

County Commissioners Office
Auglaize County, Ohio
May 20, 2014

NO. 14-260

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 20th day of May, 2014.

Commissioner Spencer 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>
383989	\$ 4,703.04	Harrod Nagel Electric
383991	\$ 5,000.00	Alvis House
384005	\$ 183.15	Michelle Kempfer-King
384007	\$ 1,500.00	St. Marys Area Chamber of Commerce
384015	\$ 3,195.00	International Mailing System Inc
384053	\$ 594.00	PDG
384085	\$15,244.00	City of Wapakoneta
384087	\$ 1,398.16	Humana

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

Adopted this
20th day of
May, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT

John N. Bergfman

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

cc: County Auditor

**IN THE MATTER AMENDING RESOLUTION #14-242 TO EXTEND THE SUBGRANT AGREEMENT
ENDING DATE FOR THE TANF SUMMER YOUTH PROGRAM.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 20th day of May, 2014.

Commissioner Spencer the adoption of the following:

RESOLUTION

WHEREAS, the Board of Commissioners, Auglaize County, Ohio in Resolution #12-242 dated May 8, 2014, executed the Ohio Department of Job and Family Services and WIA Area 8 subgrant agreement; and,

WHEREAS, on May 12, 2014 the ACDJFS Director Mike Morrow sent correspondence stating due to recent changes for invoicing the TANF Summer Youth, we need to extend the agreement by one month making the new end date October 31, 2014.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby agree to and does amend Resolution #12-242 making the ending date of the subgrant agreement to October 31, 2014.

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

Adopted this
20th day of
May, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, Yes
Don Regula

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

IN THE MATTER OF ACCEPTING THE RAPP #3 DITCH PROJECT FROM THE 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 20th day of May, 2014.

Commissioner Spencer 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 6, 2014**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Rapp #3 Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, May 6, 2014.

The board gathered for a monthly board meeting the date after the legal hearing (May 7, 2014). Board members present were John Schwarck, Lou Brown, Jeff Zwiebel, Ron Wilker and Rick Place.

Lou Brown moved to certify the project and the plans to the Auglaize County Commissioners. Rick Place seconded motion. Jeff Zwiebel, yes; Rick Place, yes; Ron Wilker, yes; Lou Brown, 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, 2014 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.
- The proposed Rapp #3 Ditch Project addresses the replacement of an existing subsurface tile.
- 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."

- 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 Rapp #3 Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 0.00% 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 Rapp #3 Subsurface Drainage Ditch.
- Group agreed to set the completion date October 15, 2014 and the length of finance would be 8 years.

Attached is a plan 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.

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 Rapp #3 Subsurface 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 Rapp #3 Subsurface Ditch legal hearing held May 6, 2014 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.

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 Rapp #3 Subsurface Ditch located in Logan 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 6, 2014 that the landowners determined: the completion date for the project will be October 15, 2014 and the financing for those not paying their assessment in cash shall be eight years (16 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Rapp #3 Subsurface Ditch project for **June 10, 2014 at 10:00 a.m.**, in the office of the Auglaize County Commissioners, Chambers – Administration Building, 209 S. Blackhoof Street – Room 201, 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 Campbell Subsurface 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
20th day of
May, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT

John N. Bergman

Douglas A. Spencer

Douglas A. Spencer

Yes

Don Regula

Don Regula

Yes

- ✓cc: County Engineer
- ✓Soil & Water Conservation Office

IN THE MATTER OF ACCEPTING THE GIBSON DITCH PROJECT FROM THE 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 20th day of May, 2014.

Commissioner Spencer 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 13, 2014**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Gibson Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, May 13, 2014.

John Schwarck called the meeting to order at 10:15 a.m. Other Board members present were Rick Place and Lou Brown.

Lou Brown moved to certify the project and the plans to the Auglaize County Commissioners. Rick Place seconded motion. Lou Brown, yes; Rick Place, 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 13th day of May, 2014 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.
- The proposed Gibson Ditch Project addresses the replacement of an existing subsurface tile originally installed through a ditch petition in 1930.
- 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."

- 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 Gibson Subsurface Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 0.00% 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 Gibson Subsurface Drainage Ditch.
- Group agreed to set the completion date October 15, 2014 and the length of finance would be 8 years.

Attached is a plan 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 10:16 a.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 Gibson Subsurface 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 Gibson Subsurface Ditch legal hearing held May 13, 2014 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.

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 Gibson Subsurface Ditch located in Logan 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 13, 2014 that the landowners determined: the completion date for the project will be October 15, 2014 and the financing for those not paying their assessment in cash shall be eight years (16 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Gibson Subsurface Ditch project for **June 10, 2014 at 10:10 a.m.**, in the office of the Auglaize County Commissioners, Chambers – Administration Building, 209 S. Blackhoof Street – Room 201, 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 Campbell Subsurface 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.

Resolution – continued
May 20, 2014
Gibson Ditch – bid date
Page 3

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

Adopted this
20th day of
May, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

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

cc: County Engineer
Soil & Water Conservation Office

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

The Board of Auglaize County Commissioners met in regular session on the 20th day of May, 2014.

Commissioner Spencer made the motion to adopt of the following:

RESOLUTION

WHEREAS, on May 15, 2014 the Board of County Commissioners held the final hearing for the Cummins Ditch project on the Reports and Schedules of the County Engineer, the Amendment (Branch #1) to the original petition, and a requested extension of an additional 21 acres into the Cummins Ditch watershed for subsurface drainage only, 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 said landowners requesting that sixteen (16) 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, does hereby rule in favor of this improvement, the Amendment (Branch #1) to the original Petition, and the requested extension of an additional 21 acres of watershed from Parcel D12-003-015-02 into the Cummins Ditch watershed, under the provisions that the original designed tile diameters be up-sized to accommodate the additional 21 Acres of watershed from that Parcel, and that the additional cost to do so is a direct assessment to that Parcel representing a subsurface drainage assessment only into the Cummins Ditch watershed as in its former order; and,

BE IT FURTHER RESOLVED that said Board does hereby acknowledge that in the event of a ditch petitioning procedure for drainage purposes be addressed in the future to the neighboring watershed to the west of this Cummins Ditch project, that the above mentioned 21 Acres of watershed from Parcel D12-003-015-02 shall be involved, assessed, and considered a part of that neighboring watershed, but in a manner pertaining only to surface water drainage, and without any sub-surface water drainage benefit, whatsoever; 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, also approves the associated revisions to the engineer's cost estimates and construction plans of the County Engineer to accommodate an additional 21 Acres of watershed from Parcel D12-003-015-02, and,

BE IT STILL FURTHER RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby set **June 10, 2014 at 10:20 a.m.** as the date and time to receive and publicly open bids 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 September 15, 2014; and,

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

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

Adopted this
20th day of
May, 2014

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer, Yes
Douglas A. Spencer

Don Regula, yes
Don Regula

✓cc: County Engineer