

**MINUTES OF MEETING  
FULTON COUNTY BOARD OF COMMISSIONERS  
COMMISSIONERS SESSION ROOM  
October 31, 2011**

[9:01:16 AM](#)

Call Meeting to Order

Pledge of Allegiance

Opening Prayer

Roll Call Attendance – All Members Present

[9:02:59 AM](#)

[Resolution 2011-1084](#) Approve Minutes of October 27, 2011

Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:03:09 AM](#)

[Resolution 2011-1085](#) Approve Agenda As Presented

Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:11 AM](#)

· **OLD BUSINESS:**

Review Correspondence from ODOT Office of Aviation Regarding 2013-2022 ACIP

[9:05:29 AM](#)

· Review Correspondence from Office of Ohio Consumers' Counsel Regarding Ohio Residential Utilities

[9:05:51 AM](#)

· Discuss EMS Contracts

Pursuant to the discussions that took place over the last few weeks, Mr. Hall has prepared the agreements in final form. There are still some entities that will be coming in for discussion, such as Wauseon, Royalton and Amboy Township. Mr. Hall noted that in recent correspondence with the Village of Archbold, the Police and Fire Committee are not supportive of the contract and will not make the recommendation to move forward with full council. The other 6 can however move forward.

Commissioner Genter suggested a November 10<sup>th</sup> deadline stating that we need to know if they are in or if they are out. Commissioner Rupp indicated that there is 60 days until the contract expires. He disagrees with the November 10<sup>th</sup> deadline. It will be hard to get something up and running during that time as an alternative. He suggested getting everyone else signed up and then “re-upping” the contract on a month-to-month basis so they can keep the services and also keep the dialogue open until an agreement can be reached. Commissioner Genter indicated that during this time they need to talk to Mercy to see if they can cover this space and for how much. He stated that seeing their tone towards this issue he believes they will continue to hold strong. 30-60 more days won't make a difference. They couldn't even get a motion to get an acceptance of the contract on the table. This issue needs to be taken care of sooner rather than later and to do this, there needs to be a deadline put in place; that way there is plenty of time to take action if needed. This is a Fulton County contract, being paid for by Fulton County levy dollars.

[9:19:38 AM](#)

**NEW BUSINESS:**

**RESOLUTIONS:**

- **Resolution 2011-1086** Approve Payment Plan Agreement 2011-131 for Northeast Water System Customer

Mr. Musallam was present for the discussion. This is the 3<sup>rd</sup> agreement ran through for this system. It is a residential customer and has made their down-payment and monthly payments up to December. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Genter, yes; Barnaby, yes. Motion carried unanimously.

[9:20:58 AM](#)

- **Resolution 2011-1087** Increase and Transfer Appropriation for Various Funds for Sanitary Engineer  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:21:23 AM](#)

- **Resolution 2011-1088** Approve Change Order (1) for Northeast Fulton County Water System Contract B

Caldwell tanks have submitted their last pay request with the final quantities adjustments for the lettering. It also was changed from posts to a fence around the tank as required by the EPA and requested by the school. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:23:33 AM](#)

- **Resolution 2011-1089** Execute Draw Down of Funds from ODOD for FY10 CHIP Grant  
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:24:08 AM](#)

- **Resolution 2011-1090** Approve Change Order (1-Final) and Pay Request (2-Final) for 2011 Asphalt Resurfacing Project

Commissioner Rupp made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:24:50 AM](#)

- **Resolution 2011-1091** Execute Addendum to Residential Purchase Agreement for Sale of NSP Property 419 N. Fulton Street, Wauseon

The Board approved the extension of the closing date from October 31, 2011 to November 15, 2011 as the buyer is in the process of securing an FHA loan. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Genter, yes; Barnaby, yes. Motion carried unanimously.

[9:26:09 AM](#)

- **Resolution 2011-1092** Transfer Appropriations for Various Departments

Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:26:27 AM](#)

- **Resolution 2011-1093** Approve Purchase Orders and Travel Requests

Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:27:03 AM](#)

Recess

[9:30:57 AM](#)

**Justin Thompson, EMA Director - To Discuss System Updates**

Mr. Thompson stated that they have made progress on the radio system. The shelter, equipment, antennae and lines are functional, but the system is not yet integrated with Lucas County. The integration is expected to take place next week.

The installation of the new radios have been done at the Swanton Fire and PD, the rest are being scheduled. The majority of the equipment has been delivered to the installer. Some has been delivered to the departments. Training is planned for the end of November.

He is using the mobiles to get the \$1.2M reimbursement from the UASI grant instead of using the site project. He has submitted a change in budget to Lucas and they are ok with that. This will enable Fulton to receive the reimbursement yet this year.

Commissioner Genter asked about the old radios. Mr. Thompson stated that Henry County has already requested that they be notified when they become available. He explained that they are not narrowbandable and by 2013 will not be in compliance with FCC laws. Commissioner Genter inquired who the radios belonged to. There was never a transfer of ownership done with the old radios. There will be on the new ones though.

[9:46:56 AM](#)

**Resolution 2011-1094** Appoint Interim Director for Department of Job and Family Services  
Commissioner Genter made the motion to appoint Anita Smith, current Assistant Director, as Interim Director until a full time director is put in place and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Genter, yes; Barnaby, yes. Motion carried unanimously.

[9:47:08 AM](#)

ADJOURN

Commissioner Genter made the motion and Commissioner Rupp seconded the motion.

Approved:

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Dean A. Genter

\_\_\_\_\_  
Perry L. Rupp

Attest:

\_\_\_\_\_  
Jennifer L. Connors, Clerk

A signed copy of the minutes or a recording of the meeting in its entirety can be obtained in the office of the Clerk of the Board at 152 S. Fulton St, Ste 270, Wauseon, Ohio 43567.

**RESOLUTION 2011-1084**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session on October 27, 2011 ) Fulton County, Ohio  
 ) October 31, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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

**THEREFORE BE IT RESOLVED**, that after review, the Fulton County Commissioners hereby approve the minutes of Regular Session held October 27, 2011 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:**

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Dean A. Genter

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Dean A. Genter

\_\_\_\_\_  
Dean A. Genter

\_\_\_\_\_  
Perry L. Rupp

\_\_\_\_\_  
Perry L. Rupp

\_\_\_\_\_  
Perry L. Rupp

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

Attest: \_\_\_\_\_  
Jennifer L. Connors, Clerk

**RESOLUTION 2011-1085**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) October 31, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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 approve the agenda as amended or presented for: October 31, 2011; 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.

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: \_\_\_\_\_  
Jennifer L. Connors, Clerk

**RESOLUTION 2011 –**

In the Matter of Resolution to Authorize ) Board of County Commissioners  
Draw Request from Ohio Dept. ) Fulton County, Ohio  
Of Development for FY10 CHIP Grant ) October 31, 2011

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on the 31<sup>st</sup> day of October, 2011, at the office of said board with the following members present:

Commissioners, Paul Barnaby, Dean Genter and Perry Rupp

Commissioner moved for the adoption of the following resolution:

**WHEREAS**, Maumee Valley Planning Organization has submitted a draw of funds for execution by the Fulton County Board of Commissioners in the amount of \$40,300 under Grant No. B-C-10-1AX-2, and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorize and execute draw of funds in the amount of \$40,300 under Grant No. B-C-10-1AX-2 for submittal to the Ohio Department of Development, Office of Housing and Community Partnerships; 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>
_____	_____	_____
Paul Barnaby	Paul Barnaby	Paul Barnaby
_____	_____	_____
Dean Genter	Dean Genter	Dean Genter
_____	_____	_____
Perry Rupp	Perry Rupp	Perry Rupp

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

Attest: \_\_\_\_\_  
Jennifer Connors, Clerk

Cc: Regional Planning; MVPO, journal

**RESOLUTION 2011 -  
CERTIFICATE**

I, Jennifer Connors, Clerk of the Board of County Commissioners of Fulton County, Ohio, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners of Fulton County, Ohio, and recorded in Commissioner’s Journal on October 31, 2011.

\_\_\_\_\_, Clerk  
Board of Commissioners, Fulton County, Ohio

**RESOLUTION 2011-1090**

In the Matter of Resolution to Approve Change ) Office of County Commissioners  
Order (1-Final); Pay Request (2-Final) for ) Fulton County, Ohio  
Gerken Paving, Inc. for 2011 Asphalt ) October 31, 2011  
Resurfacing Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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

**WHEREAS**, a change order request (1-final) has been submitted for a net DECREASE to **Contract 2011-84** with Gerken Paving, Inc. for non-performances under said Contract for the 2011 Asphalt Resurfacing Program in the amount of (\$28,550.47); and

**WHEREAS**, a pay request (2-Final) has been submitted for work performed under said contract in the amount of \$71,427.12; and

**WHEREAS**, the County Engineer has reviewed the change order and pay request as submitted and has recommended the approval of the same; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the change order (1-FINAL) as requested to **DECREASE Contract 2011-84** as submitted in the amount of (\$28,550.47); and

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby approve the final pay request (2-FINAL) as submitted in the amount of \$71,427.12; and

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby approve the release of retainage plus any and all interest accrued on the principal to date, subject to any bank fees and charges incurred; 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>
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: \_\_\_\_\_  
Jennifer L. Connors, Clerk

cc: Eng.; Project File

**RESOLUTION 2011-1091**

In the Matter of Resolution to Execute ) Office of County Commissioners  
Addendum to Residential Purchase Agreement ) Fulton County, Ohio  
For Sale of NSP Property – 419 N. Fulton ) October 31, 2011  
Street, Wauseon )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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

**WHEREAS**, on September 29, 2011 the Board entered into a Residential Real Estate Purchase Agreement (Fulton County Contract #2011-126) for the sale of the Neighborhood Stabilization Program rehabilitated property located at 419 N. Fulton Street, Wauseon; and

**WHEREAS**, said agreement stipulated a closing date of October 31, 2011; and

**WHEREAS**, the buyer is requesting a 15-day time extension of the closing date to allow further time to obtain financing as the buyer is currently going through the process of securing an FHA loan;

**THEREFORE BE IT RESOLVED**, for good cause shown, the Board of Commissioners hereby authorize a 15-day time extension of the closing of the property and shall execute the addendum as attached hereto thereby granting an extension to November 15, 2011; 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>
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: \_\_\_\_\_  
Jennifer L. Connors, Clerk

cc: M. Davis; R. Kigar

**RESOLUTION 2011-1092**

In the Matter of Resolution to Transfer Appropriations ) Office of County Commissioners  
for Various Departments ) Fulton County, Ohio  
 ) October 31, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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

**WHEREAS**, it is necessary to transfer appropriations to cover the final payout for the retirement of the maintenance supervisor and to cover expenses for postage for the Clerk of Courts and Supplies for EMS for the remainder of the year; and

**THEREFORE, BE IT RESOLVED**, the Board of Commissioners hereby authorizes the following APPROPRIATION TRANSFERS:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$ 402.82	From: 1000-12123-5-20200	Workers Comp-Clerk of Courts
\$2,465.18	From: 1000-12123-5-42000	Maintenance Contracts-Clerk of Courts
\$2,868.00	To: 1000-12000-5-51200	Postage-Clerk of Courts/CPC
\$3,000.00	From: 2340-13912-5-62000	Equipment-EMS
\$3,000.00	To: 2340-13912-5-50000	Supplies-EMS
\$8,488.02	From: 1000-13136-5-41000	Contract Services-CCNO
\$8,488.02	To: 1000-11700-5-20100	PERS-Maintenance

**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:**

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Dean A. Genter

\_\_\_\_\_  
Dean A. Genter

\_\_\_\_\_  
Dean A. Genter

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Perry Rupp

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Perry Rupp

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Perry Rupp

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

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

cc: Auditor; Affected Depts

Jennifer L. Connors, Clerk

**RESOLUTION 2011-1093**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) October 31, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 31, 2011, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Paul Barnaby  
Dean Genter  
Perry Rupp

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:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Dean Genter

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Dean Genter

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Dean Genter

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Perry Rupp

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Perry Rupp

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Perry Rupp

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

Attest: \_\_\_\_\_  
Jennifer L. Connors, Clerk

Copy To: File