

IN THE MATTER OF FIXING DATE AND TIME FOR A PUBLIC HEARING FOR THE BOARD OF THE WERNER, WERNER #2, AND BERGMAN-WERNER COUNTY DITCHES AND TO REEVALUATE THE MAINTENANCE BASE AND REEVALUATE THE WATERSHED MAPS FOR SAID COUNTY DITCH PROJECTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, on March 5, 2024, County Engineer Andrew Baumer, Drainage Engineer Sam Philipot and Drainage Technician TJ Place met with the Board of Auglaize County Commissioners, reviewing plans for the Werner, Werner #2 and Bergman-Werner projects. All three have a separate maintenance account because they were three different ditch petitions. The ditch petitions for Werner (1978), Werner #2 (1987) and Bergman-Werner (1994) were filed with the Soil and Water Conservation District Office; and,

WHEREAS, County Engineer Baumer presented the following correspondence to the Board:

Section 6137 of the Ohio Revised Code allows for us to review such projects and reevaluating of the benefits to the owners within these watersheds and to reestablish the total cost of the project to revised current prices. This review also includes updating the watershed boundaries as well as modifying the base cost for each parcel for all three watersheds.

	WERNER	WERNER #2	BERGMAN-WERNER
Original Petition	Year 1978	Year 1987	Year 1994
Through	Soil & Water	Soil & Water	Soil & Water
Yrs. Old	46	37	30
Acres Drained	680 acres	1,041 acres	400 acres
Length	5,967	3,990	6,351
	Open Ditch	Open Ditch	Tile Ditch
Old Base	\$8,205.00	\$12,908.80	\$65,005.66
New Base	\$44,269.75	\$36,721.65	\$218,794.90
Base Increased	\$36,064.75	\$23,812.85	\$153,789.24
Current Balance	(-\$4,167.36)	\$468.19	\$1,061.94

This department has prepared an assessment base for the property owners within the watersheds and we are asking the Board of Auglaize County Commissioners to set a date, time and location for the purpose of holding a maintenance hearing as outlined in Section 6137 of the Ohio Revised Code. This department will prepare and mail the notices to the property owners within the watershed.

THEREFORE BE IT RESOLVED, the Board of Auglaize County Commissioners, does hereby set **May 2, 2024 at 1:30 p.m.** in the Assembly Room – 2nd Floor in the Administration Building, located 209 S. Blackhoof Street, Wapakoneta, Ohio for the Maintenance Hearing on the Werner, Werner #2, and Bergman-Werner Ditch County Projects.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, Yes
David Bambauer

John N. Bergman, Yes
John N. Bergman

✓ cc: County Engineer

IN THE MATTER OF AUTHORIZING A FINANCIAL COMMITMENT TO SUPPORT THE NATIONAL ENDOWMENT FOR ARTS GRANT THROUGH MY ARTS PLACE IN AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, the Executive Director of My Arts Place has requested that the Auglaize County contribute \$15,000 as a 1 to 1 match for the National Endowment for the Arts Grant Fund.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the financial commitment in the amount of \$15,000.00 shall be made to the My Arts Place and,

BE IT FURTHER RESOLVED that said Board authorizes the Clerk of the Board to proceed with the necessary steps to cause the payment of \$15,000.00, made payable to My Arts Place.

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

Adopted this
14th day of
March 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: Clerk of the Board
My Arts Place

IN THE MATTER OF COMMISSIONERS' FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS FOR KOENIG DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 19th day of March, 2024.

Commissioner David Bambauer made the motion to adopt of the following:

RESOLUTION

WHEREAS, on March 12, 2024 the Board of County Commissioners held the final hearing for the Koenig Ditch project on the Reports and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and,

WHEREAS, said Board finds that due and legal notice of this final hearing has been given as required by law; and,

WHEREAS, said Board has heard all the evidence offered in the proceedings and received and considered all the schedules and reports filed by the County Engineer; and,

WHEREAS, at the time the assessment process was reviewed and assessments were discussed, landowners present were in favor of the project, with some landowners paying cash and for the landowners not present it was recommended for a ten year (20) semi-annual payment financing should be sought for the note for the balance of moneys needed to complete payment of project after the thirty day assessment payment period has passed.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, did hereby rule in favor of this improvement on March 12, 2024 at the final hearing; and,

BE IT STILL FURTHER RESOLVED that said Board does approve the maps, profiles, plans, schedules, and reports prepared and presented by the County Engineer at the final hearing and determined the costs do not exceed the benefits; and,

BE IT STILL FURTHER RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby set **April 25, 2024 at 11:00 a.m.** as the date and time to receive and publicly open bids for the Koenig Ditch Project in the Commissioner's Chambers, Administration Building, 209 S. Blackhoof Street – Room 201, Wapakoneta, Ohio for the construction of this project; and,

BE IT FURTHER RESOLVED that the completion date for this project is **December 31, 2024**; and,

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to proceed with the necessary legal steps to cause for the above bid opening.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: County Engineer

County Commissioners Office
Auglaize County, Ohio
March 19, 2024

NO. #24-169

IN THE MATTER OF AUTHORIZING EMPLOYMENT OF SARA KUCK TO THE POSITION OF FULL-TIME HOUSEKEEPER/JANITOR FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, a resume has been received, reviewed and an interview has been given for the position of full-time housekeeper/janitor; and,

WHEREAS, Sara Kuck was selected to be offered the position contingent on passing a background check and Ms. Kuck agreeing to accept the position.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the employment of Sara Kuck as a full-time housekeeper/janitor as mentioned above contingent on passing a background check; and,

BE IT FURTHER RESOLVED that the following stipulations apply to this employment:

1. Compensation for Ms. Kuck will be \$14.50 per hour or bi-weekly salary of \$1,160.00.
2. There will be a probationary period of 180 days with a potential for up to a .50 cents increase following her probationary period.
3. Ms. Kuck has agreed to and signed the position requirements that are attached.
4. Ms. Kuck will receive health insurance, vacation days and/or holiday pay.
5. Employment to commence as determined by the County Administrator following the passing of the above noted background check.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

John N. Bergman, yes
John N. Bergman

cc: ✓ Sara Kuck
✓ County Auditor
✓ Maintenance Supervisor

County Commissioners Office
Auglaize County, Ohio
March 19, 2024

NO. #24-170

**IN THE MATTER OF APPROVING THE ONE YEAR LEASE AGREEMENT WITH ANDY KUCK, LESSEE,
OF THE COUNTY OWNED FARMLAND TRACT 12284 CONTAINING 16.6 ACRES AT THE NEIL
ARMSTRONG AIRPORT.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of Auglaize County recently purchased the Tract 12284 containing 16.6 acres of farmland located near the Neil Armstrong Airport; and,

WHEREAS, Andy Kuck is the current lessee of the other farmland for the Auglaize County Commissioners and will farm said acreage of the new tract for one year; and,

WHEREAS, the cost per acre will be \$327.01 for the one year lease agreement for a total lease payment of \$5,428.37.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve and authorizes the execute of the one year lease agreement for Tract 12284 containing 16.6 acres with Andy Kuck.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

David Bambauer
David Bambauer

John N. Bergman
John N. Bergman

cc: Clerk of the Board
Andy Kuck

LEASE AGREEMENT

This lease agreement is entered into this 19th day of March, 2024, by and between the Board of County Commissioners, 209 S. Blackhoof Street, Rm 201, Wapakoneta, Ohio 45895, Auglaize County, Ohio, hereinafter known as the **Lessor**, and **Andy Kuck, 11416 Knierim Road, Wapakoneta, Ohio**, hereinafter known as the **Lessee**.

1. Lease of the farm acreage. Lessor hereby leases to the Lessee APPROXIMATELY 16.60 ACRES CONSISTING OF TRACT 12284. Copies of the land map description of said tract is attached hereto marked "Exhibit A".
2. Terms of the Lease. The terms of this lease shall begin on the date the agreement is signed and end at the end of the harvest year of the affected crop, but not to extend beyond midnight on October 31, 2024.
3. Rent. The Lessee agrees to lease the acreage for the consideration of **\$327.01 per acre**, per year, to be paid to the Lessor. The annual lease payment under this contract is to be paid, to the Lessor, at the above address in one payment, no later than April 19, 2024. The County Commissioners' Clerk will invoice the Lessee on March 19, 2024.
4. Repairs of tiles. In the event that drainage tiles are damage or not functioning properly, the Lessee shall notify the Lessor that the leased acreage has incurred tile damage, the Lessor will purchase the required materials and the Lessor will be responsible for all installations including any cost that might be incurred.
5. The Lessor shall be responsible for and shall pay all real estate taxes and assessments due during the term of this lease.
6. Lessee shall secure and shall be responsible for payment of a policy of general liability insurance for said leased premises in the amount of \$1,000,000 coverage and a copy provided to the Lessor. Further, the Lessee, his agents, employees, assigns or heirs shall hold the Lessor, it agents, employs, assigns, and successors harmless on any liability associated with Lessee's use of said premises and shall indemnify the Lessor for any loss or costs associated with a claim arising therefrom.
7. Lessee shall not assign any portion or the whole of premises described in this agreement without the express written consent of the Lessor.
8. This agreement may be terminated at any time by the signed mutual written agreement

of the parties hereto.

9. The Lessee shall not double crop the leased farm ground. Crop stover shall not be removed.
 10. A crop rotation consisting of corn and soybeans will be used. This rotation will be limited to planting the same crop to no more than (2) years in succession, even as it relates to the previous contract period. This applies whether or not the same tenant is involved.
 11. The Board of County Commissioners reserves the right to remove any part of the leased acreage from the agreement. If notification comes after a crop is already planted, both sides must meet a mutual agreement before such acreage is removed from the agreement. If no crop is planted, the acreage will be removed from the lease agreement.
 12. Actual farm yield data is required. If the Lessee carries crop insurance the data from the crop insurance report form must be provided in the same time frame of the insurance carrier. If crop insurance is not carried actual scale tickets by field or yield monitor data by field may be provided. This information is also due by the same reporting date as required by crop insurance.
 13. The Lessee shall apply fertilizer in accordance with acceptable industry practice in order to maintain a sustainable and productive field long term. A copy of the fertilizer application amount by field must be provided to the Lessor by the Lessee within 60 days of application or at other times upon request of the Lessor to the Lessee.
 14. In the event that a petition is filed for a ditch located on or within the leased farmground, Lessee shall make every effort to mitigate potential damages by not planting crops in an impacted area and Lessee shall further assume full responsibility for any crops planted in the impacted area. The Lessor will not pay for damaged crops nor will the lessor, as an owner in the watershed, seek damages for such crops during the ditch petition process. Lessor shall reduce any such lease payment for an impacted area on a per acre basis if crops cannot be planted because of the ditch petition.
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IN WITNESS WHEREOF, the parties have executed this agreement.

ATTEST:

Board of County Commissioners
Auglaize County, Ohio

Esther M. Leffel
Erica L. Preston

Dorothy Spencer
David Bambauer

John N. Bergman

This document was acknowledged before me on March 19, 2024, 2024 by Douglas A. Spencer, David Bambauer and John N. Bergman as the Board of Auglaize County Commissioners.



Erica L. Preston

Notary Public

ATTEST:

Esther M. Leffel

Lessee of Parcel #8, containing 16.60 acres

Name: Andy Kuck

Address: 11416 Knierim Road
Wapakoneta, Ohio 45895

This document was acknowledged before me on March 14, 2024 by

Andy Kuck for name.
(Name)

Esther M. Leffel
Notary Public



ESTHER M. LEFFEL
Notary Public
State of Ohio
My Comm. Expires
February 12, 2027



Auglaize County, Ohio
 110 Industrial Dr. Suite E
 Wapakoneta, OH 45895
 419-738-3918 (p) 855-842-4971 (f)

EXHIBIT A

Farm 6709
Tract 12284



Crops are non-irrigated, intended use is grain, and types are YEL (corn), COM (soybeans), and SRW (wheat) unless otherwise noted.

Common Land Unit

Non-Cropland CRP

Cropland

Tract Boundary

1:4,800

Wetland Determination Identifiers

Restricted Use

Limited Restrictions

Exempt from Conservation

Compliance Provisions

Map Created
 April 14, 2023

Tract Cropland Total: 16.60 acres

NOTES:

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data, as is and as shown, and is responsible for any inaccuracies or consequential damages incurred as a result of any use or reliance on this data outside FSA Programs. Wetland identifiers do not represent the actual, or certified, delineation of wetlands. Refer to your original determination (CPA-C2B and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

IN THE MATTER OF APPROVING THE RE-EVALUATION OF THE ASSESSMENT BASE FOR THE MAINTENANCE FOR THE SANTOMIERI DITCH; CHANGING THE WATERSHED MAP AND CERTIFYING THE MAINTENANCE BASE AND AUTHORIZES A 3% COLLECTION FEE TO BE COLLECTED FOR THE FOLLOWING YEARS 2025 AND 2026 TO THE COUNTY AUDITOR.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, in Resolution #24-057, the Board of Auglaize County Commissioners set this date, March 19, 2024, to hold a public hearing on the base assessments for the Santomieri Ditch Maintenance fund established in 1994; and,

WHEREAS, that this hearing is for the review and re-evaluation of the Santomieri Ditch which is provided under section 6137.112 of the Ohio Revised Code; and,

WHEREAS, in addition to reevaluating the Santomieri watershed; and,

WHEREAS, there currently exists a negative balance in the maintenance fund of \$511.13; and,

WHEREAS, notification of the public hearing and base assessments were given, via U.S. Mail, to all landowners involved in said watershed.

THEREFORE BE IT RESOLVED, that the Board of Auglaize County Commissioners, does hereby approve the re-evaluation of the assessment base from \$2,838.00 to \$14,382.00 and update the watershed boundaries from the 1994 petition Santomieri watershed map; and,

BE IT FURTHER RESOLVED that the Board of Auglaize County Commissioners, does hereby authorize the changes of the watershed map; and,

BE IT STILL FURTHER RESOLVED that beginning with the 2025 tax collection year the Board authorizes a 3% maintenance fee to be charged to the watershed for the collection years 2025 and 2026 for the Santomieri Ditch Maintenance Fund; and,

BE IT STILL FURTHER RESOLVED that said Board certifies to Auglaize County Auditor said maintenance assessment base and acreage adjustments.

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


Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY


Douglas A. Spencer


David Bambauer


John N. Bergman

cc:  Engineer, Auditor

County Commissioners Office
Auglaize County, Ohio
March 19, 2024

NO. #24-172

IN THE MATTER OF APPROVING THE RE-EVALUATION OF THE ASSESSMENT BASE FOR THE MAINTENANCE FOR THE COGAN DITCH; CHANGING THE WATERSHED MAP AND CERTIFYING THE MAINTENANCE BASE AND AUTHORIZES A 8% COLLECTION FEE TO BE COLLECTED FOR THE FOLLOWING YEARS 2025, 2026 AND 2027 TO THE COUNTY AUDITOR.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, in Resolution #24-055, the Board of Auglaize County Commissioners set this date, March 19, 2024, to hold a public hearing on the base assessments for the Cogan Ditch Maintenance fund established in 1995; and,

WHEREAS, that this hearing is for the review and re-evaluation of the Cogan Ditch which is provided under section 6137.112 of the Ohio Revised Code; and,

WHEREAS, in addition to reevaluating the Cogan watershed; and,

WHEREAS, there currently exists a negative balance in the maintenance fund of \$1,211.43; and,

WHEREAS, notification of the public hearing and base assessments were given, via U.S. Mail, to all landowners involved in said watershed.

THEREFORE BE IT RESOLVED, that the Board of Auglaize County Commissioners, does hereby approve the re-evaluation of the assessment base from \$2,929.80 to \$7,200.63 and update the watershed boundaries from the 1995 petition Cogan watershed map; and,

BE IT FURTHER RESOLVED that the Board of Auglaize County Commissioners, does hereby authorize the changes of the watershed map; and,

BE IT STILL FURTHER RESOLVED that beginning with the 2025 tax collection year the Board authorizes a 8% maintenance fee to be charged to the watershed for the collection years 2025, 2026 and 2027 for the Cogan Ditch Maintenance Fund; and,

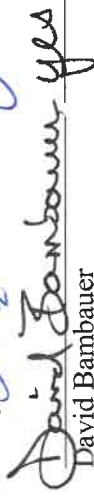
BE IT STILL FURTHER RESOLVED that said Board certifies to Auglaize County Auditor said maintenance assessment base and acreage adjustments.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY


Douglas A. Spencer


David Bambauer


John N. Bergman

cc: Engineer, Auditor

County Commissioners Office
Auglaize County, Ohio
March 19, 2024

NO. #24-173

IN THE MATTER OF AUTHORIZING EMPLOYMENT OF RYAN MILLER TO THE POSITION OF FULL-TIME TECH SUPPORT POSITION FOR AUGLAIZE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of March, 2024.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, Scott Stanford, Assistant Information Technology Manager, recommended to the Board of County Commissioners the employment of a full-time Tech Support position; and,

WHEREAS, the Board solicited resumes for the position, receiving several resumes; and,

WHEREAS, candidates were interviewed for the position by Assistant IT Manager, Scott Stanfired and County Administrator, Erica Preston; and,

WHEREAS, after the interviews Mr. Stanford recommended to the Board that the appointment for the full-time Tech Support position be made to Ryan Miller; and,

WHEREAS, Mr. Miller was contacted about filling the Full-time Tech Support position and he has accepted the position with the effective date of employment following the successful completion of a background check with a starting wage of \$24.10 per hour and there will be a one hundred and eighty (180) day probationary period.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the employment of Ryan Miller as a full-time Tech Support position as mentioned above; and,

BE IT FURTHER RESOLVED that the following stipulations apply to this employment:

1. Compensation for Mr. Miller will be \$24.10 per hour.
2. There will be a probationary period of 180 days, after probation is satisfactorily served.
3. Mr. Miller has agreed to the position requirements.
4. Employment to commence upon the successful completion of a background check.

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

Adopted this
19th day of
March, 2024

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Speiser Yes
Douglas A. Speiser

David Bambauer Yes
David Bambauer

John N. Bergman Yes
John N. Bergman

cc: Ryan Miller
County Auditor
Assistant IT Manager