

County Commissioners Office
Auglaize County, Ohio
April 7, 2011

NO. 11-133

IN THE MATTER OF AUTHORIZING THE EXECUTION OF THE RADIO EQUIPMENT TRANSFER AGREEMENT WITH MULTI-AGENCY RADIO COMMUNICATIONS SYSTEMS (MARCS) PROGRAM OFFICE AND OHIO EMERGENCY MANAGEMENT AGENCY; AUTHORIZES THE PRESIDENT OF AUGLAIZE COUNTY BOARD OF COMMISSIONERS TO EXECUTE SAID AGREEMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of April, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, under the FY 2007 Public Safety Interoperable Communications (PSIC) grant, Auglaize County purchased MARCS repeater and associated equipment to assure the capacity and coverage of MARCS was adequate to serve county users. The equipment is installed at the Wapakoneta MARCS tower site and is interfaced into the MARCS backbone infrastructure; and,

WHEREAS, Emergency Management Director Troy Anderson has presented to the Board of County Commissioners that for one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, County agrees to relinquish all rights and interest in the repeater and associated equipment outlined in Appendix A to this agreement. The parties understand and agree that the equipment remains in serviceable condition and can be utilized by all MARCS users; and,

WHEREAS, in consideration of its acquisition of ownership, MARCS agrees to be solely responsible for operation, maintenance, and repair or replacement and for any claims, lawsuits, judgments, fines or other obligations arising from the continued use and maintenance of the radio equipment.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners does hereby approve the Radio Equipment Transfer Agreement between Auglaize County, MARCS and Ohio Emergency Management Agency; and,

BE IT FURTHER RESOLVED that said Board authorizes President John N. Bergman to execute the MARCS radio equipment transfer agreement as presented.

Commissioner Regula 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
April, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula yes
Don Regula

cc: MARCS Program Office
✓ Ohio Emergency Management Agency
✓ EMA – Troy Anderson

MARCS Radio Equipment Transfer Agreement

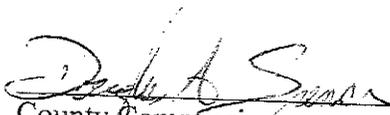
This agreement is entered into this 7th day of April, 2011, by and between the Auglaize County Commissioners (hereinafter "County"), having an address of 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895-1972 and the Multi-Agency Radio Communications System ("MARCS") Program Office, having an address of 30 East Broad Street, 39th Floor, Columbus, Ohio 43215 and the Ohio Emergency Management Agency, having an address of 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2712.

Under the FY 2007 Public Safety Interoperable Communications (PSIC) grant, the County purchased MARCS repeater and associated equipment to assure the capacity and coverage of MARCS was adequate to serve county users. This equipment is installed at the Wapakoneta MARCS tower site at an address of 1051 Dearbaugh Avenue, Wapakoneta, Ohio and is interfaced into the MARCS backbone infrastructure.

For one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, County agrees to relinquish all rights and interest in the repeater and associated equipment outlined in Appendix A to this agreement. The parties understand and agree that the equipment remains in serviceable condition and can be utilized by all MARCS users. The parties recognize that transfer of the equipment will further enhance the continued development of interoperable communications throughout the state. This transfer is in the best public interest.

Therefore, the parties agree that the County will, by its signature on this document, transfer all of its rights and ownership interest in the equipment on Appendix A to MARCS. In consideration of its acquisition of ownership, MARCS agrees to be solely responsible for operation, maintenance, and repair or replacement and for any claims, lawsuits, judgments, fines, or other obligations arising from the continued use and maintenance of the radio equipment by MARCS after the date of transfer. MARCS will also properly mark and account for the equipment in accordance with FY 2007 PSIC Grant Guidelines.

This document in no way binds the County, MARCS or Ohio EMA for any future legal or monetary obligations. The State's obligations under this agreement are subject to Ohio Revised Code Section 126.07.


County Commissioner

Stu Davis, State CIO/Assistant Director
Ohio Department of Administrative Services
Office of Information Technology

4/7/11
Date

Date

Nancy Dragani, Executive Director,
Ohio Emergency Management Agency

Date

APPENDIX "A" to Auglaize County MARCS Radio Equipment Transfer Agreement.

<u>Item</u>	<u>Model</u>	<u>Serial No.</u>	<u>Cost</u>
Quantar/Quantro Intellir Repeater	T5365	537CKD0045	\$17,051.00
Quantar/Quantro Intellir Repeater	T5365	537CKD0046	\$17,051.00
Quantar/Quantro Intellir Repeater	T5365	537CKD0047	\$17,051.00
Quantar/Quantro Intellir Repeater	T5365	537CKD0048	\$17,051.00
7" Open rack-Quantar (3 each)	X153	N/A	\$ 423.00
Comb Wave-G 851-869 6 ch 7/16 ant, 15	1DSWIJD862065	298356-001	\$ 8,833.50
½' Superflex poly jacket coax (30 feet)	L1702	N/A	\$ 103.95
½" N Male plated connector	CDN6579	N/A	\$ 47.70
½" 7/16 Din male connector Sflex	DSF4PDMV2C	N/A	\$ 26.03
Lightning arrestor 7/16 din male/fm	DSDSXLDMA	N/A	\$ 162.00

TOTAL \$77,800.18

County Commissioners Office
Auglaize County, Ohio
April 7, 2011

NO. 11-134

**IN THE MATTER OF AUTHORIZING REPAIRS AND REMODELING AT THE TITLE OFFICE
LOCATED IN THE DRIVER'S EXAM AREA BY BENCHMARK CUSTOM HOMES INC.**

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of April, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, County Administrator Joseph Lenhart reported that needed repairs and remodeling are necessary at the Title Office in the Driver's Exam area; and,

WHEREAS, Benchmark Custom Homes Inc. of Wapakoneta, OH was contacted to inspect office and prepare a cost estimate for the needed repairs and remodeling; and

WHEREAS, Benchmark Custom Homes Inc. has determined the office remodeling and repairs possible and the proposed cost of the project supplied by Benchmark Custom Homes Inc. is \$15,206.11.

THEREFORE BE IT RESOLVED, that the Board of County Commissioners , Auglaize County, Ohio, does hereby approve the repairs and remodeling to the Title Office in the Driver's Exam area; and,

BE IT FURTHER RESOLVED that said Board does accept the proposal from Benchmark Custom Homes Inc. in the amount of \$15,206.11 for said project, and further authorizes Benchmark Custom Homes Inc. to proceed with the needed repairs and remodeling.

Commissioner Regula 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
April, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer ye
Douglas A. Spencer

Don Regula yes
Don Regula

cc: Benchmark Custom Homes, Inc.
County Maintenance personnel

County Commissioners Office
Auglaize County, Ohio
April 7, 2011

NO. 11-135

IN THE MATTER OF AUTHORIZING PAY INCREASES FOR JENNIFER WAHRER AND BRETT HEMLEBEN - EMPLOYEES AT THE AUGLAIZE COUNTY DEPARTMENT OF JOBS AND FAMILY SERVICES.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of April, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on September 14, 2010, in Resolution #10-355, the Board of County Commissioners authorized the following promotion at the Auglaize County Department of Job and Family Services:

- Bretta Hemleben, effective September 30, 2010, to Eligibility /Referral Supervisor 2 in said Department; and,

WHEREAS, on September 23, 2010, in Resolution #10-379, the Board of County Commissioners authorized the following promotion at the Auglaize County Department of Job and Family Services:

- Jennifer Wahrer, effective September 30, 2010, to Eligibility/Referral Supervisor 1 in said Department; and,

WHEREAS, said Board has now received a memorandum from Department Director Michael Morrow stating that "The following employees have successfully passed their 180 day probationary period and are now eligible for a 2% pay raise effective March 31, 2011. I recommend that the following employees should receive a 2% raise effective March 31, 2011. Bretta Hemleben new hourly rate of pay will be \$13.14 and Jennifer Wahrer new hourly rate of pay will be \$18.23.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio does hereby authorize the 2% pay increases for employees at the Auglaize County Department of Job and Family Services upon above recommendation of Job & Family Department Director Michael Morrow; and,

BE IT FURTHER RESOLVED that the Board does hereby make the pay increases effective March 31, 2011.

Commissioner Regula 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
April, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer ye
Douglas A. Spencer

Don Regula yes
Don Regula

- ✓cc: County Department of Job & Family Services – Michael Morrow
- ✓Deputy Auditor – Marty Metz

County Commissioners Office
Auglaize County, Ohio
April 7, 2011

NO. 11-136

IN THE MATTER OF FIXING DATE AND TIME FOR PUBLIC HEARING FOR THE ACCEPTANCE OF THE
"MACK GROUP DITCH PROJECT" INTO THE COUNTY'S PERMANENT DITCH MAINTENANCE
PROGRAM.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of April, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on April 5, 2011, County Engineer Doug Reinhart met with the Board of County Commissioners, reviewing plans and completed construction on Mack Group Ditch project; and,

WHEREAS, County Engineer Reinhart presented the following correspondence to the Board:

Section 6131.63 of the Ohio Revised Code allows for landowners to reconstruct drainage ditches at their own expense, called a "Group Project", and then request permanent maintenance through 6137 of the Ohio Revised Code.

In Section 19, Salem Township, just north of the IOOF Road and 2380' west of the Kossuth Amanda Road, property owners reconstructed 265' of the Mack Ditch to provide an outlet for a 339 acre watershed. The Auglaize County SWCD provided guidance by supplying plans including a profile, typical cross sections and a watershed map with landowners and acreages being benefitted. The SWCD also provided an assessment proposal similar to that used by this department on County petitioned ditches.

The landowners are now requesting this open channel to be placed on a permanent maintenance plan as outlined in O.R.C. Section 6137 and have filed the proper plans as required by this section of the code. I am requesting the Board to set up a date and time for a maintenance hearing where all the landowners will be notified of the hearing and their proposed assessment base. It will be then up to the Board of Commissioners to determine whether or not the Mack Ditch will be accepted for maintenance.

THEREFORE BE IT RESOLVED, the Board of County Commissioners, of Auglaize County, Ohio does hereby set May 12th, 2011 at 10:00 a.m. in the office of said Commissioners for the Maintenance Hearing on the Mack Group Ditch Project.

Commissioner Regula 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
April, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer Y
Douglas A. Spencer

Don Regula yes
Don Regula

cc: County Engineer

County Commissioners Office
Auglaize County, Ohio
April 7, 2011

NO. 11-137

IN THE MATTER OF APPROVING THE CONTRACT AND BOND OF CY SCHWIETERMAN, INC. FOR THE BARNES #2 DITCH PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 7th day of April, 2011.

Commissioner Spencer moved the adoption of the following

RESOLUTION

WHEREAS, the Engineer's office has filed with this Board a contract and bond Cy Schwieterman, Inc. for lab and materials for said Barnes #2 Ditch project; and,

WHEREAS, the Board of County Commissioners has been requested to approve and execute the contract a bond, as all appears to be in order.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the contract and bond with Cy Schwieterman, Inc. as presented, for the Barnes #2 Ditch project, executing same; and,

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to record said contract and bond in the Commissioners' Journal; and,

BE IT FURTHER RESOLVED that the Engineer's Secretary prepare assessment billing notices in accordance with the list of assessments as presented by the County Engineer; for each parcel of land, each public corporation and each department, office, or institution of the State of Ohio as given; and,

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to place unpaid assessments, after due payment period, on the County tax duplicates.

Commissioner Regula 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
April, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

ABSENT
John N. Bergman

Douglas A. Spencer *yes*
Douglas A. Spencer

Don Regula *yes*
Don Regula

cc: County Engineer

DITCH CONTRACT

Revised Code, Sec. 6131.41

In the Matter of the BARNES #2 DITCH

SINGLE County Ditch Petitioned for by GOSHEN TWP TRUSTEES and others.

THIS AGREEMENT, made and entered into on this 5TH day of APRIL 2011.

by and between the County Commissioners of AUGLAIZE COUNTY,
Ohio, and hereinafter designated as "First Party," and CY SCHWIETERMAN, INC. of
10097 KOHLER ROAD, WAPAKONETA, OHIO 45895 hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," For and in consideration of the sum
of SEVENTY FOUR THOUSAND FIVE HUNDRED FORTY-NINE AND 50/100
(\$ 74,549.50) Dollars, to be paid as hereinafter specified, hereby agree to furnish unto said
"First Party." all the necessary materials, and do all the work and labor required to construct the
BARNES #2 DITCH improvement petitioned for by GOSHEN TWP TRUSTEES
and others, in accordance with plans, drawings and specifications for the same hereto attached, which
plans, drawings and specifications are hereby declared to be a part of this contract.

Said "Second Party" further agrees to furnish said materials and to do the said work and labor
promptly, in a good substantial and workmanship manner, under the direction of the County Engineer in
charge, without hindrance or delay to any other branch or class of work on said BARNES #2 DITCH
and to work in harmony with and to render such assistance to other branches of work as their connection
therewith and the progress of the BARNES #2 DITCH may require. The whole to be completed
to the satisfaction and acceptance of said "First Party" on or before the 1ST day of SEPTEMBER, 2011.

AND SAID "FIRST PARTY," for and in consideration of the true and faithful performance of
said work and labor and furnishings of said materials as aforesaid, hereby agree to pay unto the said "Second
Party" said sum of SEVENTY FOUR THOUSAND FIVE HUNDRED FORTY-NINE
AND 50/100 (\$ 74,549.50) Dollars, in installment from time to time, upon the certificate of
acceptance of the County Engineer and as provided by law.

Now if the said

CY SCHWIETERMAN, INC.

of

10097 KOHLER ROAD, WAPAKONETA, OHIO

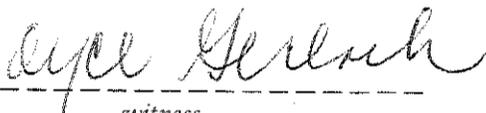
shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of



David C Schwieterman

signed



witness

Cy Schwieterman, Inc.

company

10097 Kohler Rd.

street



witness

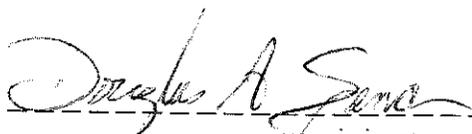
Wapakoneta Oh 45895

city, state, zip

The above Contract being good and sufficient is approved this 7th day of April, 2011.

ABSENT

commissioner



commissioner



commissioner

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the BARNES #2 DITCH

Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by GOSHEN TWP TRUSTEES and others

KNOW ALL MEN BY THESE PRESENTS, That we, CY SCHWIETERMAN, INC.

of 10097 KOHLER ROAD, WAPAKONETA, OHIO, as Principal, and

LETTER OF CREDIT, FIRST NATIONAL BANK IN NEW BREMEN, as sureties, are

held and firmly bound unto the state of Ohio for the benefit of AUGLAIZE COUNTY and

for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of

NINETY THREE THOUSAND ONE HUNDRED EIGHTY-SIX AND 88/100

(\$ 93,186.88) Dollars, WHICH IS 125% OF THE DITCH CONTRACT, to the

payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our

heirs, executors and administrators.

Signed by us, and dated this 5TH day of APRIL, 2011

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, whereas, the above Bound

CY SCHWIETERMAN, INC. of 10097 KOHLER ROAD, WAPAKONETA, OHIO

have entered into a Contract with said Board of County Commissioners, First, to furnish the materials and

perform the work and labor for the construction of the BARNES #2 DITCH improvement

petitioned for by GOSHEN TWP TRUSTEES and others specified in said Contract, to

the satisfaction and acceptance of the County Engineer, on or before the 1ST day of SEPTEMBER,

2011, for the compensation of SEVENTY FOUR THOUSAND FIVE HUNDRED

FORTY-NINE AND 50/100 (\$ 74,549.50) Dollars. (DITCH CONTRACT AMOUNT)

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Forth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said **CY SCHWIETERMAN, INC.**

of **10097 KOHLER ROAD, WAPAKONETA, OHIO**

shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of



David C Schwieterman

Signed


witness

Cy Schwieterman, Inc.

company

10097 Kohler Rd.

street


witness

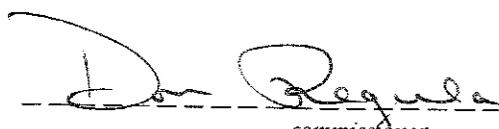
Wapakoneta Oh 45895

city, state, zip

The above Bond being good and sufficient is approved this 7th day of April, 2011.

ABSENT

commissioner


commissioner
commissioner

**LETTER OF CREDIT - BONDING CONTRACT WITH
THE BOARD OF COUNTY COMMISSIONERS
OF AUGLAIZE COUNTY**

To: Board of County Commissioners
Auglaize County, Ohio

In Re: PERFORMANCE BONDING FOR THE BARNES #2 DITCH

Gentlemen:

We, the undersigned, do hereby establish a CONTRACT FOR PERFORMANCE BONDING in the favor of the Auglaize County Commissioners, and have established an account under the name of CY SCHWIETERMAN, INC. , having an address of 10097 KOHLER ROAD WAPAKONETA, OHIO 45895. The minimum amount established for this CONTRACT FOR PERFORMANCE BONDING has been determined by the Board of County Commissioners as being 125% of the estimated costs to complete the BARNES DITCH improvement. The Estimated construction costs for said Ditch Improvement plus an additional 25%, has been established at NINETY THREE THOUSAND ONE HUNDRED EIGHTY-SIX AND 88/100 (\$ 93,186.88) dollars, and will be subject to the following terms and conditions:

1. That the amount of the bond as set forth herein is 125% of the total Estimated Construction Costs and Ditch Contract amount for the proposed Ditch Improvement known as the BARNES #2 DITCH

2. The undersigned Contractor for said improvement shall be under contract with the Board of County Commissioners, and shall be completed on or before the 1st day of SEPTEMBER, 2011 to complete the necessary work as detailed on the plans, profiles, and specifications on file with the Board of County Commissioners. Failure to do so will be subject to all penalties as provided in the Ohio Revised Code.

If an Extension of Time to complete the Ditch Improvement is needed to be granted in order to complete the BARNES #2 DITCH, then the Contract for Performance Bonding must also be extended for the same Extension of Time in the amount of NINETY THREE THOUSAND ONE HUNDRED EIGHTY-SIX AND 88/100 (\$ 93,186.88) dollars, however, it cannot be construed that the Board of County Commissioners will grant such an extension of time unless extreme hardship or severe weather effects the established date of completion for said Ditch Improvement.

3. It is guaranteed by the undersigned Contractor that the Ditch Improvements as set forth on the plans, profiles, and specifications will be completed to it's entirety and approved by the Auglaize County Engineer on or before the 1st day of SEPTEMBER, 2011. If such a guarantee is breached, then the Board of County Commissioners shall, upon notice of such failure received by us in writing, be authorized to issue drafts against the Performance Bonding Agency, under the name of CY SCHWIETERMAN, INC. , having an address of 10097 KOHLER ROAD WAPAKONETA, OHIO 45895, up to and including the amount of the Estimated Construction Costs plus and additional 25% for the proposed Ditch Improvement known as the BARNES DITCH herein mentioned, for the sole purpose of completing the improvements according to said plans, profiles, and specifications on file with the Board of County Commissioners and shall be in the amount of NINETY THREE THOUSAND ONE HUNDRED EIGHTY-SIX AND 88/100 (\$ 93,186.88) Dollars.

4. Upon the enactment of any of the forementioned drafts against the Performance Bonding Agency under the name of FIRST NATIONAL BANK IN NEW BREMEN, does further guarantee payment of such drafts to complete the Ditch Improvement, regardless of default, insolvency, or bankruptcy by the Contractor under the name of CY SCHWIETERMAN, INC. having an address of 10097 KOHLER ROAD WAPAKONETA, OHIO 45895, and regardless of any objections of said CY SCHWIETERMAN, INC., the Contractor, or litigation or disagreement between the Board of County Commissioners of Auglaize County, FIRST NATIONAL BANK IN NEW BREMEN, OHIO, the Performance Bonding Company.

5. Such drafts shall be accompanied by a statement setting forth the fact of failure to complete the Ditch Improvement, and further, that the improvement will be under the authority of the Board of Commissioners of Auglaize County, complete to the extent of the funds for which the draft is drawn to the complete satisfaction of the Board of Commissioners of Auglaize County, with the Auglaize County Engineer having supervisory jurisdiction over such work on behalf of the Board of Commissioners of Auglaize County. All such statements shall be in writing, and shall be received ten days prior to the date on which such funds will be required.

6. The amount and date of such drafts drawn hereunder must be endorsed on the face hereof by of
CY SCHWIETERMAN, INC. , having an address of 10097 KOHLER ROAD
WAPAKONETA, OHIO 45895. We do hereby guarantee the Board of Commissioners of
Auglaize County that all drafts drawn under and in compliance with the terms of this CONTRACT
FOR PERFORMANCE BONDING shall meet with due honor upon presentation and delivery of
documents in accordance with the terms and conditions hereof.

7. This CONTRACT FOR PERFORMANCE BONDING is limited to the sum herein
mentioned and set forth, and in the event this CONTRACT FOR PERFORMANCE BONDING
is exercised by the Board of County Commissioners, the amounts payable hereunder shall be the face
value of at NINETY THREE THOUSAND ONE HUNDRED EIGHTY-SIX AND 88/100
(\$ 93,186.88) dollars, which less any amounts of improvements as performed by the
undersigned Contractor towards completing said Ditch Improvement in accordance with the plans and
specifications, and under the approval of the Auglaize County Engineer. It is also hereby understood
that the Board of County Commissioners and/or the Auglaize County Engineer shall not arbitrarily or
unreasonably withhold approval of the installations or improvements made for said
improvement, and shall specifically state the nature and extent of any objections to these
improvements made by the undersigned Contractor before invoking payment under this
CONTRACT FOR PERFORMANCE BONDING.

*In Witness Hereof, FIRST NATIONAL BANK IN NEW BREMEN the Performance
Bonding Agency, has hereunto set its hand and seal of the undersigned person (s) who are duly authorized
by the Board of Directors to execute this agreement,*

by  *CP*

official signature from BONDING AGENCY OR BANK
Jerry S. Lehman, Jr. Vice President/Senior Loan Officer

for First National Bank in New Bremen
BONDING AGENCY OR BANK

435 South Washington Street, New Bremen OH 45869
address

city, state, zip

(419) 629-2761
phone

All terms and conditions of the this CONTRACT FOR PERFORMANCE BONDING

for the development of the BARNES #2 DITCH accepted by the Board of Commissioners of
Auglaize County, pursuant to Resolution No. 11-137, passed this 7th day
of April, 2011.

ABSENT

commissioner - Auglaize County

Debra A. Sene

commissioner - Auglaize County

Don Regula

commissioner - Auglaize County

All terms and conditions accepted this 7th day of April, 2011.

David C. Schwertman

authorized signature for CONTRACTOR

CY SCHWIETERMAN, INC.
COMPANY

10097 KOHLER ROAD
address

WAPAKONETA, OHIO 45895, OHIO 45869
city, state, zip

(419) 753-2566
phone