

<b>Description</b>	Minutes of Meeting		
<b>Date</b>	3/22/2010	<b>Location</b>	Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">8:59:46 AM</a>	Call Meeting to Order Pledge of Allegiance Opening Prayer Roll Call Attendance- All present		
<a href="#">9:00:40 AM</a>	<b>Resolution 2010-250</b> Approve Minutes of March 11, 2010	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:01:17 AM</a>	<b>Resolution 2010-251</b> Approve Agenda As Amended	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:02:06 AM</a>	<b>OLD BUSINESS:</b> · Ziad Musallam, Sanitary Engineer - Update on Northeast Fulton County Water System	<p>Mr. Musallam stated that on the DI contract there has been 29,160 linear feet of pipe put in on the DI project. Swancreek is now connected.</p> <p>Commissioner Genter asked what to expect at the meeting tonight. He stated that it will be an informational meeting to all property owners that are now existing or could possibly benefit from the waterline. He will present maps. Commissioner Genter expressed that he would like Mr. Musallam to be clear and concise of the landowners responsibilities. Mr. Musallam stated that he will present all information regarding taps, costs and the waiver.</p> <p>Commissioner Genter asked if there will be stimulus monies left over. Mr. Musallam stated that the stimulus is paying for what is being done now. There may be funds still available on the loan. If there are any extensions on the waterline, it will come from the loan amount.</p>	
<a href="#">9:08:23 AM</a>	·Review Notice from ODOT Regarding	St. John's Christian church has received a Gold Star Distinction for their participation in the	

	Adopt-A-Highway Gold Star Award Recipient	Adopt-A-highway Program.
<a href="#">9:08:56 AM</a>	<b>NEW BUSINESS:</b> · <b><u>Resolution 2010-252</u></b> Approve Draw Down of Funds 210 and 211 for CHIP and NSP Grant	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:09:48 AM</a>	· <b><u>Resolution 2010-253</u></b> Create New Line Items for County Engineer and Clerk of Courts	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:10:32 AM</a>	· <b><u>Resolution 2010-254</u></b> Enter Into Contract 2010-54 with Dennis M. McKay on Behalf of Economic Development	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:11:15 AM</a>	· <b><u>Resolution 2010-255</u></b> Enter Into Contract 2010-55 with Stantec Consulting Services, Inc. for Fulton County Airport Projects	Commissioner Genter noted that the contract presented was in the amount of \$14K. At the last Airport Board meeting, Stantec stated that the contract would be in the amount of \$12,100. Commissioner Genter made the motion to approve the contract up to \$12,100 and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:12:47 AM</a>	· <b><u>Resolution 2010-256</u></b> Authorize County Credit Card for County Auditor	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:13:35 AM</a>	· <b><u>Resolution 2010-257</u></b> Enter Into Contract 2010-56 with Nelson Tank Engineering and Consulting, Inc. on Behalf of Sanitary Engineer	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:14:14 AM</a>	· <b><u>Resolution 2010-258</u></b> Approve Purchase Orders and Travel Requests	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:14:33 AM</a>	· <b><u>Resolution 2010-259</u></b> Approve Amendment to	Commissioner Genter made the motion and Commissioner Short seconded the motion.

	Contract 2009-90 with Fulton County Cab on Behalf of Fulton County Job and Family Services	Motion carried unanimously.
<a href="#">9:16:52 AM</a>	Discussion on Job Works, Inc. Program	Commissioner Short that Job Works, the firm that was through a multi-county process for the year round youth program held a “build it, keep it” program over the weekend. Approximately 15 -20 individuals arrived. The program allows youths to come in a build a computer, then they get to keep it.
<a href="#">9:17:35 AM</a>	Recess	
<a href="#">9:31:29 AM</a>	<b>Fulton County Landowners: Tom VonSeggern, Jack Rupp, John Rupp, George &amp; Cheryl Karagiorge, Wayne &amp; Delores Short, and Ervin &amp; Trudy Sonnenberg - Discussion Regarding Ag Easement Program</b>	<p>Commissioner Genter opened the discussion stating that there were some Fulton County landowners present to discuss farmland preservation. He then recognized Mr. Tom VonSeggern, and turned the discussion over to him to lead the discussion since he was the one that asked to be on the agenda.</p> <p>Mr. VonSeggern stated that the reason they are here is because, as the Board is aware, there must be a sponsor to enroll in the (AEPP) Program. They, as Fulton County landowners, would like for the Board to sign a resolution in support to allow the landowner to chose the sponsor of their choice.</p> <p>Commissioner Genter stated that they had just handed out some information containing excerpts of minutes from previous meetings which shows the reasoning why they went from Black Swamp to Soil and Water. He explained that a resolution was passed on December 24, 2007 endorsing Soil and Water as the local sponsor and has been in effect since then. Since this resolution, Black Swamp has continued to pursue easements in Fulton County and actually had them approved. They had been telling the Commissioners that they didn’t need their sponsorship and the State didn’t require it. Several months ago, a call came in to Soil and Water with a concern that the Attorney General has reviewed past</p>

applications and wondered why the county had not sponsored the applications and why their names were not on there. At that time, they were told that the county was with the understanding that they didn't have to. The state's reply was that yes, they did. Commissioner Genter explained that the County's sponsorship is with Soil and Water. Black Swamp should have made them all aware that they were not a recognized sponsor in Fulton County because this has been on the county's books since December 24, 2007 and Black Swamp was aware of this. Mr. VonSeggern stated that the law was "either/or"- either townships, commissioners or soil and water. They changed it this year to both, which is why Black Swamp has still sponsored for the last 2 years. Mr. VonSeggern further stated that they have done an excellent job and that they have 100% of the easements in Fulton County. That is who he wants to be his sponsor and the rest of the landowners here today want to go that way too. As landowners, he feels he has the right to choose a sponsor of their choice.

Commissioner Genter stated, that for the record, Mr. VonSeggern also sets on the Black Swamp Conservancy Board. Mr. VonSeggern stated that yes, he does; and that is why he knows so much about the program and how it works. He has been on the Board for going on 4 years and feels they are good people and know what they are doing with the program. That is who he wants to sponsor him.

Commissioner Genter stated that he does not believe that they, as Commissioners, have ever hid anything as far as where their intentions have been in Fulton County. He stated to Mr. VonSeggern: "You have had good relationships with Black Swamp; we have not had *any* good relationships." He stated that Soil and Water, working with local people and having local control, rather than someone outside of the county, is the way the

Commissioners, at this time would like to continue. This was a resolution that was passed by unanimous vote on December 24, 2007 and that Soil and Water can do an excellent job. Mr. VonSeggern stated that they probably can, but his money is on the Black Swamp. Farmland preservation is what they focus on, along with other preservations of lands. That is who he wants for a sponsor, and all he is asking for is a resolution from the Commissioners, as a landowner, to give him the rights to go to who he chooses, which he feels that he has that right.

Commissioner Short stated that the law does state that they (Commissioners) are the authority to give final authorization for it. It was no secret that the county has a local Soil and Water and they do have the ability to hold agricultural easements due to the configuration of the organization. He stated that they want to continue to support them. As everyone knows, budgets continually have become tighter and tighter. We are giving them the opportunity to hold the easements to do the work that is necessary for that. They also exhibit local control and can ensure that all processes are in place. He does not see any reason as to why not to have the local Soil and Water do this. "Fulton County Organizations supporting Fulton County Residents".

Dialogue:

Mr. VonSeggern: "So what you guys are basically telling me is that you won't sign the resolution for private landowners?"

Commissioner Short: "We have already made a resolution concerning this on December 24, 2007."

Mr. VonSeggern: "Does that give you the right to tell us what can and can't do?"

Commissioner Short: "No, we are not telling

you that you cannot do the ag easement program. Our recognized sponsor is the Fulton County Soil and Water District. To get an application approved by the Board of Commissioners, you must apply through the Fulton County Soil and Water District.”

Mr. VonSeggern: “As a private landowner, you are telling me I have no rights to choose my sponsor.”

Commissioner Short: “We are saying that the Board passed a resolution recognizing Fulton County Soil and Water as our sponsor for ag easements.”

Mr. VonSeggern: “I am not asking to have Black Swamp recognized, I want to be recognized as a citizen. Black Swamp is nowhere on the resolution.” He presented the resolution to Commissioner Genter for his review.

Commissioner Genter: “Who is going to hold the easement?”

Mr. VonSeggern: “We will be able to take it wherever we want. I just need the Commissioners to sign the resolution.”

Commissioner Genter read through the resolution proposed by Mr. VonSeggern. He stated that someone needs to hold the easement. Commissioner Short read from the resolution adopted on 12/24/2007: “THEREFORE BE IT RESOLVED, that the Agricultural Easement Purchase Program (AEPP) Applications be submitted by and held by the following Local Sponsor ‘Fulton County Soil and Water’ for the 2008 year and future funding rounds of the AEPP Application program. This resolution supersedes all other previous actions on this matter.” He stated that this resolution gives full support of our local Fulton County organization.

Commissioner Genter asked again, who the sponsor will be? Somebody has to sponsor the application. Mr. VonSeggern stated that yes, you would have to go to a sponsor, but they need to have a resolution to do that. He noted that some may go to Soil and Water, be he personally would rather go to a group that has a good record.

Commissioner Barnaby noted that Fulton County are the people that filled out the first AEPP's, it wasn't Black Swamp. Mr. VonSeggern noted that Black Swamp has since then come a long way by getting people in key positions that know how to handle these situations. He stated that he is just here as a landowner from Fulton County and that is who he wants to be his sponsor. He again stated that he just needs a resolution from the Board of Commissioners and he feels that is a right of his. He stated that he feels the resolution is a violation of his right of freedom of choice. He asked again if it is the Board intention to refuse signing the resolution. Commissioner Short stated they have already signed a resolution and Commissioner Genter stated that they have a recognized sponsor. The Board of Commissioners support Soil and Water. Mr. VonSeggern stated that they have a different sponsor that they would like to use.

Dialogue:

Commissioner Genter: "I understand that, but you also set on that Board, and the conflict of interest is huge. In the 4 years you have been on that Board you've received 4 awards."

Mr. VonSeggern: "I did not get on that Board until after those were all accepted, I refused to be on the Board back then".

Commissioner Genter: "So you will be on the Board when you have another application coming up."

Mr. VonSeggern: “Yes, this came about with some other landowners in another part of the county, but not one of those have been accepted since I have been on that board. I’ve donated easements rights since I’ve been on that Board only.”

Commissioner Genter: We’ve had this in place and I’m sorry that it was not followed. We are not against farmland preservation. We feel that local control is important.

Mr. VonSeggern: Black Swamp is more than willing to work with you people.

Commissioner Short: Black Swamp has *never* demonstrated any ability, nor working attitude toward Fulton County on these applications. Black Swamp was sent a copy of this resolution, so they have been aware of the situation. They did try to skirt the issue last year. They went above us by saying that they did not need the Fulton County Commissioners to authorize this, so they knew were at odds then. Their demonstration with working with Fulton County just has not been good.”

Mr. VonSeggern: “You guys have taken a right away from me.”

Commissioner Short: “There is no right that has been taken away.”

Mr. VonSeggern: “I want the right to choose a sponsor in this program. All I need is a resolution that says the Commissioners understand what I’m doing and I have the right to go where I want.”

Commissioner Short: “We do understand what you are doing and we support the whole easement program. It is a valuable tool for future generations. Use Fulton County Soil and Water.”

		<p>Mr. VonSeggern asked if any of the landowners in attendance had anything to add.</p> <p>Mr. Jack Rupp stated that they were here due to the success rate of Black Swamp.</p> <p>Commissioner Genter made note of the fact that Mr. Rupp sits on the Soil and Water Board. Mr. Rupp stated that 40% of Black Swamp's applications get approved. He stated that it is not just next year's preservations; it is the next generation they are trying to protect.</p> <p>Commissioner Short stated that they are in support of that 100% and whole heartedly, with a local sponsor. Commissioner Genter stated that we have to support our local entities.</p> <p>Mr. VonSeggern stated that he resents the fact that Mr. Genter pointed out that he was accepted in the program. Commissioner Genter stated that it is a matter of public record. Mr. VonSeggern stated that he wanted to make sure that it was stated in the record that none of those easements were put into place when he was a board member. He further stated that the Board has denied him, a landowner, the rights of choosing his own sponsor by not signing his resolution.</p> <p>Commissioner Short explained that if he chooses Soil and Water, they would support him 100%. Mr. VonSeggern stated that he knows that, wants a sponsor of his own, of his own choice.</p> <p>The Board thanked all for coming in.</p>
<a href="#">9:49:31 AM</a>	Recess	
<a href="#">10:00:24 AM</a>	<b>2 nd Hearing on FY2010 CDBG Projects – CHIP</b>	<p>Commissioner Genter opened the hearing and turned it over to Mr. Dennis Miller and Ms. Liz Keel from the Maumee Valley Planning Organization. Mr. Miller presented the proposed budget.</p> <p>Fulton County is eligible for \$540,000 under the FY2010 CHIP Program through either</p>

	<p><b><u>Resolution 2010-260</u></b>          Authorize and Direct the President of the Board to Submit a Community Housing Improvement Program Grant Application to the Ohio Department of Development</p>	<p>CDBG or HOME funds.</p> <p>This allocation is broken down as follows:</p> <p>Private Owner Rehab \$176,000 Countywide          Private Owner Rehab \$100,000 Fayette          Home Repair \$50,000 Countywide          Home Ownership \$70,000 Countywide          Emergency Monthly Housing Payments \$20,000 Countywide          New Construction/Habitat for Humanity \$40,000 Countywide          Tenant-Based Rental Assistance \$20,000 Countywide          Fair Housing \$1,000 Countywide          Administration \$63,000 Countywide</p> <p>Commissioner Barnaby made the motion to Authorize the Application and Commissioner Short seconded the motion. A roll call vote was taken: Short, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.</p> <p>Commissioner Genter closed the hearing at 10:02:32 a.m.</p>
<p><a href="#">10:02:55 AM</a></p>	<p>Adjourn</p>	