

<b>Description</b>	Minutes of Meeting		
<b>Date</b>	9/20/2010	<b>Location</b>	Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">9:00:35 AM</a>	Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance - All Commissioners Present		
<a href="#">9:01:34 AM</a>	<b><u>Resolution 2010-865</u></b> Approve Minutes of September 16, 2010	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:01:57 AM</a>	<b><u>Resolution 2010-866</u></b> Approve Agenda As Presented or Amended	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:02:20 AM</a>	<b>OLD BUSINESS:</b> · Ziad Musallam, Sanitary Engineer Update on Northeast Fulton County Water System Project	<p>Mr. Musallam presented the Board with a progress report outlining each section of the project. Regarding Contract A, he stated that he received an email from ARCADIS stating that the manufacturer of the pump has pushed back the delivery to September 29<sup>th</sup>.</p> <p>The painting on the tank is completed and it just needs to be connected. He showed slides of the tank being built.</p> <p>He presented the Board with maps illustrating the route of progress for the project and noted that these maps would be posted on the web for public viewing.</p> <p>He met with a property owner at the end of July regarding the use of his parcel for a fill station. The owner did not have an objection to either a permanent easement or a purchase, however noted that there is already an easement in place with the Village of Lyons in that same area that could be shared. Mr. Musallam contacted the Village of Lyons to get their thoughts on sharing this access. The Village responded stating that council would agree to share the easement if the County would remove the \$0.25 surcharge from the Lyons Village water distribution system. Mr. Musallam will have further discussions with the landowner to see if they can slide the easement further east.</p>	
<a href="#">9:18:57 AM</a>	·Discuss Attendance to Fulton County Township Association Fall Banquet	The Fall Banquet will be held this year at the Lyons Christian Church on September 21, 2010 at 6:30 p.m. Commissioners Barnaby and Genter confirmed their attendance.	
<a href="#">9:19:13 AM</a>	·Review Notification of Estimate of Receipt of Fees for Service of Writs by the Fulton County Sheriff's Office	Pursuant to ORC §311.10, the Sheriff submitted his estimate of fees for the service of writs to be \$95,000 for 2010-2011	
<a href="#">9:19:50 AM</a>	· <b><u>Resolution 2010-867</u></b> Execute Semi-annual Water And Sewer Grant Status Report	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	

<a href="#">9:21:22 AM</a>	· <b><u>Resolution 2010-868</u></b> Transfer Funds for Department of Job and Family Services for Shared Costs	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:21:47 AM</a>	· <b><u>Resolution 2010-869</u></b> Transfer Appropriations for County Engineer	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:22:31 AM</a>	· <b><u>Resolution 2010-870</u></b> Advance Funds for Ditch Improvement Number 2109-Anderson	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:23:26 AM</a>	· <b><u>Resolution 2010-871</u></b> Enter Into Contracts 2010-118 & 2010-119 with Tim Rice Trucking LLC for Snow Removal/Ice Control	Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:24:20 AM</a>	· <b><u>Resolution 2010-872</u></b> Declare Advance for Ditch Improvement a Transfer	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:25:40 AM</a>	· <b><u>Resolution 2010-873</u></b> Approve Purchase Orders and Travel Requests	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:26:09 AM</a>	Recess	
<a href="#">9:31:24 AM</a>	<b><u>Resolution 2010-874</u></b> <b>Executive Session Exit Conference with State Auditor</b>	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Roll call vote: Barnaby, yes; Genter, yes; Short, yes. Motion carried unanimously.
<a href="#">10:22:49 AM</a>	Out of Exec Session	No action taken
<a href="#">10:23:09 AM</a>	<b><u>Resolution 2010-875</u></b> <b>Rod Creager Chief Deputy Engineer Present Continued Plans on Ditch Improvement Petition 2108 - Storeholder</b>	Mr. Creager submitted a written request for a continuance to finish up the final calculations on assessments due to the recent determination that the culvert replacement needed through Road E be treated as a special assessment. The report was continued to October 21, 2010 at 10 a.m. Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">10:23:48 AM</a>	Adjourn	Commissioner Short made the motion and Commissioner Genter seconded the motion.
	Approved:  _____ Dean Genter  _____ Paul Barnaby  _____ Joseph D. Short  Attest:  _____ Jennifer L. Connors, Clerk	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.

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**RESOLUTION 2010-866**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) September 20, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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: September 20, 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 2010-868**

In the Matter of Resolution to Transfer ) Office of County Commissioners  
Funds for Department of Job and ) Fulton County, Ohio  
Family Services – CSEA Shared Costs ) September 20, 2010  
)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 Assistant Director of Job and Family Services has requested the transfer funds for the Child Support Enforcement Agency’s monthly shared cost payment to public assistance for August 2010; and

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

<u>Amount</u>		<u>Account</u>
\$14,448.37	From:	2610-16914-5-94000 CSEA Shared Exp.
\$14,448.37	To:	2605-15914-4-53020 PA – Transfer In-Shared Cost

**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
_____	_____	_____
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: Auditor, Journal; JFS



**RESOLUTION 2010-870**

In the Matter of Resolution to Advance Funds ) Office of County Commissioners  
for Ditch Improvement 2109-Anderson ) Fulton County, Ohio  
 ) September 20, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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**, it is necessary advance funds into Fund 4373 from the Ditch Improvement Fund to meet the obligation for Ditch Improvement 2109-Anderson; and

**THEREFORE BE IT RESOLVED**, that funds be **ADVANCED** from the ditch improvement fund as follows:

<u>Amount</u>	<u>Account</u>
\$27,277.38	From: Fund 3200 - Ditch Improvement Fund
\$27,277.38	To: 3200-50146-5-53000 Advance Out-Ditch Imp
\$27,277.38	From: 3200-50146-5-53000 Advance Out-Ditch Imp
\$27,277.38	To: 4373-48146-4-48100 Advance In-Ditch 2109

**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: Auditor; Journal; ditch file

**RESOLUTION 2010-871**

In the Matter of Resolution to Enter Into **Contracts** ) Office of County Commissioners  
**2010-118 and 2010-119** with Tim Rice Trucking, ) Fulton County, Ohio  
LLC, for Snow Removal/Ice Control at County ) September 20, 2010  
Offices )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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**, contracts has been successfully negotiated with Tim Rice, dba Time Rice Trucking LLC, for snow removal and ice control for the 2010-2011 season for both the Western and Eastern District Offices of Fulton County; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby enter into **Contracts 2010-118 and 2010-119**, with Tim Rice, dba Time Rice Trucking, for snow removal and ice control at various county offices as stated therein; and

**BE IT FURTHER RESOLVED**, the effective date of said contracts shall be November 1, 2010 and shall remain in effect until May 31, 2011, unless otherwise terminated or amended by formal proceedings; and

**BE IT FURTHER RESOLVED**, these contracts shall not exceed the amounts stated therein unless emergency conditions dictate a consideration of an amount in excess of said amount, at which time change orders may be considered; 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:**

\_\_\_\_\_  
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

Copy to: Contract File, Auditor, Vendor

**RESOLUTION 2010-872**

In the Matter of Resolution to Declare            )    Office of County Commissioners  
Advance For Ditch Improvement a                )    Fulton County, Ohio  
Transfer    )    September 20, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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**, on March 6, 2000, the Board of Commissioners, via Resolution 2000-158, authorized an advance from the General Fund into Fund 4385 to cover expenses associated with Ditch Improvement Project 2075 Jones-Roos; and

**WHEREAS**, assessments were placed on the affected landowners tax duplicate to begin collecting in 2002. All amounts assessed have since been collected and balance remains on the payback of the advance in the amount of \$99.89; and

**WHEREAS**, given that this fund is no longer collecting assessments the balance remaining on the payback of the advance must be declared a transfer in order for this fund to be in compliance with ORC 5705.39;

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby declare the remaining balance of the advance made from the General Fund to Fund 4385, which has been determined to be in the amount of \$99.89, to be a transfer; 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

Copy to: Auditor; File



**RESOLUTION 2010-874**

In the Matter of Resolution to Hold an ) Office of County Commissioners  
Executive Session to Conduct Audit ) Fulton County, Ohio  
Conference Pursuant to §121.22(D)(2) ) September 20, 2010

The Board of County Commissioners of Fulton County, Ohio met in a special session on September 20, 2010, pursuant to notice, 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**, Ohio Revised Code §121.22 (G) Except as provided in division (J) of this section, the members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of seven specific topics; and

**WHEREAS**, the Board wishes to hold an executive session pursuant to ORC §121.22(D)(2), for an audit conference to be conducted by the state auditor with the officials of the public office that is the subject of the audit; and

**THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, to begin at 9:30 a.m. for an audit conference to be conducted by the state auditor pursuant to ORC §121.22(D)(2); and

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
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

RESOLUTION – 2010-\_\_\_\_

**ORDER FIXING TIME OF CONTINUED ENGINEER’S REPORT ON PLANS, SCHEDULES AND ESTIMATED ASSESSMENTS FOR DITCH IMPROVEMENT 2108**

In the Matter of the *Single* ) Office of County Commissioners,  
County Ditch No. *2108* Petitioned ) Fulton County, Ohio  
for by *Lawrence Storeholder, et al.* ) *September 20, 2010*

The Board of County Commissioners of Fulton County, Ohio met in *regular* session on the **20th day of September, 2010**, at the office of said board with the following members present:

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

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

**WHEREAS**, This being the day fixed by said Board, for the Continued Engineer’s Report on Plans, Schedules and estimated assessments for Ditch Improvement 2108 filed by Lawrence Storeholder and others; and

**WHEREAS**, Rod Creager, Chief Deputy Engineer, needs additional time to compute the final assessments as it was recently determined that major culvert replacement work needed through Road E shall be included in the ditch contract and shall be treated as a specially assessed work item;

**WHEREAS**, upon consideration of the above information, the Board of Fulton County Commissioners has agreed to continue the Engineer’s Report until such time as the Fulton County Chief Deputy Engineer has computed the final assessments; and

**THEREFORE BE IT RESOLVED**, that the **21<sup>st</sup>** day of **October, 2010 at 10:00 a.m.** is hereby fixed as the time for the Continued Engineer’s Report on said plans, schedules, and estimated assessments; 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: Rod Creager  
File