the Memorandum between Auglaize County and Hull & Associates, Inc. for professional services during 2009 in relation to the St. Marys Landfill monitoring.
- #08-509 Approving an agreement with Bonnie Wurst as an Education Specialist for the Auglaize County Solid Waste/Recycle District.
- #08-510 Approving the contract and bond of Cy Schwieterman, Inc. for the McKee Ditch project.
- #08-511 Appointing Brian Morris and Aaron Homan to the Auglaize County Board of Mental Retardation and Developmental Disabilities.
- #08-512 Authorizing an appropriation adjustment within the Police Rotary Fund and the Auglaize Acres P.A. Fund.
- #08-513 Approving the contract and bond of Edge Excavating, LLC for the Helmstetter Ditch project.
- #08-514 Amending the annual appropriation for the Law Library Fund.
- #08-515 Authorizing budget adjustments for Auglaize Acres appropriation, GIS Fund and MVGT Fund.
- #08-516 Authorizing budget adjustment for the Clerk of Courts Fund.
- #08-517 Authorizing budget adjustments for the Dog and Kennel Fund and the Coroner Fund.
- #08-518 Authorizing an amendment to the 2008 appropriation Resolution.
- #08-519 Setting date, time and location to convene a Special Session of the Auglaize County Board of Commissioners.

5:20 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting in the office 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, 2008.

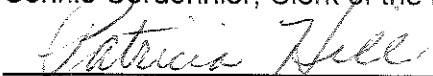
  
\_\_\_\_\_  
John N. Bergman, President

  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

  
\_\_\_\_\_  
Ivo J. Kramer, Member

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Connie Gondonnier, Clerk of the Board

  
\_\_\_\_\_  
Patricia Hill, Asst. Clerk of the Board

Dated: December 23 2008

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
-- December 22, 2008--**

The Board of County Commissioners convened in special session on Wednesday, December 22, 2008 at 8:30 a.m. with the following members present, John N. Bergman, Douglas A. Spencer and Ivo J. Kramer. This session was called for general purposes.

The meeting of the Board was called to order in its office by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

There was nothing on the Commissioners' Calendar.

**PROCEEDINGS**

9:30 a.m. Bd. received a phone call from Kathleen Kentner expressing her displeasure of the Veterans Service van being purchase at an out of county dealership; namely Tom Ahl. Before the Board could explain why the purchase was made, Ms. Kentner hung up.

10:05 a.m. Maintenance Supervisor Rick Bice met with the Board.

11:20 a.m. Board phoned Co. Engineer Doug Reinhart to inquire how the Board's letter concerning the wage freeze which was included with the pay checks/notices was received by his employees. A meeting was set for 2:00 p.m. for Eng. Reinhart to meet with the Board.

2:00 p.m. Co. Engineer Doug Reinhart and Matt Quinter met with the Board to discuss pay increases for non-general fund employees in the County Highway Department. Board asked Eng. Reinhart to consider not giving raises to those Highway Dept. employees not in the General Fund. The matter was discussed at length with Eng. Reinhart giving the idea of no wage increase some thought and will be back to the Board with his decision.

4:30 p.m. Board finished the employee evaluations.

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):

#08-520 Amending annual appropriation for the Marriage License Fund and the Computer-Juv/PR Fund.

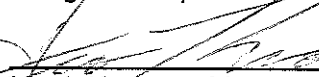
#08-521 Approving leases at the Neil Armstrong Airport for various hanger spaces; ratifying the execution of the leases.

5:30 p.m. With no further business to bring before the Board, President Bergman adjourned the meeting in the office for the day.

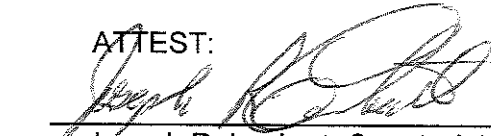
The MINUTES constitute an accurate synopsis to the best of the Clerk's knowledge, on matters brought to the attention of the Board of County Commissioners of Auglaize County, Ohio on this 22nd day of December, 2008.

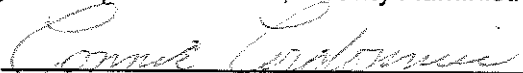
  
\_\_\_\_\_  
John N. Bergman, President


  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

  
\_\_\_\_\_  
Ivo J. Kramer, Member

ATTEST:

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Connie Cordonnier, Clerk.

  
\_\_\_\_\_  
Patricia Hill, Asst. Clerk

Date: 11-23-08

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

**-- December 23, 2008 --**

The Board of County Commissioners convened in regular session in the Commissioners Chambers on Tuesday, December 23, 2008 at 8:00 a.m. with the following members present: John N. Bergman, Ivo J. Kramer and Douglas A. Spencer. The meeting of the Board was called to order by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

8:00 a.m. Staff meeting (Chambers)

9:30a.m. Open bid for Eng. truck (Chambers)

10:00 a.m. Doug Reinhart, Kevin Schnell and Edge Excavating – Burr Oak Ditch bid

11:00 a.m. Elected Officials swearing in ceremony (Common Pleas Courtroom – Courthouse)

2:00 p.m. Fritz Ditch view (S & W Ditch) – 11027 S. R. 33A – Ray Kohler property

2:30 p.m. Fritz Ditch hearing (Assembly Room)

**PROCEEDINGS OF THE DAY**

9:15 a.m. Auglaize Acres Administrator Nick Scheck met with the Board.

9:30 a.m. Board opened bids for the purchase of 4 door crew cab single axle 12,000 GVW for the Highway Dept. Those present with the Commissioners for the bid opening were Dick Lore(?) of Buckeye Truck Center, Inc., Mike Kinstle of S & S Volvo & GMC Truck, Gary Kuck of the Engineer's Office and Doug Reinhart, County Engineer. Three bids were received and opened with only two companies bidding and one declining the bid. Mr. Kuck reviewed and compared the bids, giving the Board the recommendation that the bid be awarded to S & S Volvo & GMC Truck.

10:00 a.m. Board met with Co. Eng. Doug Reinhart, Asst. Co. Eng. Kevin Schnell and Edge Excavating representatives, Dan and Todd Sherrick. Minutes from this meeting are attached.

11:00 a.m. Commissioner Bergman participated in the newly elected officials swearing in ceremony in the Common Pleas Courtroom of the Courthouse.

1:50 p.m. Board left the office to attend the Fritz Ditch view, meeting at the Ray Kohler property on 33A. This is a Soil & Water Conservation project.

2:30 p.m. Board attended the first hearing, held in the Assembly Room, for the Fritz Ditch project.

**STAFF MEETING**

Clerk Cordonnier reviewed scheduled appointments through the end of December

Asst. Clerk Hill had nothing to report

Co. Admin. Lenhart Inquired if the Board still want an appointment with Tom Harrison. Also mentioned was "fees".

Commissioner Spencer had nothing to report.

Commissioner Kramer had nothing to report.

Commissioner Bergman had nothing to report.

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):

#08-522 Amending annual appropriation for the County General Fund.

#08-523 Documenting receipt of bids for the purchase of a cab and chassis for the County Highway Department; awarding bid to S & S Volvo and GMC Trucks.

#08-524 Amending annual appropriation for various funds.

#08-525 Approving contract with Evercom Systems, Inc. for the inmate telephone service for the county jail.

#08-526 Authorizing budget adjustment within the CCF-Municipal Court Fund, budget adjustments within the Victims Service Appropriation.

#08-527 Authorizing budget adjustment within the MR/DD Fund.



4:30 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 23rd day of December, 2008.



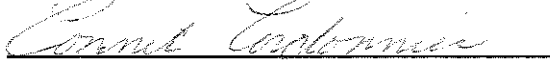
John N. Bergman, President



Joseph R. Lenhart, County Administrator



Douglas A. Spencer, Vice President



Connie Cordonnier, Clerk of the Board



Ivo J. Kramer, Member



Patricia Hill, Asst. Clerk of the Board

Dated: 12-30-08

December 23, 2008  
10:03 a.m.

#### MEETING WITH EDGE EXCAVATING REGARDING BURR OAK DITCH PROJECT.

Those present for the meeting were: Commissioners John Bergman, Douglas Spencer and Ivo Kramer, County Engineer Doug Reinhart, Asst. Co. Eng. Kevin Schnell, Matt Quinter, Engineer Staff member, Dan Sherrick and Todd Sherrick of Edge Excavating.

Commissioner Bergman opened the meeting and turned it over to Eng. Reinhart. Eng. Reinhart referred to a letter sent to Edge Excavating.

Eng. Reinhart expressed concerns about the method of construction; i.e. excavation vs. trencher, for agricultural drainage. One main concern is backfill problems effecting the crushing of laid tiles. The type of soil, fine or chunky, was discussed. Clay is especially notorious for being solid and, when used as backfill, damaging tile.

Eng. Reinhart advised that if problems arise with quality of construction the project will be shut down and if the time goes past the completion date, the contractor could be charged \$50 per calendar day.

Commissioner Bergman inquired if Edge Excavating have considered stone backfill for the project. Dan Sherrick discussed various methods of getting a good backfill. Eng. Reinhart and Asst. Eng., Schnell agreed with his methods but mentioned that said methods are time consuming.

Asst. Eng. Schnell inquired as to how they planned to install the sub-main on the project. Mr. Sherrick stated that he has talked to Tri Co., a subcontractor, about the project and totally removing old main. When asked what method would be used, he stated a trencher.

Mr. Quinter stated that a stone bedding sometimes is needed to give a good round trench in the bottom. The difficulty lies in getting a good round trench in the bottom and holding the proper grade.

Commissioner Bergman relayed that the Commissioners and the Engineer want to make sure that everything is understood by Edge Excavating concerning the project.

D. Sherrick had questions about how high the stone should be on the tile before soil. Asst. Eng. Schnell inquired if Allen County requires stone to be used in all its projects. Mr. Sherrick said yes.

Commissioner Spencer asked if Edge Excavating is still interested in this project. Mr. Sherrick stated that Edge Excavating is willing to work with the Engineer's Staff and doing what is best for the landowners. The work would be completed per the specifications, and if problems or concerns came up, the Engineer's staff would be notified before the company would proceed.

Commissioner Bergman inquired if Edge Excavating included enough money in its bid to furnish stone.

Mr. Sherrick stated that the company would like a day or two to look at the project specifications again. Eng. Reinhart stated that Edge Excavating did a quality job on the Cartwright Ditch. Mr. Quinter stressed that the cost of hiring Tri Co. should be considered by the Edge Excavating.

When asked if a laser would be used. Mr. Sherrick stated that one would be used.

Commissioner Spencer encouraged Mr. Sherrick to take a day or two to look the matter over.

The matter of using stone was discussed again, as was the use of granular soil.

Mr. Sherrick was asked by Eng. Reinhart what his plan is for the project. He plans to get started on the project in March or April and complete the bottom portion of the project. Asst. Eng. Schnell stressed that there must be proper equipment used on the project. Mr. Sherrick reassured the group that the company has the proper equipment to complete the project and make the proper taps.

Engineer Reinhart stated again that the company should look at the numbers again and get back with the Board.

Eng. Reinhart inquired as to when Edge Excavating would be starting the Helmstetter Ditch project. Mr. Sherrick stated that hopefully early to mid February. The location of a gas line was discussed. Mr. Sherrick mentioned that the specs call for going over the gas line.

The meeting concluded at 10:35 a.m.

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
-- December 30, 2008 --**

The Board of County Commissioners convened in regular session in the Commissioners Chambers on Tuesday, December 30, 2008 at 8:00 a.m. with the following members present: John N. Bergman, Ivo J. Kramer and Douglas A. Spencer. The meeting of the Board was called to order by President Bergman. The minutes of the previous meeting were provided to the Board.

**AGENDA**

- 8:00 a.m. Staff meeting (Chambers)
- 10:00 a.m. Reconvene final hearing for Freeman Ditch (Assembly Room)
- 2:00 p.m. Retirement Party for Ivo Kramer (Assembly Room)

**PROCEEDINGS OF THE DAY**

- 8:10 a.m. Staff meeting was held.
- 9:24 p.m. Doug Howard, Veterans Service Officer, met with the Board.
- 10:00 a.m. Board reconvened the final hearing for the Freeman Ditch project. It was held in the Assembly Room of the County Administration Building. After a recess, at approximately 12:30 p.m., the hearing was moved to the Commissioners Chambers. The Board determined that the project should proceed.
- 1:25 a.m. Russ Bailey, County Dog Warden, met with the Board.
- 2:00 p.m. A Retirement Party for Commissioner Kramer was held in the Assembly Room.

**STAFF MEETING**

- Clerk Cordonnier reviewed scheduled appointments through January 17, 2009. Also mentioned was:
- Dog Warden Russ Bailey is taking two hours off this afternoon.
  - Some time ago, Clerk Cordonnier discussed recording equipment for the Assembly Room with Brian Fisher. Mr. Fisher stated that he did not think it would take much to have recording capabilities in the Assembly Room through the audio equipment that is already installed. It was suggested that the Board speak with Mr. Fisher about this possibility.
  - Admin. Lenhart suggested sometime ago that Brian Fisher have business cards as he makes contact with so many outside IT sources, etc. Bornhorst Printing was contacted about said cards with a cost of \$28.81 for 500 cards being given. The Board agreed and directed the Clerk to proceed.
- Asst. Clerk Hill had nothing to report
- Co. Admin. Lenhart inquired about the decision the Board has made concerning the parking lot cabling at Auglaize County Department of Job and Family Services. The proposals were reviewed again, and, after much discussion, the Board accepted the proposal of Smith's Insta Shade as the best and lowest quotation.
- Commissioner Spencer had nothing to report. He thanked Commissioner Kramer for his years of service to the County.
- Commissioner Kramer had nothing to report. As his last staff meeting as Commissioner, he expressed his appreciation to all for the support throughout his terms as Commissioner.
- Commissioner Bergman had nothing to report. He too thanked Commissioner Kramer for his years of service, stating further that he hoped the Freeman Ditch project would be finalized by this afternoon.

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):

- #08-528 Amending annual appropriation for the Rotary Gas Fund.
- #08-529 Authorizing amendment to the 2009 temporary appropriation.
- #08-530 Declaring Resolution #08-520 null and void as directed by the County Auditor.
- #08-531 Authorizing budget adjustment within the Public Defender appropriation.

- #08-532 Authorizing an agreement for contractual services between the Auglaize County Law Enforcement Center and Susan J. Harrod for counseling services.
- #08-533 Amending annual appropriation for Auglaize Acres PA Fund.
- #08-534 Authorizing budget adjustments within the Sheriff appropriation.
- #08-535 Approving contract for Child Care Services between the Auglaize County Department of Job and Family Services and First Baptist DayCare as a full service care provider.
- #08-536 Authorizing a budget adjustment within the Auglaize Acres Fund.
- #08-537 Authorizing budget adjustments within the Public Assistance Fund.
- #08-538 Setting date, time and location at which to convene a Special session of the Auglaize County Board of Commissioners.


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 30th day of December, 2008.

  
\_\_\_\_\_  
John N. Bergman, President

  
\_\_\_\_\_  
Douglas A. Spencer, Vice President

\_\_\_\_\_  
Ivo J. Kramer, Member

  
\_\_\_\_\_  
Joseph R. Lenhart, County Administrator

  
\_\_\_\_\_  
Connie Cordonnier, Clerk of the Board

  
\_\_\_\_\_  
Patricia Hill, Asst. Clerk of the Board

Dated: 01-06-09

Minutes – Freeman Ditch Reconvened Final Hearing  
December 30, 2008

Commissioner John Bergman reconvened the Final Hearing of the Freeman Ditch project at 10:03 a.m.

Those present for the hearing were: Commissioners John Bergman, Douglas Spencer and Ivo Kramer; Board Clerk Connie Cordonnier; County Engineer Doug Reinhart; Asst. Co. Engineer Kevin Schnell; Co. Engineer Employee Matthew Quinter; Landowners Richard Tangeman, Debra Freeman, William Tostrick, Barbara Tostrick, Karen Tostrick, John W. Tostrick, Lewis H. Mancini, Sarah Mancini; Willow Grove Cemetery Vice President Robert W. Weinberg and Secretary/Treasurer Judy Meckstroth; John Adams, State Representative; Judith Haworth, observer. (William Tostrick's son, identified by the Commissioners, was present, but did not sign the sign-in sheet.)

Commissioner Bergman administered the Oath of Testimony to all persons present. The purpose of the hearing was given, along with instructions for participation.

The hearing was then turned over the Co. Engineer Reinhart who introduced Asst. Co. Eng. Schnell and Co. Eng. employee Matt Quinter. A video presentation was given on the history of the project. Aerial photos, taken in 2007, were shown of the 130 acre project. The watershed boundaries as shown are accurate pursuant to Lydar, Soil & Water Conservation District surveys and Co. Engineer's professional surveyors.

The original estimated cost for this project was given in 2006 as \$31,157.50. The estimated cost for completing the project today is \$36,785.00. The cost increase is due to an increase in price of pipe.

Due to a question concerning an optional route for this project, Eng. Reinhart explained that the Engineer's Dept. did explore the possibility. The O.R.C. states the Engineer "shall" look at other routes and find the most practical route.

Eng. Reinhart has determined that the optional route, as suggested, is not a practical route as it would allow the original tile to still be in place. This could cause suck holes; the cost would be increased and there is a high pressure gas line right-of-way with which to contend. This would leave a hazard. It would just not be practical.

An alternate alignment proposal was also explored by the Engineer's Dept. Eng. Reinhart stated that the alternate alignment would be 15' from any of the trees on the Mancini property. The old line would still be there and it would not be on the County maintenance program. Maintenance would be the obligation of the property owners. No trees would be removed and the old line would still be there.

Engineer Reinhart stated that several observations have been presented by the Mancinis:

1. Complimented the Mancinis on investigating their lines. The County used a sewer camera to look at the laterals in their tile and found none. This reduced their acreage from 1 acre to .7 acre.
2. No buildings are hooked into the tile. The driveway on the Mancini property was discussed at length, with Eng. Reinhart stating that when the home was built and the driveway put in, the driveway was not built up as high as it is now.
3. Discussed Mrs. Haworth's situation in the Blew Ditch which is an open ditch in the Sandy Beach area. An alternate route was used in this project as the ditch was moved farther north to square it up.
4. The question of easements was addressed. Eng. Reinhart stated that easements are for drainage only and the County has the right to correct any problems which may come up. There is no

taking of land. After the trench and catch basins are established, there are no problems with acceptance. Laterals were also mentioned. They would be hooked up, but nothing else changes. They must be considered in the project.

Asst. Eng. Schnell reminded Eng. Reinhart to explain "exploratory trenching" for the new main in the Tangeman fields. Mr. Reinhart explained how and why this is done, mainly to find laterals.

The hearing was then turned back to Commissioner Bergman. Mr. Bergman then asked for questions and/or comments for those present.

Lewis Mancini asked Eng. Reinhart to explain ORC 6131.59 and what it implies. Mr. Reinhart's answer concerned a ditch which is proven to have existed for seven years is a public watercourse and anyone can use it. This topic was discussed at length. Mr. Mancini then presented the objections which he and Mrs. Mancini share. (This copy of this presentation is hereto attached. Original can be found in the Freeman Ditch file.)

William Tostrick presented his objections and concerns on the project. He has the major portion of the assessment for the project. He stated that proper maintenance on the lower end of the tile should have been done 30 – 40 years ago. He discussed the two additional drop boxes which Eng. Reinhart has proposed to install. He stated that if the Freemans would install a backflow valve the problem could be alleviated. Mr. Tostrick further mentioned that he was told that the drainage project would improve his corn & bean yields by a great deal. He does not believe this to be true as he feels there will be no benefit. His main concern is cost. The estimate should be lower due to the economy. He then brought up the reappraisal of his land and the increase in his taxes. The areas which concern him in relationship to the project are his taxes have increased, there will be a lien on his property, there will be interest costs and a maintenance assessment.

Commissioner Bergman then asked that only comments relative to this project be made.

William Tostrick then remarked that with the residential homes being built in the country, the owners do not want to accept financial responsibility of living in a rural area. He is opposed to the way the assessments are figured. Eng. Reinhart reiterated that this project is designed for agricultural drainage per Soil & Water standards. Also, when discussing pipe prices, a true assessment of actual cost will be calculated after the bidding process is complete and actual cost can be used in assessing costs to landowners. Eng. Reinhart addressed assessment costs by reminding Mr. Tostrick, who sits on the Board of Supervisors for the County Soil & Water Conservation District, that in the last year, Soil & Water has bid out eight projects using the same method of figuring assessments as is being used on this project.

Asst. Eng. Schnell stated that in 1978 a Group Request Form was circulated to complete this ditch improvement. He inquired why this had not happened. Commissioner Kramer stated that he was involved in the matter while working for the Soil & Water Conservation District. The improvement was not completed due to the group thinking it was too expensive in 1978.

Lewis Mancini then asked Eng. Reinhart about crop benefit. Mr. Mancini mentioned a study completed by Ohio State University concerning ag production. This study was the basis of a question and answer period between Mr. Mancini and Mr. Reinhart. Much discussion continued about benefits versus cost of the project. Commissioner Kramer offered his view points on this matter. Eng. Reinhart stated that if the tile is not replaced soon, there will be a total failure of the line as there would be no outlet for drainage.

Mr. Mancini then addressed assessments and benefits. Mr. Wm. Tostrick stated again that he is not against the project, but he does object to having the majority of the bill. Eng. Reinhart informed Mr. Wm. Tostrick and the group that landowners do not pay for any part of the project that they do not utilize. Commissioner Bergman mentioned an alternative using outlets.

Judy Meckstroth, Secretary of the Willow Grove Cemetery introduced herself, mentioning that she was here representing the cemetery. Robert Weinberg, President of the Willow Grove Cemetery mentioned the drainage/assessment for the cemetery. Eng. Reinhart explained that its assessment is for surface drainage. Mr.

Weinberg stated that the cemetery is gravel soil type. Eng. Reinhart replied that this is a one time assessment for this project. Mr. Weinberg then stated that common sense tells him that the tile needs repair, but questions if the repair will resolve the drainage problem for the Freeman property. Eng. Reinhart stated that he believes there will be definite benefit and not just to the Freeman property.

John Tostrick read a prepared statement of his viewpoints on the Freeman Ditch project. He is objecting to the project. He does not think the project will solve the Freeman problem. The project will provide no benefit to him. His acreage is on a gravel bank and there are no tiles under the road. There will be no increase in productivity – so no benefit to him at all.

At the first final hearing, Eng. Reinhart mentioned permits to have John Tostrick's land overflow from his pond into the canal. Mr. J. Tostrick presented arguments on this matter. He feels no permit is necessary, talking about a prescriptive easement and an OSU Bulletin #822.

He feels it is unfair the way the landowners are assessed. He closed by encouraging Commissioners not to approve the project

Again Lew Mancini, Sarah Mancini and Eng. Reinhart conducted a discussion about different effects of the project. One effect mentioned was the Mancini driveway being raised which adversely effected the whole water flow of this area. Ms. Mancini mentioned a double standard being used with the Mancinis and the Freemans. Ms. Mancini then referred to the Haworth situation involved in the Blew Ditch project.

Commissioner Kramer mentioned that the Mancini's No. 1 objection is the loss of their trees. Mr. Mancini stated that a horticulturist friend stated that some of the trees will be lost in 5 years. Commissioner Kramer stated again that no trees are being taken. There are multiple reasons for this project. Engineer Reinhart mentioned Claims for Damages. Commissioner Spencer asked for a copy of the statement from the horticulturist. This statement was supplied and is attached.

Mr. Mancini gave a rendition of a meeting he had with Jim Freeman about installing a backflow valve on Freeman's sump pump. Mr. Freeman stated, at the time of this meeting, that he would not install a valve.



Conversation continued between the Mancis, Commissioner Spencer, Commissioner Bergman, Matt Quinter about the effects of this project on properties, blow out holes in the yards and fields. Mr. Mancis is opposed to the County having an easement through their property. A prescriptive easement may be right for a neighbor, but it is not the same as a land easement.

Deb Freeman stated that their residence had natural drainage for 21 years, until the former owner of the Mancis property raised the driveway. After that the drainage problems began.

Rick Tangemen expressed his views by saying that it is a community ditch which should have been fixed in 1978. The improvement would benefit everyone. The life span of the clay tile has been exceeded. He believes the project should go forward.

Commissioner Bergman informed those present that the Board of County Commissioners' decision on this project is not based on the number of landowners for or against, but on the basis of the need of not a need for this project.

Lewis & Sarah Mancis again expressed their opposition to the project.

Deb Freeman voted yes for the project.

Bill Tostrick voiced his opposition to the assessments but not to the project.

The Willow Grove Cemetery Board will be meeting soon and Mr. Wineberg and Ms. Meckstroth will discuss it with the Cemetery Board at that time. They did not say yea or nay.

John Tostrick is opposed.

Commissioner Bergman asked Rick Tangeman if he was opposed or in favor. He is in favor of the project.

Commissioner Spencer asked that this reconvened final hearing be recessed for 15 minutes to allow the Commissioners to reread the objections as presented. Roll call vote was called: Mr. Kramer, yes; Mr. Spencer, yes; Mr. Bergman, yes. Motion carried. The hearing was recessed at 12:40 p.m.

At 12:55 p.m., the final hearing was reconvened in the Commissioners Chambers.

Commissioner Bergman asked if the Commissioners have any further additional comments or questions. Commissioners Spencer and Kramer stated no further comments or questions.

Commissioner Kramer expressed the need for the drainage project and the obligation of all property owners to safeguard health benefits, flooding, roads and fiscal benefits. He then made the motion in support of the project.

Hearing the pros and cons for the project, Commissioner Spencer stated that this is a difficult and complicated matter. Mr. Spencer then seconded the motion. A brief discussion was held.

Page 5

Commissioners Bergman feels there is a need for the project. The Board of County Commissioners must look at the need. He further believes in benefits and the safety issue to farmers. Commissioner Spencer mentioned that a need does exist. There are gray areas in the discussion which was held.

Commissioner Bergman then called a roll call vote: Mr. Kramer, yes; Mr. Spencer, no; Mr. Bergman, yes. Motion carried.

Reconvened final hearing on the Freeman Ditch project was adjourned at 1:20 p.m. by Commissioner John Bergman.

Connie Cordonnier  
Board of County Commissioners Clerk