

**IN THE MATTER OF ANNEXING THE PROPERTY OF SCOTT LIMBERT TO THE AUGLAIZE COUNTY/LAKE LORAMIE SEWER DISTRICT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in 1991, the Board of Auglaize County Commissioners, in conjunction with the Board of Shelby County Commissioners, created the Auglaize County/Lake Loramie Sewer District to accommodate wastewater from certain areas in the southern part of Auglaize County; and,

**WHEREAS**, County Engineer Andrew Baumer informed the Board that Scott Limbert has been in contact with Engineer Baumer, requesting that the Board petition the Shelby County Board of Commissioners to permit the wastewater of their property into the Auglaize County/Fort Loramie Sewer District; and,

**WHEREAS**, the legal description of said property Scott Limbert is as follows:

Part of parcel #E14-02-500-601 as recorded in official record 454, Page 1365, located SE quarter of Section 25, Town 7S, Range 4E, Jackson Township, Auglaize County, Ohio, more particularly described as follows:

Beginning at a Mag Spike found at the southeast corner of the Southeast Quarter of Section 25 and being in the centerline of East Shelby Road said Mag Spike marking the Point of Beginning of the tract herein described;

Thence, with the south line of the southeast quarter of Section 25, North 89° 32' 05" West, 257.64 feet to an iron pin set;

Thence, with a new division line, North 00° 58' 53" East, 339.33 feet to an iron pin set, passing for reference at 16.40 feet the centerline of State Route 119 and 46.70 feet an iron pin set in the north right of way line of State Route 119;

Thence, with a new division line, South 89° 01' 01" East, 257.64 feet to a Mag Nail set in the east line of the Southeast Quarter of Section 25, the Auglaize County – Shelby County line and the centerline of East Shelby Road, passing for reference at 237.64 feet an iron pin set in the west right of way line of East Shelby Road;

Thence, with the east line of the southeast quarter of Section 25, the Auglaize County – Shelby County line and the centerline of East Shelby Road, South 00° 58' 59" West, 337.00 feet to the Point of Beginning, passing for reference at 271.00 feet the centerline of State Route 119 containing 2.000 acres more or less with 0.524 acres being in the right of way of State Route 119 and East Shelby Road more or less and being subject to all legal rights of way, easements, agreements and restrictions of record.

Basis of bearings is based on the Ohio Department of Transportation V.R.S., Ohio State Plane North Zone 3401, NAD 83(2011 ADJ). The Official Records and Deed Volumes are all recorded in Auglaize County Recorder's Office. Pins noted as set are 5/8" x 30" re-bar with pink plastic caps stamped "Lock-Two 7988".

Parcel E14-02-500-601 (2.0 acres)

**WHEREAS**, the Board of County Commissioners of Shelby County has provided a letter of intent stating that all costs associated with construction, operation, maintenance, and future capital expenditures for improvement or replacement of a sewer collection system to benefit the above referenced property will be borne by the property owner and/or the Shelby County Sewer District.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, pursuant to the request of Scott Limbert, does hereby annex the above described land to the Auglaize County/Lake Loramie Sewer District.

Commissioner Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

cc: County Sanitary Engineer, Shelby County Commissioners  
→ Scott Limbert  
→ Tyler Shuster, Director of Shelby County Sewer District  
→ Village of Minster

**IN THE MATTER OF APPROVING THE CONTRACT AND BOND FOR CY SCHWIETERMAN INC FOR THE LUSK DITCH PROJECT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Engineer's office has filed with this Board a contract and bond from Cy Schwieterman Inc. for labor and materials for said Lusk Ditch project; and,

**WHEREAS**, the Board of County Commissioners has been requested to approve and execute the contract and 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 Lusk 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 Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

✓ cc: County Engineer

# DITCH CONTRACT

Revised Code, Sec. 6131.41

*In the Matter of the LUSK DITCH SINGLE County Ditch Petitioned for by LARRY NEUMAN.*

THIS AGREEMENT, made and entered into on this 11<sup>th</sup> day of August, 2022.

*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 THIRTY SEVEN THOUSAND EIGHT HUNDRED NINETY FOUR AND 95/100 (\$37,894.95) 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 LUSK DITCH improvement petitioned for by LARRY NEUMAN, 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 LUSK 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 LUSK DITCH may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 1ST DAY OF AUGUST, 2023 WITH THE FINAL LEVELING COMPLETED ON OR BEFORE THE 31ST OF OCTOBER, 2023, 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 THIRTY SEVEN THOUSAND EIGHT HUNDRED NINETY FOUR AND 95/100 (\$37,894.95) 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 45895 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

ISAD Shit  
witness

David C. Schwieterman  
signed

Cy Schwieterman, Inc.  
company

10097 Kohler Rd  
street

John Long  
witness

Wapakoneta, OH 45895  
city, state, zip

The above Contract being good and sufficient is approved this 11<sup>th</sup> day of August, 2022.

David Bambara  
commissioner

John W. Bergsma  
commissioner

Gregory S.  
commissioner

# BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

*In the Matter of the LUSK DITCH*

*Single County Ditch No.*

ON CONTRACT FOR WORK AND LABOR  
AND MATERIALS

*Petitioned for by* LARRY NEUMAN

KNOW ALL MEN BY THESE PRESENTS, *that we, CY SCHWIETERMAN INC. of 10097 KOHLER ROAD WAPAKONETA, OHIO 45895, 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 FORTY SEVEN THOUSAND THREE HUNDRED SIXTY EIGHT AND 69/100 (\$47,368.69) 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* 11<sup>th</sup> *day of* August, 2022.

*THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, whereas, the above Bound CY SCHWIETERMAN INC. of 10097 KOHLER ROAD WAPAKONETA, OHIO 45895 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 LUSK DITCH improvement petitioned for by LARRY NEUMAN specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the 1ST DAY OF AUGUST, 2023 WITH THE FINAL LEVELING COMPLETED ON OR BEFORE THE 31ST OF OCTOBER, 2023, for the compensation of THIRTY SEVEN THOUSAND EIGHT HUNDRED NINETY FOUR AND 95/100 (\$37,894.95) 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 45895 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

ESD. Schuch  
witness

David C Schuch  
Signed

Cy Schwieterman, Inc.  
company

dk dom  
witness

10097 Kohler Rd  
street

Wapakoneta, OH 45895  
city, state, zip

The above Bond being good and sufficient is approved this 1<sup>st</sup> day of August, 2022.

David Fomberg  
COMMISSIONER

John N Bergner  
COMMISSIONER

Robert G. ...  
COMMISSIONER

**IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE BIDS FOR THE CDBG PY2021 NEIGHBORHOOD REVITALIZATION GRANT (NRG) PROJECT: "VILLAGE OF BUCKLAND IMPROVEMENTS PROJECT" USING FUNDING THROUGH THE PY2021 NEIGHBORHOOD REVITALIZATION GRANT (NRG) PROGRAM.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners has received funding through the PY2021 Neighborhood Revitalization Grant (NRG) for the Village of Buckland Neighborhood Improvement Project; and,

**WHEREAS**, specifications have been prepared for the Village of Buckland's Neighborhood Improvement Project with an estimated cost of \$828,014.00; and,

**WHEREAS**, it is necessary, at this time, to set date and time to receive bids for the said above mentioned project.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby set September 6, 2022 at 10:00 a.m. as the date and time at which to receive and open bids in the office of the Commissioners for the Village of Buckland's Improvement Project, a PY2021 Neighborhood Revitalization Grant (NRG) funded project.

Commissioner Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer yes  
David Bambauer

John N. Bergman yes  
John N. Bergman

Douglas A. Spencer yes  
Douglas A. Spencer

cc:  Poggemeyer Design Group  
 Choice One Engineering  
 Village of Buckland

**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO  
209 S. Blackhoof St., Wapakoneta, Ohio 45895**

**Phone: 419-739-6710**

**Fax: 419-739-6711**

August 9, 2022

TO: Wapakoneta Daily News/The Evening Leader

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Legal Notice to be published in The Wapakoneta Daily News and the Evening Leader

Please publish, in the Legal Section of The Wapakoneta Daily News and The Evening Leader, the following Legal Notice on **Thursday, August 11, 2022 and Thursday, August 18, 2022.**

Please send Certificate of Publication to:

Board of County Commissioners  
209 S. Blackhoof St., Room 201  
Wapakoneta, OH 45895

Thank you.

Esther Leffel  
BOCC Clerk



# ADVERTISEMENT FOR BIDS

Auglaize County Commissioners  
Buckland, Ohio  
Buckland Neighborhood Improvements

Bids for the Buckland Neighborhood Improvements project will be received by the Auglaize County Commissioners at the Administration Building, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895, until Tuesday, September 6, 2022 at 10:00 a.m. local time. At that time the Bids received will be publicly opened and read.

The Project includes the following Work: Installation of curb and sidewalk on the east side of Main St, sidewalk installation on Cemetery and Buckland River Rd. Park parking lots north & south of Cemetery Rd will be resurfaced and a basketball court installed and striped on south parking lot.

Information and Bidding Documents for the Project can be found and downloaded at the following website: [choiceoneengineering.com/projects-out-for-bid](http://choiceoneengineering.com/projects-out-for-bid). All official notifications, addenda, and other Bidding Documents will be offered through the designated website. Neither Owner nor Engineer will be responsible for Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office of Choice One.

The Contractor will be required to pay not less than the minimum wage rates established by the Federal Labor Standards Provisions and Davis-Bacon Wages. Attention of the Bidder is called to the various insurance requirements and various equal opportunity provisions.

This project is funded through PY'21 CDBG Allocation Funds – Neighborhood Revitalization Grant (NRG) Program.

The engineer's estimate is \$828,014.00.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

Owner: Auglaize County Commissioners  
By: David Bambauer  
Title: President of the Board of Commissioners  
Date: August 11, 2022  
August 18, 2022

**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board has received a request from the Auglaize County JFS Director, Julie Gossard, to increase the 2022 Annual Appropriation with moneys that were certified and unappropriated; and,

**WHEREAS**, the FCF-HMG-State Grant Fund:

**Increase 938.0938.530600 (Contract Services) by \$100,000.00.**

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the 2022 Annual Appropriation Resolution to be amended to show the increase as tabulated above.

Commissioner Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

cc: ✓ County Auditor  
✓ County Administrator  
✓ JFS Director

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

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

<b>FAA Update Master Plan Fund:</b>	
<b>Amount:</b>	<b>To:</b>
\$ 3,150.00	094.0094.539700 (Engineering Fees) 094.0094.531000 (Reimbursement)
<b>General Fund:</b>	
<b>From:</b>	<b>To:</b>
\$15,000.00	001.0701.530900 (Farm Expense) 001.1208.530600 (GIS Technology)

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby authorize the County Auditor to complete the budget adjustments as mentioned above.

Commissioner Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

cc: County Auditor  
✓ County Administrator

**IN THE MATTER OF AUTHORIZING THE RENEWAL FOR SUPPORT AND SOFTWARE FOR BACKUP SERVERS AND BACK-UP EXEC SOFTWARE FROM CDW-G.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of August, 2022.

Commissioner Bergman moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, in Resolution #13-361, dated August 8, 2013, the Board of Auglaize County Commissioners, Auglaize County, Ohio authorized the acquisition of back-up servers, tape library with tapes and back-up exec software for the county's back-up server from CDW-G; and,

**WHEREAS**, it is time for the renewal of the support and software for the backup exec library expansion support, backup exec server support, backup exec remote agent support , backup exec applications and database agent support and backup exec windows agents for a total amount of \$4,946.25 from CDW-G; said renewal is for a one year renewal ending in 2023.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve and authorize the renewal of all the backup support and software as mentioned above from CDW-G.

Commissioner Spencer 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  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

cc: CDW-G  
IT Manager

County Commissioners Office  
Auglaize County, Ohio  
August 11, 2022

NO.        #22-359

**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 August, 2022.

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:

Check No.	Amount	Vendor
463040	120.00	ST. MARYS TRUCKING
463107	300.00	BF & S

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

Adopted this  
11th day  
August, 2022

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

David Bambauer, yes  
David Bambauer

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

cc: County Auditor