

County Commissioners Office
Auglaize County, Ohio
March 28, 2023

NO. #23-160

IN THE MATTER OF DOCUMENTING RECEIPT OF THE BID FOR THE 2023 AUGLAIZE COUNTY PAVING PROGRAM; AWARD THE BID TO THE SHELLY COMPANY FOR COUNTY MAINTAINED ROADS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of March, 2023.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, this being the bid opening date March 21, 2023 set in Resolution #23-111, the Board of County Commissioners received and opened a bid for the 2023 Auglaize County Paving Program, anticipating the resurfacing of 11.42 miles of county maintained roadways; and,

WHEREAS, the following bid was received:

From: **Bid**
The Shelly Co., 1700 Fostoria Ave,
Suite 200, Findlay, OH 45840;

Engineer's estimate \$1,739,021.00; and,

WHEREAS, the bid, was reviewed by County Engineer Andrew Baumer and he determined the bid to be a complete bid and acceptable as submitted by the company; and,

WHEREAS, Engineer Baumer submitted a written recommendation to the Board of County Commissioners recommending to the Board of Commissioners to award a contract for the following to The Shelly Company for the 2023 Auglaize County Paving Program.

The Shelly Company was the only bidder at a price of \$1,617,658. The bid is under the estimate and meets all requirements set forth in the bid document and it is our recommendation to award the paving program to The Shelly Company. The completion date of the paving program is September 15, 2023.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby award the 2023 Auglaize County Paving Program to The Shelly Company as recommended by the County Engineer and the miles to be paved with be determined.

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

Adopted this
28th day of
March, 2023

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, Yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

cc: County Engineer
/Bidder

IN THE MATTER OF DOCUMENTING THE RECEIPT OF A BID FOR THE 2023 AUGLAIZE COUNTY BRIDGE PAVING PROGRAM AND AWARDED THE BID TO BUEHLER ASPHALT PAVING INC. AS RECOMMENDED BY COUNTY ENGINEER.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of March, 2023.

Commissioner Baumauer moved the adoption of the following:

RESOLUTION

WHEREAS, March 21, 2023 at 10:30 a.m. was set in Resolution #23-111, for the Board of County Commissioners to receive and publicly open bids for the 2023 Auglaize County Bridge Paving Program on various bridge decks and approaches; and,

WHEREAS, said bid was received as follows:
Buehler Asphalt Paving Inc. \$77,400.00
14475 Lambert Rd.
St. Marys, Ohio 45885
Engineer's Estimate: \$80,000.00; and,

WHEREAS, the Board presented the bid to County Engineer Andrew Baumer for review with a written recommendation being given by Engineer Baumer; and,

WHEREAS the project encompasses placing 200 cubic yards of intermediate and surface mix asphalt. Buehler Asphalt Paving, Inc. was the only bidder at a price of \$77,400.00. The bid under the estimate and meets all requirements set forth in the bid document and is our recommendation to award the paving program to Buehler Asphalt Paving Inc. at a price of \$77,400.00.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby document the receipt of the bid as mentioned above; and,

BE IT FURTHER RESOLVED that the Board awards the bid to Buehler Asphalt Paving, Inc. for the 2023 Auglaize County Bridge Paving Project in the amount of \$77,400.00.

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

Adopted this
28th day of
March, 2023

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

David Baumauer, yes
David Baumauer

cc: County Engineer
Bidder

IN THE MATTER OF ACCEPTING THE RESIGNATION FROM AN EMPLOYEE AS THE SOCIAL SERVICES WORKER 2 POSITION OF THE JOB AND FAMILY SERVICES DEPARTMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of March, 2023.

Commissioner David Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners received correspondence from Job and Family Services Department Director that an employee, Kaitlyn Overmyer, is resigning from her position as the Social Services Worker 2 position effective March 31, 2023. She also thanked the Job and Family Services Department for the opportunity.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby accept the resignation of the Job and Family Services Department employee as the Social Services Worker 2 Position effective March 31, 2023.

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

Adopted this
28th day of
March, 2023

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

cc: Job & Family Services
Kaitlyn Overmyer

County Commissioners Office
Auglaize County, Ohio
March 28, 2023

NO. #23-163

IN THE MATTER OF FIXING DATE AND TIME FOR A PUBLIC HEARING FOR THE CROW DITCH AND TO REEVALUATE THE MAINTENANCE BASE ON SAID DITCH PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of March, 2023.

Commissioner Bambauer moved the adoption of the following:

RESOLUTION

WHEREAS, Drainage Engineer Sam Philpot presented the following correspondence to the Board on March 7, 2023:

In 1988, the Crow Ditch was petitioned through Soil and Water Conservation District, reconstructed and has since been maintained by the Auglaize County Highway Department. This 440 feet long open ditch and 770 feet long tile drains a watershed of 216 acres and in 1988, cost \$7,645.33 for the reconstruction of the ditch and installation of the drainage tile. Since the original construction, the owners within this watershed were systematically, through base assessments, charged a small percentage of their original assessment to keep this project at 100% of its design capacity. After 35 years of our department maintaining this project and using the 1988 construction cost as the base amount, this amount is no longer sufficient enough to keep the account stable due to inflation.

Section 6137 of the Ohio Revised Code allows for us to review such projects and reevaluate the benefits to the owners within this watershed and to reestablish the total cost of the project to revised current prices. After reevaluating the watershed, the new construction base cost for the project is \$32,831.57. This number represents what it would cost today to reconstruct the 1,210 feet of the Clause Ditch as done in 1988 for \$7,645.33. The re-evaluation also has taken into account the many new parcel splits and residences built in the watershed over the past 35 years. This base will be used to generate future collections to reimburse the maintenance account to perform maintenance strictly on this tile ditch such as tile blowouts or replacement and erosion control.

This department has prepared an assessment base for the property owners within the Emerson watershed and we are asking the 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 County Commissioners, of Auglaize County, Ohio does hereby set **May 30, 2023 at 1:30 p.m.** in the Assembly Room – 2nd Floor located at the Administration Building, 209 S. Blackhoof Street, Wapakoneta, Ohio for the Public Hearing on the reevaluation of the Emerson Ditch maintenance base.

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

Adopted this
28th day of
March, 2023

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

David Bambauer, yes
David Bambauer

/cc: County Engineer

Date: MARCH 28, 2023

In the: THE BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA APPROVING
matter of: PROFESSIONAL SERVICES BY MAD SCIENTIST ASSOCIATES, LLC FOR THE LITTLE
CHICKASAW CREEK MUSSEL SURVEY AND RELOCATION

The Board of Directors of Grand Lake St. Marys LFA met in regular session on the 28th day of March, 2023, at the Office of the Mercer County Commissioners in Celina, Ohio with the following members present: Mr. Jerry Laffin, Mr. Rick Muhlenkamp, Mr. David Buschur, Mr. John Bergman, Mr. David Bambauer, and Mr. Doug Spencer.

Mr. John Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, pursuant to Resolution Dated November 24, 2020, the Grand Lake St. Marys LFA Board (LFA) entered into an agreement with Access Engineering Solutions for the Chickasaw Creek Treatment Train Project; and

WHEREAS, Access Engineering Solutions is using Mad Scientist Associates, LLC (MAD), Westerville, Ohio as a sub-consultant on this project; MAD will be performing the majority of the Phase 1 work to enhance water quality functions for the Little Chickasaw Creek; and

WHEREAS, MAD Scientist Associates proposes freshwater mussel survey and relocation services for Little Chickasaw, where living and fresh dead mussels were observed during a habitat survey in February 2023, prior to in-stream construction as part of the Chickasaw Creek Wetland Treatment Train. MAD will develop a Mussel Survey and Relocation Plan for Ohio Department of Natural Resources – Division of Wildlife (ODNR-DOW), conduct survey within the Area of Direct Impact (ADI) and associated upstream and downstream buffers and relocate living mussels to an approved location, and prepare a report with pertinent attachments that will describe methods and findings for ODNR-DOW; and

WHEREAS, the lump sum proposal for the scope of services by MAD is \$7,673.00;

WHEREAS, the services defined hereinabove is not part of the Professional Services Contract with Access Engineering Solutions, LLC; it is recommended that LFA accept the proposal and make payment directly to MAD for said services;

NOW, THEREFORE, BE IT RESOLVED, the Grand Lake St. Marys Lake Facilities Authority Board hereby approves the proposal and Letter of Agreement by Mad Scientist Associates, LLC and authorizes the execution thereof by Chairman Jerry Laffin.

Mr. Rick Muhlenkamp seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

BOARD OF DIRECTORS OF GRAND LAKE ST. MARYS LFA

Mr. Jerry Laffin, yes

Mr. Rick Muhlenkamp, yes

Mr. David Buschur, yes

Mr. David Bambauer, yes

Mr. John Bergman, yes

Mr. Douglas Spencer, yes

Motion carried.

Adopted this 28th day of March, 2023.

ATTEST:

Kim Everman

Kim Everman, Clerk

PETITION FOR ANNEXATION

(Type II Special Annexation Procedure. Section 709.023 of the Ohio Revised Code.)

The undersigned, being 100 percent of the property owners of the real estate hereinafter described, hereby petition that said real estate be annexed to the City of St. Marys under Section 709.023 of the Ohio Revised Code. Attached as Exhibit A is an accurate legal description of the perimeter of the territory proposed for annexation. The above described real estate is adjacent to the City of St. Marys, Auglaize County, Ohio.

Attached as Exhibit B is an accurate map or plat of all tracts, lots or parcels of the territory proposed for annexation, and all tracts, lots, or parcels located adjacent to that territory or located directly across a street or road adjacent to the territory to be annexed.

Attached as Exhibit C is a list of the following:

- The name and mailing address of the owner of each tract, lot or parcel; and,
- The permanent parcel number for each tract, lot, or parcel as established by the Auglaize County Auditor.

Petitioners state that the territory to be annexed is less than 500 acres and does not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation, nor will the annexation create a maintenance problem as defined in Section 709.023(E)(7) of the Ohio Revised Code.

The filing fee of \$50.00 is submitted herewith.

MAR 27 2023

Board of
County Commissioners

Michael Burkholder is appointed Agent for the petitioners as required by R.C. 709.02, with full power and authority to act for the undersigned under Chapter 709 of the Revised Code. The address of the Agent is: 101 E. Spring Street, St. Marys, Ohio 45885.

“WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS’ ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE. ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.”

Sue A Schult

_____ Dated: 3-10-23

_____ Dated: _____

_____ Dated: _____

_____ Dated: _____

_____ Dated: _____

_____ Dated: _____



"Exhibit A"

2.722 Acre Annexation Description

Situate in the State of Ohio, County of Auglaize, Township of St. Mary's and being part of the East half of Section 2, Town 5 South, Range 4 East, and being the same lands conveyed to Trent A. Schultz by deed of record in Original Record Volume 680, Page 38, and being more particularly described as follows:

Beginning at the Center of Section 2, being on the westerly line of said Schultz tract and on the easterly right of way of an unnamed public alley (width varies) as dedicated in Highland Addition (Plat Book 2, Page 79);

Thence continuing along the North-South Half Section line and said easterly right of way, North 00° 58' 08" East, passing an iron pin set at 31.71 feet, a total distance of 77.40 feet to a mag nail set along the centerline of County Road 33A, said point being the northwesterly corner of said Schultz tract, the southeasterly corner of the lands conveyed to Betty Smith by deed of record in Original Record Volume 518, Page 2234 and the southwesterly corner of the lands conveyed to Omnisource, LLC by deeds of record in Original Record Volumes 91, 253 and 698, pages 474, 543 and 4494, respectively;

Thence along the said centerline and the southerly line of said Omnisource tract, North 81°00' 59" East a distance of 400.78 feet to a mag nail set at the northeasterly corner of said Schultz tract, said point also being the northwesterly corner of the lands conveyed to Klosterman vested interests, LLC by deed of record in Original Record Volume 710, Page 138;

Thence leaving the said centerline and the southerly line of said Omnisource tract, along the westerly line of said Klosterman tract, South 00° 43' 24" West a distance of 300.00 feet to an iron pin found at the southeasterly corner of said Schultz tract, said point being an angle point in the westerly line of said Klosterman tract;

Thence continuing along the westerly line of said Klosterman tract, South 81° 03' 30" West a distance of 401.32 feet to a point referenced by a 1" iron pipe found, North 46° 49' 28" East a distance of 8.76 feet and a 5/8" iron pin found, North 81° 03' 30" East a distance of 6.34 feet, said point being the southeasterly corner of said Schultz tract and an angle point in the westerly line of said Klosterman tract, said point also being on the North-South Half Section line and the easterly right of way of said unnamed alley;

Thence along the North-South Half Section line and the easterly right of way of said unnamed alley, North 00° 47' 12" East a distance of 222.40 feet to the True Point of Beginning and containing 2.722 acres, more or less, all of which is located within auditor's parcel K31-002-025-00, and of which 0.432 acres, more or less, are located within the existing right of way of County Road 33A, subject however to all other legal highways and easements of record.

The bearings are based on the centerline of County Road 33A being North 81° 00' 59" East as referenced to the Ohio State Plane Coordinate System, North Zone, NAD83 (2011 NSRS Adjustment) and based on an actual field survey performed October 2022.



Nicholas J. Del Valle
Professional Surveyor No. 8822



2/22/23

Date

TECHNICAL SKILL.
CREATIVE SPIRIT.

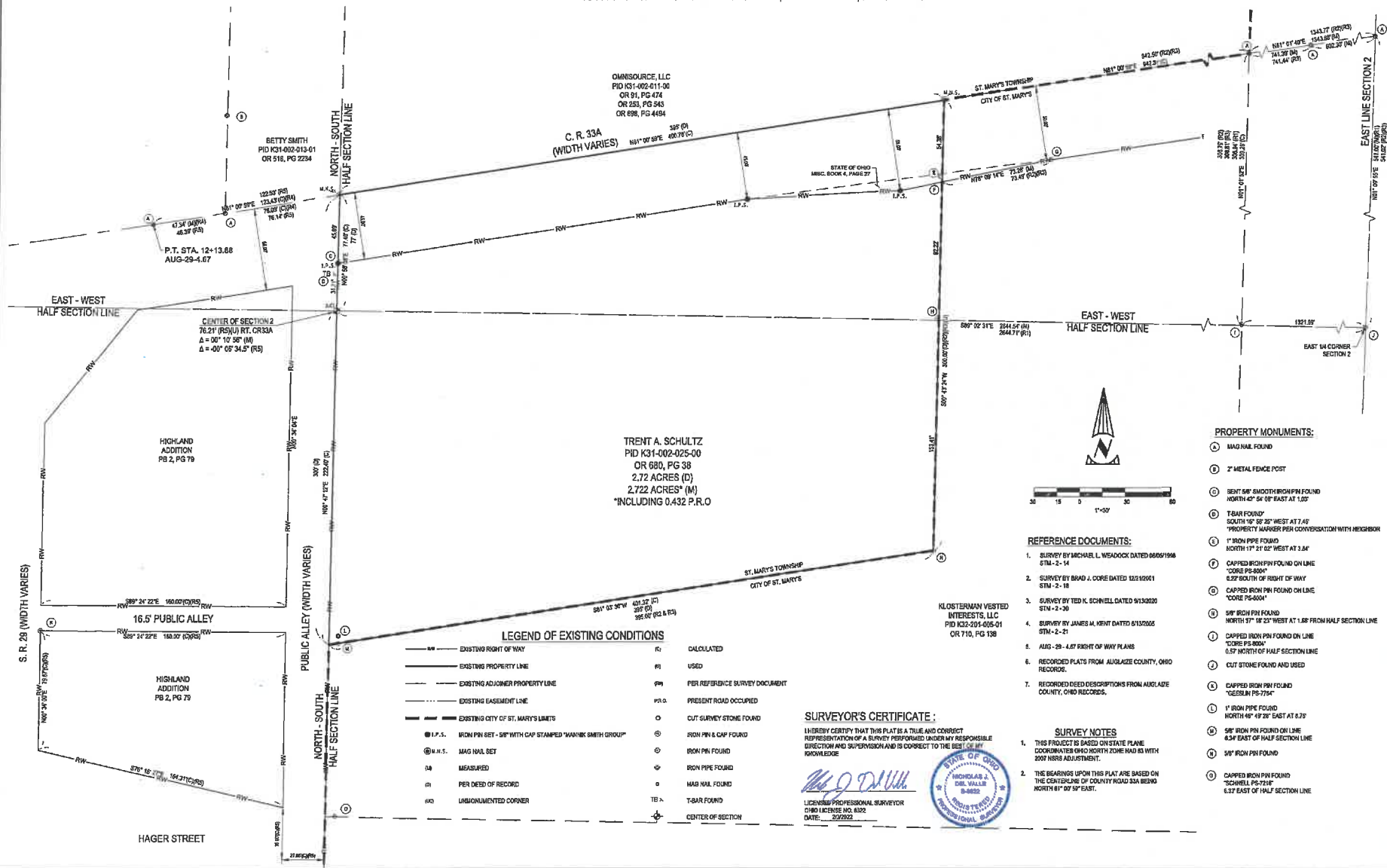
1160 Dublin Road, Suite 100, Columbus, Ohio 43215 Tel: 614.441.4222 Fax: 888.488.7340
www.MannikSmithGroup.com

G472001

"Exhibit B"

ANNEXATION TO THE CITY OF ST. MARY'S

SITUATED IN STATE OF OHIO, COUNTY OF AUGLAIZE, TOWNSHIP OF ST. MARY'S AND
BEING PART OF THE EAST HALF OF SECTION 2, TOWN 5 SOUTH, RANGE 4 EAST



OMNISOURCE, LLC
PID K31-002-011-36
OR 91, PG 474
OR 253, PG 543
OR 698, PG 484

BETTY SMITH
PID K31-002-013-01
OR 516, PG 2234

TRENT A. SCHULTZ
PID K31-002-025-00
OR 680, PG 38
2.72 ACRES (D)
2.722 ACRES* (M)
*INCLUDING 0.432 P.R.O

LEGEND OF EXISTING CONDITIONS

---	EXISTING RIGHT OF WAY	RC	CALCULATED
---	EXISTING PROPERTY LINE	RH	USED
- - - -	EXISTING ADJOINER PROPERTY LINE	RM	PER REFERENCE SURVEY DOCUMENT
---	EXISTING EASEMENT LINE	RM O	PRESIDENT ROAD OCCUPIED
---	EXISTING CITY OF ST. MARY'S LIMITS	OS	CUT SURVEY STONE FOUND
● I.P.S.	IRON PIN SET - 5/8" WITH CAP STAMPED "MANNIK SMITH GROUP"	OF	IRON PIN & CAP FOUND
⊙ M.H.S.	MAG HAIL SET	OI	IRON PIPE FOUND
IM	MEASURED	OP	IRON PIPE FOUND
IR	PER DEED OF RECORD	OM	MAG HAIL FOUND
IRC	UNMONUMENTED CORNER	OT	T-BAR FOUND
		OC	CENTER OF SECTION

SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

M.D. DANIEL
MICHAEL D. DANIEL
STATE OF OHIO
LICENSED PROFESSIONAL SURVEYOR
C.D.#16754
DATE: 02/20/22

- PROPERTY MONUMENTS:**
- A MAG HAIL FOUND
 - B 2" METAL FENCE POST
 - C BENT 5/8" SMOOTH IRON PIN FOUND NORTH 42° 54' OF EAST AT 1.02'
 - D T-BAR FOUND SOUTH 16° 52' 32" WEST AT 7.41' PROPERTY MARKER PER CONVERSATION WITH NEIGHBOR
 - E 1" IRON PIPE FOUND NORTH 17° 21' 02" WEST AT 3.84'
 - F CAPPED IRON PIN FOUND ON LINE "CORE PS-400" 6.27' SOUTH OF RIGHT OF WAY
 - G CAPPED IRON PIN FOUND ON LINE "CORE PS-600A"
 - H 5/8" IRON PIN FOUND NORTH 37° 18' 23" WEST AT 1.82' FROM HALF SECTION LINE
 - I CAPPED IRON PIN FOUND ON LINE "CORE PS-800" 6.37' NORTH OF HALF SECTION LINE
 - J CUT STONE FOUND AND USED
 - K CAPPED IRON PIN FOUND "CESSELIN PS-7754"
 - L 1" IRON PIPE FOUND NORTH 46° 49' 28" EAST AT 8.75'
 - M 5/8" IRON PIN FOUND ON LINE 6.34' EAST OF HALF SECTION LINE
 - N 5/8" IRON PIN FOUND
 - O CAPPED IRON PIN FOUND "SCHRELL PS-7216" 6.37' EAST OF HALF SECTION LINE

- REFERENCE DOCUMENTS:**
- SURVEY BY MICHAEL L. WEADECK DATED 06/05/1984 STM - 2-14
 - SURVEY BY BRAD J. CORE DATED 12/16/2001 STM - 2-18
 - SURVEY BY TED K. SCHNELL DATED 9/13/2020 STM - 2-30
 - SURVEY BY JAMES M. HENT DATED 6/13/2005 STM - 2-21
 - AUG. - 28 - 4.87 BIGHT OF WAY PLANS
 - RECORDED PLATS FROM AUGLAIZE COUNTY, OHIO RECORDED.
 - RECORDED DEED DESCRIPTIONS FROM AUGLAIZE COUNTY, OHIO RECORDS.

SURVEY NOTES

- THIS PROJECT IS BASED ON STATE PLANE COORDINATES (NAD 83) NORTH ZONE HAD IS WITH 2007 METERS ADJUSTMENT.
- THE BEARINGS UPON THIS PLAT ARE BASED ON THE CENTERLINE OF COUNTY ROAD 33A BEING NORTH 81° 07' 59" EAST.

NO.	DATE	DESCRIPTION

PREPARED FOR:	GBT REALTY CORPORATION
PROJECT NAME:	DOLLAR GENERAL - ST. MARY'S
PROJECT NO.:	COUNTY ROAD 33A
DRAWN BY:	ST. MARY'S, OHIO 45885
CHECKED BY:	

PREPARED FOR:	
PROJECT NAME:	
PROJECT NO.:	
DRAWN BY:	
CHECKED BY:	

1	1
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EXHIBIT C

List of properties/owners for Annexation Petition to the city of St. Marys

K3100202500 (parcel ID for annexation)
Trent Schultz
8922 State Route 273 (mailing address of property owner)
Belle Center, OH 43310

List of Adjacent Property Owners for Annexation Petition to the city of St. Marys

K3120200600
Verlin A. Vanover
PO Box 551
St. Marys, OH 45885

K3120200700
Richard D. and Aundrea J. Good
1240 E. Hager St.
St. Marys, OH 45885

K3220100501
Klosterman Vested Interests, LLC
PO Box 443
St. Marys, OH 45885

K3100201100
Omni Source, LLC
7575 W. Jefferson Blvd
Fort Wayne, IN 46804

K3100201301
Betty Smith
04495 County Road 33A
St. Marys, OH 45885
