

**MINUTES  
BOARD OF ALLEN COUNTY  
COMMISSIONERS**

204 N. Main Street

3<sup>rd</sup> Floor

Lima, Ohio 45801

Phone: 419-228-3700, Ext 8725 Fax: 419-224-0183

[commissioners@allencountyohio.com](mailto:commissioners@allencountyohio.com)

Board of Allen County Commissioners will be in session

Tuesday and Thursday and adjourn upon completion of business

<b>DESCRIPTION</b>	<b>SPECIAL SESSION</b>
<b>DATE</b>	<b>January 22, 2024</b>
<b>LOCATION</b>	<b>COMMISSIONER'S MEETING ROOM</b>
	<p><b>** The Commissioner's office will be open for in-person meetings. Social distancing requirements shall still be maintained.</b></p> <p><b>Allen County residents may also join the meeting from a computer, tablet or smartphone.</b></p> <p><b><u><a href="https://www.gotomeet.me/AllenCountyCommissioners">https://www.gotomeet.me/AllenCountyCommissioners</a></u></b></p> <p><b>You can also dial in using your phone.</b>  <b>United States (Toll Free): <u>1 866 899 4679</u></b>  <b>United States: <u>+1 (571) 317-3116</u></b></p> <p><b>Access Code: 606-059-605</b></p>
	<b>PRESENT: Cory Noonan and Beth Seibert</b>
<b>TIME:</b>	<b>SPECIAL SESSION - RECORDED</b>
<b>9:00 a.m.</b>	<p><b>Joe Gearing, Co. Engineer Re: Umbaugh Maintenance Assessment</b></p> <p><b>Present: County Engineer's Office: Brion Rhodes, Joe Gearing and Nathan Davis</b>  <b>Auditor's Office: Rachael Gilroy, Keith Cheney and Ciara Maag</b></p> <p><b>There have been discussions regarding error in maintenance assessments for Umbaugh Group, which is a Soil and Water Project. Joe Gearing stated that a property owner in the watershed came into their office and requested information on maintenance that was assessed. It was discovered that a portion of the work completed should not have been assessed to the</b></p>

property owner(s). Work was completed for on a parcel north of SR 117 which was outside of the watershed. The work completed outside of the watershed was assessed to property owners within the watershed. Joe Gearing stated that the property owner north of SR 117 (who is not part of the watershed) is going to petition to replace the tile and place said property on maintenance.

Nathan Davis stated that maintenance has been collected on said project over the last several years at a small percentage. This was the first time maintenance was collected at a higher percentage on said project and for work outside of the watershed.

Joe Gearing has had discussion with the property owner outside of the watershed requesting that payment be made to the county for the work completed. County Engineer's office realizes funds need to be recouped in the event payment is not made by the property owner. County Engineer doesn't agree to how project is being assessed as Soil and Water assesses in a different method. There is currently a \$2,100 balance in the project fund.

Rachael Gilroy stated that the Auditor's office and the Treasurer's office, for the benefit of the taxpayers, amended the real estate tax bills revising the assessment for the Umbaugh Group to 0% collection for 2023 taxes period payable 2024. As of Friday, no one within the watershed had paid their assessment. Amended tax bills along with an explanation as to the reasoning for the amendment, was sent to property owners on Friday. Rachael Gilroy asked if the County Engineer's office has audited any other ditch projects to ensure assessments are only being collected on parcels within the watershed. Auditor advised that random audits be made to various ditch projects to ensure assessments are being collected correctly.

Joe Gearing has requested Soil and Water provide more detailed information for future projects. He stated that the Burgess Group is a concern as it relates to maintenance. Umbaugh Group Project was originally designed to go to the ditch. One day prior to final approval, it was stopped at SR 117 due to gas main line.

Commissioner Seibert asked where funds will be paid from should Mr. Brenneman choose not to pay. County Engineer believes further discussion would need to be

Had as to what can be done legally.

Commissioner Noonan suggested that the County Engineer reach out to the Prosecutor's office as to the ability to invoice property owner outside of the watershed for work completed.

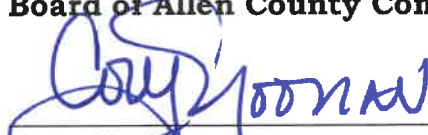
Commissioner Seibert stated that she received resolution language from the County Engineer's to amend Resolution #652-23. Commissioner Seibert believes revisions need to be made to the resolution as this amendment is not due to a calculation error. It is not a calculation error but an error in collection of funds that should not have been made. Correction will be made and placed on tomorrow's agenda.

9:35 a.m.

ADJOURN

Submitted by:   
Kelli A. Singhaus, Asst. Clerk

Approved by: Board of Allen County Commissioners

  
Cory Noonan

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Brian Winegardner

  
Beth Seibert