

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula 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>
368116	\$ 314.80	TSC
368123	\$ 264.85	City of St. Mary's
368174	\$ 1,142.64	Reiter Dairy
368176	\$ 683.32	Rightway Food Service
368216	\$ 356.46	Lowe's
368226	\$ 8,992.50	Hull & Associates, INC
368290	\$ 5,244.90	Dominion East Ohio
368291	\$ 1,947.05	Dominion Gas
368292	\$ 4,497.77	City of Wapakoneta
368314	\$ 1,100.90	Estate of Carol McNabb
368316	\$ 331.56	Estate of Herschel Arthur
368317	\$ 5,571.35	Humana Health Care Plans
368319	\$ 120.00	Minster Bank

Commissioner Bergman 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  
December, 2012

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: County Auditor

**IN THE MATTER OF AUTHORIZING THE PAYMENT OF COMPENSATION TO ROBIN EGBERT, DENNIS KELBEL, AND KEVIN SAWMILLER TO BE CALCULATED WITH TIME AND A HALF FOR OVERTIME HOURS WORKED FOR OPERATION OF THE RECYCLE PROGRAM DECEMBER 10<sup>TH</sup> – DECEMBER 19<sup>TH</sup>, 2012.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th of December, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Robin Egbert, Dennis Kelbel and Kevin Sawmiller, employed by Auglaize County as part of the Solid Waste Recycling staff, and,

**WHEREAS**, one hour per day per employee during the dates of December 10<sup>th</sup> – December 19<sup>th</sup>, 2012 for the operation of the recycle program.

**THEREFORE BE IT RESOLVED** by the Board of Commissioners of Auglaize County, Ohio does hereby authorize the compensation of Robin Egbert, Dennis Kelbel and Kevin Sawmiller time and a half pay for one hour of overtime per day per employee through December 10<sup>th</sup> – December 19<sup>th</sup>, 2012 .

Commissioner Bergman 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  
December, 2012

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: Solid Waste – Dave Reichelderfer  
✓ Deputy Clerk - Mandy Metz

**IN THE MATTER OF ACCEPTING THE QUOTE FROM GATES BROTHERS GLASS SHOPS TO  
INSTALL SAFETY GLASS ON EXISTING WOOD OPENINGS FOR THE AUGLAIZE COUNTY  
COURTHOUSE RENOVATION PROJECT.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Gates Brothers Glass Shops has submitted a quote of \$2,634.00 to install the safety glass on the top of existing wood openings with dark bronze anodized U-channel and painted U-channel at top. Glass cut to pattern at existing wood ends with polished edges and polished vertical butt joints with clear silicone. Contours at inside corners will have a minimum 1/2" radius. Paint for U-channel supplied by owner. This project is to provide a better sound barrier and temperature control; and,

**WHEREAS**, the installation of the glass on the top of the existing wood openings on the north and south areas on the first floor of the Courthouse will be scheduled in coordination with Judge Spees' Office.

**THEREFORE BE IT RESOLVED** by the Board of Commissioners of Auglaize County, Ohio does hereby approve and authorize the quote from Gates Brothers Glass Shops for \$2,634.00 for to install safety glass on existing wood openings for the Courthouse Renovation Project.

Commissioner Bergman 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  
December, 2012

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: Gates Brothers Glass Shops  
County Administrator  
Judge Spees

County Commissioners Office  
Auglaize County, Ohio  
December 11, 2012

NO. 12-528

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF LAPTOPS FROM CDW-G FOR THE COUNTY COMMISSIONER OFFICE.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, it is necessary to purchase three (3) laptops to be used by the two Commissioners and the Computer Operations Manager; and,

**WHEREAS**, CDW-G has submitted a quotation for said purchase of an hp 6470B laptop with 4 GB ram and office 2010 licenses for the three laptops the amount of \$2,631.03.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the purchase, from CDW-G for the three (3) HP 6470B laptops as noted above at the total cost of \$2,631.03.

Commissioner Bergman 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  
December, 2012

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer, Yp  
Douglas A. Spencer

Don Regula, g  
Don Regula

John N. Bergman  
John N. Bergman

cc: ✓ County Computer Operations Manager  
✓ Clerk of the Board

**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 day of December, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

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

**Public Defender Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 600.00	001.0605.530300 (Supplies)	001.0605.510200 (Salaries)
\$ 1,000.00	001.0605.530400 (Equipment)	001.0605.530501 (Indigent Counsel)
\$ 3,000.00	001.0605.530901 (Transcripts)	001.0605.530501 (Indigent Counsel)
\$ 1,575.00	001.0605.532800 (Rent)	001.0605.530501 (Indigent Counsel)

**Sheriff Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 5,000.00	001.0601.536400 (Workers Comp)	001.0601.530400 (LE Equip)
\$ 10,000.00	001.0601.530600 (Contract Services)	001.0601.530400 (LE Equip)
\$ 10,000.00	001.0601.530300 (LE Supplies)	001.0601.530400 (LE Equip)

**Veterans Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 818.36	001.0903.536400 (Workers Comp)	001.0904.510200 (Drivers Salary)
\$ 167.43	001.0904.536400 (Workers Comp)	001.0904.510200 (Drivers Salary)

**Commissioners Fund:**

<b>Amount:</b>	<b>From:</b>	<b>To:</b>
\$ 200.00	001.0101.531000 (Prof. Services)	001.0101.530700 (Travel)

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustments to show the changes as tabulated 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  
11th day of  
December, 2012

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:  County Auditor
- Public Defender
- Sheriff
- Veteran Services
- County Administrator

**IN THE MATTER OF SETTING AMOUNTS OF BONDS FOR ELECTED OFFICIALS FOR TERMS BEGINNING 2013.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, pursuant to the Ohio Revised Code, the Board of County Commissioners must set the bonds for certain elected officials which have been newly elected or re-elected; and,

**WHEREAS**, the bond amounts which may be obtained by each County Elected Official whose terms begin 2013 are:

- Clerk of Courts – for Common Pleas Court – \$10,000 - \$40,000**
- Treasurer – to be set by the County Commissioners**
- Engineer - \$2,000 to \$10,000**
- Coroner - \$5,000 to \$50,000**
- Recorder – not less than \$10,000**
- Sheriff - \$5,000 to \$50,000**
- Commissioners – not less than \$5,000.**

**THEREFORE BE IT RESOLVED**, that the Board of County Commissioners, Auglaize County, Ohio, pursuant to the Ohio Revised Code, does hereby set the bond amounts for the newly elected or re-elected officials as follows:

- Clerk of Courts – for Common Pleas Court – \$10,000**
- Treasurer – \$10,000**
- Engineer - \$2,000**
- Coroner - \$5,000**
- Recorder – \$10,000**
- Sheriff - \$10,000**
- Commissioners – \$5,000.**

Commissioner Bergman 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  
December, 2012

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: Officials as listed  
-Prosecuting Attorney

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula 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 Vertner 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 as presented, for the Vertner 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 Bergman 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  
December, 2012

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: County Engineer

# DITCH CONTRACT

Revised Code, Sec. 6131.41

*In the Matter of the* VERTNER DITCH

*SINGLE* County Ditch Petitioned for by SENATE BILL 160 PROJECT *and others.*

THIS AGREEMENT, *made and entered into on this* 11<sup>th</sup> *day of* December 2012.

*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* ONE HUNDRED FORTY ONE THOUSAND THREE HUNDRED FORTY-TWO  
AND 80/100 ( \$ 141,342.80) *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*  
VERTNER DITCH *improvement petitioned for by* SENATE BILL 160 PROJECT  
*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* VERTNER 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* VERTNER DITCH *may require. The whole to be completed to*  
*the satisfaction and acceptance of said "First Party" on or before the* 15<sup>th</sup> *day of* SEPTEMBER,  
2013,

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* ONE HUNDRED FORTY ONE THOUSAND THREE HUNDRED  
FORTY-TWO AND 80/100 ( \$ 141,342.80) *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*

David C Schwieterman

signed

*Joyle Gerlach*

witness

Cy Schwieterman, Inc.

company

10097 Kohler Rd.

street

*Carmie Hottes*

witness

Wapakoneta Oh 45895

city, state, zip

The above Contract being good and sufficient is approved this 11<sup>th</sup> day of December, 2012.

*Don Regula*  
commissioner

*Don Regula*  
commissioner

*John N. Bergman*  
commissioner

# BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the VERTNER DITCH

Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR  
AND MATERIALS

Petitioned for by SENATE BILL 160 PROJECT 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

ONE HUNDRED SEVENTY SIX THOUSAND SIX HUNDRED SEVENTY- EIGHT AND

50/100 (\$ 176,678.50) 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 December, 2012.

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 VERTNER DITCH improvement

petitioned for by SENATE BILL 160 PROJECT and others specified in said Contract, to

the satisfaction and acceptance of the County Engineer, on or before the 15<sup>th</sup> day of SEPTEMBER,

2013, for the compensation of ONE HUNDRED FORTY ONE THOUSAND THREE

HUNDRED FORTY-TWO AND 80/100 (\$ 141,342.80) 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.**

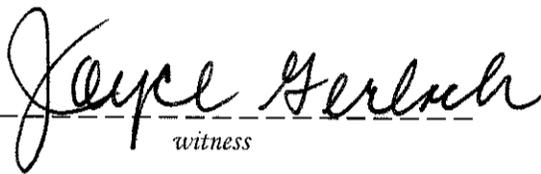
of **10097 KOHLER ROAD, WAPAKONETA, OHIO**

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

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Signed

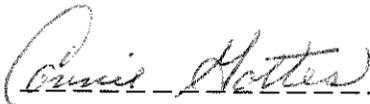
  
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witness

Cy Schwieterman, Inc.

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company

10097 Kohler Rd.

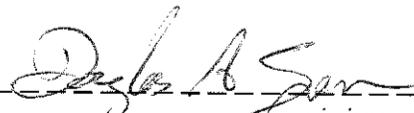
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street

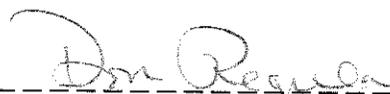
  
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witness

Wapakoneta Oh 45895

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city, state, zip

The above Bond being good and sufficient is approved this **11<sup>th</sup>** day of **December**, 2012.

  
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commissioner

  
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commissioner

  
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commissioner

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 11th day of December, 2012.

Commissioner Regula 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 Headapohl 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 as presented, for the Headapohl 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 Bergman 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  
December, 2012

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: County Engineer

# DITCH CONTRACT

Revised Code, Sec. 6131.41

*In the Matter of the* HEADAPOHL DITCH

*SINGLE* County Ditch Petitioned for by LOWELL HEADAPOHL and others.

THIS AGREEMENT, made and entered into on this 11<sup>th</sup> day of December 2012.

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 SIXTY FIVE THOUSAND FIVE HUNDRED NINETY-NINE AND 75/100  
(\$ 65,599.75) 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  
HEADAPOHL DITCH improvement petitioned for by LOWELL HEADAPOHL  
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 HEADAPOHL  
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 HEADAPOHL DITCH may require. The whole to  
be completed to the satisfaction and acceptance of said "First Party" on or before the 15<sup>th</sup> day of  
SEPTEMBER, 2013,

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 SIXTY FIVE THOUSAND FIVE HUNDRED NINETY-NINE AND  
75/100 (\$ 65,599.75) 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.



David Schwieterman

signed

Executive in Presence of



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 11<sup>th</sup> day of December, 2012.

  
commissioner  
commissioner  
commissioner

# BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the HEADAPOHL DITCH

Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR  
AND MATERIALS

Petitioned for by LOWELL HEADAPOHL 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

EIGHTY ONE THOUSAND NINE HUNDRED NINETY-NINE AND 69/100 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 December, 2012.

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 HEADAPOHL DITCH improvement

petitioned for by LOWELL HEADAPOHL and others specified in said Contract, to

the satisfaction and acceptance of the County Engineer, on or before the 15<sup>th</sup> day of SEPTEMBER,

2013, for the compensation of SIXTY FIVE THOUSAND FIVE HUNDRED NINETY-NINE

AND 75/100 (\$ 65,599.75) 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 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 11<sup>th</sup> day of December, 2012.



commissioner



commissioner



commissioner