

<b>Description</b>	Minutes- Fulton County Commissioners Session		
<b>Date</b>	9/29/2022	<b>Location</b>	Commissioners Meeting Room 152 S. Fulton St. Wauseon, OH 43567
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#"><u>10:30:09 AM</u></a>		Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance: All Present	
<a href="#"><u>10:30:50 AM</u></a>		Resolution 2022-664 Approve Minutes from September 27, 2022 Commissioner Jeff Rupp made the motion & Commissioner Joe Short seconded. Upon calling the roll, the following vote was taken: Commissioner Jeff Rupp: yes; Commissioner Joe Short: yes; Commissioner Jon Rupp: abstain; Motion passes unanimously.	
<a href="#"><u>10:31:26 AM</u></a>		Resolution 2022-665 Approve Agenda as Presented or Amended Commissioner Jon Rupp made the motion & Commissioner Jeff Rupp seconded. Motion passes 3-0.	
<a href="#"><u>10:31:41 AM</u></a>		Review Agreement between Four County ADAMhs Board and Fulton County Common Pleas Court	
<a href="#"><u>10:31:55 AM</u></a>		Resolution 2022-666 Increase & Transfer Appropriations for Various Departments Commissioner Jeff Rupp made the motion & Commissioner Jon Rupp seconded. Motion passes 3-0.	
<a href="#"><u>10:32:24 AM</u></a>		Resolution 2022-667 Approve Change Order #1-Final and Pay Request #3-Final to Miller Brothers Construction for Bridge 2A.4 Replacement on Behalf of Engineer Commissioner Joe Short made the motion & Commissioner Jon Rupp seconded. Motion passes 3-0.	
<a href="#"><u>10:33:26 AM</u></a>		Resolution 2022-668 Modify Lodging Tax Distribution Commissioner Jeff Rupp made the motion & Commissioner Jon Rupp seconded. Motion passes 3-0.	
<a href="#"><u>10:33:44 AM</u></a>		Resolution 2022-669 Enter Into MOU # 2022-91 with CCNO Commissioner Joe Short made the motion & Commissioner Jeff Rupp seconded. Motion passes 3-0.	

<p><a href="#"><u>10:34:16 AM</u></a></p>		<p>Resolution 2022-670 Accept Resignation of Senior Center Employee Commissioner Jon Rupp made the motion &amp; Commissioner Joe Short seconded. Motion passes 3-0.</p>
<p><a href="#"><u>10:34:36 AM</u></a></p>		<p>Resolution 2022-671 Approve Purchase Orders and Travel Requests Commissioner Jeff Rupp made the motion &amp; Commissioner Jon Rupp seconded. Motion passes 3-0.</p>
<p><a href="#"><u>10:35:06 AM</u></a></p>		<p>Resolution 2022-672 Hold an Executive Session to Conduct Conference with an Attorney Pursuant to §121.22(G)(3) Commissioner Jon Rupp made the motion &amp; Commissioner Joe Short seconded. Upon calling the roll, the following vote was taken: Commissioner Jeff Rupp: yes; Commissioner Joe Short: yes; Commissioner Jon Rupp: yes; Motion passes unanimously.</p>
<p><a href="#"><u>11:12:51 AM</u></a></p>		<p>Out of Executive Session. No Action Taken</p>
<p><a href="#"><u>11:12:58 AM</u></a></p>		<p>Adjourn Commissioner Jon Rupp made the motion</p>
		<p>APPROVED:</p> <p>_____, Jeff Rupp</p> <p>_____, Joe Short</p> <p>SUBMITTED &amp; ATTESTED:</p> <p>_____, Jessica Schuette, Clerk</p>

**RESOLUTION 2022-664**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session of ) Fulton County, Ohio  
September 27, 2022 ) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the resolution herein.

**THEREFORE, BE IT RESOLVED**, that after review, the Fulton County Commissioners hereby approves the minutes of Regular Session held September 27, 2022 as presented; and

**BE IT FURTHER RESOLVED**, by the Board of County Commissioners, County of Fulton, State of Ohio that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022-665**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, Commission Staff, to the best of its ability, has prepared the agenda for the day, and

**WHEREAS**, the Board of County Commissioners has reviewed said agenda and find it to be satisfactory as presented or as officially amended on the record in open session.

**THEREFORE, BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approves the agenda as amended or presented for September 29, 2022.

**BE IT FURTHER RESOLVED** that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This resolution was seconded by Commissioner \_\_\_\_\_ and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022-666**

In the Matter of Resolution to Increase & Transfer Funds) Office of County Commissioners  
and Appropriations for Various Departments ) Fulton County, Ohio  
) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, it is necessary to increase and transfer funds and appropriations for various departments, and;

**BE IT RESOLVED;** that the Board of County Commissioners does hereby authorize the following INCREASE of APPROPRIATIONS:

\$8,000,000.00                      1000-52000-5-94000                      Transfer Out- GF

**BE IT RESOLVED;** that the Board of County Commissioners does hereby authorize the following TRANSFER of FUNDS:

\$8,000,000                      From: 1000-52000-5-94000                      Transfer Out- GF  
\$8,000,000                      To: 4130-41100-4-41100                      Transfer In.- Cap Improvement

**BE IT FURTHER RESOLVED;** that the Board of County Commissioners does hereby authorize the following TRANSFER of APPROPRIATIONS:

\$414.66                      From: 2605-16914-5-96300                      PA- JFS  
\$414.66                      To: 2615-18914-4-81000                      Children Services- JFS

\$50,000.00                      From: 2615-16914-5-39004                      SCPA- FS  
\$50,000.00                      To: 2615-16914-5-39003                      Board and Care- JFS

\$692.50                      From: 5105-70903-5-96000                      Other Exp.- Elmira/Burlington  
\$692.50                      To: 5105-63903-5-51000                      Supplies- Elmira/Burlington

\$150.00                      From: 5300-14144-5-41000                      Transfer Station – Contract Services  
\$150.00                      To: 5300-14144-5-51000                      Transfer Station – Supplies

\$20,000.00                      From: 5209-63903-5-51000                      NEWS – Supplies  
\$20,000.00                      To: 5209-63903-5-61200                      NEWS – Equipment

\$1,000.00                      From: 4170-20921-5-62000                      Landfill – Equipment  
\$500.00                      From: 4170-20921-5-38000                      Landfill – Repairs  
\$1,500.00                      To: 4170-20921-5-41000                      Landfill – Contract Services

**BE IT FURTHER RESOLVED**, that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

**Voting Nay thereon:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS,  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_

Jessica Schuette, Clerk

**RESOLUTION 2022-667**

In the Matter of Resolution to Approve Change Order ) Office of County Commissioners  
1-final, Pay Request No. 3-final to Miller Bros. ) Fulton County, Ohio  
Construction for the Bridge 2A.4 Replacement Project ) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on September 29, 2022, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, Miller Brothers Construction has issued a change order, 1-final, increasing the total contract by \$405.75 to \$208,384.31 while simultaneously issuing pay request 3-final; and

**WHEREAS**, Risa Trumbull has approved the prevailing wages associated with this final pay request; and

**THEREFORE BE IT RESOLVED**, that the Board hereby approves change order 1-final, pay request 3-final to as submitted and attached hereto; and

**BE IT FURTHER RESOLVED**, that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022 -668**

In the Matter of Resolution ) Office of County Commissioners,  
Designating the Fulton County ) Fulton County, Ohio  
Visitor Bureau as the Non Profit ) September 29, 2022  
Agent

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 125 Courthouse Plaza, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved the adoption of the following resolution:

WHEREAS, The Ohio Attorney General has opined that “[b]ecause no statutes provide for the creation, organization, or operation of a convention and visitors’ bureau, a board of county commissioners has discretionary authority to disburse the excise tax revenues payable to a convention and visitors’ bureau under R.C. 5739.09(A)(1) (i.e., the lodging tax) to a private nonprofit corporation that will use such funds for a public purpose”, and

WHEREAS, Fulton County Board of Commissioners has be asked to reconsider its prior designation selected to partner with the Community Improvement Corporation as a Non-Profit corporation in the State of Ohio to assist the visitor Bureau by Resolution 2015 – 292 dated March 30<sup>th</sup>. 2015, and

WHEREAS, the Fulton County Board of County Commissioners desires to maximize and assist Fulton County's ability to further the community development efforts through R.C, 5739.09 the Administration and allocation of lodging tax to be used specifically for promotion, advertising, and marketing of the region.

**THEREFORE BE IT RESOLVED**, that the Board of County Commissioners Fulton County hereby selects and designates the Fulton County Visitor Bureau Entity # 4584350 originally filed 12/10/202 as a Non-Profit corporation in the State of Ohio for the implementation of a Visitor Bureau for the Board of Fulton County Commissioners and directs all required payments to be paid directly to them.

**BE IT FURTHER RESOLVED**, that resolution 2015 – 292 is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Board of County Commissioners, County of Fulton, State of Ohio that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This resolution was seconded by Commissioner \_\_\_\_\_ and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

Copy to: County Auditor



**RESOLUTION 2022-669**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
MOU 2022-91 between Board of ) Fulton County, Ohio  
Commissioners & CCNO for Temporary ) September 29, 2022  
Modification of 6<sup>th</sup> Amended Operational )  
Agreement

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved the adoption of the following resolution:

**BE IT RESOLVED**, that the Board of Fulton County Commissioners approve MOU 2022-91 with CCNO to temporarily modify the 6<sup>th</sup> Amended Operational Agreement with respect to bed allocation for the calendar year 2023 only as attached hereto and made a part thereof; and

**BE IT FURTHER RESOLVED** by the Board of County Commissioners, County of Fulton, State of Ohio that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

This resolution was seconded by Commissioner \_\_\_\_\_ and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022-670**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Personnel Action on Behalf of the Senior Center ) Fulton County, Ohio  
) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, communication has been received from the Director of the Senior Center advising the Board of the resignation of Deb Gabel; and

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners does hereby accept the resignation of Deb Gabel effective December 31, 2022; and

**BE IT FURTHER RESOLVED** that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022-671**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in session pursuant to notice, on September 29, 2022, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**BE IT RESOLVED**, that the Fulton County Commissioners will sign a Purchase Order computer edit list prepared by the Fulton County Auditor, in addition to signing each individual purchase order, if necessary. Said Purchase Order Edit List will be on file in the Fulton County Commissioners Office in lieu of being journalized, and;

**BE IT FURTHER RESOLVED**, that the Board of Commissioners approve travel requests as submitted, and;

**BE IT FURTHER RESOLVED** that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and upon calling the roll, the following vote was taken:

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Jon Rupp	_____ Jon Rupp	_____ Jon Rupp
_____ Jeff Rupp	_____ Jeff Rupp	_____ Jeff Rupp
_____ Joe Short	_____ Joe Short	_____ Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk

**RESOLUTION 2022-672**

In the Matter of Resolution to Hold an ) Office of County Commissioners  
Executive Session Pursuant to ORC ) Fulton County, Ohio  
§121.22(G)(3)to Discuss Pending Court Action ) September 29, 2022

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 29, 2022 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, Ohio Revised Code §121.22 (G) Except as provided in division (J) of this section, states that the members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of seven specific topics.

**THEREFORE BE IT RESOLVED**, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, pursuant to ORC §121.22(G)(3) to Discuss Pending Court Action, to begin at \_\_\_\_\_ **am**; and

**BE IT FURTHER RESOLVED** that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the motion and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jon Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Jeff Rupp

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

\_\_\_\_\_  
Joe Short

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO**

Attest: \_\_\_\_\_  
Jessica Schuette, Clerk