

**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 23rd day of November, 2010.

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>
345430	\$ 159.12	Brown Supply Company
345433	\$ 175.94	Moulton Gas Service
345439	\$ 1,527.02	Diller Medical
345440	\$ 231.00	Lear Fire Equipment
345467	\$ 920.00	Buehler Asphalt Paving, Inc.
345484	\$35,050.00	AMS Vans
345485	\$ 2,060.00	Rehrig Pacific Company
345507	\$ 9,851.50	Garmann/Miller
345512	\$ 373.29	First Communications
345519	\$ 2,000.25	Four-U-Office Supplies
345522	\$31,790.63	Concept Rehab
345523	\$ 4,440.88	Gordon Foods
345530	\$10,279.58	Beeber Pharmacy
345538	\$12,535.02	West Central JDC
345543	\$ 575.37	KCI USA
345548	\$13,552.34	Treasurer, State of Ohio
345549	\$11,304.46	Treasurer, State of Ohio

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

Adopted this  
23rd day of  
November, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula . yes  
Don Regula

John N. Bergman . yes  
John N. Bergman

Douglas A. Spencer . yes  
Douglas A. Spencer

✓cc: County Auditor

**IN THE MATTER OF DOCUMENTING THE RECEIPT OF QUOTES FOR THE MODIFICATIONS FOR THE TEMPORARY COURT HOUSE AT THE AUGLAIZE COUNTY ADMINISTRATION BUILDING; AWARDING QUOTE TO CHUMS CAPITAL L.L.C.; AUTHORIZING THE PRESIDENT TO EXECUTE THE CONTRACT.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 23rd day of November, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, November 18, 2010, the Board of County Commissioners opened quotes for the modifications for the temporary Court Room at the Auglaize County Administration Building; and

**WHEREAS**, quotes were received from the following companies:

<b>Chums Capital L.L.C.</b> 13376 Linzee Rd, Wapakoneta, Ohio 45895	<b>\$20,925.00</b>
<b>Hume Supply Inc.</b> 1359 East Hanthorn Rd., Lima, Ohio 45804	<b>\$24,847.00</b>
<b>Benchmark Custom Homes Inc.</b> 1010 Timber Trail, Wapakoneta, Ohio 45895	<b>\$25,303.18</b>
<b>Heyne Construction Inc.</b> 199 North Ohio Street, P.O. Box 109, Minster, Ohio 45865;	<b>\$37,300.00</b>

and,

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby document the receipt of quotes for the modifications for the temporary Court Room at the Auglaize County Administration Building; and

**BE IT FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby award the quote for the modifications for the temporary Court Room project to Chums Capital L.L.C. in the amount of \$20,925.00; and

**BE IT STILL FURTHER RESOLVED** that the whole of such work shall be completed and all material furnished by December 10, 2010, provided that the time of furnishing such material and completing such labor shall correspond with the time provided for its use in the progress of the work; and

**BE IT STILL FURTHER RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio does hereby authorize the President of the Board to execute said contract with Chums Capital L.L.C.

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

Adopted  
23rd day of  
November, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula . yes  
Don Regula

John N. Bergman . yes  
John N. Bergman

Douglas A. Spencer . yes  
Douglas A. Spencer

cc: ✓County Administrator –  
✓Bidders

**IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE A SUBORDINATION AGREEMENT FOR THE BENEFIT OF CHIP RECIPIENTS, JEFFREY P. DAMMEYER AND SHEILA J. DAMMEYER.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 23rd day of November, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on August 1, 2007, Jeffrey P. and Sheila J. Dammeyer, executed a Mortgage in favor of the Board of Auglaize County Commissioners as the Board authorized the expenditure of CHIP funds in the total amount of \$34,117.00 for the renovations of the property where Jeffrey P. and Sheila J. Dammeyer now reside in the Township of St. Marys; and,

**WHEREAS**, Jeffrey P. and Sheila J. Dammeyer have now requested the Board to execute a subordination agreement so as to allow them to secure a loan in the amount of \$40,000.00; and

**WHEREAS**, the Board finds the request to be reasonable as the appraised value of the property is \$90,000.00.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the President of the Board to execute the subordination agreement for the benefit of CHIP recipients Jeffrey P. and Sheila J. Dammeyer; and,

**BE IT FURTHER RESOLVED** that a fully executed copy of this agreement be hereto attached and thus become a part of this Resolution.

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

Adopted this  
23rd day of  
November, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

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

Attachment

- Cc: Jeffrey P. and Sheila J. Dammeyer  
✓Minster State Bank – Larry E. Badgett  
✓CHIP file  
✓Prosecuting Attorney – Ed Pierce  
✓County Recorder – Ann Billings

SUBORDINATION OF MORTGAGE

This Subordination Agreement is made \_\_\_\_\_, by Auglaize County Commissioners, under the following circumstance:

A. The Auglaize County Commissioners are the holder of an Open-End Mortgage executed by Jeffrey P Dammeyer and Sheila J Dammeyer, as husband and wife, ("Borrower"), to Auglaize County Commissioners in the sum of \$34,117.00 dated August 1, 2007 and filed for record on August 7, 2007, in Volume 557, Page 837 with the Recorders Office of Auglaize County, Ohio, (the "Existing Mortgage"), which is a lien on the following real estate to wit:

See Attached Exhibit "A" for legal description

B. Minster Bank is the holder of an Open-End Mortgage executed by Sheila J Dammeyer, a single person, in the sum of \$40,000.00 dated \_\_\_\_\_ and filed for record on \_\_\_\_\_ in, Instrument # \_\_\_\_\_ with Recorder of Auglaize County, Ohio (the "New Mortgage"), which is also a lien on the real estate described above

C. As part of the consideration and to induce Minster Bank to make a loan to Sheila J. Dammeyer, Auglaize County Commissioners has agreed to subordinate the lien of the Existing Mortgage of Auglaize County Commissioners to the lien of the New Mortgage of Minster Bank upon the terms and conditions set forth in this agreement.

NOW, THEREFORE, Auglaize County Commissioners and Borrower agree as follows:

1. Auglaize County Commissioners subordinates the lien of the Existing Mortgage to the lien of the new Mortgage of Minster Bank; however, this subordination shall not otherwise affect the validity or priority of the Mortgage of Auglaize County Commissioners.
2. This Subordination Agreement shall be binding upon and inure to the benefit of Minster Bank, and Borrower, and Guarantors their respective successors and assigns.

SIGNED as of the date first written above.

Auglaize County Commissioners

By: Don Regula  
Don Regula, President of Auglaize Co Commissioners

STATE OF OHIO, COUNTY OF AUGLAIZE, ss:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2010 by Don Regula, President of Auglaize County Commissioners.

\_\_\_\_\_  
Notary

This Instrument prepared by Minster Bank.

Real Estate Description  
MINSTER BANK  
For the Mortgage of Sheila Dammeyer

EXHIBIT 'A'

*Situate in the Township of St. Marys, County of Auglaize and State of Ohio, to-wit:*

*The following described tract of land is part of the Southwest Quarter of Section 21, Town 6 South, Range 4 East, St. Marys Township, Auglaize County, Ohio, and is more particularly described as follows:*

*Commencing at a monument box over the stone found at the Northwest corner of the Southwest quarter of Section 21 and in the centerline of Township Road 31 (Tri-Township Road) ; thence S. 00°30'00" W. along the centerline of Township Road 31 and the West line of the Southwest Quarter of Section 21, a distance of 660.00 feet to a R.R. spike found which is the PLACE OF BEGINNING for the tract of land herein described; thence S. 89°28'27" E. along the South property line of a 10.000 acre tract of land as surveyed and described in Deed Volume 12, Page 378, a distance of 417.42 feet to an iron pin set, passing thru an iron pin set for reference at 17.50 feet; thence S. 00°30'00"W., parallel to the West line of the Southwest Quarter of Section 21 and the centerline of Township Road 31, a distance of 208.72 feet to an iron pin set; thence N. 89°29'27" W. a distance of 417.42 feet to a R.R. spike set, passing thru an iron pin set for reference at 399.92 feet; thence N. 00°30'00" E. along the centerline of Township Road 31 and the West line of the Southwest Quarter of Section 21, a distance of 208.72 feet to the R.R. spike which was the true PLACE OF BEGINNING.*

*Containing in all 2.000 acre of which 0.084 acre has been dedicated for highway purposes. The above described tract of land is subject to all legal easements, restrictions and reservations, if any, of record or in use on said premises.*

**IN THE MATTER OF GRANTING AN EXTENSION OF TIME TO COMPLETE SURVEY, REPORTS AND SCHEDULES BY THE COUNTY ENGINEER FOR THE BARNES #2 DITCH PROJECT.**

\*\*\*\*\*

The Board of Auglaize County Commissioners met in regular session on the 23rd day of November, 2010.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, pursuant of Resolution #10-207, dated June 1, 2010, the Engineer's Reports on the Barnes #2 Ditch Project were due to the Board of County Commissioners on this date, September 7, 2010; and,

**WHEREAS**, pursuant of Resolution #10-328, dated August 26, 2010, the Engineer's Reports on the Barnes #2 Ditch Project were due to the Board of County Commissioners on this date, December 7, 2010; and,

**WHEREAS**, another Request for Extension of time to complete survey, reports and scheduled by County Engineer was submitted to the Board of County Commissioners by Asst. County Engineer Kevin Schnell with the following content:

In the Matter of the Barnes #2 Single County Ditch  
Petitioned for by  
Goshen Township Trustees  
And others;

To the Board of Auglaize County Commissioners;

On August 26th, 2010, the Board of County Commissioners set the date of December 7th, 2010 at 10:00 a.m. as the date and time to receive the Report of the County Engineer for the Barnes #2 Ditch project located in Goshen Township.

Due to a few scheduling conflicts, it would be best if we could meet on the 28th day of December, 2010 at 10:00 a.m. as the date and time to receive the Report of the County Engineer for said ditch project.

Respectfully,  
s/Kevin Schnell, Asst. Co. Engineer

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby grant the extension of time for completion and submittal of the Engineer's Reports for the Barnes #2 Single County Ditch to December 28th, 2010 at 10:00 a.m. for reasons so above stated.

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

Adopted this  
23rd day of  
November, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc/County Engineer

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENTS.**

\*\*\*\*\*

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 23rd day of November, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

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

**Municipal Court Judge Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 150.00	001.0210.530600 (Contract Services)	001.0210.530900 (Other Expenses)

**Real Estate Assessment Fund:**

**Amend amount from Resolution #10-446 from \$20,650.00 to \$15,523.00**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 15,523.00	014.0012.530604 (Contract Services)	014.0012.530400 (Equipment)

**CDBG Formula Fund:**

<b>Amount</b>	<b>From:</b>	<b>To:</b>
\$ 600.00	081.0081.530602 (Fair Housing)	081.0081.531000 (Administration)
\$ 2,500.00	081.0081.550200 (Planning)	081.0081.530600 (Projects)
\$ 5,560.35	081.0081.530602 (Fair Housing)	081.0081.530600 (Projects)

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

Adopted this  
23rd day of  
November, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula      *yes*  
Don Regula

John N. Bergman      *yes*  
John N. Bergman

Douglas A. Spencer      *yes*  
Douglas A. Spencer

cc: County Auditor  
Judge Herman  
County Administrator