

**IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT FOR AUGLAIZE COUNTY JUVENILE PROBATION YOUTH SERVICES FUND.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of October, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it has been brought to the attention of the Board of County Commissioners that a budget adjustment is needed for the Auglaize County Juvenile Probation Youth Services Fund; same being:

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 1,000.00	018.3200.510200 (Salary)	018.3200.531000 (Work Project)
\$ 1,000.00	018.3200.536600 (Hospitalization)	018.3200.531000 (Work Project)
\$ 5,500.00	018.3200.530600 (Contract Services)	018.3200.531000 (Work Project)

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to complete the budget adjustment as mentioned 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  
7th day of  
October, 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
- ✓ Juvenile Probation – Sally Imondi

**IN THE MATTER OF APPROVING THE STANDARD OPERATING PROCEDURES FOR THE  
AUGLAIZE COUNTY DOG WARDEN.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of October, 2010.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Auglaize County Dog Warden has prepared the Standard Operating Procedures for the said Dog Warden's Office; and,

**WHEREAS**, the said Standard Operating Procedures include the following areas: Patrol, Kennels, Adoption Understanding/Agreement, Use of Tazer, Dogs Running at Large on I-75 and SR 33, Call Out Policy and the Use of Jail Trustee; and,

**WHEREAS**, it is now necessary for the Board to approve the Auglaize County Dog Warden Standard Operating Procedures, prepared by the Dog Warden Russ Bailey.

**THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve the procedures as mentioned above for the Auglaize County Dog Warden and as presented by the Auglaize County Dog Warden; and,

**BE IT FURTHER RESOLVED** that said Standard Operating Procedures for the Auglaize County Dog Warden 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  
7th day of  
October, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N. Bergman  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

cc: Russ Bailey – Dog Warden

**Auglaize County Dog Warden  
Standard Operating Procedures**

**Patrol:**

- A. While on patrol, Warden shall signal out when at a residence or scene. Signaling out can be done thru the Auglaize County Sheriff's Office or the St. Marys Police Dept. dispatchers. Warden shall also signal back in service when the call is handled.**
  
- B. Wardens will not run "hot" or emergency status to calls. Overhead lights will be used to advise other vehicles to use caution when Dog Warden vehicle is parked on roadway or other area where it will be beneficial. There will be occasions when we will be assisting Law Enforcement Agencies with special details where the overhead lights will be utilized.**
  
- C. All entries of calls/pick ups shall be typed on log.**
  
- D. Before starting shift, vehicle will be checked and stocked for the following items: MM citations, red door tags, warning citations, note pad, dog tag forms, dog bite forms, and receipt book. It should also be checked for leashes, ketch pole, and gloves.**

## **Kennels**

**All kennels and kennel areas shall be cleaned a minimum of two times a day. These areas must be disinfected at least one time a day also.**

**All runs shall be marked with a description of the dog, and the date and time it was picked up.**

**Any injuries or illness to the dogs will be reported immediately.**

**All dogs will be kept in accordance with ORC 955. This period is three days for dogs with no tags, and fourteen days for dogs with tags.**

## **Adoption Understanding/Agreement**

**Dogs located at this facility have been surrendered by previous owner or found running at large (stray) by an individual or the Dog Warden Officers.**

**Dogs considered for adoption will be evaluated on:**

- 1. Prior knowledge from person that surrendered it.**
- 2. General health appearance.**
- 3. General temperament towards people and animals.**

### **NO HEALTH OR TEMPERAMENT GUARANTEE**

**Staff will evaluate each dog's health and temperament, however dogs may and probably will act different once in a home environment.**

### **NO REFUND**

**The adoption fee will help cover the housing and care this dog has already received. No part of the fee will be refunded if you should decide to return the dog. If the person adopting the dog lives in Auglaize County, he/she must also purchase a license at the time of adoption.**

### **ADOPTER INFORMATION**

**When adopting a dog, the Dog Warden will get the following information from the person adopting the dog:**

- 1. Name**
- 2. Address**
- 3. Telephone number**

**This information will be added to the Dog Warden Management Program.**

## **USE OF TAZER**

**All Dog Wardens will be authorized to carry the X-26 Tazer. Before doing so, the Warden must receive the recommended training and must pass the course.**

**1. Usage on dogs:**

**The tazer may be utilized in the capturing of aggressive dogs. This includes dogs that are acting aggressively towards Warden, other citizens, or other animals.**

**The mere fact that a dog can not be caught by a Warden is not sufficient grounds to taze that dog. If the dog poses a serious threat to the public by escaping capture, the tazer may be used.**

**2. Usage on people:**

**If a Warden gets into a confrontational situation with a person while performing his duties, he should immediately try to leave the situation and if necessary, call the local law enforcement agency for assistance to complete the call.**

**If a Warden is in fear for his safety, or is assaulted, and is unable to leave the scene, the tazer may be utilized on the suspect person.**

**3. Report of Utilization:**

**If a Warden uses the tazer, he shall make a full report on the incident. The report shall include the location, date, time of incident, as well as articulate the reason for usage.**

### **Dogs Running at Large on I-75 and SR 33**

1. Dogs running at large on or along these hi-ways can present a dangerous situation. This is due to the amount of traffic as well as the high speeds of the vehicles on these roadways.
2. When responding to a dog running at large along these roads, the Dog Warden shall make every effort to capture the dog.
3. In the case that the Dog Warden can not capture the dog, the Dog Warden may have to consider destroying the dog. Although this may not be the first option, the Dog Warden has to consider the safety of people traveling on the hi-ways. If the dog is not captured and remains along the hi-way, it could cause an accident, leading to human injury or loss of life.
4. If the dog is destroyed, the dog shall be photographed, and a report shall be completed by the Dog Warden.

**Auglaize County Dog Warden's Office  
Call Out Policy**

**Policy:**

Call outs after regular business hours will be limited to the following:

1. Stray dog that is in need of immediate medical attention:
  - life threatening injuries from being hit by a vehicle
  - life threatening health condition/cruelty (dog may die overnight)
2. Law Enforcement request for emergency situations exclusive to the following:
  - Raid - where a live dog needs removed from the scene and there are no relatives or responsible person to take control of the dog.
  - Arrest - where a live dog needs removed from the scene and there are no relatives or responsible person to take control of the dog.
  - Fire – where a live dog is in need of emergency housing and there are no relatives or responsible person to take control of the dog.
  - Car accident – where a person is transported to the hospital and there are no relatives or responsible person to take control of the dog.
3. Dog Bite – **where there is a possibility that the dog may leave the location AND THE OWNER IS NOT KNOWN.**
4. Pit bull running at large: In the State of Ohio, a “pit bull” is considered a vicious dog by law. Due to this fact, the Dog Warden will respond to a pit bull at large. It is also recommended that the Dog Warden handle this call with another Dog Warden or Law Enforcement Officer.

The on-call Warden shall respond in person to all requests for service that meet the above criteria. This service will be provided at no additional cost to the municipality.

The Auglaize County Dog Warden's Office shall respond to all requests for service during regular business hours. All other requests for service, including dog at large calls, will be responded to the next business day or as soon as possible, during regular hours.

**Regular Business Hours: 8:00am – 4:00pm Monday – Friday  
5:00pm – 7:00pm Monday – Friday  
8:00am – 10:00am Saturday & Sunday**

**(Evening and weekend hours may vary.)**

**Auglaize County Dog Warden's Office  
Use of Jail Trustee Policy**

Jail trustees are available to Dog Wardens for assistance in their job functions. **When assisting with any function, the trustee shall be in immediate area of Dog Warden.** Wardens are to follow the following guidelines in using a trustee:

**Job Functions:**

- Kennel Cleaning – sweeping, mopping, etc.
- Vehicle Cleaning – Including cages in vehicle
- General maintenance of facility
- Walking of dogs
- Feeding of dogs
- Assistance in capturing a dog that is not easy to get into lead or ketch pole

Wardens must realize that even though subject is a trustee, he or she is still an incarcerated person with the Auglaize County Jail. Wardens must also keep in mind that there is a constant eye on us from the public and we should always perform our job with the trustees accordingly.

Anytime that you are working with a trustee, keep the vehicle keys with you. This includes when you are inside the kennel, on a call, or any other time that the vehicle is parked.

**All other guidelines covered in the trustee training that was covered by the Auglaize County Jail shall be followed.**

**Problems:**

\* If any trustee causes any type of problem or is not performing the job adequately, the Warden shall **immediately** notify the Chief Dog Warden of the problem or problems. The trustee should also be immediately taken back to the Auglaize County Jail.

**IN THE MATTER OF AUTHORIZING RECLASSIFICATION OF SPECIAL NEEDS COORDINATOR AT THE AUGLAIZE ACRES.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 7th of October, 2010.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, Charlie George, Interim Administrator of the Auglaize Acres, informed the Board that Mark Johns has agreed to the reclassification of Special Needs Coordinator; and,

**WHEREAS**, said employee will return to his position as LPN effective October 28, 2010 with the hourly rate being \$15.45 per hour.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the reclassification of Mark Johns at the Auglaize Acres as recommended by Charlie George Interim Administrator; making said reclassification effective October 25, 2010; and,

**BE IT FURTHER RESOLVED** that the hourly rate of compensation for Mark Johns is hereby authorized by the Commissioners to be at the rate of \$15.45 per hour, also effective October 25, 2010.

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

Adopted this  
7<sup>th</sup> day Of  
October 7, 2010

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Don Regula, yes  
Don Regula

John N Bergman  
John N. Bergman

Douglas A. Spence, Yes  
Douglas A. Spence

cc: Auglaize Acres – Charlie George

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of October 2010.

Commissioner Spencer 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 Friday October 8, 2010 from 11:00 a.m. to 1:00 p.m. for a Court House Picnic at the lawn of the Court House.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby set October 8, 2010 from 11:00 a.m. to 1:00 p.m. at the location so named above as the date, time and place to convene a special session 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 Bergman seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
7th day of  
October, 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: newspapers

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

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The Board of Auglaize County Commissioners met in regular session on the 7th day of October, 2010.

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  
September 28, 2010**

The Auglaize Soil and Water Conservation District Board of Supervisors met in official session following the legal hearing of the Bennett Ditch Project at the Auglaize County Administrative Building located at 209 S. Blackhoof St., Wapakoneta, Ohio on Tuesday, September 28, 2010.

John Schwarck called the meeting to order at 11:33 a.m. Other board members present were Bill Tostrick, Karl Marshall and Jack Rohrbach.

Jack Rohrbach moved to certify the project and the plans to the Auglaize County Commissioners. Bill Tostrick seconded motion. Jack Rohrbach, yes; Bill Tostrick, yes; Karl Mashall obtained (he is a landowner for this project); 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 28th day of September, 2010 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 Bennett Ditch Project addresses the replacement of an existing subsurface tile originally installed through a ditch petition in 1910.
- 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 Bennett 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 Bennett Subsurface Drainage Ditch.

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 11:38 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 Bennett Subsurface Drainage Ditch project as recommended by the Auglaize County Soil and Water Conservation District Board of Supervisors; pursuant to the findings by said Board of Supervisors as shown in the above minutes.

**THEREFORE BE IT RESOLVED** that as the Board of County Commissioners, Auglaize County, Ohio, having been in attendance at the Bennett Subsurface Drainage Ditch legal hearing held September 28, 2010 and hearing all testimony for, and objections against the improvement, is in agreement with the Auglaize Soil and Water Conservation District on the following findings:

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

and,

**BE IT FURTHER RESOLVED** pursuant to the Ohio Revised Code, Section 1515.21, said Board does hereby accept the recommendation for the need of the construction of Bennett Subsurface Drainage 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 September 28, 2010 that the landowners determined: The completion date for construction will be December 31, 2011 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 Bennett Subsurface Drainage Ditch project for **November 2, 2010 at 10:00 a.m.**, in the office of the Auglaize County Commissioners, Commissioners Chambers - Acres, 13093 Infirmary 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 Bennett Subsurface Drainage Ditch are on file in the office of the Auglaize County Engineer, thus making a permanent record in said Engineer's office for further reference.

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

Adopted this  
7th day of  
October, 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  
Soil & Water Conservation Office