

County Commissioners Office
Auglaize County, Ohio
November 15, 2011

NO. 11-428

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 15th day of November, 2011.

Commissioner Regula 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>
356256	\$ 6,337.07	Diller Medical
356280	\$40,000.00	Buehler Asphalt
356281	\$28,539.98	Buehler Asphalt

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

✓cc: County Auditor

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of November, 2011.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested by Sheriff Allen Solomon to increase the Annual Appropriation with moneys that were certified and unappropriated; and,

WHEREAS, the request is to amend the 2011 Annual Appropriation to reflect the following increase in the 022.0022.530600 GLTF Federal Grant Fund:

Increase 022.0022.530600 (Contract Services) by \$ 15,625.00.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2011 Annual Appropriation Resolution be amended to show the increase as tabulated above.

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: ✓ County Auditor
✓ Sheriff – Allen Solomon

IN THE MATTER OF ACCEPTING THE NEWLAND 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 15th day of November, 2011.

Commissioner Regula 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
October 27, 2011**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Newland Ditch Project in the Commissioners Chambers at Auglaize Acres located at 13093 Infirmary Road., Wapakoneta, Ohio on Tuesday, October 27, 2011.

John Schwarck called the meeting to order at 11:41 a.m. Other board members present were Lou Brown and Karl Marshall.

Lou Brown moved to certify the project and the plans to the Auglaize County Commissioners. Karl Marshall seconded motion. Lou Brown, yes; Karl Marshall, 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 27th day of October, 2011 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 Newland Ditch Project addresses the replacement of an existing subsurface tile originally installed thorough a ditch petition in 1897.
- 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 Newland Subsurface Drainage Ditch.
- At said legal hearing the SWCD Board and County Commissioners heard objections to the proposed improvement representing assessments amounting to 1.4% of the estimated cost of the improvement. Therefore landowners bearing 98.6% of the cost of the improvement were in favor of the construction of the Newland Subsurface Drainage Ditch.
- Group agreed to set the completion date December 31, 2012 and the length of finance would be 7 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 11:43 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 Newland 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 Newland Subsurface Ditch legal hearing held October 27, 2011 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 Newland Subsurface Ditch located in Wayne 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 October 27, 2011 that the landowners determined: the completion date for the project will be December 31, 2012 and the financing for those not paying their assessment in cash shall be seven years (14 semi-annual installments); and

BE IT FURTHER RESOLVED, that the Board does set the date and time to receive bids for the Newland Subsurface Ditch project for **December 27, 2011 at 10:00 a.m.**, in the office of the Auglaize County Commissioners, Auglaize Acres Building, Commissioners Chambers - Acres, 13093 Infirmery Road, 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 Newland 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 Spencer seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

<u>John N. Bergman</u>	<u>yes</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 APPROVING THE WORK PARTICIPATION CORRECTIVE COMPLIANCE PLAN FOR AUGLAIZE COUNTY JOB AND FAMILY SERVICES WITH 45 CFR 261.21 AND/OR 261.23 IN FFY 2012.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of November, 2011.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, Auglaize County did not meet participation rates FFY 2011 and County failed to have the understanding of the core and non-core hours. County was not completing WPAS/APRT correctly; and,

WHEREAS, on September 6, 2011 it was explained to make meeting participation rates a top priority. All departments will work together to achieve participation rates and new corrective compliance plan was implemented.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and certify the implemented corrective compliance plan for Auglaize County Job and Family Services thus correcting the noncompliance with 45 CFR 261.21 and/or 261.23 in FFY 2012.

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula Yes
Don Regula

cc: Auglaize County Department
of Job & Family Services

**IN THE MATTER OF SETTING DATE, TIME AND LOCATION AT WHICH TO CONVENE
SPECIAL SESSION OF THE AUGLAIZE COUNTY BOARD OF COMMISSIONERS.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of November, 2011.

Commissioner Regula 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 Saturday, November 19, 2011 from 6:30 p.m. to 8:30 p.m. to attend the Auglaize County Township Association Annual Banquet, at the Noble Twp. Community Building, St. Marys, Ohio or until the conclusion of the business for the purpose stated above.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby set Saturday, November 19, 2011 from 6:30 p.m. to 8:30 p.m. or until such time as the meeting is concluded, at the location so named above as the date, time and place to convene a special sessions for 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 these special sessions.

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman . yes
John N. Bergman
Douglas A. Spencer . yes
Douglas A. Spencer
Don Regula . yes
Don Regula

cc: newspapers

IN THE MATTER OF AUTHORIZING AN AGREEMENT FOR CONTRACTUAL SERVICES BETWEEN THE AUGLAIZE COUNTY LAW ENFORCEMENT CENTER AND SUSAN J. HARROD FOR COUNSELING SERVICES.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of November, 2011.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, Sheriff Allen Solomon submitted to the Board of County Commissioners an agreement with Susan J. Harrod of Wapakoneta to provide chemical dependency and mental health counseling/psychotherapy assessment, crisis intervention, stabilization, consultation, prevention, education for inmates at the County Law Enforcement Center; and,

WHEREAS, said services are on an as needed basis, but not less than 140 or more than 416 hours for the duration of this agreement; same being January 1, 2012 through December 31, 2012; cost for direct services is at a rate of \$55.00 per hour and written reports at a rate of \$55.00 per hour; and,

WHEREAS, some of the funding comes from Mental Health and Recovery Services Board, the rate of pay is \$40.00, with this rate for not more than 16 hours a week or \$8,000.00 a year; and,

WHEREAS, Sheriff Solomon requested that the Board authorize and execute this contractual services agreement with Susan J. Harrod as she has completing this professional service since December 2007.

THEREFORE, BE IT RESOLVED that said Board authorize the Agreement for Contractual Services between the Auglaize County Law Enforcement Center and Susan J. Harrod of Wapakoneta, Ohio for said professional services as mentioned above; and ratifies the execution of said Agreement.

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman
John N. Bergman

Douglas A. Spencer *ys*
Douglas A. Spencer

Don Regula *ys*
Don Regula

cc: Sheriff Allen Solomon
Susan J. Harrod

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 15th day of November, 2011.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested to authorize budget adjustments as follows: and,

Municipal Court Judge Fund:

Amount:	From:	To:
\$ 650.00	001.0210.530300 (Supplies)	001.0210.530600 (Contract Services)
\$ 650.00	001.0210.530900 (Other Expenses)	001.0210.530600 (Contract Services)

Public Defender Fund:

Amount:	From:	To:
\$ 1,500.00	001.0605.530300 (Supplies)	001.0605.530901 (Transcripts)
\$ 600.00	001.0605.530300 (Supplies)	001.0605.532800 (Office Rent)

Sanitary Engineer Fund:

Amount:	From:	To:
\$ 2,000.00	001.1001.510200 (Salary)	001.1001.530300 (Supplies)

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustments to show the changes as tabulated above.

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

Adopted this
15th day of
November, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: County Auditor
✓ Judge Gary Herman
✓ Engineer