

**IN THE MATTER OF SUPPORTING THE NEED FOR IMMEDIATE FUNDING SUPPORT TO OHIO'S 88 COUNTY SOIL & WATER CONSERVATION DISTRICTS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of December, 2009.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Commissioners seek to increase economic growth and job development in Auglaize County and the State of Ohio;

**WHEREAS**, the Auglaize County Commissioners recognize that conservation programs are a critical component to the sustainability of economic development, food development, the environment, and our quality of life;

**WHEREAS**, the Auglaize County Commissioners values the technical assistance, services and programs the Auglaize SWCD provides to Auglaize County and the State of Ohio;

**WHEREAS**, the Auglaize County Commissioners recognize that strong funding is necessary to enhance urban, suburban, and rural environmental quality; provide for productive soils and clean waters; forestry and wildlife management; improve public health; build sustainable economies and attractive communities; protect fertile farmland and important open spaces; create and maintain adequate recreational opportunities and accompanying infrastructure;

**WHEREAS**, the Auglaize County Commissioners believe the Auglaize SWCD is a cost-effective and efficient intergovernmental partnership which leverages local, state and federal funding for the purpose keeping our county viable, and protecting a way of life;

**WHEREAS**, the Auglaize County Commissioners financially supports the Auglaize SWCD.

**THEREFORE BE IT RESOLVED** that the Auglaize County Commissioners support and urge an immediate funding resolution be approved by the Ohio General Assembly that fully funds the state match appropriation so that Ohio's 88 County SWCDs can continue providing critical conservation programs and practices needed to keep Ohio's soils productive and waters clean, aiding our economy; and enhancing our environment for the quality of life for all Ohioans; and

**BE IT FURTHER RESOLVED** that the Auglaize County Commissioners forward this resolution and any other supporting documents to the Ohio General Assembly.

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

Adopted this  
8th day of  
December, 2009

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

**IN THE MATTER OF SETTING DATE, TIMES AND LOCATION AT WHICH TO CONVENE IN SPECIAL SESSIONS ON DECEMBER 10 & 16, 2009 OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of December, 2009.

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" as follows:

- December 10, 2009- Commissioners Douglas Spencer, Don Regula and John N. Bergman will be attending the Southwestern Auglaize County Chamber of Commerce Holiday Business After Hours which will be held at Minster Eagles, Minster, Ohio from 5:00 to 7:00 p.m.
- December 16, 2009 – the Board of County Commissioners and County Administrator will attend the Wapakoneta Area Economic Development Council Annual Luncheon Meeting being held at The Grand Plaza in Wapakoneta, Ohio from 11:30 a.m. to 1:00 p.m.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby set the above mentioned date, times and place to convene special sessions of said Board; and,

**BE IT FURTHER RESOLVED** that a copy of this Resolution be provided to The Evening Leader, The Wapakoneta Daily News, The Lima News and The Daily Standard to ensure adequate public notice of these special sessions.

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

Adopted this  
8th day of  
December, 2009

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

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO EXCLUDE A BUDGET ADJUSTMENT FROM RESOLUTION #09-466 AND PROCESS A BUDGET ADJUSTMENT AS REQUESTED BY THE COUNTY ENGINEER.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of December, 2009.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the County Auditor brought to the attention of the Board of County Commissioners that the budget adjustment requested for the Engineer Salary line item, in Resolution #09-466, dated December 1, 2009, cannot be completed as requested; and,

**WHEREAS**, the funding for the budget adjustment must come from the MVGT appropriation, County Engineer Doug Reinhart has submitted the following:

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$3,023.32	002.0015.536600 (Bridges & Culverts) (Health Insurance).	002.0013.510100 (Engineer Salary)

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to exclude the budget adjustment as listed in Resolution #09-466 for "002.0013.510100 (Engineer)"; and,

**BE IT FURTHER RESOLVED** that said Board does authorize the County Auditor to process the budget adjustment as requested by the County Engineer and stated 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  
8th day of  
December, 2009

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 Auditor  
 County Engineer

County Commissioners Office  
Auglaize County, Ohio  
December 8, 2009

NO. 09-481

**IN THE MATTER OF RATIFYING THE EXECUTION OF A CONTRACT WITH MIAMI COUNTY COMMISSIONERS FOR THE DETENTION OF JUVENILE OFFENDERS IN THE WEST CENTRAL JUVENILE DETENTION CENTER.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8<sup>th</sup> day of December, 2009.

Commissioner Bergman moved the adoption of the following:  
**RESOLUTION**

**WHEREAS**, Auglaize County Juvenile Court has satisfactorily used the West Central Juvenile Detention Center's program for the detention of juvenile offenders in the past; and,

**WHEREAS**, Juvenile Judge Mark Spees has presented a contract between the Boards of Auglaize County and Miami County Commissioners for said detention of juvenile offenders for the years 2010, 2011 and 2012; said Judge approves same and recommends that the Board of Auglaize County Commissioners approve and execute said contract.

**THEREFORE BE IT RESOLVED**, that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the contract with Miami County Commissioners for the detention of juvenile offenders at the West Central Juvenile Detention Center as stipulated in said contract; ratifying the execution of same.

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

Adopted this  
8<sup>th</sup> day of  
December, 2009

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: Juvenile Judge Mark Spees  
Miami County Commissioners

# CONTRACT

Between the County of Miami, Ohio  
and  
the County of Auglaize, Ohio

For the Detention of Juvenile Offenders

**WHEREAS, THE** County of Auglaize, Ohio, is without facilities for the detention of juvenile offenders and desires that the facilities of West Central Juvenile Detention Center be made available to it for such purposes; and

**WHEREAS,** in the administration of justice, it is necessary from time to time that juvenile offenders accused or convicted of contempt of court, unruliness (as allowed by law), traffic offense or delinquency, be held in detention; and

**WHEREAS,** it is provided by Ohio Revised Code Section 2151.34, state licensed juvenile detention facilities may be constructed for detention of juvenile offenders, and the West Central Juvenile Detention Center is so licensed;

**NOW, THEREFORE,** it is mutually agreed by and between the Board of Commissioners of Auglaize County, Ohio, hereinafter referred to as Auglaize County, duly authorized to enter into this contract by resolution number \_\_\_\_\_ enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and the Board of Commissioners of Miami County, Ohio, hereinafter referred to as Miami County duly authorized to enter into this contract by resolution number \_\_\_\_\_ enacted on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

1. Miami County, for the consideration hereinafter provided to be paid by Auglaize County, shall receive, maintain, feed and keep as provided by law and subject to the order of the Juvenile Court of Auglaize County, Ohio in its detention facility in the West Central Juvenile Detention Center, 2044 N. County Road 25A, Troy, Ohio, such juveniles accused or convicted of contempt, or committed hereto by the police, probation department or juvenile authority of Auglaize County;

2. Miami County agrees to provide and Auglaize County agrees to pay for 7 bed spaces each day for the years 2010, 2011 and 2012. Either party may cancel this agreement with not less than 45 days written notice prior to the expiration of the calendar year for any succeeding calendar year(s). During the year 2009 the rate of payment for each bed space shall be \$90.18 per day. The rate for each succeeding year may be adjusted each year in conformance with the Consumer Price Index, published by the Department of Commerce, U. S. Government not to exceed three (3%) percent.

- ◆ If Auglaize County wishes to increase or decrease the number of beds for any succeeding year, it may do so with written request and written approval of Miami County prior to January 1, 2011 or January 1, 2012 respectively.

- ◆ If Auglaize County wishes to increase or decrease the number of beds during the current year, it may do so with written request and written approval of Miami County prior to June 30<sup>th</sup> of each year respectively.

4. Miami County will provide Detention hearing services at the rate of costs incurred. Auglaize County must request such service. Urine Screens for youth may be requested at time of intake. Miami County shall provide one test. Any other request will be billed to Auglaize County at the rate of costs incurred. Auglaize County shall pay for bed spaces, urine screens and magistrate services monthly.

5. Beds needed in excess of the annual contract will be provided on a space available basis at a daily cost of \$95.18 per bed day.

6. Auglaize County agrees to provide on admission of a child to the facility a copy of the charge or court order under which the child is placed. If no charge is available at the time, then Auglaize County shall by fax or other written document provide a copy of the charges as soon as possible and no later than 10:00 a.m. the following court day. All placements shall be in accordance with the Rules of Juvenile Procedure. If placements are made out of the court hours the placing officer shall first clear the placement with the facility's in-take officer.

7. The consideration provided for under this contract shall be in payment of all services rendered by Miami County including the actual cost for feeding such detainees and the actual cost incurred by Miami County for receiving, maintaining and safely keeping such juveniles. However, should it become necessary in the judgment of the detention facility staff for any such juveniles to be hospitalized or to receive medical treatment by reason of illness or injury (including injury that is self-inflicted by such a juvenile), the cost of such hospitalization or medical treatment shall be assumed and paid for by Auglaize County, provided, however, before undertaking hospital or medical treatment, Miami County shall first contact Auglaize County unless emergency care is required. However, if such illness or injury is incurred because of the negligence of Miami County, Miami County shall be responsible for such hospitalization or medical treatment; and provided further, that Auglaize County shall retain the right to recoup such expenses from the parent, guardian or other individual(s) having care and control of the juvenile offender. Bills for such hospitalization or medical treatment shall be forwarded to Auglaize County at the end of the month along with the itemized bills for the bed space. This contract shall become effective upon the signing thereof by all parties hereto and shall run until and through December 31, 2012. This agreement shall not be modified or changed unless it is done so in writing and by agreement of all parties hereto.

**IN WITNESS THEREOF**, Miami County and Auglaize County, have hereunto set their hands at Troy, Ohio, and Wapakoneta, Ohio, respectively.

BOARD OF COUNTY COMMISSIONERS

Auglaize, COUNTY, OHIO

By: Angela A. Spence

By: Don Beards

By: John N. Bergman

Signed on the 8<sup>th</sup> day of December, 2009

  
\_\_\_\_\_  
Honorable Mark Spees  
Auglaize County Juvenile Court Judge

BOARD OF COUNTY COMMISSIONERS

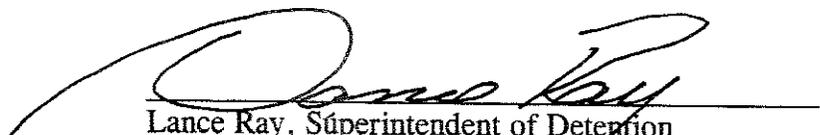
Miami, COUNTY, OHIO

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

  
\_\_\_\_\_  
Lance Ray, Superintendent of Detention  
West Central Juvenile Detention Center

11/25/09  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Honorable W. McGregor Dixon Jr.  
Miami County Juvenile Court Judge

\_\_\_\_\_  
Date

**IN THE MATTER OF AUTHORIZING REPAIRS TO THE COURTHOUSE BOILERS TO BE COMPLETED BY POWER PLANT SERVICE, INC.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of December, 2009.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Maintenance Man Rick Bice reported that a hole was present in one of the boilers used in heating the Courthouse; and,

**WHEREAS**, Power Plant Service, Inc. of Fort Wayne, IN was contacted to inspect the boilers and prepare a cost estimate for the needed repairs; and,

**WHEREAS**, Power Plant Service Inc. determined that the hole in the boiler is repairable and some rivets need to be replaced; the cost was estimated at approximately \$30,000.00.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby accept the proposal of Power Plant Service Inc. in the amount of approximately \$30,000.00 for the repair of the Courthouse boilers located in the Power House; and,

**BE IT FURTHER RESOLVED** that said Power Plant Service Inc. is hereby authorized to repair the hole in the boiler and replace rivets pursuant to the proposal.

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

Adopted this  
8th day of  
December, 2009

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: ✓ Power Plant Service Inc.  
2500 W. Jefferson Blvd.  
Ft. Wayne, IN 46802
- ✓ County maintenance personnel

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8h day of December, 2009.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

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

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

<u>Check No.</u>	<u>Amount</u>	<u>Vendor</u>
334100	193.64	Telephone Service Company
334106	973.76	Brown Supply Company
334110	905.97	City of Wapakoneta
334127	6327.58	Diller Medical, Inc.
334151	183.13	Quality Ready Mix
334155	1268.30	Dickerson Rightway
334194	2970.00	Bowser-Morner, Inc.
334231	3075.42	Hancor
334241	167.70	Schweiterman Pharmacy
334287	295.59	All Phase
334334	512.18	American Health Care

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

Adopted this  
8th day of  
December, 2009

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 Auditor

**IN THE MATTER OF APPROVING A CONTRACT WITH LUCAS COUNTY CORONER FOR AUTOPSY SERVICES; RATIFYING THE EXECUTION OF SAID CONTRACT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8th day of December, 2009.

Commissioner Bergman moved the adoption of the following:  
**RESOLUTION**

**WHEREAS**, a contract was presented to the Board of County Commissioners by County Coroner Thomas Freytag from the Lucas County Coroner for autopsy services as requested and needed by Coroner Thomas Freytag; and,

**WHEREAS**, said contract would be effective January 1, 2010 and terminating December 31, 2010 with the fees of \$1,100.00 per autopsy, including routine toxicology, and travel reimbursement of \$.55 per mile; and

**WHEREAS**, Coroner Freytag approved the terms of the contract and requested that the Board of County Commissioners, Auglaize County, Ohio, authorize and execute the contract.

**THEREFORE BE IT RESOLVED** that the Board of Auglaize County Commissioners does hereby authorize the contract as presented by the Lucas County Coroner for autopsy services as requested by the Auglaize County Coroner; and,

**BE IT FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby ratify the execution of said contract.

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

Adopted this  
8<sup>th</sup> day of  
December, 2009

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 Coroner – Dr. Thomas Freytag, M.D.  
✓ Lucas County Coroner – Dr. James Patrick, M.D.

AGREEMENT

In the matter of autopsies performed       ]   Auglaize County Commissioner's  
for Auglaize County at Lucas County       ]   Office in Wapakoneta, Ohio  
facilities   ]   

THIS AGREEMENT entered into the 1st day of January 2010 by and between the BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE, OHIO, hereinafter referred to as "Auglaize County" and the BOARD OF COUNTY COMMISSIONERS OF LUCAS COUNTY, OHIO, hereinafter referred to as "Lucas County".

WITNESSETH:

WHEREAS, the Auglaize County Coroner has requested that the Lucas County Coroner perform certain necessary autopsies: and

WHEREAS, the Lucas County Coroner has advised that he is willing to perform such services as requested by the Auglaize County Coroner, for the costs incurred during the performance of said work:

NOW, THEREFORE, it is agreed that:

"Lucas County" will:

- A. Perform complete autopsies and/or limited autopsies as requested by "Auglaize County" all in accordance with the applicable law governing such work.
- B. Complete autopsies will include full body examination, microscopies, and toxicology for drugs of abuse and ETOH.
- C. Provide testimony in cases as required by a court of law.

"Auglaize County" will:

- 1. Provide compensation to "Lucas County" in the amount of \$1,100.00 for each complete autopsy performed, including routine toxicology. Non-routine tests and procedures will be billed separately and according to costs incurred.
- 2. Reimburse "Lucas County" for any travel necessary to provide testimony as required by law, at a rate of \$.55 per mile.
- 3. Be responsible for transporting the body to and from the Lucas County facility. Universal precautions are to be used in transport.

It is further agreed by all parties herein concerned that this Agreement shall remain in full force and effect for a period of twelve (12) months effective January 1, 2010 and terminating December 31, 2010. It being understood, however, that either party may terminate this Agreement by giving thirty (30) days written notice of their intent to terminate such Agreement.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement and copies thereof, as of the day, month, and year first above written.

WITNESSED BY:

Carol Lombardi      Donna A. Swann  
Witness      Auglaize County Commissioner

Don Pagula  
Auglaize County Commissioner

John W. Bergman  
Auglaize County Commissioner

Thomas Freytag, M.D.  
Thomas Freytag, M.D.  
Auglaize County Coroner

\_\_\_\_\_  
Witness      Pete Gerken, President  
Lucas County Commissioner

\_\_\_\_\_  
Tina Skeldon Wozniak  
Lucas County Commissioner

\_\_\_\_\_  
Ben Konop  
Lucas County Commissioner

\_\_\_\_\_  
James R. Patrick, MD  
Lucas County Coroner

APPROVED AS TO FORM:

\_\_\_\_\_  
Auglaize County Prosecutor      Date

\_\_\_\_\_  
Lucas County Prosecutor      Date

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT FOR HOMELAND SECURITY.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 8<sup>th</sup> day of December, 2009.

Commissioner Bergman moved the adoption of the following:  
**RESOLUTION**

**WHEREAS**, the following budget adjustment request were submitted by Homeland Security

**Homeland Security**

<b>Amount:</b>	<b>To:</b>	<b>From:</b>
\$ 2,331.95	090.0090.510200 (Salary)	090.0090.536600 (Insurance)

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to make the above listed budget adjustment as requested.

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

Adopted this  
8<sup>th</sup> day of  
December, 2009

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 Auditor  
Homeland Security