

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

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of January, 2015.

Commissioner Bryman moved the adoption of the following:

RESOLUTION

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

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

<u>Check #</u>	<u>Amount</u>	<u>Vendor</u>
391081	\$ 140.00	POSTMASTER, WAPAKONETA
391082	\$ 101.75	CITY OF ST MARYS
391083	\$ 106.08	NATIONAL LIME & STONE COMPANY
391085	\$ 480.91	WAPAKONETA DAILY NEWS
391087	\$ 247.58	CITY OF WAPAKONETA
391088	\$ 190.84	CITY OF WAPAKONETA
391089	\$ 229.87	PERRY PROTECH, INC
391104	\$ 243.90	NEW KNOXVILLE SUPPLY CO INC
391108	\$ 450.00	JULES KRIZAN
391109	\$ 1,017.00	DELTA AIRPORT CONSULTANTS,INC
391109	\$ 113.30	DELTA AIRPORT CONSULTANTS,INC
391114	\$ 795.15	VISA
391117	\$ 216.05	VISA
391119	\$ 1,157.91	VISA
391120	\$ 250.00	KROGER LIMITED PARTNERSHIP
391123	\$ 2,100.00	ECS BILLING & CONSULTING SOUTH
391123	\$ 1,055.00	ECS BILLING & CONSULTING SOUTH
391125	\$ 582.00	BUCKEYE EXTERMINATING INC
391126	\$ 193.00	PITNEY BOWES GLOBAL FINANCIAL
391128	\$ 108.08	J & L POWER EQUIPMENT INC.
391130	\$ 1,250.00	OHIO COUNTY HOME ASSOCIATION
391132	\$ 120.11	AMERICAN ELECTRIC POWER
391133	\$ 874.01	AUGLAIZE ACRES ACTIVITIES DEPT
391134	\$ 120.00	TREASURER OF STATE (FUND 5C2)
391138	\$ 500.00	MILE CREEK ANIMAL HOSPITAL
391141	\$ 7,200.00	RIGHT STUFF SOFTWARE CORP
391143	\$ 3,837.50	SPRING CREEK CORP
391148	\$ 2,184.25	WAPAK FORD, LLC
391149	\$ 467.94	ROBERT M KINSELLA DBA
391150	\$ 6,795.00	THYSSENKRUPP ELEVATOR CORP
391153	\$ 1,558.30	CEMS OF OHIO, INC
391155	\$ 100.00	HIERHOLZER TOWING, INC
391156	\$ 1,338.06	DAYTON SUPERIOR CORP
391161	\$ 174.09	NICKLES BAKERY
391163	\$ 1,591.62	HULL & ASSOCIATES INC
391165	\$ 4,650.00	NEW KNOXVILLE TELEPHONE CO
391169	\$ 564.00	BI, INC
391173	\$10,542.55	GORDON FOOD SERVICE, INC
391174	\$ 1,240.75	DIETARY SOLUTIONS INC
391176	\$ 109.24	CUMMINS BRIDGEWAY LLC
391178	\$ 1,537.00	TREASURER OF STATE OF OH
391181	\$ 537.94	KEEFE SUPPLY CO
391182	\$14,086.30	LIMA ALLEN COUNCIL ON
391187	\$ 100.00	LIMA MEMORIAL HEALTH SYSTEM
391192	\$ 1,000.00	AUGLAIZE CO FAMILY & CHILDREN
391198	\$ 5,000.00	AUGLAIZE CO TREASURER
391199	\$ 1,400.00	AUGLAIZE CO TREASURER
391200	\$ 100.00	AUGLAIZE CO TREASURER
391201	\$ 160.00	LOUELLA REID

Resolution – continued
January 27, 2015
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Commissioner Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Don Regula *Yes*
Douglas A. Spencer

ABSENT _____
Don Regula

John N. Bergman *Yes*
John N. Bergman

✓ cc: County Auditor

IN THE MATTER OF THE BOARD OF AUGLAIZE COUNTY COMMISSIONERS, ACTING AS DIRECTORS OF THE AUGLAIZE COUNTY SOLID WASTE MANAGEMENT DISTRICT, ENTERING INTO AN AGREEMENT WITH GT ENVIRONMENTAL, INC. FOR THE PREPARATION OF THE 2015 ANNUAL REPORT TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of January, 2015.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, it is necessary to submit to the Ohio Environmental Protection Agency (OEPA) an Annual District Report for the Auglaize County Solid Waste District; and,

WHEREAS, GT Environmental, Inc. has presented to the Board of Auglaize County Commissioners, acting as Directors of the Auglaize County Solid Waste Management District, an agreement for professional research and report preparation services for said OEPA Report which is to be submitted by June 1, 2015; and,

WHEREAS, the cost for the above mentioned services was quoted in the agreement as \$5,100.00 which includes the completion of the Auglaize County Solid Waste District 2015 Annual District Report in a form suitable for submission directly to the Ohio Environmental Protection Agency.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, acting as Directors of the Auglaize County Solid Waste Management District, does hereby approve and enter into the agreement with GT Environmental, Inc. for professional research and report preparation services for the annual 2015 OEPA report for the Auglaize County Solid Waste Management District; and,

BE IT FURTHER RESOLVED that the execution of the Annual Report for 2015 are hereby authorized; and,

BE IT FURTHER RESOLVED that payment for the agreed upon services fees will be made with Solid Waste funds.

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

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, ys
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman, ys
John N. Bergman

cc: Solid Waste Coordinator – Scott Cisco
GT Environmental Inc. – Jim Skora

IN THE MATTER OF ACCEPTING THE TERMINATION NOTICE FROM KGS INVESTMENTS, LLC SAID COMPANY FROM AUGLAIZE COUNTY NEIL ARMSTRONG AIRPORT HANGAR LEASE.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 27th day of January, 2015.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on December 30, 2014, in Resolution #14-593, the Board of County Commissioners approved and entered into an Auglaize County Neil Armstrong Airport Hangar Rental Agreement with KGS Investments, LLC; and,

WHEREAS, KGS Investments has submitted a termination notice to the Board on January 1, 2015 notifying said Board that the above mentioned lease agreement is to be terminated, effective on January 31, 2015.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby accept the hangar lease termination notice from KGS Investments, LLC; and,

BE IT FURTHER RESOLVED that the Board of Auglaize County Commissioners, does hereby release KGS Investments, LLC from said airport hangar lease agreement at Neil Armstrong Airport, effective January 31, 2015.

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

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman Yes
John N. Bergman

cc: Matthew Bailey – Airport Manager
Brent Richter – Airport Authority

IN THE MATTER OF APPROVING A CONTRACT BETWEEN AUGLAIZE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND KEEPING KIDS SAFE, INC.

The Board of County Commissioners of Auglaize County, Ohio met in special session on the 27th day of January, 2015.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Auglaize County Department of Job and Family Services has the responsibility of contracting with various agencies for placement and related services for children who are in the care and custody of said Department, as well as, the protective services for dependent, neglected and abused children; and,

WHEREAS, a contract for said professional services, between the Auglaize County Department of Job and Family Services, a Title IV-E Agency, and Keeping Kids Safe, Inc. was provided to the Board of County Commissioners by the Job & Family Services Dept. with a request that the Board approve the contract with the term of contract being January 1, 2015 through December 31, 2015 at the maximum cost of \$27,375.00 for contracted services.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby approve the contract between Auglaize County Department of Job and Family Services and Keeping Kids Safe, Inc. for the professional services to dependent, neglected and abused children in the custody and care of the Job & Family Services Dept.; and,

BE IT FURTHER RESOLVED that the Board does hereby ratify the execution of said contract by the Board of County Commissioners.

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

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman, yes
John N. Bergman

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

IN THE MATTER OF ACCEPTING THE PETITION FOR AN ANNEXATION, AS A "REGULAR" ANNEXATION PROCEDURE, OF CERTAIN LAND (14.663 ACRES, MORE OR LESS) TO THE CITY OF WAPAKONETA, AS FILED BY KYLE J. BINKLEY AND BRAD J. CORE, NAMED AS AGENTS FOR PETITIONER H & B PARTNERSHIP: SETTING HEARING DATE AND TIME FOR ANNEXATION.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of January, 2015.

Commissioner Beyman moved the adoption of the following:

RESOLUTION

WHEREAS, a petition for the annexation of certain territory 14.663 acres, more or less, situated in the State of Ohio, County of Auglaize, Township of Duchouquet, contiguous to the City of Wapakoneta, was presented to the Clerk of the Board of Auglaize County Commissioners on January 20, 2015, having been filed by Kyle J. Binkley and Brad J. Core designated as Agents for petitioner, the H & B Partnership; praying that the following described territory be annexed to the City of Wapakoneta:

BEING 14.663 ACRES OWNED BY THE H & B PARTNERSHIP AS BEING A PART OF THE DUCHOUQUET RESERVE COMMONLY REFERRED TO AS LYING WITHIN THE CONFINES OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTHWEST QUARTER OF SECTION 31, TOWN 5 SOUTH, RANGE 6 EAST, DUCHOUQUET TOWNSHIP, AUGLAIZE COUNTY, OHIO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at an Existing Monument Box at the NE corner of the SE ¼ of Section 25, Town 5 South, Range 5 East, Moulton Township (Centerline of Ramga Road); thence N 00°-50'-24" E with the W Line of the SW ¼ of Section 30, Town 5 South, Range 6 East, Duchouquet Township (Centerline of Ramga Road), 6.78' to an existing Cotton Gin Spindle; thence S 89°-39'15" E with the N line of the SW ¼ of Section 30, 1,051.44' to an existing ½" Iron Pipe on the westerly line of a 41.5 acre parcel in the name of H&B Partnership (as referenced in OR 648, Page 496); thence S 00°-42'36" W with said westerly line, 1,445.81' to an existing ½" Iron Pipe; thence S 00°-51'-38" W continuing with said westerly line, 327.97' to an existing #5 Rebar at the POINT OF BEGINNING; thence the following courses:

thence, N 89°-56'-39" E, 773.40' to an Existing ½" Iron Pipe;

thence, S 00°-19'-05" W, 599.93' to a point in the center of the Auglaize River, passing a set #5 Rebar at 549.56';

thence, S 70°-13'-15" W with the centerline of the Auglaize River, 249.83' to a point and being referenced by a ½" Iron Pipe at N 36°-16'29" W, 46.23';

thence, S 42°-18'-04" W continuing with the centerline of the Auglaize River, 381.13' to a point;

thence, N 88°-44'-28" W, 294.03' to an existing ½" Iron Pipe, passing an existing ½" Iron Pipe at 33.55';

thence, N 01°-08'-40" E, 201.37' to an existing ½" Iron Pipe;

thence, N 00°-51'-58" E, 757.91' to the POINT OF BEGINNING, passing an existing ½" Iron Pipe at 67.88'.

The above described parcel contains 14.663 acres, more or less, subject to all easements, restrictions and regulations of record.

The system of bearings for this legal description is based on the Ohio State – Plane North Coordinate System. This legal description and accompanying plat represent an actual boundary survey completed under the direct supervision of Kyle J. Binkley, P.S. #8587 on December 26, 2014. All markers called for above are in place; and,

Resolution – continued
Annexation – 14.663 acres/ H&B Partnership
January 27, 2015

WHEREAS, said petition was signed by H&B Partnership, by Gary L. Binkley and Guy Hut, is the only property owner involved; and,

WHEREAS, the Clerk of the Board has caused the petition to be entered upon the record of the proceedings of the Board.

THEREFORE, BE IT RESOLVED that, pursuant to the Ohio Revised Code, Section 709.03, the Board of County Commissioners, Auglaize County, Ohio, does set April 7, 2015 at 10:00 a.m. in the Auglaize County Administration Building, Commissioners Chambers, 209 South Blackhoof Street, Wapakoneta, Ohio, as the date, time, and place to hold a public hearing on the annexation of aforementioned territory to the City of Wapakoneta; and,

BE IT FURTHER RESOLVED that the Board does order that the Agent for the petitioner be notified of the above set hearing date and that said Agent give notice of said hearing in accordance with the law.

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

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Y
Douglas A. Spencer

ABSENT,
Don Regula

John N. Bergman, Y
John N. Bergman

cc: County Auditor
 County Engineer
 Duchouquet Township Trustees
 Kyle J. Binkley & Brad J. Coré Agents
 City of Wapakoneta

IN THE MATTER AUTHORIZING THE COOPERATIVE AGREEMENT WITH PORT AUTHORITY OF ALLEN COUNTY (PAAC) AS RELATED TO ECONOMIC DEVELOPMENT FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 27th day of January, 2015.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of Auglaize County Commissioners has determined that it shall continue efforts to enhance, foster, aid, provide and promote economic development activities within its geographic area; and,

WHEREAS, in lieu of creating a port authority, pursuant to Ohio Revised Code Section 9.482 and 4582.431, the Board of Auglaize County Commissioners is possessed of the power to enter into an agreement with an existing port authority; and,

WHEREAS, pursuant to Ohio Revised Coe Section 4582.431, Port Authority of Allen County (PAAC) is possessed of the power to enter into an agreement with Auglaize County Commissioners, thereby authorizing the Port Authority of Allen County (PAAC), upon the determination of the Auglaize County Commissioners, to exercise any power, perform any function, or render any service on behalf of the Auglaize County Commissioners, which the Board is authorized to exercise, perform or render.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and enter into the Cooperative Agreement with the Port Authority of Allen County (PAAC); and,

BE IT FURTHER RESOLVED, that said Board authorizes the President of the Board to execute said cooperative agreement; and,

BE IT STILL FURTHER RESOLVED that said cooperative agreement will be part of this resolution.

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

Adopted this
27th day of
January, 2015

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

ABSENT
Don Regula

John N. Bergman
John N. Bergman

cc: County Economic Development Directors
✓ Port Authority of Allen County (PAAC) – Jerry Arkebauer

COOPERATIVE AGREEMENT

This Cooperative Agreement is entered into as of the 27th day of January, 2015, by and between the Port Authority of Allen County ("PAAC"), a port authority and body, corporate and politic, duly organized and validly existing under the laws of the State, including Sections 4582.21 through 59 of the Ohio Revised Code ("ORC") (the "Act"), and the County of Auglaize through its Board of County Commissioners ("BOCC"), a county and political subdivision duly organized and validly existing under the laws of the State of Ohio; and

WHEREAS, the BOCC has determined that it shall continue efforts to enhance, foster, aid, provide and promote economic development activities within its geographic area; and

WHEREAS, in lieu of creating a port authority, pursuant to Ohio Revised Code Section 9.482 and 4582.431, the BOCC is possessed of the power to enter into an agreement with an existing port authority, thereby authorizing the port authority to exercise any power, perform any functions or render any service on behalf of the BOCC, which the BOCC is authorized to exercise, perform, or render; and

WHEREAS, pursuant to Ohio Revised Code Section 4582.431, PAAC is possessed of the power to enter into an agreement with the BOCC, thereby authorizing the PAAC to exercise any power, perform any function, or render any service on behalf of the BOCC, which the BOCC is authorized to exercise, perform, or render; and

WHEREAS, the PAAC is possessed of broad powers relating to economic development and the creation and preservation of jobs and employment

opportunities, including those granted pursuant to Ohio Revised Code Section 4582.21, et seq.; and

WHEREAS, PAAC and the BOCC, pursuant to each of its respective authorities and powers, each wishes to enter into this Cooperative Agreement in order for PAAC to assist the BOCC in structuring, acquiring, financing and developing major projects in Auglaize County which may include the acquisition of land, building, and equipment in Auglaize County with the cooperation of BOCC for port authority purposes and each party desires to enter into such agreement to accomplish the same; and

WHEREAS, the Boards of each of PAAC and BOCC have authorized the execution of this agreement.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual covenants herein contained, PAAC and BOCC hereby agree as follows:

1. Cooperative Action. Each of PAAC and BOCC agree to cooperate in the pursuit of major economic development projects in Auglaize County, with particular emphasis on Auglaize County's commonly known as "Job Ready Site." PAAC will provide its executive director, who has more than 27 years of port authority development experience, to work with BOCC on specific major projects when requested by BOCC or any member of the Auglaize County economic development group.
2. Acquisition of Properties. To promote economic development in Auglaize County, BOCC shall consider the involvement of PAAC for economic development projects and will involve PAAC in the structuring, acquisition, financing, construction and development of suitable and appropriate port authority facilities

within Auglaize County when BOCC believes it to be in the best interest of Auglaize County.

3. No BOCC Liability. BOCC shall have no financial liability whatsoever regarding the structuring, acquisition, financing, construction and development of such port authority facilities unless otherwise agreed to in any subsequent written agreement.

4. Sharing of Earned Fees. Any fees earned by PAAC for the acquisition, financing, construction and development of each port authority facility within Auglaize County net of reasonable and necessary expenses shall be shared. Because PAAC will be responsible for all phases of the development of such port authority facilities, PAAC shall be entitled to 85% of the net fees. BOCC shall be entitled to 15% of any and all port authority net fees earned for each project.

5. Termination of Agreement. This Agreement may be terminated at any time by mutual consent, or with thirty (30) days notice from and by one party to the other.

6. Notices. All notices, certificates, requests or other communications hereunder shall be in writing and shall be deemed to be sufficiently given when mailed by registered or certified mail, postage prepaid, and addressed as follows:

Port Authority of Allen County
144 S. Main St., Suite 200
Lima, OH 45801

Auglaize County Board of County Commissioners
209 S. Blackhoof Street, Room 201
Wapakoneta, OH 45895

7. Assignment. This Agreement shall inure to the benefit of the respective parties and their respective permitted successors and assigns provided that this

Agreement may not be assigned without the consent of the parties hereto, any such assignment being void and of no effect.

8. Amendments and Supplements. This Agreement may be amended only by written agreement of the parties duly authorized by their respective governing bodies, as applicable.

9. Execution Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same instrument.

10. Severability. If any provision of this Agreement, or any covenant, obligation or agreement contained herein is determined by a court to be invalid or unenforceable, that determination shall not affect any other provisions, covenants, obligations or agreements, each of which shall be continued and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid or unenforceable application thereof, and each such provision, covenant, obligation or agreement shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.

11. Governing Law. This Agreement shall be deemed to be a contract made under the laws of the State of Ohio and for all purposes shall be governed by and continued in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the
date first above written.

Port Authority of Allen County

By: _____
Marcelyn Boone, Chair

Date: _____

Auglaize County Board of County Commissioners

By: 
Douglas A. Spencer, President

Date: January 27, 2015