

IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE A SPECIAL SESSION ON MAY 20, 2009 OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.

The Board of County Commissioners of Auglaize County, Ohio met in Regular session on the 19th day of May, 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"; and,

WHEREAS, the Board must set a special session on May 20, 2009 from 8:00 a.m. until the close of business, for the purpose of attending the Ohio Council of County Officials Legislative Luncheon to be held in the Statehouse Atrium in Columbus, Ohio.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set the above mentioned date, time and place to convene a special session 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 this special session.

Commissioner Regula 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
May, 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 CONTINUANCE/TERMINATION OF TAX INCENTIVE AGREEMENTS WITHIN THE ACTIVE ENTERPRISE ZONES LOCATED IN THE COUNTY.

The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 19th day of May, 2009.

Commissioner Bergman moved the adoption of the following

RESOLUTION

WHEREAS, pursuant to the Ohio Revised Code Section 5709.68, the status of all enterprise zone activities are to be reviewed by the Tax Incentive Review Councils (TIRC) for those communities having established enterprise zones; and,

WHEREAS, Tax Incentive Review Council meetings for all active Enterprise Zones within the County have been completed by various relative review council members; and,

WHEREAS, minutes of each tax incentive agreement review meeting, along with a recommendation of the TIRC from each Enterprise Zone Review Council meeting has been received; same being submitted by County Auditor Janet Schuler.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby make the minutes of Tax Incentive Review Council meetings with Wapakoneta City, St. Marys City, New Bremen, Waynesfield and Minster, along with the recommendations of Auglaize County TIRC for each tax incentive agreement's continuance/termination a part of this Resolution; and,

BE IT FURTHER RESOLVED that said Board of County Commissioners does hereby authorize the continuance/termination of each Tax Incentive Agreement as follows:

Wapakoneta City Enterprise Zone:		St. Marys City Enterprise Zone:	
Gamco	Continue	AAP (1991)	Expired
Midwest Elastomers	Expired	AAP (1997)	Continue
On Time Machines/Kyocera	Expired	AAP (2002)	Continue
Kantner Ingredients/ IDL, INC.	Continue	AAP (2004)	Continue
Waynesfield Village Enterprise Zone:		AAP (2006)	Continue
Fetter Finishing	Continue	EPD Inc.(Goodyear)	Expired
New Bremen Village Enterprise Zone:		Murotech Ohio Corp. (1998)	Continue
Safeway Building	Continue	Murotech Ohio Corp. (2004)	Continue
Minster Village Enterprise Zone:		Omni Mfg. (1996)	Continue
Globus Printing	Expired	Omni Mfg. (2001)	Continue
		Parker Hannafin	Continue
		Setex (1996)	Expired
		Setex (1998)	Expired
		Setex (2001)	Continue

Commissioner Regula 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
May, 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: Village of New Bremen – Karen Mauck
- County Auditor – Janet Schuler
- City of Wapakoneta – Greg Myers
- Companies with tax incentive agreements
- Village of Waynesfield – Michael Ridenour
- Village of Minster – Don Harrod
- St. Marys City – Todd Fleagle

IN THE MATTER OF APPROVING PLANS FOR THE REPLACEMENT OF BRIDGE NO. PUS-120-15.72; PUS-133A-09.10; PUS-106-12.41; GER-65A-07.04; RATIFYING THE EXECUTION OF SAME.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of May, 2009.

Commissioner Bergman moved the adoption of the following
RESOLUTION

WHEREAS, Dan Bennett, County Bridge Engineer, presented to the Board of County Commissioners plans for the replacement of a County bridge along with the following correspondence:

Board of County Commissioners
209 South Blackhoof Street, Suite 201
Wapakoneta, Ohio 45895

May 12, 2009

Re: 2009 Bridge program

Dear Commissioners:

The following plans for 4 bridges that are being renovated by the county forces this year are ready for your review and approval.

- Bridge No.: PUS-120-15.72 is a three span bridge that will be renovated using new county beams. Some repair work on the abutments and piers will be required. Project estimate is \$63,000.
- Bridge No.: PUS-133A-09.10 is a single span bridge that will be renovated with concrete deck support by county beams. Some repair of the existing abutments will be needed. Project estimate is \$32,600.
- Bridge No.: PUS-106-12.41 is the first county beam bridge that needs to have the existing beams replace. The existing abutments will be capped so that the new beams can be crowned. Project estimate is \$30,700.
- Bridge No.: GER-65A-07.04 is a single span bridge that will have the existing beams replace with a new set of county beams. Some repair of the abutments is required. Project estimate is \$32,400.

If you have any question, please contract me.

Respectfully,
s/Dan Allen Bennett
Dan A. Bennett, P.E., P.S.
Bridge Engineer
s/Douglas Reinhart
Doug Reinhart, P.E., P.S.
Auglaize County Engineer

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the replacement plans for the above mentioned bridge as presented by County Bridge Engineer Dan Bennett; and,

BE IT FURTHER RESOLVED that the Board ratifies the execution of the plans for said construction for Bridges Nos. PUS-120-15.72; PUS-133A-09-10; PUS-106-12.41; GER-65A-07.04.

Commissioner Regula 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
May, 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 Engineer - Doug Reinhart
County Bridge Engineer - Dan Bennett

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO THE AMENDED CERTIFICATE OF ESTIMATED RESOURCES AMENDMENTS AS REPORTED BY THE COUNTY AUDITOR: SAME BEING FOR THE VOTE FUND.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of May, 2009.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, under date of January 8, 2009, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2008 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

WHEREAS, County Auditor Janet Schuler informed the Board that an amendment was made to the Annual Amended Official Certificate for the Vote Fund. The 2008 Annual Appropriation should be amended to include the following

Increase 027.0027.530600 Contract Services by \$2,987.05.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2009 Annual Appropriation Resolution be amended to show the changes as tabulated 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
19th day of
May, 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 Janet Schuler
Board of Elections

IN THE MATTER OF ACCEPTING THE DOENGES DITCH PROJECT FROM AUGLAIZE COUNTY SOIL AND WATER CONSERVATION DISTRICT; SETTING DATE AND TIME TO RECEIVE BIDS FOR SAID PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 19th day of May, 2009.

Commissioner Beigman made the motion to adopt of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners received the following letter of recommendation from the Board of Supervisors of the Auglaize Soil and Water Conservation District:

**AUGLAIZE SOIL AND WATER CONSERVATION DISTRICT'
BOARD OF SUPERVISORS MEETING
May 7, 2009**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Doenges Subsurface Drainage Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, May 7, 2009.

John Schwarck called the meeting to order at 2:21 pm. Other board members present were Bill Tostrick, Allen Imwalle and Jerry Lehman.

Jerry Lehman moved to certify the project and the plans to the Auglaize County Commissioners. Bill Tostrick seconded motion. Jerry Lehman, yes; Bill Tostrick, yes; Allen Imwalle, yes; John Schwarck, yes; motion carried.

The following certification is being sent to the Auglaize County Commissioners asking them to adopt the Rules and Regulations of Sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code.

We, the Auglaize Soil and Water Conservation District Board of Supervisors certify our findings after due notice, and conduct of a Public Hearing that on this 7th day of May, 2009 in accordance with the requirements of Section 1515.20 of the Ohio Revised Code. The foregoing findings set forth by the Auglaize Board of Supervisors are as follows:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- County maintenance will be carried out as required by Section 6137 of the Ohio Revised Code.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.
- Proposed assessments (varied rate) for each parcel, determined by the Auglaize County Engineer and approved by the Auglaize County Commissioners, were sent by the Soil & Water Conservation Board of Supervisors, by certified mail, return receipt, to each landowner prior to the public hearing as required under section 1515.24 of the Ohio Revised Code.
- Said legal notice clearly stated: "If you are unable to attend the public hearing and have objections concerning the proposed project, notify the Auglaize SWCD Office in writing at least *five days prior* to the hearing. Failure to notify the Auglaize SWCD of your objections will indicate support for the project."

Resolution – continued

May 19, 2009

Doenges Subsurface Drainage Ditch – bid date

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- The Auglaize county Commissioners and County Engineer were in attendance at said public hearing to explain the method of the assessment determination and hear comments for, and objections against the Doenges Subsurface Drainage Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 0.0% of the estimated cost of the improvement. Therefore landowners bearing 100% of the cost of the improvement were in favor of the construction of the Doenges Subsurface Drainage Ditch.

Attached is a plans of the improvement and an outline of the total project area and the areas benefited by the improvement, in sufficient detail to permit you to approve the improvement in accordance to sections 1515.20 to 1515.29 inclusive of the Ohio Revised Code. We recommend your approval and cooperation.

The meeting was adjourned at 2:22 p.m.

Auglaize Soil and Water Conservation District
s/John L. Schwarck

and,

WHEREAS, the Board of County Commissioners, Auglaize County, Ohio does recognize the need for the Doenges Subsurface Drainage Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

THEREFORE BE IT RESOLVED that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Doenges Subsurface Drainage Ditch legal hearing held May 7, 2009 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

- Construction of improvement will improve water management and development in the project area.
- Cost of improvement was less than benefits to the project area.
- Improvement will benefit the lands by promoting the economical and social development of the area.
- For the health, safety and welfare of area, the Ohio EPA mandates that an adequate subsurface tile exist for all discharges of septic systems for single-family homes.

and,

BE IT FURTHER RESOLVED pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of Doenges Subsurface Drainage Ditch located in Noble Township; and does further certify the estimated assessments for this project; and,

BE IT FURTHER RESOLVED, that the Board witnessed at the SWCD public hearing held May 7, 2009 that the landowners determined: The completion date for construction will be October 1, 2009 and the financing for those not paying their assessment in cash shall be five years (10 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Doenges Subsurface Drainage Ditch project for **June 9, 2009 at 1:45 p.m.**, in the office of the Auglaize County Commissioners, Auglaize County Administration Building, Commissioners Chambers, 209 S. Blackhoof St., Wapakoneta, Ohio; and,

BE IT STILL FURTHER RESOLVED that said Board authorizes the County Engineer to proceed with the necessary legal steps to cause the above mentioned sale; and,

BE IT STILL FURTHER RESOLVED that the records, hereby show that a set of plans and specifications for the Doenges Subsurface Drainage Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

Commissioner Regula 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
May, 2009

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

<u>Douglas A. Spencer</u>	Yes
Douglas A. Spencer	
<u>Don Regula</u>	Yes
Don Regula	
<u>John N. Bergman</u>	yes
John N. Bergman	

cc: ✓ County Engineer
✓ Soil & Water Conservation Office

IN THE MATTER OF SETTING A DATE AND TIME AT WHICH TO HOLD A SECOND PUBLIC HEARING TO RECEIVE PUBLIC COMMENT CONCERNING THE COUNTY'S FISCAL YEAR 2009 COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT FORMULA PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 19th day of May, 2009.

Commissioner Bergman made the motion to adopt the following:

RESOLUTION

WHEREAS, the Board of County Commissioners has been allocated the sum of \$151,000.00 under the Community Development Block Grant Community Development Formula Program; and,

WHEREAS, the Cities of St. Marys and Wapakoneta have been allocated the sums of \$28,100 for street improvements and \$31,500 for sidewalk improvements, respectively, as part of the \$151,000 allocation with the remaining \$91,400 being allocated to the Board; and,

WHEREAS, the Board has reviewed all requests received for funding and has proposed the following projects be submitted as the county's grant application:

Village of Buckland Water & Wastewater Study	\$10,000
Moulton Township Hall Improvements	\$7,000
Village of Cridersville Tower Park Improvements	\$4,800
Mercy Unlimited ADA Entry Doors	\$15,000
County Title Office ADA Improvements	\$28,600
Administration	\$22,000
Fair Housing	<u>\$ 4,000</u>
TOTAL ALLOCATION WITH ST. MARYS CITY AND WAPAKONETA CITY	\$151,000

and,

WHEREAS, it is necessary for the Board to convene a public hearing to allow citizens the opportunity to comment on the County's proposed grant application.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby set June 2, 2009 at 10:00 a.m. as the date and time at which to convene a public hearing in reference to the County's proposed use of the Fiscal Year 2009 Community Development Block Grant Community Development Formula Program allocation with this hearing being convened in the Commissioners Chambers, Auglaize County Administration Building, 209 S. Blackhoof St., Room 201, Wapakoneta, Ohio.

Commissioner Regula 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
May, 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: Poggemeyer Design Group – Dianne Guenther
 Recipients of funding as listed above
 Co. Administrator

*BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO
209 S. Blackhoof St., Wapakoneta, Ohio 45895*

Phone: 419-739-6710

Fax: 419-739-6711

May 19, 2009

TO: The Wapakoneta Daily News

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Public Notice **to be published in The Evening Leader**

Please publish, in the **smallest print possible**, in the Non-Legal Section of **The Evening Leader**, the accompanying Public Notice on Friday, May 22, 2009.

Please send **Certificate of Publication to and invoice to:**

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

Thank you.

NOTICE OF SECOND PUBLIC HEARING
FY 2009 Community Development Block Grant Formula Program

The Auglaize Board of County Commissioners of Auglaize County, Ohio intends to apply to the Ohio Department of Development (ODOD) for funding under the Community Development Block Grant (CDBG) Small Cities Community Development Program, a federal program administered by the State of Ohio. The County is eligible for \$151,000.00 in FY2008 CDBG Community Development Formula funds, providing program requirements are met, and includes allocations for the acquired cities of St. Marys and Wapakoneta. The first of two required public hearings was held March 3, 2009 to inform citizens about the CDBG program, eligible activities, and other requirements. The Board publicly solicited projects from the villages, cities, townships, and other eligible entities in the County.

Based on citizen input and local officials' assessment of needs, the Board is proposing to use the funds as follows:

City of St. Marys Canal/Hager Street Paving	\$28,100
City of Wapakoneta Highland Area Sidewalk Program	\$31,500
Village of Buckland Water & Wastewater Study	\$10,000
Moulton Township Hall Improvements	\$7,000
Village of Cridersville Tower Park Improvements	\$4,800
Mercy Unlimited ADA Entry Doors	\$15,000
County Title Office ADA Improvements	\$28,600
Administration	\$22,000
Fair Housing	<u>\$ 4,000</u>
Total	\$151,000

A second public hearing will be convened by the Board on Tuesday, June 2, 2009 at 10:00 a.m. in the Commissioners Chambers, Auglaize County Administration Building, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895 to give citizens an opportunity to review and comment on the County's proposed projects before the grant application is submitted to the ODOD on or before June 26, 2009.

Citizens are encouraged to attend this public hearing to express their views concerning the application. Should any participant require auxiliary aids due to disability or non-English languages, please contact this office at least one week prior to the hearing date to ensure needs will be accommodated. Citizens wishing to submit written comments prior to the hearing may direct them to the County Administrator at the address given.

By Order of the Board of County Commissioners, Auglaize County, Ohio
Douglas A. Spencer, President
John Bergman
Donald Regula

Publish: Friday, May 22, 2009

IN THE MATTER OF APPROVING 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 19th day of May, 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>
327656	\$58,084.16	Auglaize Co. Job & Family Services

Commissioner Regula 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
May, 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