

<b>Description</b>	Minutes of Meeting		
<b>Date</b>	10/28/2010	<b>Location</b>	Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">9:00:07 AM</a>	Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance – All Commissioners Present		
<a href="#">9:01:24 AM</a>	<b><u>Resolution 2010-1000</u></b> Approve Minutes of October 25, 2010	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:02:23 AM</a>	<b><u>Resolution 2010-1001</u></b> Approve Agenda As Presented or Amended	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:02:57 AM</a>	<b>OLD BUSINESS:</b> · <b><u>Resolution 2010-1002</u></b> Approve Payment of Bills	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:03:22 AM</a>	· Discuss Clerk of Court's Request for Installation of ATM Machine  <b><u>Resolution 2010-1017</u></b> Approve Clerk of Courts Request Authorizing the Installation of ATM Machine	The Board further discussed this matter as a follow up to Monday's meeting. Commissioner Genter stated that with there being an ATM machine across the street and the potential for crime by having an ATM machine in the courthouse, he is not in favor. Commissioner Barnaby stated that he does not like the thought of holes being bored into the courthouse for it.  Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. <b>Motion failed 3-0.</b>	
<a href="#">9:05:28 AM</a>	· Review September 2010 Ohio Unemployment Rates	Fulton has dropped to 9.6%. The surrounding counties are 10% and up. Delaware County is the lowest in the state at 6.7% with Clinton County at 15.7%	
<a href="#">9:06:00 AM</a>	· Review Receipt Confirmation of Loan Review for Nebraska Industries Corporation	This was submitted for approval in advance to make sure the funding availability was there should the Corporation apply.	
<a href="#">9:06:45 AM</a>	<b>NEW BUSINESS:</b> · <b><u>Resolution 2010-1003</u></b> Transfer Funds and Appropriations for Various Departments	Mr. Hall noted that the transfer for Economic Development was pursuant to the prior Board's decision to allocate a percentage of conveyance fees collected to Economic Development. Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:10:06 AM</a>	· <b><u>Resolution 2010-1004</u></b> Approve Request of Village of Archbold for	The Village of Archbold has submitted a request for the release of \$26,788.16 to assist in costs of construction of the Village's "South	

	Release of Permissive Motor Vehicle Tax Funds	Street Improvement Project”. The Request has been reviewed by the County Engineer and was determined that the Village followed all requirements and thereby granted permission for the release. Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:11:29 AM</a>	· <b><u>Resolution 2010-1005</u></b> Approve Recommendation of Loss Control Coordinator Regarding BWC Claims	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:13:06 AM</a>	· <b><u>Resolution 2010-1006</u></b> Authorize Board President to Execute Subordination Agreements	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:14:06 AM</a>	· <b><u>Resolution 2010-1007</u></b> Transfer Funds for 3 rd Quarter Fuel and Supply Reimbursement	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:14:37 AM</a>	· <b><u>Resolution 2010-1008</u></b> Approve Pay Request No. 4 for Northeast Fulton County Water System Project Contract DIII	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:16:42 AM</a>	· <b><u>Resolution 2010-1009</u></b> Approve Draw down of Funds No. 14 for Northeast Fulton County Water System Project	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:17:13 AM</a>	· <b><u>Resolution 2010-1010</u></b> Transfer Appropriations for Sanitary Engineer	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:17:45 AM</a>	· <b><u>Resolution 2010-1011</u></b> Rescind Resolution 2010-971 Awarding the Bid for Ditch Improvement 2109 and Authorizing Re-Advertisement for Bids	<p>Bids were previously accepted by the Board for Ditch Improvement 2109. One Bid was received which came in at 10% over the engineer’s estimate. It was awarded based on the fact that there was only one bidder and the contract was still under the \$25K threshold. Counsel advised that with ditch projects the ORC §6131.40 supersedes Chapter 153 as it relates to bidding out projects.</p> <p>New bids will be accepted until November 22 at 9:30 a.m. in the Office of the Board.</p> <p>Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.</p>
<a href="#">9:19:53 AM</a>	· <b><u>Resolution 2010-1012</u></b> Approve Change Order No. 1 to Decrease Contract 2010-93 with PHC, Inc. for FY09	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.

	CDBG Formula Lyons Linden Street Waterline Project and Lower Purchase Order	
<a href="#">9:20:38 AM</a>	· <b><u>Resolution 2010-1013</u></b> Approve Change Order No. 3 to Increase Contract 2010-59 with Newcomer Concrete & Services Inc. for the FY09 CDBG Formula Metamora Curb Replacement Project	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:21:55 AM</a>	· <b><u>Resolution 2010-1014</u></b> Approve Change Order No. 2 to Increase Contract 2010-91 with CNC Electric, Inc. for NSP E. Main Street, Montpelier Rehab Project	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:22:34 AM</a>	· <b><u>Resolution 2010-1015</u></b> Approve Then and Now Purchase Orders	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:23:05 AM</a>	· <b><u>Resolution 2010-1016</u></b> Approve Purchase Orders and Travel Requests	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:23:58 AM</a>	Recess	
<a href="#">9:32:47 AM</a>	<b>Steve Brown, Regional Planning Director - Project Update</b>	<p>Mr. Brown informed the Board that the new flood maps for Fulton County will become official on April 11, 2011. He stated that about 2 ½ years ago, he had already submitted new flood plain maps to the ODNR for approval. There will be minimal changes needed to those for the new regulations and will require that they be resubmitted to Columbus for approval. He explained the process for authorization of the maps and that it will require the Board to hold 2 public hearings. He noted that with this new mapping program, local entities will have to go through and update theirs also. He is working with the local communities to encourage the adoption of a standardized plan throughout the county.</p> <p>Mr. Brown stated that the FY10 Block Grant projects are under environmental reviews. He is expected the release of funds at the end of November so the projects can get moving.</p> <p>They recently did an income survey of Delta and Swanton stating that there was a 40% response rate. Swanton was at 30% LMI and is now reporting at 41%, and Delta was at 37% LMI and is now reporting at 57%.</p> <p>They have finished with the Fayette Comprehensive Plan.</p>

	<p><b><u>Resolution 2010-1018</u></b>  Apply for SRTS  Funding and Submit to  ODOT</p>	<p>The grant for the Safe Routes to School Program has been prepared and is ready to move forward pending the approval of the Board. He explained that to move forward, they need to have a local sponsor and thought that the County would be in the best position to act as sponsor. The project is within both Clinton and German Townships, and neither believed they would be the best to sponsor since it is spread between 2 townships.</p> <p>Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.</p>
<a href="#">9:45:09 AM</a>	ADJOURN	Commissioner Genter made the motion and Commissioner Short seconded the motion.
	<p>Approved:</p> <hr/> Dean Genter	
	<hr/> Paul Barnaby	
	<hr/> Joseph D. Short	
	<p>Attest:</p> <hr/> Jennifer L. Connors, Clerk	
	<p>A signed copy of the minutes or a recording of the meeting in it's 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 2010-1000**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of October 25, 2010 ) Fulton County, Ohio  
) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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 25, 2010 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:**

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

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

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

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

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

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Paul D. Barnaby

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Joseph D. Short

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Joseph D. Short

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Joseph D. Short

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

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

Jennifer L. Connors, Clerk

Copy To: File

**RESOLUTION 2010-1001**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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

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

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

**THEREFORE, BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve the agenda as amended or presented for October 28, 2010; 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>
_____	_____	_____
Dean Genter	Dean Genter	Dean Genter
_____	_____	_____
Paul Barnaby	Paul Barnaby	Paul Barnaby
_____	_____	_____
Joseph D. Short	Joseph D. Short	Joseph D. Short

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

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

cc: File



**RESOLUTION 2010-1017**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Clerk of Courts Request Authorizing the ) Fulton County, Ohio  
Installation of ATM Machine ) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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

**WHEREAS**, during a regular session of the Board of Commissioners on October 25, 2010, Mr. Paul MacDonald, Clerk of Courts, presented a proposal to the Board regarding his request for the installation of a Cash Dispensing ATM Machine in the Courthouse; and

**THEREFORE, BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve Mr. MacDonald’s request and authorize the installation of a Cash Dispensing ATM Machine as outlined in the proposal as attached hereto and incorporated herein by reference; 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:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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Dean Genter

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Paul Barnaby

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

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

\_\_\_\_\_  
Joseph D. Short

\_\_\_\_\_  
Joseph D. Short

\_\_\_\_\_  
Joseph D. Short

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

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

cc: P. MacDonald; Journal

**RESOLUTION 2010-1003**

In the Matter of Resolution to Transfer Funds and ) Office of County Commissioners,  
Appropriations for Various Departments ) Fulton County, Ohio  
) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

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

**WHEREAS**, it is necessary to transfer funds and appropriations for various departments to cover expenses for the remainder of the year; and

**THEREFORE, BE IT RESOLVED**, that the Board of Commissioners, hereby authorize the following transfer of funds:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$25,000.00	From: 1000-30910-5-39100	Economic Development-Co Share
\$25,000.00	To: 2705-15910-4-55000	Co Share Grant-Economic Development
\$25,000.00	From: 1000-30910-5-39100	Economic Development-Co Share
\$25,000.00	To: 1000-52000-5-94000	Transfer Out-GF
\$25,000.00	From: 1000-52000-5-94000	Transfer Out-GF
\$25,000.00	To: 4170-4-1921-4-41100	Transfer In-Landfill

**BE IT FURTHER RESOLVED**, that the following transfer of appropriations is authorized:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$ 1,000.00	From: 2120-11200-5-32000	Continuing Ed-Auditor
\$ 1,000.00	To: 2120-11200-5-31000	Travel-Auditor
\$ 9.01	From: 1000-12124-5-51000	Office Supplies-CCE
\$ 9.01	To: 1000-12124-5-33200	Witness Fees-CCE
\$ 500.00	From: 2415-14902-5-35100	Solid Waste-Electric
\$ 500.00	To: 2415-14902-5-96000	Solid Waste-Other

**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:**

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

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

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Dean Genter

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

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Paul Barnaby

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

\_\_\_\_\_  
Joseph D. Short

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Joseph D. Short

\_\_\_\_\_  
Joseph D. Short

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

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

Jennifer L. Connors, Clerk

Copy To: Auditor; Affected Depts; Journal

**RESOLUTION 2010-1004**

In the Matter of Resolution Approving                    )           Office of County Commissioners  
Request by Village of Archbold for Release of        )           Fulton County, Ohio  
Permissive Motor Vehicle Tax Funds                    )           October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph Short

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

**WHEREAS,** the Village of Archbold submitted a request to the Fulton County Engineer dated October 18, 2010 for the release of permissive tax funds in the amount of \$26,788.16 to assist in the costs for construction of the "South Street Improvement Project" located within the Village limits; and

**WHEREAS,** upon review by the Fulton County Engineer, Frank Onweller, and by his letter dated October 25, 2010, permission was granted for the use of permissive tax funds for the project; and

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners approve the distribution of \$26,788.16 of Permissive Motor Vehicle Funds to the Village of Archbold to assist in the costs for the construction of the "South Street Improvement Project" located within the Village limits; 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>
_____	_____	_____
Dean Genter	Dean Genter	Dean Genter
_____	_____	_____
Paul Barnaby	Paul Barnaby	Paul Barnaby
_____	_____	_____
Joseph D. Short	Joseph D. Short	Joseph D. Short

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

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

cc: Auditor, Fulton County Engineer, Village of Swanton, File, Journal

**RESOLUTION 2010-1005**

In the Matter of Accepting Recommendation of ) Office County Commissioners  
Loss Control Coordinator to Approve ) Fulton County, Ohio  
Workers' Compensation Claim ) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

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

**WHEREAS,** the Fulton County Loss Control Coordinator, Dawn Hogrefe, has submitted a Notice of New Workers Compensation Claim Being Filed for:

Deborah Spiess DOI: 10/15/10

**WHEREAS,** the Loss Control Coordinator recommends approval of this claim; and

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners accepts the recommendation of the Loss Control Coordinator, **hereby approving** the Workers' Compensation claim for Deborah Spiess; 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>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph Short	_____ Joseph Short	_____ Joseph Short

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

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

cc: Dawn Hogrefe; Journal



**RESOLUTION 2010-1007**

In the Matter of Resolution to Transfer ) Office of County Commissioners,  
Funds for Fuel and Supplies for 3<sup>rd</sup> Quarter ) Fulton County, Ohio  
Reimbursements to General Fund ) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

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

**WHEREAS**, reports are now complete to determine fuel and supply usage by department for the 3rd 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:

**Supplies:**

**From:**

<u>Department</u>	<u>Account</u>	<u>Amount</u>
EOC	2340-13912-5-96000	\$ 9.74
Senior Center	2505-15915-5-51000	\$ 89.97
Dog Pound	2510-15154-5-53100	\$ 323.73
Clerk of Courts	2110-12120-5-51000	\$ 119.96

**Fuel:**

**From:**

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Econ Dev	2705-17910-5-31000	\$ 69.83
Senior Center	2505-15915-5-31000	\$3,639.04
Auditor	2120-11200-5-31000	\$ 27.83
Dog Pound	2510-15154-5-56100	\$1,432.58

**TO:**

**General Fund            1000-18000-4-84003 Misc Receipts            Total Transfer = \$5,712.51**

**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:**

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

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

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

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Paul Barnaby

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Paul Barnaby

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Paul Barnaby

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Joseph Short

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Joseph Short

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Joseph Short

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

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

Copy to: Auditor; B. Colon; Affected Depts; Journal



**RESOLUTION 2010 –**

In the Matter of Resolution to Approve Change Order ) Office of County Commissioners  
No. 1 to Decrease Contract 2010-93 with PHC, Inc., ) Fulton County, Ohio  
(B-F-09-1AX-1) Lyons Linden St. Waterline ) October 28, 2010  
Replacement Project and Lower Purchase Order )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on October 28, 2010, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Commissioner Dean Genter, Commissioner Paul Barnaby and Commissioner Joseph Short.

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

**WHEREAS**, PHC, Inc. has submitted Change Order No. 1 for the Lyons Linden St. Waterline Replacement Project, B-F-09-1AX-1, in the amount of **\$2,771.00**.

**WHEREAS**, it is necessary to decrease Contract 2010-93 by \$2,771.00 to \$50,183.00 and lower the purchase order associated therewith.

**THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve Change Order No. 1 for PHC, Inc. and authorize that Contract 2010-93 be decreased by \$2,771.00 and purchase order #2010001664 (line item 2741-17919-5-96000) be lowered by \$2,771.00.

**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>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph Short	_____ Joseph Short	_____ Joseph Short

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

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

**RESOLUTION 2010 –  
CERTIFICATE**

I, Jennifer Connors, Clerk of the 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 28, 2010.

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

Cc: Auditor’s Regional Planning

**RESOLUTION 2010 –**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Change Order No. 3 and Increase Contract 2010-59 ) Fulton County, Ohio  
with Newcomer Concrete & Services, Inc. ) October 28, 2010  
Metamora Curb Replacement Project B-F-09-1AX-1 )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on October 28, 2010, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Commissioner Dean Genter, Commissioner Paul Barnaby and Commissioner Joseph Short.

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

**WHEREAS**, Newcomer Concrete & Services, Inc. has submitted Change Order No. 3 for the Metamora Curb Replacement Project, B-F-09-1AX-1, in the amount of **\$3,647.52**.

**WHEREAS**, it is necessary to increase the County Auditor’s Certificate for Contract 2010-59 by \$3,647.52.

**THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve Change Order No. 3 for Newcomer Concrete & Services, Inc. and authorize that Contract 2010-59 be increased by \$3,647.52.

**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>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph Short	_____ Joseph Short	_____ Joseph Short

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

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

**RESOLUTION 2010 –  
CERTIFICATE**

I, Jennifer Connors, Clerk of the 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 28, 2010.

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

Cc: Auditor’s Regional Planning

**RESOLUTION 2010-1015**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) October 28, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 28, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

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>
2010002031	EHAUT50	10/12/2010	\$ 276.00
2010002045	INDUS60	10/14/2010	22.00
2010002048	COMPM50	10/14/2010	1,751.00
2010002057	ROSSE50	10/18/2010	5,343.00
2010002058	FOURC30	10/18/2010	523.36
2010002061	RICET50	10/18/2010	2,000.00
2010002071	EHAUT50	10/21/2010	98.75
2010002072	KREIN55	10/21/2010	317.00
		TOTAL	\$ 10,331.11

**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>
_____	_____	_____
Dean Genter	Dean Genter	Dean Genter
_____	_____	_____
Paul Barnaby	Paul Barnaby	Paul Barnaby
_____	_____	_____
Joseph D. Short	Joseph D. Short	Joseph D. Short

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

CC: Auditor; Journal

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



**RESOLUTION 2010 –**

In the Matter of Resolution to	)	Board of County Commissioners
Apply for S.R.T.S. Funding and	)	Fulton County, Ohio
Submit to O.D.O.T.	)	October 28, 2010

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on October 28, 2010, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Commissioner Joseph Short, Commissioner Dean Genter, and Commissioner Paul Barnaby

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution enacted by the Board of Fulton County Commissioners, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**WHEREAS**, the United States Congress has set aside monies for Safe Routes to School Projects through the State of Ohio, Department of Transportation; and

**WHEREAS**, LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

**WHEREAS**, the Pettisville SRTS is a transportation activity eligible to receive federal funding; and

**NOW, THEREFORE BE IT ORDAINED** by the Board of County Commissioners, State of Ohio, that:

**SECTION 1:** The Fulton County Planning Director of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for SRTS funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

**SECTION 2:** The total cost of the project is estimated to be \$489,997.58, of which the LPA, if awarded the funds, further agrees to pay one hundred percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

**SECTION 3:** Upon completion of the described project, and unless otherwise agreed, the LPA shall: **(1)** provide adequate maintenance for the described project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; **(2)** provide ample financial provisions, as necessary, for the maintenance of the described project; **(3)** if necessary, maintain the right-of-way, keeping it free of obstructions; and **(4)** if necessary, hold said right-of-way inviolate for public highway purposes.

**SECTION 4:** If the application is approved for the funding the Board of Fulton County Commissioners of said LPA is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

**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:**

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

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

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

\_\_\_\_\_  
Joseph Short

\_\_\_\_\_  
Joseph Short

\_\_\_\_\_  
Joseph Short

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

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

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

This Resolution is hereby declared to be an emergency measure to take effect and be in force immediately upon its passage to meet the Safe Routes to School application deadline.

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

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

Cc: RPC

**RESOLUTION 2010 –  
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 28, 2010.

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