

IN THE MATTER OF AUTHORIZING BUDGET ADJUSTMENT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 13th day of October, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

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

Road Fund:

Amount:	From:	To:
\$ 15,000.00	002.0014.550200 (Capital Imp.)	002.0014.530301 (Parts)

THEREFORE BE IT RESOLVED that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the budget adjustment to show the changes as tabulated above.

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

Adopted this
13th day of
October, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
John N. Bergman

Douglas A. Spencer, yes
Douglas A. Spencer

Don Regula, yes
Don Regula

cc: County Auditor
Engineer – Doug Reinhart

IN THE MATTER OF DOCUMENTING THAT NO BIDS WERE RECEIVED FOR THE CROW #2 DITCH PROJECT.

The Board of Auglaize County Commissioners met in regular session on the 13th day of October, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, on August 11, 2011, Resolution #11-303, the Board of Auglaize County Commissioners set September 1, 2011 to receive bids for the Crow #2 Ditch project; and,

WHEREAS, one bid was received and was rejected because the bid submitted by the contractor is 20% over the Engineer's Estimate; and,

WHEREAS, on September 13, 2011, Resolution #11-337, the Board of Auglaize County Commissioners set October 11, 2011 to receive bids for the Crow #2 Ditch Project; and,

WHEREAS, no bids were received for this project. The Engineer's Office is advising that the Soil and Water Conservation District meet to discuss revising their construction estimates, assessments, and completion date, and notifying the landowners in the watershed of those changes by reconvening a 2nd and Final Hearing with those revised cost estimates and assessments.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby document that no bids were received on October 11, 2011 for the construction of Crow #2 County Ditch project; and,

BE IT FURTHER RESOLVED that the Board agrees with the Engineer's Office recommendation to have the Soil and Water Conservation District meet to discuss revising their construction estimates, assessments, and completion date, and notify the landowners in the watershed of those changes by reconvening a 2nd and Final Hearing with those revised costs estimates and assessments.

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

Adopted this
13th day of
October, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

<u>John N. Bergman</u>	<u>yes</u>
John N. Bergman	
<u>Douglas A. Spencer</u>	<u>Yes</u>
Douglas A. Spencer	
<u>Don Regula</u>	<u>yes</u>
Don Regula	

cc: Auglaize County Engineer

IN THE MATTER OF APPROVING THE CONTRACT AND BOND OF SAINTIGNON EXCAVATING COMPANY FOR THE HARUFF DITCH PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 13th day of October, 2011.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Engineer's office has filed with this Board a contract and bond from Saintignon Excavating Company for labor and materials for said Haruff 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 Saintignon Excavating Company as presented, for the Haruff 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
13th day of
October, 2011

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes
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 HARUFF DITCH

SINGLE County Ditch Petitioned for by BARRY & NIKKI STEVENS and others.

THIS AGREEMENT, made and entered into on this 11TH day of OCTOBER 2011.

by and between the County Commissioners of AUGLAIZE COUNTY, Ohio, and hereinafter designated as "First Party," and SAINTIGNON EXCAVATING CO. of 8851 CO. RD. 219 A, CELINA, OHIO 45822 hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," For and in consideration of the sum of FORTY-TWO THOUSAND SEVEN HUNDRED FIFTY THREE AND 00/100 DOLLARS, (\$ 42,753.00) 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 HARUFF DITCH improvement petitioned for by BARRY & NIKKI STEVENS 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 HARUFF 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 HARUFF DITCH may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the 31ST day of DECEMBER, 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 FORTY-TWO THOUSAND SEVEN HUNDRED FIFTY THREE AND 00/100 DOLLARS, (\$ 42,753.00), in installment from time to time, upon the certificate of acceptance of the County Engineer and as provided by law.

Now if the said

SAINTIGNON EXCAVATING COMPANY

of

8851 CO. RD. 219 A, CELINA, OHIO 45822

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

Bruce C. Saintignon
signed

Kevin Sewell
witness

Saintignon Excavating Company
company

Ronette Hill
witness

8851 Co Rd 219A
street

Celina Ohio 45822
city, state, zip

The above Contract being good and sufficient is approved this 13th day of October, 2011.

John N. Bergman
commissioner

Douglas A. Spencer
commissioner

Don Regula
commissioner

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the HARUFF DITCH

Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by BARRY & NIKKI STEVENS and others

KNOW ALL MEN BY THESE PRESENTS, That we, SAINTIGNON EXCAVATING CO.

of 8851 CO. RD. 219 A, CELINA, OHIO, as Principal, and

AMCO INSURANCE COMPANY, 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-TWO THOUSAND SEVEN HUNDRED FIFTY THREE AND 00/100

(\$ 42,753.00) Dollars, WHICH IS 100% 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 11TH day of OCTOBER, 2011

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

SAINTIGNON EXCAVATING CO. of 8851 CO. RD. 219 A, CELINA, 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 HARUFF DITCH improvement

petitioned for by BARRY & NIKKI STEVENS and others specified in said Contract, to

the satisfaction and acceptance of the County Engineer, on or before the 31ST day of DECEMBER,

2011, for the compensation of FORTY-TWO THOUSAND SEVEN HUNDRED FIFTY

THREE AND 00/100 DOLLARS, (\$ 42,753.00). (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 **SAINTIGNON EXCAVATING COMPANY**

of **8851 CO. RD. 219 A, CELINA, 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

Bruce C. Saintignon
Signed

Kevin Schwal
witness

Saintignon Excavating Company
company

Ronette Gile
witness

8851 Co Rd 219A
street

Celina Ohio 45822
city, state, zip

The above Bond being good and sufficient is approved this **13th** day of **October**, 2011.

John N Bergman
commissioner

Douglas A Spence
commissioner

Don Regula
commissioner