

**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 28th day of February, 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>
359463	\$ 115.47	Joint Twp. Memorial Hospital
359467	\$ 695.30	Wapak Daily News
359484	\$12,442.02	Diller Medical
359485	\$ 514.95	Med-Lab
359486	\$ 680.85	New Knoxville Supply Co.
359486	\$ 1,900.00	New Knoxville Supply Co.
359490	\$ 955.39	Harbor Linen
359494	\$45,943.75	OSU Extension Business Office
359504	\$ 450.20	Visa
359505	\$ 297.17	Visa
359514	\$ 137.88	Treasurer State of Ohio
359515	\$ 215.00	Auglaize Co. Council on Aging
359520	\$11,980.52	Allen County Auditor
359529	\$ 170.00	Bailey Equipment & Apparel
359531	\$ 721.80	Konica Minolta
359531	\$ 619.33	Konica Minolta
359544	\$ 550.00	Correctional Behavioral health
359545	\$ 4,141.00	Justice Science Collective, LLC
359546	\$ 165.00	Pump N Pack Shell
359546	\$ 360.00	Pump N Pack Shell
359547	\$ 6,350.00	Henke Mfg.
359548	\$ 4,140.00	Treasurer of State of Ohio
359548	\$ 120.00	Treasurer of State of Ohio
359552	\$ 190.00	Calibre Press
359555	\$ 490.00	Clemans Nelson Assoc.
359563	\$ 600.08	West Ohio Xray
359564	\$35,170.50	Emergitech
359568	\$ 389.03	First Call Auto Supply
359575	\$ 519.00	Four-U-Office Supplies
359576	\$ 111.16	Ohio CSEA Directors Assn.
359578	\$ 1,523.00	Century
359578	\$ 1,905.30	Century
359579	\$17,613.28	Gordon Food Service
359583	\$ 210.54	Fresh Encounter Inc.
359585	\$ 2,354.45	Powerplan
359589	\$ 1,628.00	Treasurer of State of Ohio
359590	\$ 2,488.97	West Central Dev. Corp.
359592	\$ 1,351.68	AIP Logistics
359593	\$ 174.90	JP Morgan Chase Bank
359599	\$18,010.00	CMI
359609	\$ 158.45	Verizon Wireless
359613	\$15,852.58	Auglaize Co. Treasurer

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

Adopted this  
28th day of  
February, 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 APPROVING THE 2012 ATTACHMENTS "A", "B" AND "C" OF THE MASTER SERVICES AGREEMENT BETWEEN AUGLAIZE COUNTY AND HULL & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES IN RELATION TO THE ST. MARYS LANDFILL MONITORING; RATIFYING THE EXECUTION OF SAID 2012 ATTACHMENTS "A", "B" AND "C".**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of February, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, Auglaize County being responsible for the environmental monitoring at the St. Marys Landfill, must enter into an agreement with a company licensed to perform said monitoring services; and,

**WHEREAS**, a Master Services Agreement was entered into on August 7, 2008 by and between the Board of County Commissioners and Hull & Associates outlining the professional consulting services to be provided by Hull & Associates; and,

**WHEREAS**, the 2012 ATTACHMENT "A" has been presented to the Board of County Commissioners by Hull & Associates outlining the professional consulting services to be provided by Hull & Associates for the calendar year 2012 at an estimated total cost of \$45,000.00; and,

**WHEREAS**, the laboratory analytical are not included in the above estimate, they are estimated to be about \$24,500 and will be billed directly to the County by the laboratory; and,

**WHEREAS**, the 2012 ATTACHMENTS "B" and "C" have also been presented to the Board of County Commissioners by Hull & Associates (consultant):

**ATTACHMENT "B"** Consultant will prepare revision to Detection Sampling and Analysis Plan and Groundwater Quality Assessment Plan to address Ohio EPA reviews, rule changes and incorporate new data at an estimated total cost of \$6,000.00.

**ATTACHMENT "C"** Consultant will perform general communications with Ohio EPA to address requests for more information and discuss results of groundwater data at an estimated total cost of \$15,000.00.

**WHEREAS**, the Board of County Commissioners was requested to approve the agreements and execute same.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio does hereby approve the 2012 ATTACHMENTS "A" "B" and "C" of the Master Services Agreement between Auglaize County and Hull & Associates, Inc. for professional environmental monitoring services at the St. Marys Landfill for 2012; and,

**BE IT FURTHER RESOLVED** that the Board of County Commissioners authorizing the President of the Board to execute approved the 2012 ATTACHMENTS "A", "B" and "C" of the Master Services Agreement with Hull & Associates, Inc. as presented.

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

Adopted this  
28th day of  
February, 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: David Reichelderfer, Solid Waste/Recycle  
Coordinator  
Hull & Associates, Inc.

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

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of February, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Engineer's office has filed with this Board a contract and bond with Cy Schwieterman, Inc. for labor and materials for said Crow #2 Ditch project petitioned under Senate Bill 160; 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 Crow #2 Ditch project; 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 Secretary of the County Engineer 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  
28th day of  
February, 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* CROW DITCH #2

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

THIS AGREEMENT, made and entered into on this day of 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 FIFTY TWO THOUSAND SEVEN HUNDRED THIRTY-SIX AND 25/100  
(\$52,736.25) 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 CROW  
DITCH #2 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 CROW DITCH #2  
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 CROW DITCH #2 may require. The whole to  
be completed to the satisfaction and acceptance of said "First Party" on or before the 31<sup>st</sup> day of  
DECEMBER, 2012.

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 FIFTY TWO THOUSAND SEVEN HUNDRED THIRTY-SIX AND  
25/100 (\$ 52,736.25) 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



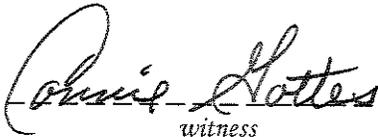
witness

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 28<sup>th</sup> day of February, 2012.



commissioner



commissioner



commissioner

# BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the CROW DITCH #2

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

SIXTY-FIVE THOUSAND NINE HUNDRED TWENTY AND 31/100

(\$65,920.31) 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 \_\_\_\_\_ day of \_\_\_\_\_, 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 CROW DITCH #2 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 31<sup>st</sup> day of DECEMBER,

2012, for the compensation of FIFTY TWO THOUSAND SEVEN HUNDRED THIRTY-

SIX AND 25/100 (\$52,736.25) 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 28<sup>th</sup> day of February, 2012.

  
commissioner

  
commissioner

  
commissioner

**IN THE MATTER OF ACCEPTING THE RESIGNATION OF GENEVIEVE CONRADI TO THE AUGLAIZE COUNTY PUBLIC DISTRICT LIBRARY BOARD OF TRUSTEES.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 28th day of February, 2012.

Commissioner Regula moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, the Board of County Commissioners adopted Resolution #10-484, re-appointed Genevieve Conradi to the Auglaize County Public District Library Board of Trustees; and,

**WHEREAS**, Genevieve Conradi, on February 14, 2012, submitted to the Board of County Commissioners, a letter of resignation from her position on the Auglaize County Public District Library Board of Trustees.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby acknowledge Genevieve Conradi's resignation from the Auglaize County Public District Library Board of Trustees; and,

**BE IT FURTHER RESOLVED** that said Board does extend its appreciation to Ms. Conradi for her dedication and service given to the Auglaize County Public District Library Board of Trustees.

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

Adopted this  
3rd day of  
May, 2011

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer  
Douglas A. Spencer

Don Regula  
Don Regula

John N. Bergman  
John N. Bergman

cc: Auglaize County Public District Library  
Beth Steiner, Director  
Genevieve Conradi