

<b>Description</b>	Minutes of Meeting	
<b>Date</b>	2/10/2011	<b>Location</b> Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
<a href="#">9:02:37 AM</a>	Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance – All Members Present	
<a href="#">9:02:54 AM</a>	<b>Resolution 2011-139</b> Approve Minutes of February 7, 2011	Commissioner Rupp made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:03:08 AM</a>	<b>Resolution 2011-140</b> Approve Agenda As Presented or Amended	Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:03:18 AM</a>	<b>OLD BUSINESS:</b> · <b>Resolution 2011-141</b> Approve Payment of Bills	Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:03:50 AM</a>	· Review Amended Certificate  · Review Certificate of Non-Compliance	Neither Certificate has arrived as expected.
<a href="#">9:03:56 AM</a>	· Review Correspondence From Sanitary Engineer To Teleflex Waterline Customers	Mr. Musallam was present for the discussion. He explained that a letter was sent out to the customers of the Teleflex Waterline informing them that the Board of Commissioners are now responsible for the operation and maintenance of all existing Teleflex water distribution systems as located east of the Village of Lyons along SR 120, effective as of the date of the letter, February 7, 2011.
<a href="#">9:05:22 AM</a>	· Follow-up Discussion on Airport Rules and Regulations	On Monday Jerry Stewart, Airport Operator, presented the Board with Rules and Regulations for the Airport for their review.  Mr. Hall stated that in his review, one thing that he questioned was the legal identity that Mr. Stewart was trying to identify in the document. He noted that it refers to the “Fulton County Airport Board of Commissioners”. The paragraph in question states that the Fulton County Airport shall be under the direction and control of the Airport Manager, who shall be appointed by the “Fulton County Airport Board of Commissioners” and will serve under their direction. The “Fulton County Airport Board of the Commissioners” is not an existing entity. Mr. Hall noted that there is a standing agreement with the Airport Operator and questions the need to have this listed in the Rules and Regulations at all. He further noted that by statute there is a Regional Airport Authority. Glen Lammon, Airport Authority Board member, stated that they should collect samples from other counties, giving Putnam County as an example, stating that they have a nice agreement.



		pumping to Delta right now, however it is still below the allowable limit. He has informed the EPA of trying to pre-treat before pumping to address the level of ammonia. The next step is to introduce air. He noted that if they feel it is necessary to continue pre-treating on a regular basis, they will need to obtain a "Permit to Install". This will be determined when the weather begins to warm up and if needed, an application will be submitted for the permit by May 1 <sup>st</sup> .
<a href="#">9:25:07 AM</a>	<p><b>NEW BUSINESS:</b></p> <p><b>RESOLUTIONS:</b></p> <ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-142</u></b> Approve Legal and Authorize Advertisement of Bids for Asphalt Resurfacing of County Road D (Road 11 SR 109) on Behalf of County Engineer</li> </ul>	Bids will be accepted in the office of the Board of Commissioners until 9:30 a.m. on March 3, 2011 and will be opened and read aloud at 9:31 a.m. Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:25:42 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-143</u></b> Approve Draw Down of Funds No. 225 for FY2010 CHIP Grant</li> </ul>	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:29:01 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-144</u></b> Increase Contract 2007-62 with Mastin Septic Tank on Behalf of Sanitary Engineer</li> </ul>	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:29:48 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-145</u></b> Transfer Funds for 4th Quarter Reimbursements for Fuel, Copier Maintenance, and Supplies</li> </ul>	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:31:05 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-146</u></b> Transfer Funds for Department of Job and Family Services for CSEA Shared Costs and Boarding Home Payroll Expenses; Transfer Appropriations for WIA</li> </ul>	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:32:38 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-147</u></b> Create New Lines; Increase Appropriations; Transfer Funds and Appropriations for Various Departments</li> </ul>	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:33:38 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-148</u></b> Award Bid and Authorize Board President to Enter Into Contract 2011-40 for Ortho/Oblique Imagery Project on Behalf of County Auditor</li> </ul>	Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:34:33 AM</a>	<ul style="list-style-type: none"> <li>· <b><u>Resolution 2011-149</u></b> Authorize Board President</li> </ul>	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion

	to Enter Into Contract 2011-41 with HMB Information System Developers on Behalf of Department of Job and Family Services	carried unanimously.
<a href="#">9:35:02 AM</a>	· <b><u>Resolution 2011-150</u></b> Authorize Board President to Enter Into Contract 2011-42 with LJ Irving and Sons, Inc. for NSP Demolition Project Main St., Hicksville	Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:36:07 AM</a>	· <b><u>Resolution 2011-151</u></b> Cancel Session for February 28, 2011 and March 7, 2011	Due to the Commissioners' attendance to other meetings on these days, session must be canceled for a lack of quorum. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:36:40 AM</a>	· <b><u>Resolution 2011-152</u></b> Increase and Transfer Appropriations for Fulton County Landfill	Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:37:19 AM</a>	· <b><u>Resolution 2011-153</u></b> Approve Change Order No. 2 and Substantial Completion for Northeast Fulton County Water System Project Contract A	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:38:00 AM</a>	· <b><u>Resolution 2011-154</u></b> Approve Change Order No. 2 and Substantial Completion for Northeast Fulton County Water System Project Contract DIII	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:38:32 AM</a>	· <b><u>Resolution 2011-155</u></b> Approve Then and Now Purchase Orders and Payments	Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:38:53 AM</a>	<b><u>Resolution 2011-156</u></b> Approve Purchase Orders and Travel Requests	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
<a href="#">9:41:01 AM</a>	Recess	
<a href="#">10:04:22 AM</a>	<b>FINAL HEARING DITCH IMPROVEMENT 2110- HOWARD</b>	Commissioner Barnaby convened the hearing and turned the discussion over to Rod Creager, Chief Deputy Engineer, to present his report:  <b><u>PROJECT INITIATION</u></b>  This drainage improvement was initiated through a single county drainage petition filed by Mr. Jack Howard and others on October 13, 2009. The petition called for the improvement of an existing outlet tile known as Branch 41 of Bad Creek located on either side of County Road 10-2 between Roads J and K in Pike Township, Fulton County, Ohio.

The proposed Branch 41 tile improvement was petitioned to begin at the existing catch basin on the west side of County Road 10-2 approximately 350 feet south of the center of Section 33, T-8-N, R-7-E in Pike Township. From that point the petition called for the improvement to continue downstream to the southeast, following the route of the existing outlet tile for a distance of about 1,630 feet, terminating at the open ditch on the Haas farm.

A viewing of the project site was conducted by the Board of County Commissioners, Fulton County, on Monday, November 16, 2009. At the ditch viewing, evidence was offered that the petition should be extended upstream to separate tile outlets that had been connected together a number of years ago and to also extend the petition downstream from the lower terminus to include the cleaning of the open ditch which serves as the outlet for the original petition across the Haas farm and Township Road 10 to County Road J. The lower open ditch is also considered part of Branch 41 of Bad Creek.

The only drainage improvement of record dates back to 1903 when a single ten (10) inch tile was installed through drainage improvement petition, Ditch No. 740. A second tile was installed at some later date. Road plans from a 1940 highway improvement on County Road 10-2 show that there were two existing 10-inch tiles crossing the roadway together at the time of that improvement.

There were ten (10) farm parcels and about 285 acres of land involved in the 1903 petition. Due to rural residential development, there are now sixty-one (61) parcels in the watershed under consideration in these proceedings. The watershed was once 100% agricultural but is now made up of only 42% agricultural land and 58% rural residential land.

#### **PROJECT OBJECTIVES**

The primary objective of this project is to improve the drainage capacity of Branch 41 of Bad Creek in order to provide an outlet for modern drainage demands and to establish a permanent ditch maintenance program for the tile and open ditch system.

#### **PROBLEMS OBSERVED**

Unless there are large washouts and/or ongoing flooding, it is difficult to observe problems with subsurface drains. However, at the ditch viewing, sediment was observed in the south tile exiting the east Road 10-2 catch basin. In fact, the south 10-inch clay tile appeared to be about half full of sediment. There was also evidence of damage near the outlet of the tiles into the open ditch on Haas caused by burrowing animals. Other than that, only anecdotal evidence is available concerning the condition of the existing outlet.

In 1978 the former Wanner farm, which included all of the land north of the Howard farm bounded on the north by Road K, on the west by Road 11 and on the east by County Road 10-2, was systematically tiled. As part of the farm drainage project on Wanner, a new 12-inch outlet tile was installed across Howard to the Road 10-2 crossover. The existing 10-inch tile that had been installed through the petition of 1903 was reportedly connected to the new Wanner tile main, essentially draining a 12-inch tile and a 10-inch tile into a single 12-inch tile overloading the Wanner outlet. To further complicate the upstream drainage problems created when the two outlets were connected into one, the once 54 acre Wanner farm has been subdivided into over 20 rural residential lots. Development on these lots has compromised the integrity of the drainage system installed by Mr. Wanner. The original Wanner tile system has been disrupted by pond construction and other lot excavations.

Land owners report that about two years ago water stood in the fields to the west of County Road 10-2 for an extended period of time causing significant crop damage. There were tree roots or other obstructions in the drain at that time but once the obstructions were removed, the capacity available downstream to receive and convey the upper storm water away was in question.

Seasonal wetness in the upper reaches of the watershed, upstream from Road 10-2, has been reported by the landowners. The nature of the distribution of crop residue suggests that area is poorly drained.

Downstream from Road 10-2 on the Lane property, there were no obvious drainage problems except near the lower reach of the outlet. It was reported at the project viewing that a 10-inch tile from a catch basin along Road 10-2 south of the project watershed was recently connected into the old Branch 41 tile before it reaches the open ditch on Haas. The obvious lack of crop residue in a portion of Lane's field suggests that the crops in that area were either flooded out or damaged by wet soil conditions during the previous growing season. However, it was later determined that the south outlet is not connected to the existing tile but is in fact a separate outlet draining directly to the open ditch on the Haas farm.

The open ditch was not in bad condition. There is light brush on the banks near the upper end and some accumulated sediment in the private drive culvert near mid-reach. The ditch has been well maintained privately by the Haas family over the last several years. There are filter strips along both banks which helps reduce the amount of sediment entering the open ditch. The open ditch needs more extensive brush cleaning between Road 10 and Road

J.

**WORK PROPOSED**

The work proposed in the original petition and in the two extensions was broken down into five reaches or sections of work. The first two reaches of the work plan involve splitting the outlet tile upstream from Road 10-2. The third reach is the work proposed to cross Road 10-2. The fourth reach considered is the proposed new outlet across the Lane farm. The fifth and final reach involves work on the open ditch across the Haas and Dunbar properties to Road J.

This petition was extended to include the separation of the two outlets to increase the drainage capacity for the watershed, thus creating two sections of work. A new 15-inch outlet will be installed across Howard to provide a new outlet for the land upstream from the Howard farm. The new outlet will be at a somewhat lower elevation, relocated to the west to accommodate future drainage improvements upstream. The existing 12-inch outlet will be connected to the new outlet at a catch basin on the Witt property near the south Nicely-Witt property corner. A new catch basin is also proposed to be placed on the old outlet on the corner of the Nicely property. The catch basin on the existing 12-inch will serve as a point to monitor flow in the existing outlet and to provide a place of access to the old line for root cutting and power washing. The original 12-inch Wanner outlet will remain in service across the Witt and Howard properties.

Other work west of 10-2 and to the south of the Wanner outlet includes installing a new 12-inch tile from the west basin on Road 10-2 to the west to pick up the 1903 petitioned tile. The new 12-inch will finish the outlet separation work west of Road 10-2.

Another section of the work plan for this project involves replacing the existing catch basins and cross-overs through Road 10-2. In order to accommodate the three large tiles that will be entering and leaving the new catch basins at Road 10-2, 6-foot square basins will be used. The depth of the basins requires that the basins have steps for safe access. A new 18-inch reinforced concrete cross over pipe will replace the two existing 10-inch pipes that now cross Road 10-2. Work through this section of the project will include pavement repairs and roadside grading as required. The cost of these paving and grading work items will be specially assessed to Fulton County.

East of Road 10-2, across the Lane property to the open ditch on Haas, the work plan will consist of installing 1530 feet of 18-inch smooth wall pipe. Much of the pipe will be installed over six feet deep and will require installation by large wheel trencher and/or excavator. The new outlet will be somewhat deeper than the existing outlets and will be installed

to the north of the existing outlets. Tiles that are crossed will be repaired or connected to the new outlet where there is a grade conflict. The two existing outlets will be left in place to supplement outlet capacity out of the east catch basin on Road 10-2.

Work on the final reach of the project will consist of reconditioning the open ditch across the Haas and Dunbar properties from the outlet of the new 18-inch pipe on Haas to Road J on Dunbar. Brush will be removed and the ditch bottom will be touched up as necessary to properly drain. Culverts will also be cleaned. Existing filter strips will be repaired if damaged by any of the proposed construction activities.

Traffic control and incidental items associated with the installation of the tiles and the cleaning of the open ditch will also be included in the work plan.

Temporary construction easements will be established along the line of the various sections of this proposed improvement. A temporary construction easement 120 feet in width will be established for the work on the west side of Road 10-2. This 120 foot easement will be centered on the new 15-inch. The work plan on both new drains on the west side of Road 10-2 can be accomplished on the proposed 120 foot temporary easement. Work to install the new cross over through Road 10-2 will utilize the existing 60 foot highway right-of-way. East of Road 10-2 between Road 10-2 and the open ditch will be completed within a temporary construction easement 80 feet in width, centered on the line of the proposed new 18-inch tile.

**CONSTRUCTION ESTIMATE**

The total estimated cost for all of the work proposed in the petition and the two extensions, including contingencies, engineering and administrative costs, construction financing and first year maintenance is \$ 89,465.40. The breakdown of cost by working section is as follows:

**CONSTRUCTION ESTIMATE SUMMARY**

Reach 1 North	15-inch tile Howard	
	\$ 11,717.50	
Reach 1 South	12-inch tile Howard	
	\$ 3,390.00	
Reach 2	Road 10-2 Cross-over	
	\$ 23,517.50	
Reach 3	18-inch across Lane	
	\$ 33,245.00	
Reach 4	Open ditch Haas-Dunbar	
	\$ 3,985.00	
<hr/>		
Construction Total		\$ 75,855.00
Engineer's and Clerks Cost		\$ 5,042.00



Over twenty years the benefit is \$710.00 per acre of farmland. Over the fifty year useful life of the proposed new tile the benefit would be \$1,775.00 per acre.

Rural residential properties will benefit from improved drainage by increasing or maintaining their property values. According to local real estate sources, as a general rule, properties suffering from standing water throughout their entire yards are often judged to be devalued as much as 20% to 30%. Properties with some standing water could be devalued as much as 10% to 20%. Areas that suffer even the stigma of standing water could be devalued by 5% to 10%. Without good drainage outlets septic systems do not function properly leading to the contamination of groundwater. Standing water can also contribute to mosquito control problems and other health risks.

According to the county auditor's records the average size of a rural residential lot in the Branch 41 Bad Creek watershed is about 8.6 acres. The average land value of those rural residential properties is in the neighborhood of \$30,000 each or about \$3,500 per acre. Using the \$3,500 per acre figure as the average land value and applying the average suggested devaluation percentages for the various drainage conditions equates to the following devalued amounts:

<u>Condition</u>	<u>Devaluation %</u>
<u>Annual/Acre</u>	<u>20 Year/Acre</u>
Standing water throughout \$ 875.00	25% \$ 17,500.00
Some standing water \$ 525.00	15% \$ 10,500.00
Poorly drained area \$ 262.50	7.5% \$ 5,250.00

It is expected that the benefit derived from this proposed improvement over 20-years of the new tile's estimated 50-year useful will be greater \$910,000. That exceeds the estimated project costs by a ratio of about 10:1.

**ASSESSMENTS**

There are three methods of assessment commonly used in northwest Ohio when preparing assessment schedules for drainage improvement projects. These assessment methods can be simple or quite complex depending upon the factors given consideration in the assessment computation. The simplest method of assessment assumes that all parcels in a watershed receive the same benefits per acre drained. The uniform assessment is calculated by dividing the cost of the project by the total number of acres benefited or drained by the improvement. A uniform assessment method is used most often in

assessing neighborhood mutual agreement ditch cleaning projects where the nature of the work and the cost to complete the work are uniform along the line of the project. The uniform method of assessment is also easy to compute and easy for the affected landowners to understand. In accordance with the provisions of the Ohio Revised Code, the uniform assessment considers the entire area of the land affected by an improvement and the amount of drainage contributed to the watershed by each land owner.

Petitioned drainage improvements are most often assessed by a varied assessment method. In a varied assessment calculation, not only are the entire and individual watershed areas considered but other factors are applied to account for the length of an improvement used by a particular parcel as well as the distance a parcel is away from where improvements are proposed. This usually results in assessments that are higher for upstream owners that are located directly on the improvement and using the entire improvement length. Downstream owners are usually assessed at lower rates because they use less of the improvement. Assessments for parcels away from the improvement are usually lower than assessments for parcels immediately adjacent to the improvement because of the parcel's more remote location. A number of other relevant factors can be worked into the varied assessment method to account for variations in soil type, land use, runoff rates, elevation and any special benefits that might be received by a parcel involved in a drainage improvement. Using a varied method of assessment computation creates a fair schedule of assessments where the cost of the work plan for the improvement under consideration is consistent from reach to reach.

A third commonly used method of drainage assessment yields an equitable schedule of assessments where the cost of the work plan varies considerably from reach to reach. This could be the case where individual maintenance efforts along an open ditch by adjacent land owners have been inconsistent over many years or where the cost of a project varies from reach to reach is due to significant changes in the size or type the drain tile or the storm sewer to be installed. When assessing properties according to the reaches or sections of the project used, a series of uniform assessment computations by the reach generates a composite assessment for each parcel which is essentially a varied schedule of assessments. To calculate the assessment, the project work plans are broken down into various reaches or sections depending upon the cost or nature of the work. The estimated cost of the work plan for each section is distributed among all of the parcels draining through or benefiting from the use of each section of the work plan in proportion to the number of acres draining through that section of the improvement. Estimated

assessments are calculated for each parcel for each reach or section of the improvement the parcel drains through. The individual parcel assessments for each section of the work plan are then added together to give a total estimated assessment for the project for that particular parcel. You use a series of uniform assessments to generate a varied assessment schedule for the drainage improvement being considered.

Due to the cost variation between sections of the work plan for Ditch No. 2110 and the nature of the drainage patterns within this project watershed, assessments for this improvement were computed by reach. Each parcel in the watershed was assessed according to its proportionate share of the total drainage area for each section or reach that parcel drains through. For this improvement, a uniform assessment was computed for each parcel for each section of the project. Once a proportionate share of the estimated construction cost for each parcel for each reach was calculated, the total estimated construction cost for each parcel was determined by adding together the uniform parcel assessments for each reach that a particular parcel drains through. The estimated assessments for engineering, administrative cost, the cost of construction financing and first year maintenance were then added proportionately to the estimated construction assessment to determine the total estimated assessment for this improvement to Branch 41 of Bad Creek. The spread sheet showing the estimated assessment calculations by reach appears in the Appendix of this report.

A summary of the schedule of estimated assessments shows that the highest assessment was \$19,502.06 to Fulton County for work on the reach through Road 10-2 and the county share for downstream drainage. The other public owner in the watershed is Pike Township which is to be assessed an estimated \$2,351.55 for highway drainage. Total assessments to these public agencies are estimated to be \$21,853.61 or about 24 % of the estimated project total. The highest private owner assessment will be levied upon one of the petitioners, Jack Howard, who will be assessed an estimated \$15,072.06 or about 17% of the total project cost. These three watershed owners will be assessed about 41% of the total project cost.

The remaining 58 landowners will be assessed for the remaining 59% of the estimated \$89,465.40 project cost.

Upon completion of the work and approval by the county engineer, the county commissioners will order the county auditor to reduce pro rata the estimated assessments confirmed at the final hearing by the difference between the estimated cost of the project and the final cost of the project certified by the county engineer

**MAINTENANCE**

The Ohio Revised Code requires that all drainage improvement projects be placed on a permanent maintenance program. Maintenance activity must be limited to the maintenance of the items originally constructed. It is recommended that the maintenance plan for this project also include making minor repairs to the existing clay tiles between Road 10-2 and the open ditch. Minor repair costs on the two existing clay tile will be limited to \$200 or less per year. Repairs estimated to cost in excess of \$200 per year will be made on a case by case basis. Land owners directly impacted by needed repairs in excess of \$200 will be called upon to pay that amount of repair over \$200 as a special assessment or the existing tile will be abandoned in place. Maintenance costs will be paid for by periodic ditch maintenance assessments to the parcels in the watershed. The amount of the maintenance assessment is in proportion to the original assessment for each parcel. Any maintenance costs incurred due to the negligence of a landowner in the watershed will be assessed as a special maintenance assessment to the negligent owner.

The revised code provides for the right of access to drainage tile and open ditches to perform necessary maintenance activities. The permanent maintenance access easement for this improvement will be forty (40) feet in width centered on the line of the tiles installed. The permanent maintenance easement along the open ditch section of the project will be twenty-five (25) in width measured from the top of both ditch banks. Every effort will be made to perform maintenance activities so as to avoid damage to growing crops, however, if immediate access is needed to make repairs, fields will be entered and crop damages will be paid from the maintenance fund for this project.

**APPARENT FAVORABLE FACTORS**

1. Crop yields will be maintained and improved due to increased drainage outlet capacity.
2. Property values will be protected and/or improved.
3. The cross over capacity through Road 10-2 will be improved.
4. Erosion control measures at the open ditch will reduce erosion and protect the open channel from deterioration.
5. The new tile and open ditch will be placed on a permanent maintenance program that will insure that the drain can be kept clean and free flowing which will protect the investment in this proposed improvement.

**APPARENT UNFAVORABLE FACTORS**

1. Temporary damage to adjacent land can be expected during construction.
2. Crop production will be lost along the proposed construction easement during the course construction activities.
3. Periodic production loss and inconvenience may result from future maintenance activity.

**PROJECT FEASIBILITY**

This project work plan is feasible and can be economically completed through the drainage improvement petition process.

Mr. Creager answered questions proposed by landowners. Commissioner Barnaby performed a mass swearing in at 11:53 a.m. and opened the floor for testimony:

Pat Nicely - Against the Project.  
Stated that if it does go through it should be done with uniform assessments.

Richard Thatcher – Stated he has owned this piece of property for 15 years and has only seen this area get flooded once.

Mike Gerity – Stated that he feels that this is a bad time economically and will put a hardship on too many people.

Robert Casavos – Stated he feels the same about these economic times. This is not so much a question of whether or not it needs to be done, but as he recently paid his taxes, he is struggling to make ends meet, like everyone else. Requested a postponement of the project until more funds are available.

Joanne Zeadker – Against the Project.  
Feels she is here to represent those that could not be here today. She has neighbors that are retired or living in distressed situations and this will place an additional burden on those that cannot afford it.

Mike Shumaker – Stated that he too feels this should be postponed for the same reason.

Tim Rohrs – Stated that these are hard economic times and doesn't see the necessity for the improvement at this time. Feels this is based on a large amount of rain that fell on one particular day.

Dan Zeadker – Doesn't disagree that the Black Swamp needs to be drained, however is against the project for now due to the economic times. The County doesn't have money right now and the people in the county don't have money.

Linda (last name inaudible) - Against the project. Does not see a direct benefit to those on the west side of County Road 11.

Deb Thatcher – Against the Project.  
Due to these economic times.

Pat Klement – Against the Project.  
She too does not see that there will be a benefit to those on the west side of County Road 11.

Carolyn Lightner – Against the Project.  
State that she lives on the west side of County Road 11 and does not see the benefit. She is also retired and on a very fixed income.

Tim Klement – Against the Project.  
He stated that if he has to spend the money, he would rather send it toward the school than using it for drainage in that area that will have no benefit.

Barb Nicely – Against the Project  
Stated that the dollar is being devaluated before our eyes. Prices are rising on food, energy, gasoline and other essentials. People are already burdened by high prices, foreclosures, bankruptcies and unemployment. She stated that on November 30<sup>th</sup>, during the hearing several were opposed to the project and noted a lack of funds for various reasons. Many commented at that time that they did not have a problem with flooding. This area was fixed 5 years ago and it did not make a difference. She expressed frustration with Ted Howard stating that he is a township trustee that signed this petition and then shows up today representing the Township. She stated that a trustee is elected to represent the people and further alleged that they are only taking care of themselves with taxpayers money. Several in this area are older and live on a fixed income. Most of them do not have a problem with water. It is difficult to understand why the Howards feel the need to force us to pay for something that they should take care of themselves. This is their issue and they need to take care of it themselves. This will only benefit Jack Howard and will not make any of the rest of their lives any better. She then requested the Commissioners not to place an unnecessary burden on the taxpayers or to create more of a hardship for the residents.

Commissioner Barnaby closed the floor for testimony at 12:02 p.m. The Board began deliberations.

Commissioner Genter stated that he feels the improvements proposed here today meet the prayer

	<p><b><u>Resolution 2011-158</u></b>  Commissioners Finding  Affirming Former Order;  Confirming the  Assessments; and  Ordering the Letting of the  Contracts – Ditch 2110  Howard</p>	<p>of the petition. From what he has seen at the view and the age of the outlets, new ones need to be put in. This is what is seen when buying parcels that have been split from bare farm ground. People go in and develop the land doing their own thing, destroying the existing drainage. This meets the prayer of the petition; it will restore basic drainage to the area and will put this on maintenance so no one can tamper with it.</p> <p>Commissioner Barnaby stated that the tile from 1903 is 108 years old and the tile put in in 1978 is 33 years old. Tiles have an approximate shelf life of 50 years. We know that we are not getting the correct drainage now and it will only get worse if nothing is done.</p> <p>Commissioner Rupp stated that in this market, timing is everything. If the project is delayed until the economy is better, there will be a 30-40% increase in the project costs and the interest rates.</p> <p>Commissioner Barnaby made the motion to move forward with the project and Commissioner Genter seconded the motion. The assessments will be placed on the tax duplicate over a period of five years. A bid opening date was scheduled for Monday, April 25, 2011 at 9:31 a.m. Motion carried unanimously.</p>
<p><a href="#">12:21:01 PM</a></p>	<p>ADJOURN</p>	<p>Commissioner Genter made the motion to adjourn and Commissioner Rupp seconded the motion.</p>
	<p>Approved:</p> <hr/> <p>Paul Barnaby</p> <hr/> <p>Dean Genter</p> <hr/> <p>Perry Rupp</p> <p>Attest:</p> <hr/> <p>Jennifer L. Connors, Clerk</p> <p>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.</p>	

**RESOLUTION 2011-139**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of February 7, 2011 ) Fulton County, Ohio  
) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter and 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 February 7, 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

\_\_\_\_\_  
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

Copy To: File

**RESOLUTION 2011-140**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter and 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: February 10, 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

cc: File



**RESOLUTION 2011-157**

In the Matter of Resolution in Support of                    )     Office of County Commissioners  
Township Road 24 Initiative                                    )     Fulton County, Ohio  
  )     February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, in 1998, an Ohio Turnpike Interchange was opened near Archbold, Ohio on Township Road 24 to benefit local industrial transportation. The intent of state and local officials at that time was to eventually see Township Road 24 being converted to Ohio Route 66 and used as a straight and direct link from the Turnpike to US Route 6; and

**WHEREAS**, safety issues and property damage occurrences have taken place at the corner of Ohio Route 66 and Ohio Route 2 in downtown Archbold that make this conversion even more urgent at this time; and

**WHEREAS**, the focus of this conversion is to greatly improve safety and access to this area, together with opportunities to enhance job preservation and creation; and

**WHEREAS**, the Fulton County Board of Commissioners are in support of this initiative; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby support the initiative for the conversion Township Road 24 to Ohio Route 66 to be used as a straight and direct link from the Turnpike to US Route 6 to greatly improve safety and access to this area and to enhance job preservation and creation; 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

**RESOLUTION 2011-142**

In the Matter of Resolution to Approve Legal Notice     )  
And Authorize Advertisement of Bids for Asphalt        )  
Resurfacing of CR D (Rd 11-SR109) Project on         )  
Behalf of County Engineer                                    )

Office County Commissioners  
Fulton County, Ohio  
February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter and Perry Rupp

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

**WHEREAS**, it is necessary to publicly advertise to solicit competitive bids for the Asphalt Resurfacing of County Road D ( between Roads 11-State Route 109) Project on behalf of the County Engineer; and

**WHEREAS**, the Board has been presented with a copy of the Legal Notice for publication; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the Legal Notice as attached hereto and further authorize advertisement of the same; and

**BE IT FURTHER RESOLVED**, that sealed bids will be received for the Asphalt Resurfacing of County Roads H and K Project on behalf of the County Engineer until **9:30 a.m.** on the **3<sup>rd</sup> day of March, 2011** in the office of the Fulton County Commissioners at 152 S. Fulton Street, Suite 270, Wauseon, Ohio, and at **9:31 a.m.** the bids will be opened and publicly read aloud; and

**BE IT FURTHER RESOLVED**, the necessary publication of notice of bid will be in the Fulton County Expositor on Tuesday, February 15, 2011 and on the Fulton County Website at [fultoncountyoh.com](http://fultoncountyoh.com); 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: Engineer; journal; Project file

**RESOLUTION 2011-143**

In the Matter of Resolution to Authorize ) Board of County Commissioners  
Draw Request No. 225 from Ohio Dept. ) Fulton County, Ohio  
Of Development for FY10 CHIP Grant ) February 10, 2011  
And New Signature Card for the ODOD )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on February 10, 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 #225 for execution by the Fulton County Board of Commissioners in the amount of \$8,000.00 for Grant No. B-C-10-1AX-2, and

**WHEREAS**, a new signature card is required to be on file with the Ohio Department of Development for the new grant year; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorize and execute draw of funds #225 in the amount of \$8,000.00 for Grant No. B-C-108-1AX-2 for submittal to the Ohio Department of Development, Office of Housing and Community Partnerships; and

**BE IT FURTHER RESOLVED**, the Board shall execute a new signature card to be on file with the Ohio Department of Development for the new grant year; 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: RPC; MVPO, journal

**RESOLUTION 2011-144**

In the Matter of Resolution to ) Office of County Commissioners  
Increase **Contract 2007-62** with Mastin Septic ) Fulton County, Ohio  
Tank, Inc. on Behalf of Sanitary Engineer ) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, a request has been received from the County Sanitary Engineer to increase **Contract 2007-62**, previously entered into with Mastin Septic Tank, Inc., for additional leachate hauling needed at the Fulton County Landfill.

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the increase in **Contract 2007-62** with Mastin Septic Tank, Inc., in the amount of \$420.00; 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

Copy: Auditor; FCSE; Journal; file

**RESOLUTION 2011-145**

In the Matter of Resolution to Transfer Funds     )     Office of County Commissioners,  
 for 4<sup>th</sup> Quarter 2010 Reimbursements for Fuel,   )     Fulton County, Ohio  
 Copier Maintenance, and Supplies                 )     February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:  
 Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, reports are now complete to determine fuel, copier maintenance, and supply usage by department for the 4<sup>th</sup> quarter of 2010 and it is necessary to transfer funds from said departments to reimburse the General Fund accordingly;

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorize the transfer of funds as follows:

<u>Department</u>	<u>Account</u>	<u>Amount</u>	
<b>FROM:</b>			
<b>FUEL</b>			
Econ Dev	2705-17910-5-31000	\$ 76.12	
Senior Center	2505-15915-5-56100	\$4,247.82	
Workforce	2705-17910-5-31000	\$ 25.29	
EMA	2310-13911-5-38200	\$ 210.10	
IT	6002-11800-5-96000	\$ 74.52	
REA	2120-11200-5-31000	\$ 77.43	
Dog Pound	2510-15154-5-56100	\$1,673.08	= \$6,384.36 ST
<b>COPIER MAINTENANCE</b>			
REA	2120-11200-5-51000	\$ 69.96	
Title Office	2110-12120-5-51000	\$ 19.51	
EMA	2310-13911-5-51000	\$ 22.83	
EMS	2340-13912-5-50000	\$ 22.82	
Engineer	2420-14143-5-96000	\$ 118.43	
Senior Center	2505-15915-5-41000	\$ 170.15	
JFS	2605-16914-5-42101	\$ 9.18	= \$432.88 ST
<b>SUPPLIES</b>			
Dog	2510-15154-5-53100	\$ 203.53	
Senior Center	2505-15915-5-51000	\$ 156.33	
EMA	2310-13911-5-51000	\$ 27.91	
EMS	2340-13912-5-50000	\$ 27.90	
Clerk of Courts	2110-12120-5-51000	\$ 119.96	
Workforce	2705-17910-5-96000	\$ 179.94	=\$715.57 ST
<b>TO:</b> General Fund	1000-18000-4-84003	\$7,532.81	<b>TOTAL</b>
	Misc Receipts		

**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

**RESOLUTION 2011-146**

In the Matter of Resolution to Transfer ) Office of County Commissioners  
Funds and Increase Appropriations for ) Fulton County, Ohio  
Department of Job and Family Services ) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, the Department of Job and Family Services has reconciled the cost for the care of children for the month of January 2011 and the Assistant Director is thereby requesting a transfer for the balance owed by the County in the total amount of \$34,276.42; and

**WHEREAS**, a request has been made to transfer the Child Support Enforcement Agency’s monthly shared cost payment to public assistance for January 2011; and

**WHEREAS**, a request has been made for the transfer of funds for the County’s monthly shared cost payment to public assistance for February 2011; and

**WHEREAS**, in order to meet the obligation for the annual youth contract with JobWorks, Inc., it is necessary to increase appropriations in the WIA Fund 2710; and

**WHEREAS**, there are sufficient funds in the certificate to allow the increase of appropriations as requested hereinabove; and

**THEREFORE BE IT RESOLVED**, the Fulton County Board of Commissioners hereby approve the TRANSFER OF FUNDS as follows:

<u>Amount</u>		<u>Account</u>	
\$34,276.42	From:	1000-16161-5-96200	County Share-Children Services
\$34,276.42	To:	2615-12914-4-24001	Children Services Fund
\$21,927.15	From:	2610-16914-5-94000	CSEA Shared Exp.
\$21,927.15	To:	2605-15914-4-53020	PA-Transfer In-CSEA Shared Cost
\$6,799.50	From:	1000-30914-5-96200	General Fund – Mandated Share
\$6,799.50	To:	2605-15914-4-53015	PA-Transfer In

**BE IT FURTHER RESOLVED**, the Fulton County Board of Commissioners hereby approve the INCREASE OF APPROPRIATIONS as follows:

<u>Amount</u>	<u>Account</u>	
\$ 6,000.00	2710-17920-5-41001	Youth In School
\$38,000.00	2710-17920-5-41002	Youth Out-of-School

**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	_____ Dean Genter	_____ Dean Genter
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest:

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

**RESOLUTION 2011-147**

In the Matter of Resolution to Create New Lines;) Office of County Commissioners  
Increase Appropriations; Transfer Funds and ) Fulton County, Ohio  
Appropriations for Various Departments ) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, it is necessary to create a new line and transfer appropriations for the Law Library Resources Board for the consortium payment; and

**WHEREAS**, it is necessary to create new lines for the Fulton County Senior Center to enable the pay-in of funds held outside the County Treasury to be paid into the County Treasurer; and

**WHEREAS**, it is necessary to create a new line in the E911 Fund 2315 and transfer funds for the Sheriff’s match for the IECGP Grant for the 800/700MHz Radio System; and

**THEREFORE, BE IT RESOLVED**, the Board of Commissioners hereby authorize the following lines be created:

**2245-12126-5-32100 Consortium Dues**

**2505-12915-4-24001 Housekeeping**

**2505-18915-4-83002 Housekeeping Donations**

**2505-18915-4-83001 Transport Donations**

**2315-52137-5-94000 Transfer Out-E911**

**BE IT FURTHER RESOLVED** the Board of Commissioners hereby authorize the following APPROPRIATIONS be TRANSFERRED:

<u>AMOUNT</u>	<u>ACCOUNT</u>
\$3,181.68	From: 2245-12126-5-59000 Legal Research Materials
\$3,181.68	To: 2245-12126-5-32100 Consortium Dues

**BE IT FURTHER RESOLVED** the Board of Commissioners hereby authorize the following APPROPRIATIONS be INCREASED:

<u>AMOUNT</u>	<u>ACCOUNT</u>
\$ 6,800.00	1000-20200-5-74000 Vehicle – Auditor

**BE IT FURTHER RESOLVED** the Board of Commissioners hereby authorize the following FUNDS be TRANSFERRED:

<u>AMOUNT</u>	<u>ACCOUNT</u>
\$25,000.00	From: 2315
\$25,000.00	To: 2315-13137-5-94000 Transfer Out-E911
\$25,000.00	From: 2315-13137-5-94000 Transfer Out-E911
\$25,000.00	To: 2310-15913-4-41100 Transfer In-EMA

**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

\_\_\_\_\_  
Perry Rupp

\_\_\_\_\_  
Perry Rupp

\_\_\_\_\_  
Perry Rupp

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

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

Cc: Auditor; Affected Depts; Journal

**RESOLUTION 2011-148**

In the Matter of Resolution Awarding Bid            )           Office of County Commissioners,  
And Authorizing Board President to Enter        )           Fulton County, Ohio  
Into Contract 2011-40 for Ortho/Oblique         )           February 10, 2011  
Imagery Project on Behalf of Fulton County     )  
Auditor    )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS,** bids were accepted on January 13, 2011 for the Ortho/Oblique Imagery Project on behalf of the County Auditor, and two (2) bids were received; and

**WHEREAS,** after reviewing the bids, Brett Kolb, County Auditor, has determined that the bid submitted by Kucera International, Inc. of Willoughby, Ohio, in the amount of \$385,000.00, was the lowest and best bid received; and

**WHEREAS,** pursuant to the recommendation of Mr. Kolb, the Board of Commissioners wish to award the bid to Kucera International, Inc., and further enter into contract with the same, in accordance with the bid submitted therein; and

**THEREFORE, BE IT RESOLVED,** the Fulton County Board of Commissioners hereby award the bid for the Ortho/Oblique Imagery Project on behalf of the County Auditor, to Kucera International, Inc. in the amount of \$385,000.00; and

**BE IT FURTHER RESOLVED,** the Board of Commissioners hereby authorize the Board President to enter into Contract 2011-40 with Kucera International, Inc. for the Ortho/Oblique Imagery Project, on behalf of the County Auditor, pursuant to the terms and conditions therein; 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

**RESOLUTION 2011-149**

In the Matter of Resolution to Authorize Board                    )           Office of County Commissioners  
President to Enter Into **Contract 2011-41**                    )           Fulton County, Ohio  
With HMB Information System Developers on Behalf        )           February 10, 2011  
of Department of Job and Family Services                    )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, an agreement has been negotiated with HMB Information System Developers for standard support and consulting activities associated with the RightFax system on behalf of the Department of Job and Family Services; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners now hereby enter into **Contract 2011-41** with the HMB Information System Developers on behalf of the Fulton County Department of Job and Family Services, as attached hereto for the purposes, terms and conditions stated therein; 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

**RESOLUTION 2011-150**

In the Matter of Resolution Authorizing Board ) Office of County Commissioners  
President to Enter Into **Contract 2011-42** with ) Fulton County, Ohio  
LJ Irving and Sons, Inc. – 313 N. Main, Hicksville ) February 10, 2011  
Neighborhood Stabilization Program Demolition Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, on February 19, 2009, the Board of Commissioners of Fulton County, Ohio, passed Resolution 2009-158, thereby authorizing the participation in the Neighborhood Stabilization Program (NSP) together with Van Wert, Defiance, Henry, Paulding, and Williams Counties and the City of Defiance; and

**WHEREAS**, Fulton County agreed to serve as the lead agency for Region 1, consisting of the entities listed hereinabove, to undertake and carry out the activities associated with the NSP; and

**WHEREAS**, the Maumee Valley Planning Organization (MVPO), consultant providing technical services to the Board of Commissioners in conjunction with the NSP, developed specifications and received bids on January 17, 2011 for the project known as NSP Residential Demolition Project D-09, 313 North Main Street, Hicksville, Ohio; and

**WHEREAS**, after reviewing the bids, MVPO found LJ Irving and Sons, Inc. to have submitted the lowest and best bid at \$11,500.00 and recommended awarding the same; and

**THEREFORE BE IT RESOLVED**, that pursuant to the recommendation of the MVPO, the Board of Commissioners, serving as lead entity for the NSP for Region 1, hereby award the Bid to LJ Irving and Sons, Inc. for the NSP Residential Demolition Project D-09, 313 North Main Street, Hicksville, Ohio and authorize the Board President to enter into Contract 2011-42 with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the Work Specifications, the demolition of 313 North Main Street, Hicksville, Ohio, and pursuant to the terms and conditions stated in the contract,; 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:

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

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

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

Copy To: MVPO (2); Bid File; Journal

**RESOLUTION 2011-151**

In the Matter of Resolution To Cancel            )       Office of County Commissioners  
Fulton County Board of Commissioners        )       Fulton County, Ohio  
Regular Session on February 28, 2011 and    )       February 10, 2011  
March 7, 2011                                        )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, regular sessions of the Fulton County Board of Commissioners are scheduled to be held on Monday, February 28, 2011 and Monday, March 7, 2011; and

**WHEREAS**, Commissioners Barnaby and Rupp are attending the Annual CCAO County Commissioners Training in Mt. Sterling through Monday, February 28, 2011; and

**WHEREAS**, Commissioners Genter and Rupp are attending the Annual NACO Legislative Conference in Washington DC through Monday, March 7, 2011;

**WHEREAS**, it is necessary to cancel session on said dates as there will be no quorum available; and

**THEREFORE BE IT RESOLVED**, the Fulton County Board of Commissioners hereby cancel their regular sessions scheduled for Monday, February 28, 2011 and Monday, March 7, 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

**RESOLUTION 2011-155**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

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

**WHEREAS**, the Fulton County Auditor has certified the following listed Then and Now purchase orders and payments:

<b>PO Number</b>	<b>VENDOR #</b>	<b>PO Date</b>	<b>Amount</b>
2011000675	HEERE50	1/27/2011	\$ 182.88
2011000677	DYERM50	1/27/2011	201.25
2011000680	ACEHA50	1/27/2011	121.22
2011000695	JOB1U48	1/31/2011	514.71
2011000696	ACEHA50	1/31/2011	116.89
2011000697	MOLIN50	1/31/2011	160.00
2011000698	HENRI50	1/31/2011	140.00
2011000699	HENRI80	1/31/2011	140.00
2011000700	RULTO27	1/31/2011	15,000.00
2011000703	CENTE66	2/3/2011	5,348.00
2011000706	CARGI60	2/3/2011	30,470.00
2011000709	GOODR50	2/3/2011	1,500.00
2011000710	INDUS60	2/3/2011	42.00
		<b>Total</b>	<b>\$53,936.95</b>

**WHEREAS**, it is certified that both at the time that the contract or order was made (“then”), and at the time that the County Auditor is completing the certification (“now”), that sufficient funds were available or in the process of collection, to the credit of the proper fund, properly appropriated and free from any previous encumbrance; and

**WHEREAS**, pursuant to Ohio Revised Code §5705.41(D)(1), these purchases must be approved by resolution of the Board of Commissioners; and

**THEREFORE BE IT RESOLVED**, the Board of Commissioners hereby approve the Then and Now Purchase Orders as certified by the County Auditor; 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:

<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 2011-156**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) February 10, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 10, 2011, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Commissioners Paul Barnaby, Dean Genter, and 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

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

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

\_\_\_\_\_  
Perry Rupp

\_\_\_\_\_  
Perry Rupp

\_\_\_\_\_  
Perry Rupp

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

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

Copy To: File



**BE IT FURTHER RESOLVED**, that **5 YEARS** shall be the period of time, in semi-annual installments, as taxes are paid, given to the owners of land benefitted by the improvements to pay the assessments that may be made for the improvement herein; and that bonds or notes of said County shall be issued and sold in anticipation of the collection of said assessments; and

**BE IT FURTHER RESOLVED**, that interest shall be added to said installments of assessments at the same rate as is drawn by the bonds or notes issued to pay for said improvement; provided any owner only pay the assessment on his/her land in cash within thirty (30) days after the final hearing, without paying any interest thereon; and

**BE IT FURTHER RESOLVED**, that the 25<sup>th</sup> day of April, 2011 at 9:30 a.m. at the office of said Board is hereby fixed as the time and place for the County Engineer to receive bids, and that the County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; and

**BE IT FURTHER RESOLVED**, that the County Engineer be and hereby is directed to give at least two (2) weeks public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the County Engineer is hereby directed to send copies of the notice by mail to dealer and manufacturers, and all bids shall be received at the office of said Board; and

**BE IT FURTHER RESOLVED**, that the notice of letting shall be given by posting in the Fulton County Expositor on April 7, 2011 and April 14, 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 §121.22 of the Ohio Revised Code.

Commissioner \_\_\_\_\_ seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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

Copy to: Rod Creager  
Auditor  
2110 File