

County Commissioners Office
Auglaize County, Ohio
October 11, 2018

NO. 18-404

IN THE MATTER OF GRANTING AN ANNEXATION OF 2.04 ACRES, MORE OR LESS, TO THE VILLAGE OF NEW BREMEN FROM JACKSON TOWNSHIP; PETITIONED BY CROWN EQUIPMENT CORPORATION; FILED BY JASON THIS, AGENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of October, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, on October 10, 2018, a petition for annexation of 2.04 acres, more or less, was filed as an Expedited Type 1, with the office of the Board of County Commissioners by Jason This named as Agent for petitioners Crown Equipment Corporation; and,

WHEREAS, the requirements for the filing of said petition were all met by Agent This, including:

- 1.) The petition meets all the requirements set forth in, and was filed in the manner provided, in the Ohio Revised Code Section 709.022.
 - 2.) The persons who signed the petition represent 100% of the owners of the property; signatures having been obtained in the time frame required.
 - 3.) An accurate legal description of the perimeter of the territory proposed to be annexed.
 - 4.) An accurate map or plat of the territory.
 - 5.) Named the party acting as agent for the petitioners.
 - 6.) A list of all tracts, lots or parcels in the territory proposed to be annexed and all tracts, lots or parcels located adjacent to the territory to be annexed, listing the name of owner, mailing address and permanent parcel number from the County Auditor's system (ORC 319.28).
 - 7.) An annexation agreement of the Village of New Bremen and Jackson Township as provided for in ORC 709.192.
- and,

WHEREAS, the petitioners requested that the special procedure be used and waived their right to appeal any action taken by the Board of County Commissioners; and,

WHEREAS, the Board determined that this annexation is in order, meeting all criteria.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio does hereby approve and grant the annexation of 2.04 acres, more or less, to the Village of New Bremen as petitioned by Crown Equipment Corporation pursuant to ORC Section 709.022.

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

Adopted this
11th day of
October, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regulia
Don Regulia

John N. Bergman
John N. Bergman

cc: County Auditor
✓ County Engineer
✓ Jason This, Agent
✓ Jackson Township Trustees
✓ Village of New Bremen

RECEIVED

OCT 10 2018

Board of County Commissioners
Auglaize County, Ohio

ANNEXATION PETITION

The undersigned, CROWN EQUIPMENT CORPORATION, an Ohio corporation, hereinafter referred to as Petitioners, are owners of the following real property located in the Township of Jackson, County of Auglaize and State of Ohio, to-wit:

Tract One:

Exhibit "A" Legal Description as noted in Volume 689, Pages 2025-2027, Auglaize County Recorder's Official Records is owned by Crown Equipment Corporation, an Ohio corporation.

Prior Deed Reference: Volume 689, Pages 2025-2027, Auglaize County Recorder's Official Records.

Parcel No. E14-022-015-00

Premises known as 4574 State Route 66, Minster, Ohio 45865

A copy of the plat of the real estate is attached to this petition.

The owners of the real estate and the mailing address is CROWN EQUIPMENT CORPORATION, an Ohio corporation, whose address is 40-44 South Washington Street, New Bremen, Ohio 45869.

Petitioners represent that they are One Hundred Percent (100%) of the owners of the property described above.

Petitioners therefore petition to annex their property to the Village of New Bremen from the Township of Washington pursuant to Ohio Revised Code Section 709.022. The petitioners represent that the property is not unreasonably large and that on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the petition is granted.

RECEIVED

OCT 10 2018

Board of County Commissioners
Augustine County, Ohio

Attached to this petition is an original copy of the annexation agreement of the Village of New Bremen and Jackson Township.

The undersigned hereby appoints and designates, Jason E. This, as agent for the petitioners, P.O. Box 42, New Bremen, Ohio 45869.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

CROWN EQUIPMENT CORPORATION,
an Ohio corporation

October 9, 2018

Date:

Amulya Girdh

Bradley L. Smith, Assistant Treasurer
40-44 South Washington Street
New Bremen, Ohio 45869

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OCT 10 2018

Board of County Commissioners
Auglaize County, Ohio

I hereby accept the designation as agent for petitioners, dated this 9th day of October, 2018.



Jason M. This
Agent for Petitioners
5030 State Route 66
P.O. Box 42
New Bremen, Ohio 45869
419-629-8108
419-629-0328 (FAX)
jason@this-law.com

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Board of County Commissioners
Auglaize County, Ohio

Pursuant to Ohio Revised Code Section 709.02(D), following is a list of all tracts proposed for annexation and all tracts adjacent to that territory, including the name and mailing address of the owner of each tract and permanent parcel numbering system.

Tracts proposed for Annexation

CROWN EQUIPMENT CORPORATION Approximately 2.04 acres Jackson Township
E14-022-015-00

40-44 South Washington Street
New Bremen, Ohio 45869 (mailing address)

Tracts adjacent to the territory proposed for annexation

Auglaize Mercer Counties Family Y, Inc. 11.502 acres, Section 23, Jackson Township
7590 State Route 703
Celina, Ohio 45822 (mailing address)

E46-023-002-01

4075 Wuebker Road
Minster, Ohio 45865 (physical address)

EDCO Partners LLC 3.077 acres, Section 22, Jackson Township
PT NE

04692 State Route 66
Minster, Ohio 45865 (mailing address)

E46-022-002-01

4692 State Route 66
Minster, Ohio 45865 (physical address)

EDCO Partners LLC 1.13 acres, Section 23, Jackson Township
PT NW

04692 State Route 66
Minster, Ohio 45865 (mailing address)

E46-023-002-03

4State Route 66 (Rear)
Minster, Ohio 45865 (physical address)

RECEIVED

OCT 13 2016

Office of County Commissioners
Arapahoe County, Ohio

Ronald A. Snyder and Susan J. Snyder

3.54 acres, Section 22, Jackson Township
NPT EPT 5 & EPT Lot 6
E14-022-017-00

4611 State Route 66
Minster, Ohio 45865 (mailing address)

4611 State Route 66
Minster, Ohio 45865 (physical address)

A & M Real Estate LLC

4.263 acres, Section 22, Jackson Township
PT OL 3 SMUKE SD & SPT EPT OL 5
.326 AC R/W
E14-022-016-00

4513 State Route 66, PO Box 89
Minster, Ohio 45865 (mailing address)

4513 State Route 66
Minster, Ohio 45865 (physical address)

Crown Equipment Corporation

2.522 acres, Section 23, Jackson Township
PT SW 1/4
E14-023-004-02

40-44 South Washington Street
New Bremen, Ohio 45869 (mailing address)

4444 State Route 66
Minster, Ohio 45865 (physical address)

RECEIVED

607 13 2019

Board of County Commissioners
Auglaize County, Ohio

Exhibit A

[Insert Property description]

Situated in the Township of Jackson, County of Auglaize, and State of Ohio, to-wit:

The following described tract of land is part of the Southeast quarter of the Northeast quarter of Section 22, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio, and is more particularly described as follows:

The place of beginning being the corner stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township; (Stone being in the center of the Wuebker Road);

Thence South 89° 27' 55" West along the center of the Wuebker Road 136.70 feet to a boat spike in the center of State Route 66, being Station 133+82.06 of State Route 66 and Station 20 + 00 of the Wuebker Road;

Thence North 10° 09' 30" West along the center of State Route 66, 497.98 feet to a boat spike;

Thence North 87° 58' 40" East, 222.50 feet to a 12" wood post on the east line of Section 22, Jackson Township;

Thence South 0° 11' 30" East along the East line of Section 22, Jackson Township, 496.65 feet to the stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township which was the place of beginning.

The above described tract of land contains 2.047 acres more or less subject to all legal highways and easements of record.

The area consumed by Highway easements contains 1.023 acres more or less.

The foregoing legal descriptions prepared by Thomas E. Kuck, Registered Surveyor No. 4996.

Parcel No. E14-022-015-00

RECEIVED
02/13/2010
Board of County Commissioners
Auglaize County, Ohio

Prior Reference: Volume 629, Page 1957, Auglaize County Recorder's Official Records.

Premises known as 4574 State Route 66, Minster, Ohio 45865

Parcel Data



October 9, 2018

ParID: E1402201500

Owner: CROWN EQUIPMENT CORPORATION

Parcel Address: 04574 SR 66

Legal Description: PT OUTLOT 4

Section: 22 Town: 7 Range: 4

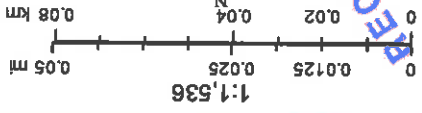
Vol: OR 689 Page: 2025



Tax Map/GIS Mapping
Auglaize County
208 S. Blackfoot Street
Wapakoneta, Ohio 45895

RECEIVED
October 9, 2018
Board of County Commissioners
Auglaize County, Ohio

Mail Owner: CROWN EQUIPMENT CORPORATION
Address 1: 40 44 S WASHINGTON ST
Address 2:
Address 3: NEW BREMEN OH 45869



Auglaize County GIS

**Jackson Township – Village of New Bremen
Annexation Agreement**

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SEP 17 2018

Board of County Commissioners
Highland County, Ohio

This Annexation Agreement (this “*Agreement*”) is made at Auglaize County, Ohio, by and between the Board of Trustees for Jackson Township, Auglaize County, Ohio (hereinafter referred to as “*Township*”), whose mailing address is 47 North Main Street, Minster, Ohio 45865, and the Village of New Bremen (hereinafter referred to as “*Village*”), whose mailing address is 214 North Washington Street, New Bremen, Ohio 45869.

WITNESSETH:

WHEREAS, Township and Village desire to establish an Annexation Agreement, as permitted under Ohio Revised Code Section 709.021, 709.022 and 709.192 for the development of certain real property (hereinafter referred to as “*Property*”), as more fully described in Exhibit A, attached hereto which property is situated in Township and fully owned by the Crown Equipment Corporation, an Ohio corporation (the “*Crown*”); and

WHEREAS, the foregoing described Property is proposed for annexation to Village from Township; and

WHEREAS, Township and Village are desirous of entering into an annexation agreement which contemplates that the Property will be annexed into the Village, with provisions for allocation and/or sharing of tax revenues, and the cooperation for provision of other services to the Property; and

WHEREAS, both Township and Village residents will benefit from the provisions of this Agreement; and

WHEREAS, Township has agreed to enter into this Agreement, pursuant to a Resolution effective August, 2018, and the Village has agreed to enter into this Agreement by Ordinance No. 2018-08-19 effective the 24th day of September, 2018;

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, and pursuant to the Ohio Revised Code, the parties agree as follows:

ARTICLE 1

THE PROPERTY

The Property shall consist of a certain 2.0400 acre parcel and certain portions of certain other parcels owned exclusively by Crown Equipment Corporation, an Ohio corporation, located in Jackson Township, Auglaize County, Ohio as further described in Exhibit A, a map depicting said Property, which is incorporated herein by reference. The Property described in Exhibit A may only be amended by written agreement of the parties to this Agreement and the County.

ARTICLE 2

ANNEXATION

- A. The parties contemplate that the Property shall be annexed into the Village pursuant to and subject to the requirements of the Ohio Revised Code Chapter 709. Township agrees that the annexation of the Property may occur in one proceeding, or in several separate proceedings, in the discretion of the Village, and when the effected by the County as the Property owner. In the event of the failure of the annexation of the Property, this Agreement shall be null and void.
- B. In the event of any annexation of the Property into the Village, it is agreed that the Property shall be treated for tax purposes the same as all other parts of the Village located within Jackson Township following the approval and acceptance of the annexation. The Township and Village shall fully cooperate with the State and Auglaize County officials to create an additional taxing district, if necessary.

ARTICLE 3

COOPERATION OF THE TOWNSHIP

- A. Township hereby assents to the annexation of the Property to Village. Township further agrees to authorize its designated representative to sign any petitions prepared by Village or its agents to agree to the annexation of any roadways or other property owned by it within the Property area.
- B. Township further agrees at the written request of the Village, to appear at any hearings before the County and assist the Village in the annexation of the Property, including providing testimony under oath that Township agrees to the annexation, if necessary.
- C. Township waives any objections to said annexation and waives any rights it may have to contest such annexation, including rights of appeal or injunctive relief, including but not limited to, any rights it may have under Section 709.07 or Chapter 2506 of the Ohio Revised Code.

ARTICLE 4

ALLOCATION OF TAX REVENUES

This Agreement is intended to provide Village, with the same allocation of tax revenues for the Property being annexed as all other portions of the City located within Jackson Township.

In lieu of prorating tax revenues pursuant to Section 709.19 O.R.C., the Village agrees to pay the Township the sum of **\$1,111.10** within sixty (60) days of the passage of the Village Ordinance accepting the property proposed for annexation.

RECEIVED
AUG 10 2015
Board of County Commissioners
Auglaize County, Ohio

ARTICLE 5
POST ANNEXATION GOVERNMENTAL SERVICES

- A. Upon annexation, Village shall be solely responsible for the zoning of the Property.
- B. Village shall provide to the Property the following municipal services: fire and police protection, waste collection, building and code regulations, civil engineering, traffic engineering, street and road maintenance and repair, parks and recreation, fair employment, fair housing, community development and planning, housing inspection, health and environmental services, economic development and water and sanitary sewer services and municipal electric services, with cost being allocated pursuant to normal Village procedures. The parties agree that the Property is entitled to standard governmental services by Village in the same manner such services are provided to other areas of Village.
- C. The parties agree that the Property is entitled to standard fire protection and emergency medical services by Village and Township in the manner such services are provided to other areas of Village and Township.
- D. Village shall not require any Township representative, Township employee, school or non-profit organization to sign an annexation proxy or consent as a condition precedent to obtaining water service.
- E. All roadways within the Property that will have been the Township's responsibility to maintain and improve but for the annexation shall become the responsibility of Village to maintain and improve. This shall include routine road and street maintenance, including snowplowing, repairing of chuckholes and signage. This shall also include the cost of road capital improvements.

ARTICLE 6
MEDIATION AND NOTICE OF CLAIMED BREACH

In the event the parties have a dispute as to any of the terms or to the applicability of this Agreement, the parties agree to use their best efforts to resolve the dispute through a mutually acceptable mediation process or, if they are unable to agree, to utilize whatever mediation process may then be in existence and used by the Auglaize County Common Pleas Court. Each party retains all legal rights available to them under this Agreement and under the law.

ARTICLE 7
MUNICIPAL POWER

Nothing in this Agreement shall be construed to be in derogation of the powers granted to municipal corporations by Article XVIII of the Ohio Constitution.

RECEIVED

OCT 10 2010

**Board of County Commissioners
Auglaize County, Ohio**

ARTICLE 8

MODIFICATION

This Agreement may not be modified except by official legislative action of both Village and Township.

ARTICLE 9

LEGAL CONSTRUCTION

In the event that any one or more of the provisions contained in this Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not be affected by any other provision of this Agreement. The titles of the Articles of this Agreement are descriptive only and are not to be considered substantive provisions of this Agreement.

ARTICLE 10

PRIOR AGREEMENTS SUPERSEDED

This Agreement constitutes the entire agreement of the parties and supersedes any prior understandings, or previous oral or written agreements between the parties respecting the subject matter of this Agreement.

ARTICLE 11

GOVERNING LAW

This Agreement, and all the rights, duties and obligations of Village and Township, shall be construed under and in accordance with the laws of the State of Ohio, and all obligations of the parties hereunder are performable in Auglaize County, Ohio.

ARTICLE 12

ASSIGNMENT

This Agreement shall be binding upon and inure to the benefit of the parties, their agents, servants, officials, trustees, employees, representatives, assigns and successors.

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[Remainder of Page Intentionally Left Blank]

2018 SEP 24
Board of County Commissioners
Augusta County, West Virginia

In Witness Whereof, this Annexation Agreement is executed, in duplicate, at Auglaize County, Ohio, on the date set forth below.

The Village of New Bremen

By: Jeffrey D. Payne

Its Mayor: Jeff Payne

Date: September 24, 2018

The Board of Trustees For
Jackson Township

By: Ken Jenner

By: Jim Steeneman

By: Matt Oberding

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

J. Kus
Village Solicitor

Eric Hain
County Prosecutor

RECEIVED



Exhibit A

[Insert Property description]

Situated in the Township of Jackson, County of Auglaize, and State of Ohio, to-wit:

The following described tract of land is part of the Southeast quarter of the Northeast quarter of Section 22, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio, and is more particularly described as follows:

The place of beginning being the corner stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township; (Stone being in the center of the Wuebker Road);

Thence South 89° 27' 55" West along the center of the Wuebker Road 136.70 feet to a boat spike in the center of State Route 66, being Station 133+82.06 of State Route 66 and Station 20 + 00 of the Wuebker Road;

Thence North 10° 09' 30" West along the center of State Route 66, 497.98 feet to a boat spike;

Thence North 87° 58' 40" East, 222.50 feet to a 12" wood post on the east line of Section 22, Jackson Township;

Thence South 0° 11' 30" East along the East line of Section 22, Jackson Township, 496.65 feet to the stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township which was the place of beginning.

The above described tract of land contains 2.047 acres more or less subject to all legal highways sand easements of record.

The area consumed by Highway easements contains 1.023 acres more or less.

The foregoing legal descriptions prepared by Thomas E. Kuck, Registered Surveyor No. 4996.

Parcel No. E14-022-015-00

Prior Reference: Volume 629, Page 1957, Auglaize County Recorder's Official Records.

Premises known as 4574 State Route 66, Minster, Ohio 45865

THIS CONVEYANCE HAS BEEN EXAMINED AND THE GRANTOR HAS COMPLIED WITH SECTION 919.202 OF THE REVISED CODE.

FEES: EXEMPT. C EX 431
JANET SCHULER
TRANSFERRED ON 6-18-18
BY AK

THIS CONVEYANCE HAS BEEN EXAMINED AND THE GRANTOR HAS COMPLIED WITH SECTION 919.202 OF THE REVISED CODE.
FEE \$ 836.00 EXEMPT.
JANET SCHULER
TRANSFERRED ON 6-17-18
BY AK

201800002644
Filed for Record in
AUGLAIZE COUNTY, OHIO
CHRISTINA LAMBERT, RECORDER
06-01-2018 AT 12:39 pm.
WARRANTY DEED 36.00
OR Book 689 Page 427 - 429
JASON THIS
BOX

Instrument 201800002644 OR 689 427

Book Page 689 427

RECEIVED

WARRANTY DEED

Corrective Deed

BUETTNER HOLDINGS, LTD., an Ohio limited liability company, for valuable consideration paid, grants, with general warranty covenants, to CROWN EQUIPMENT CORPORATION, an Ohio corporation, Grantee, whose tax mailing address is 40-44 S. Washington St., New Bremen, Ohio, 45869, the following **REAL PROPERTY**:

Situated in the Township of Jackson, County of Auglaize, and State of Ohio, to-wit:

The following described tract of land is part of the Southeast quarter of the Northeast quarter of Section 22, Town 7 South, Range 4 East, Jackson Township, Auglaize County, Ohio, and is more particularly described as follows:

The place of beginning being the corner stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township; (Stone being in the center of the Wuebker Road);

Thence South 89° 27' 55" West along the center of the Wuebker Road 136.70 feet to a boat spike in the center of State Route 66, being Station 133+82.06 of State Route 66 and Station 20 + 00 of the Wuebker Road;

Thence North 10° 09' 30" West along the center of State Route 66, 497.98 feet to a boat spike;

Thence North 87° 58' 40" East, 222.50 feet to a 12" wood post on the east line of Section 22, Jackson Township;

SOUTH

Thence ~~South~~ 0° 11' 30" East along the East line of Section 22, Jackson Township, 496.65 feet to the stone at the Southeast corner of the Southeast quarter of the Northeast quarter of Section 22, Jackson Township which was the place of beginning.



Deed of County Commissioners
Auglaize County, Ohio

Instrument
201800002964 DR

Book Page
689 428

Instrument
201800002964 DR

Book Page
689 2026

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The above described tract of land contains 2.047 acres more or less subject to all legal highways and easements of record.

The area consumed by Highway easements contains 1.023 acres more or less.

The foregoing legal descriptions prepared by Thomas E. Kuck, Registered Surveyor No. 4996.

Parcel No. E14-022-015-00

Prior Reference: Volume 629, Page 1957, Auglaize County Recorder's Official Records.

Premises known as 4574 State Route 66, Minster, Ohio 45865

and all the **Estate, Right, Title and Interest** of the said Grantor in and to said premises.

To have and to hold the same, with all the privileges and appurtenances thereunto belonging, to said Grantee, Crown Equipment Corporation, an Ohio corporation. And the said Buettner Holdings, Ltd., an Ohio limited liability company, Grantor, does hereby **Covenant and Warranty** that the title so conveyed is **Clear, Free and Unencumbered**, and that they will **Defend** the same against all lawful claims of all persons whomsoever.

201800002964
Filed for Record in
AUGLAIZE COUNTY, OHIO
CHRISTINA LAMBERT, RECORDER
06-18-2018 At 12:29 PM.
HARNTY DEED 36.00
DR Book 689 Page 2025 - 2027
201800002964
JASON THIS
BOX

RECEIVED

2018 JUN 13 10:30 AM

Board of County Commissioners
Applying County, Ohio

IN WITNESS THEREOF, Grantor has caused its corporate name to be subscribed hereto by Jason A. Buettner, its sole and only member, of BUETTNER HOLDINGS, LTD., an Ohio limited liability company, therunto duly authorized by the Operating Agreement of BUETTNER HOLDINGS, LTD., an Ohio limited liability company.

Signed and acknowledged in presence of:

BUETTNER HOLDINGS, LTD., an
Ohio limited liability company

By 
Jason A. Buettner
its sole member

STATE OF OHIO

COUNTY OF Angola ss. :

BE IT REMEMBERED, that on this 31st day of May, 2018, before me, a notary public in and for said state, personally came the above-named BUETTNER HOLDINGS, LTD., an Ohio Limited Liability Company, by Jason A. Buettner, its sole member, of BUETTNER HOLDINGS, LTD., an Ohio limited liability company, the Grantors in the foregoing deed, and acknowledged the signing thereof to be its and his/her/their voluntary act and deed pursuant to authority of its operating agreement.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last aforesaid.

This instrument prepared by:
Jason E. This
Attorney-at-Law
P.O. Box 42
New Bremen, Ohio 45869


Notary Public



JASON E. THIS, Attorney at Law
Notary Public, State of Ohio
My Commission Expires 08/03/2021
See 147 03 R.C.

IN THE MATTER OF AUTHORIZING THE BUDGET ADJUSTMENT; AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED AND TRANSFER OF FUNDS FOR THE AUGLAIZE ACRES FUND.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of October 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board has been requested to authorize the budget adjustment for the ongoing privatization of the Auglaize Acres Facility as follows:

Amount: From: 127.0127.530400 (Capital Improvement) To: 127.0127.540500 (Transfer Out)
\$64,722.35

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

BE IT FURTHER RESOLVED that the transfer of the above mentioned funds hereby releases the restriction set forth in Resolution #12-228 that such funds be used for capital improvements.

WHEREAS, with said budget adjustment, a request was made for the following transfer of funds:

From: 127.0127.540500 – Auglaize Acres Capital Fund – Transfer Out
Amount: \$64,722.35

To: 097.0200.400200 – County Home Fund – Transfer In;

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the above transfer of funds.

WHEREAS, under date of January 2, 2018, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2018 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

WHEREAS, Auglaize Acres Administrator, Kim Sudhoff has requested an amendment to the Annual Appropriation with moneys that were certified and unappropriated in the County Home Fund (097) budget by \$64,722.35.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize an amendment to increase the 2018 Annual Appropriation for County Home Fund appropriations as follows:

Increase 097.0097.530600 (Contract Services) by \$59,722.35;
Increase 097.0097.530900 (Other Expenses) by \$5,000.00.

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

Adopted this
11th day of
October, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

John N. Bergman
John N. Bergman

cc: County Auditor ✓
County Administrator ✓
Auglaize Acres Administrator ✓

County Commissioners Office
Auglaize County, Ohio
October 11, 2018

NO. 18-406

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 11th day of October, 2018.

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 #</u>	<u>Amount</u>	<u>Vendor</u>
728475	\$ 7,400.00	EPAK MFG

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

Adopted this
11th day
October, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


Douglas A. Spencer


Don Regula


John N. Bergman

✓cc: County Auditor

IN THE MATTER OF AUTHORIZING CHANGE ORDERS NO. 1 AND NO. 2 WITH INSITUFORM TECHNOLOGIES, LLC FOR THE VILLAGE OF CRIDERSVILLE 2018 NORTHWEST SANITARY SEWER REHABILITATION – CONTRACT A, USING PY’17 CDBG CRITICAL INFRASTRUCTURE PROGRAM FUNDS; AND AUTHORIZES THE PRESIDENT OF THE BOARD TO EXECUTE SAID CHANGE ORDERS NO. 1 AND NO. 2.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of October, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Village of Cridersville has been granted funding in the amount of \$246,800.00 through the P.Y. '17 Critical Infrastructure Funds for the Northwest Sanitary Sewer Rehabilitation Project; and,

WHEREAS, bid award for this project was granted to Insituform Technologies, LLC at the cost of \$140,426.00; and,

WHEREAS, it was determined by Auglaize County that the following Change Order No. 1 to extend the contract date/deadline to October 1, 2018 and No. 2 to delete one segment and adjustment in the LF, which decreased the contract by a grand total of \$8,190.00 due to the adjustment to quantities and these Change Order being necessary; and,

WHEREAS, the Change Order #1 and Change Order #2 which will be part of this resolution; and,

WHEREAS, Poggemeyer Design Group, Inc., County’s CDBG Administrator, reviewed the suggestions; finding all to be in order and allowable; and,

WHEREAS, Insituform Technologies, LLC is able to accommodate this Change Orders No. 1 and No. 2; and,

WHEREAS, Change Orders No. 1 and No. 2 for the Village of Cridersville Northwest Sanitary Sewer Rehabilitation Project have been presented to the Board of County Commissioners for approval and authorization of the following project.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the President of the Board to execute Change Orders No. 1 and No. 2 for the deduction to the contract with Insituform Technologies, LLC for the Village of Cridersville Northwest Sanitary Sewer Rehabilitation Project; and,

BE IT FURTHER RESOLVED that the Insituform Technologies, LLC contract price for said project has been decreased by \$8,190.00 for a total of \$132,236.00 and the Critical Infrastructure grant fund will pay \$132,236.00.

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

Adopted this
11th day of
October, 2018

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: Gayle Flaczynski – Poggemeyer Design Group
Choice One Engineering & Village of Cridersville
Insituform Technologies, LLC



Date of Issuance: 8/28/2018 Effective Date: _____

Owner: Auglaize County Commissioners Owner's Contract No.: _____

Contractor: Instituform Technologies, LLC Contractor's Project No.: _____

Engineer: Choice One Engineering Engineer's Project No.: AUG-CRI-1801

Project: Northwest Sanitary Sewer Rehabilitation-Contract A

The Contract is modified as follows upon execution of this Change Order:

Description:

Cleaning and camera inspection have revealed three severe pipe deficiencies that will need excavation and repair before pipe lining can be completed. No cost change. Time extension only.

Attachments: [List documents supporting change]

CHANGE IN CONTRACT PRICE		CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>	
Original Contract Price:		Original Contract Times:	
\$ <u>140,426.00</u>		Substantial Completion:	<u>9/1/2018</u>
		Ready for Final Payment:	<u>9/1/2018</u>
			<u>days or dates</u>
[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:		[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:	
\$ _____		Substantial Completion:	
		Ready for Final Payment:	
			<u>days or dates</u>
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
\$ <u>140,426.00</u>		Substantial Completion:	<u>9/1/2018</u>
		Ready for Final Payment:	<u>9/1/2018</u>
			<u>days or dates</u>
[Increase] [Decrease] of this Change Order:		[Increase] [Decrease] of this Change Order:	
\$ _____		Substantial Completion:	<u>10/1/2018</u>
		Ready for Final Payment:	<u>10/1/2018</u>
			<u>days or dates</u>
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
\$ <u>140,426.00</u>		Substantial Completion:	<u>10/1/2018</u>
		Ready for Final Payment:	<u>10/1/2018</u>
			<u>days or dates</u>

RECOMMENDED:

By: [Signature]
 Engineer (if required)
 Title: Project Manager
 Date: 8/31/18

ACCEPTED:
 By: [Signature]
 Owner (Authorized Signature)
 Title: BOCC President
 Date: 10/11/2018

ACCEPTED:
 By: [Signature]
 Contractor (Authorized Signature)
 Title: JR-P.M.
 Date: 8/29/18

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____



Change Order No. 2

Date of Issuance:	10/3/2018	Effective Date:	3-Oct
Owner:	Auglaize County Commissioners	Owner's Contract No.:	
Contractor:	Insituform Technologies, LLC	Contractor's Project No.:	380219
Engineer:	Choice One Engineering	Engineer's Project No.:	AUG-CRI-1801
Project:	Northwest Sanitary Sewer Rehabilitation-Contract		

The Contract is modified as follows upon execution of this Change Order:
Description:

Deleted one segment and adjustment in LF

Attachments: [List documents supporting change]

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: \$ 140,426.00	Original Contract Times: 9/1/2018 Substantial Completion: 9/1/2018 Ready for Final Payment: days or dates
[[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : additional 30 days \$	[[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: 10/1/2018 Ready for Final Payment: 10/1/2018 days or dates
Contract Price prior to this Change Order: \$ 140,426.00	Contract Times prior to this Change Order: Substantial Completion: 10/1/2018 Ready for Final Payment: 10/1/2018 days or dates
[[Increase] [Decrease] of this Change Order: \$ -8,190.00	[[Increase] [Decrease] of this Change Order: Substantial Completion: 10/1/2018 Ready for Final Payment: 10/1/2018 days or dates
Contract Price incorporating this Change Order: \$ 132,236.00	Contract Times with all approved Change Orders: Substantial Completion: 10/1/2018 Ready for Final Payment: 10/1/2018 days or dates

RECOMMENDED:
 By: [Signature]
 Engineer (if required)
 Title: Proj. Manager
 Date: 10-4-18

ACCEPTED:
 By: [Signature]
 Owner (Authorized Signature)
 Title: BOCC President
 Date: 10/11/2018

ACCEPTED:
 By: [Signature]
 Contractor (Authorized Signature)
 Title: PM Tom Branczyk
 Date: 10/3/2018

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

IN THE MATTER OF APPROVING THE SERVICE AGREEMENT WITH BUCKEYE EXTERMINATING, INC. FOR BIRD PROOFING THE COURTHOUSE; AUTHORIZING THE EXECUTION OF THE AGREEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of October, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, the Board of County Commissioners desires to control the nuisance bird population on and around the courthouse; and,
WHEREAS, Buckeye Exterminating, Inc. has, in the past, provided bird proofing to the satisfaction of the Board; and,
WHEREAS, a service agreement, in the amount of \$500.00, has been submitted to the Board of County Commissioners by Buckeye Exterminating, Inc. for an Avitrol treatment program for pigeon control on the Courthouse.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the service agreement as submitted by Buckeye Exterminating, Inc. for the Avitrol treatment program for pigeon control on the Courthouse; and,

BE IT FURTHER RESOLVED that the Board authorizes the execution of the agreement; and,

BE IT FURTHER RESOLVED that the Clerk of the Board encumbers \$500.00 for payment of the above approved agreement.

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

Adopted this
11th day of
October, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer

Don Regula
Don Regula

John N. Bergman
John N. Bergman

cc: Buckeye Exterminating, Inc.
Courthouse maintenance personnel
Clerk of the Board



Buckeye Exterminating, Inc.

24018 US Rt. 224 • P.O. Box 246
Ottoville, Ohio 45876-0246
www.buckeye1.com

419-453-3931

1-800-523-1521

Fax 419-453-3937

RECEIVED

SERVICE AGREEMENT

November 1, 2018

OCT - 4 2018

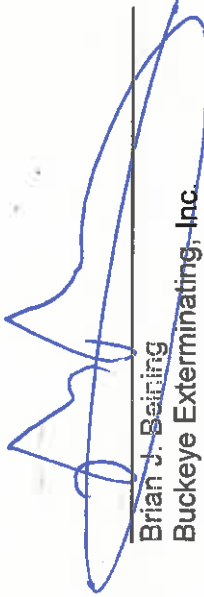
Board of County Commissioners
Auglaize County, Ohio

This agreement has been made and entered into between Buckeye Exterminating, Inc., hereinafter to be known as the party of the first part and the Auglaize County Commissioners hereinafter to be known as the party of the second part.

Party of the first part agrees to provide an Avitrol treatment program for pigeon control on the Auglaize County Courthouse. The party of the first part agrees to provide all labor and materials necessary when the time is optimum for the treatment to be made. The party of the first part will assume the primary responsibility of bird pick-up and disposal. Party of the second part will assist in the daily responsibility of bird pick-up.

In consideration of this agreement, the party of the second part agrees to pay the party of the first part the sum of \$500. Payment to be made within 30 days of invoicing.

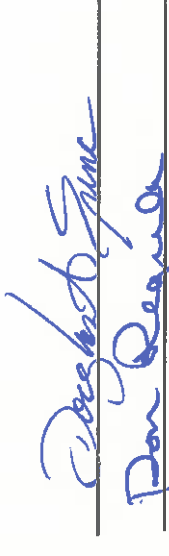
Party of the first part carries Workers' Compensation Insurance and Public Liability/Property Damage Insurance to the \$5,000,000 limit.

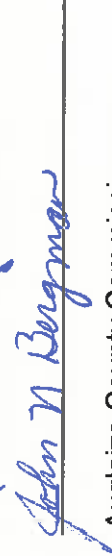


Brian J. Beining
Buckeye Exterminating, Inc.

9-27-18

Date



Don Reagin


John N. Bergman

Auglaize County Commissioners

10-11-2018

Date

IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION AS REQUESTED BY THE AUGLAIZE COUNTY SHERIFF.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of October, 2018.

Commissioner Bergman moved the adoption of the following:

RESOLUTION

WHEREAS, under date of January 2, 2018, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2018 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 of Estimated Revenue for the (919) Sex Offender Registry Fund by \$75.00; and,

WHEREAS, Auglaize County Sheriff requested that the Board amend the 2018 Annual Appropriation to reflect the following increase:

Increase – 919.0919.531000 (Payment to State) by \$75.00.

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby order the 2018 Annual Appropriation Resolution be amended to show the change 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
11th day of
October, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer
Douglas A. Spencer yes

Don Regula
Don Regula yes

John N. Bergman
John N. Bergman yes

cc: County Auditor
County Administrator
Sheriff