

<b>Description</b>	Minutes of Meeting		
<b>Date</b>	8/26/2010	<b>Location</b>	Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">9:00:20 AM</a>	Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance - All Commissioners Present		
<a href="#">9:01:28 AM</a>	<b><u>Resolution 2010-780</u></b> Approve Minutes of August 23, 2010	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:01:39 AM</a>	<b><u>Resolution 2010-781</u></b> Approve Agenda As Presented	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:01:59 AM</a>	<b>OLD BUSINESS:</b> · <b><u>Resolution 2010-782</u></b> Approve Payment of Bills	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:02:13 AM</a>	· Review Ohio Unemployment Rates for July 2010	Attached	
<a href="#">9:02:52 AM</a>	· Discuss County Landfill Update	Ziad Musallam, Sanitary Engineer, was present for the discussion. Vond Hall, County Administrator, stated that they have received power from Toledo Edison and the generator is no longer being used. There was a change order approved for modifications, however there is no EPA authorization to do so. They are working with the contractor to see if the plan can be altered. The pump is installed and operating and cycling. There needs to be a core cut in the side yet to reroute the fittings. Commissioner Genter inquired how accurate the pump readings are and if there needs to be a meter installed. Mr. Musallam stated that the layout of the system has very minimal items that would affect flow and it goes by manufacturers ratings. The pump is the meter.	
<a href="#">9:11:45 AM</a>	· Follow-up Discussion on Fulton County Senior Center Improvements  <b><u>Resolution 2010-796</u></b> Approve Exterior Vestibule Concept for Fulton County Senior Center	As a follow up to the presentation of Poggemeyer Design Group, the Board reviewed the concepts presented for the interior and exterior vestibules. Commissioner Genter noted that Clinton Township is in favor of the improvement and passed a resolution accepting either concept. Commissioner Barnaby made the motion to move forward with the exterior vestibule and Commissioner Genter seconded the motion. Motion carried unanimously. This concept will not take away from the historical integrity of the building or cause any damages. Mr. Hall stated that he would get with Poggemeyer design group to get the specifications going to go out for bid.	
<a href="#">9:15:08 AM</a>	<b>NEW BUSINESS:</b> <b><u>Resolution 2010-783</u></b>	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	

	Lower Purchase Order and Transfer Appropriations for Department of Job and Family Services	
<a href="#">9:16:03 AM</a>	· <b><u>Resolution 2010-784</u></b> Increase Contract 2010-20 with Chris Rorick Trucking on Behalf of County Engineer for Aggregate Materials	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:16:42 AM</a>	· <b><u>Resolution 2010-785</u></b> Enter Into Contract 2010-112 with Mark's Building and Remodeling, LLC for Neighborhood Stabilization Project Rehab of 821 Crawford St., Van Wert, Ohio	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:17:38 AM</a>	· <b><u>Resolution 2010-786</u></b> Accept Amounts and Rates as Determined by Budget Commission; Authorizing Necessary Tax Levies and Certifying to County Auditor	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:19:04 AM</a>	· <b><u>Resolution 2010-787</u></b> Authorize Leave of Absence for County Employee	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:19:31 AM</a>	· <b><u>Resolution 2010-788</u></b> Authorize County Engineer and Board President to Participate in OPWC State Capital Improvement Program and Execute Contracts as Required for Reconstruction of CR T (RD 7 SR 64)	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:20:47 AM</a>	· <b><u>Resolution 2010-789</u></b> Enter Into Contract with Max Stuckey for Auctioneer Services for County Auction	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:22:08 AM</a>	· <b><u>Resolution 2010-790</u></b> Approve Change Order for Hill Roadway Maintenance for Crack Sealing at Fulton County Airport	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:23:00 AM</a>	· <b><u>Resolution 2010-791</u></b> Approve Formation and Membership Into Black Swamp Citizens Corps Council	This provides for the rendering for cooperation and mutual aid from surrounding and contiguous counties if needed. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:25:01 AM</a>	· <b><u>Resolution 2010-792</u></b> Approve Then and Now Purchase Orders	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:25:22 AM</a>	· <b><u>Resolution 2010-793</u></b>	Commissioner Short made the motion and

	Approve Purchase Orders and Travel Requests	Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:25:51 AM</a>	· <b>Resolution 2010-794</b> Lower and Close Purchase Order In Neighborhood Stabilization Program Fund	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:26:13 AM</a>	· <b>Resolution 2010-795</b> Approve Draw Down of Funds 221 for Neighborhood Stabilization Program Grant	Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
<a href="#">9:26:37 AM</a>	Recess	
<a href="#">9:33:30 AM</a>	<b>Curt Jones and Pete Carr-Soil and Water Conservation District Update</b>	<p>Mr. Carr stated that the air tour held on 8/14 went very well. There were 4 planes going in the a.m. and 6 in the p.m. 220 passengers participated. Mr. Jones stated that the only complaint he heard was the long wait time. The issue of scheduling has come up at a Board meeting. They are also trying to get more planes involved to reduce the wait time, and also so the pilots can take a break.</p> <p>There are 4 structures scheduled for installation in September on Branch 7 of Brush Creek and there are 5 owners eligible for filer strips and other conversation programs on branch 1 and 1a of Fewless Creek. This is currently an open ditch project.</p> <p>Grassed Waterways are more per foot than they have seen in awhile. There are about 100 acres of Oak Savannah to do this fall.</p> <p>Mr. Jones discussed the EQUIP program and presented a brochure showing where the practices are. There has been \$57,609.90 paid to date to farmers to get qualified practices done, with another \$114,500 coming still by the end of the year.</p> <p>Monarchs &amp; More Family Fun Day is September 12, 2010 from 1-3 p.m. at the Ed and Carol Nofziger property on SR 2, near Pettisville. The NOW Woodland and Wildlife Family Festival is Saturday, September 25, 2010 at the Lange Tree Farm, 5893 CR 3, Swanton, Ohio. AG Fest is September 21-22<sup>nd</sup>. Wauseon will not be participating this year as their levy did not pass.</p>
<a href="#">9:48:10 AM</a>	recess	
<a href="#">10:07:53 AM</a>	<b>Final Hearing on Ditch Improvement 2107-Storeholder</b>	Commissioner Genter opened the hearing and explained the process of this final hearing. He then turned the hearing over to Rod Creager who explained the drainage laws as described in ORC 6131 and the process up to this point. He then explained the basic of water drainage. He presented pictures of the area and presented his report:

**PROJECT INITIATION**

This drainage improvement was initiated through a single county drainage petition filed by Mr. Lawrence Storeholder and others on March 16, 2009. The petition calls for the cleaning and brush cleaning of portions of two open ditches known as Branches 1 and 1a of Fewless Creek located in Swancreek Township, Fulton County, Ohio.

The proposed Branch I improvement is petitioned to begin approximately 1310 feet north and 660 feet west of the southeast corner of Section 27, T-9-S, R-3-E, at the property line between Storeholder and Daubenmeyer. From that point, the improvement is to proceed downstream in a north and northeasterly direction, crossing County Road 3 about 2,000 feet north of County Road D into Section 26. From there, the improvement is petitioned to continue to the north and northeast, following the existing open channel for a distance of approximately 4,380 feet to Township Road E, to a point that is about 0.45 miles east of County Road 3. From that point, the petition route crosses Township Road B and continues east for about 400 feet along the north right-of-way of Township Road B. From there, the proposed improvement route leaves the Road B right-of-way and continues to the north to the proposed lower terminus at Fewless Creek Main.

The Branch 1 a of Fewless Creek drainage improvement is proposed to begin about 330 feet north and 615 feet west of the east quarter corner of Section 27, T-7-N, R-8-E in Swancreek Township at the property line between Storeholder and Dowling. The improvement of Branch 1a is proposed to continue downstream for a distance of 1,050 feet, terminating at Branch 1 of Fewless Creek.

A viewing of the project was conducted by the Board of County Commissioners on Monday, April 13, 2009 at the site.

Improvements of record in this watershed date back to 1884. The channel under consideration at this time was cleaned through petitions in 1901, 1943 and 1958. The project in 1901 started at Road D and continued north of Road B to the main. The 1943 improvement terminated at Road E. The ditch was last improved through a single county petition in 1958, just before such petitioned improvement projects in Fulton County were placed on a permanent maintenance program. At that time the work ended at Road E. There were twenty-seven (27) involved in the 1958 project. Today, sixty-eight (68) parcels are in the watershed. Since 1958 the channel has been maintained privately by the adjacent land owners down to the woods on the Lemmon property.

**PROJECT OBJECTIVES**

The primary objective of this project is to clean

the open ditches and establish a permanent ditch maintenance program for the channels.

**PROBLEMS OBSERVED**

The problems observed on the day of the viewing were consistent with what one might expect see on a ditch in need of maintenance. Brush growth was obvious along both ditch banks downstream from Road 3. The 30-inch culvert through Road 3 was under water and the roadside drainage tiles were at or just below the water surface at Road 3.

At the Bradford property, about halfway between Road 3 and Road E, the commissioners and landowners observed brush and some trees along both banks. Three drain outlet pipes entering the ditch from the east were at or near the water surface on the day of the viewing and there was evidence of recently washed sediment from a large upstream washout on the Mastin farm.

Channel flow was better at Road E even though there was some sediment in the culvert.

Upstream from Road E the runs through a wooded area and yard and there were larger trees down on the channel banks and fallen trees and limbs in the channel through the woods.

There was some sediment downstream in the channel along Road E but the flow was better. The road side had been repaired with rock channel protection to protect the roadside banks from erosion and sloughing.

Downstream from Road B there was dense brush except where adjacent landowners had cleared the banks through lawn areas. Adjacent landowners pointed out that the water doesn't run very deep even during larger storm events and that the channel banks in the bottom land downstream from Road B are not supportive of even light lawn equipment but don't erode much.

During a subsequent inspection of the channels from their upper termini to a point on the main branch just downstream from Road B other defects were discovered. There was some bank sloughing west of Road 3 and Storeholder's 24-inch culvert crossing Branch 1 was about half full. Downstream from Road 3 there is a stop-log structure in the channel to pond water for irrigating adjacent fields. There was a large tile washed out and a large bank washout on the east side just upstream from the Bradford property.

North of the Bradford property there were larger trees and brush on both channel banks. There were down trees, drift and debris through Lemmon's woods. There was also evidence of spoil piles from past cleaning projects along both banks through Lemmon's woods.

Mr. Creager answered questions from the landowners.

**WORK PROPOSED**

Down trees and debris will be removed from

the channels. Brush and trees on channel banks that interfere with channel flow will be removed and left for disposal by the land owner.

Sediment will be excavated from the channel bottom and spoils will be leveled in adjacent fields. Culvert elevations will be adjusted as required. A new 48-inch culvert is proposed near Lemmon's south property line to facilitate future ditch maintenance. Spoil will be hauled from lawn areas and spread in upstream fields. Lawns, filter strips and roadsides will be restored. The lower terminus of this project will be just downstream from Township Road E at approximately where the 1958 petition project terminated.

Erosion control measures will be incorporated in the work plan. Temporary erosion control will be provided during construction. Banks and berms will be seeded. Rock channel protection will be placed where required. Fifteen foot filter strips will be established where none exist.

Traffic control and incidental items associated with the cleaning of these open ditches will also included in the work plan.

A temporary construction easement will be established along the line of the improvement. The width of the temporary construction easement varies depending upon the nature of the work to be performed. The temporary construction easement is marked on the project plans.

#### **CONSTRUCTION ESTIMATE**

The attached construction estimates are based on information that was obtained through aerial photos, field observations and engineering surveys. The estimated cost to clean Branch 1 of Fewless Creek is \$72,378.82 and the estimated cost to clean Branch 1a is \$10,674.03. These estimates include engineering, administrative costs, bond counsel, construction financing and special assessments such as culvert replacement.

The final detailed construction estimate, based upon a complete engineering survey was used to determine the estimated assessments for each parcel. Upon completion of the project work plan, actual assessments will be prorated to reflect the final cost of the work completed.

#### **PROJECT BENEFITS AND ESTIMATED ASSESSMENTS**

Estimated assessments for the proposed improvement were based on the benefits received from the drainage improvements. The type and quantity of drainage runoff contributed by each parcel was a consideration. The location of a parcel relative to the location of the work was also considered.

It is expected that the benefits derived from the proposed improvements over their estimated 20-year useful life will be \$194,095.27 and will exceed the estimated project costs. House lots and the rights-of-way were assessed at higher rates than agricultural land. Woods and pasture

land were assessed at a lower rate than tillable land. A project benefit calculation worksheet is attached.

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 property leading. Standing water can also contribute to mosquito control problems and other health issues.

Estimated assessments ranged from \$280.00 to \$155.00 per acre for house lots and from \$155.00 to \$56.00 per acre for farm land depending on location. Forest land assessments were \$55.00 per acre and public rights-of-way were assessed between \$327.00 and \$213.00 per acre, again depending upon location.

Mr. Creager answered questions from the landowners.

#### **MAINTENANCE**

The Ohio Revised Code requires that all drainage improvement projects be placed on a permanent maintenance program. Maintenance activity is limited to the maintenance of the hems originally constructed. Maintenance is 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 ditch assessment for each parcel.

The revised code provides for the right of access to drainage lines and open ditches to perform maintenance activities. The permanent maintenance access easement for the improvement will be twenty-five (25) feet in width measured from the top of the channel banks.

Mr. Creager answered more questions from the landowners.

#### **APPARENT FAVORABLE FACTORS**

1. Crop yields will be improved.
2. Property values will be improved or protected.
3. Public rights-of-way will be better drained.
4. Erosion control measures at the open ditch will reduce erosion and protect the open channel from deterioration.
5. The outlet will be placed on permanent maintenance that will insure that the drain can be kept clean and free flowing and will protect the investment in this proposed improvement.

#### **APPARENT UNFAVORABLE FACTORS**

1. Temporary lawn and landscaping damage can be expected during construction.
2. Temporary 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.

At 11:25 Commissioner Genter performed a mass swearing-in and opened the floor for testimony. The following testimony was given:

**Larry Storeholder** – his original purpose for filing this petition was to get this ditch on maintenance so he didn't have to come back every five years to clean out this ditch. After looking at his assessment, he does not feel it is worth it. He is against the petition as long as it can be worked out separately with the landowners.

**Kim Bradford** - feels it is a rights issue. Based on this, his rights are limited. This is about trying to get neighbors together to work together to come up with a different way. Would like to come together to resolve this matter at a cheaper rate, with a timeline put in place. Said they should be given the opportunity to make this work.

**Randy Mastin** – the landowners can get together and work this out economically. He has gone around to get estimates and this can be done a lot cheaper on their own. He is against the petition.

**Jan Lemmon** – should be given the chance to clean this out on their own.

Commissioner Genter stated that after hearing the petitioner say he is against the petition, they should close the testimony and begin deliberations. He stated that he would like to give the landowners 30 days to work this out on their own. Something needs to be done. The Board knows and understands the need for drainage. This is why we go through this process.

Commissioner Short stated he would like to hear more from the landowners.

**Al Schmitz** - against the petition. Can be done cheaper on their own.

**Kim Bradford** – 30 days is too short of a time period to get this accomplished because there are crops in.

Commissioner Genter inquired of Mr. Creager if this went through the petition process how soon this would get moving. Mr. Creager

stated it would be winter/spring.

**Shawn Shinaberry** – adamantly against the project. He is more than happy to pay to work together to meet and organize this on their own.

Commissioner Genter stated that if this would be done as a private project, it must be done according to the specifications of the county engineer's office. The problem is, they are not going to get everyone on board with this. They may get a majority, but out from the ditch, the owners are not going to see the benefit.

Commissioner Short asked Mr. Storeholder if he spoke with any of the landowners before the petition. Mr. Storeholder stated he did not as there were too many landowners.

**Martha Mora** – is against the petition. She was getting ready to clean out the ditch when they received the petition. Was willing to go along with the petition until they received their \$10K assessment. They cannot farm and pay for this. They will pay privately and cheaper.

Commissioner Short stated that there are only 15 landowners here today out of 68 involved. Those in the room today may agree to work together, however the others that chose not to be here, may not be in support of working together to get this done. There is a problem here. This ditch needs to be on maintenance. After the viewing, it was one of the worst they have ever seen. There may be health and financial concerns for some that cannot get this done on their own.

**John Dowling** – against the petition. His property will not be touched by this work. He has never had water in his ditch or on his property. He agrees that the main ditch needs to be cleaned out, but should leave the branch alone.

Commissioner Genter stated that the branch is more dipping costs than anything else.

**Don Schmenk** – from the Maumee State Forrest. They have seen many petitions some by private agreement and some through petition process. They usually go along with the neighbors, however wanted to state that if they wish to do by mutual agreement, not to expect the cooperation of all the landowners. They will not have the legal authority to collect from other landowners if it is done this way. He further stated that he is neutral and will go along with whatever their neighbors do.

The hearing was closed for testimony at 11:47 a.m. to begin deliberations.

Mr. Creager explained that every 5 years a few landowners get tighter and dip out the ditch. When it goes bad again, there is no provision in place for maintenance. So they have to do it

	<p><b><u>Resolution 2010-797</u></b> Continue Final Hearing on Ditch 2107-Storeholder</p>	<p>again. In a formal mutual agreement, there are issues with land rights, because the landowners don't have the access to other properties like the county does. If this is done by mutual agreement, it will still need to follow the engineer's plan and they will need to make application to the Board to have the ditch put on maintenance by the county. This will only apply to the participants.</p> <p>Commissioner Genter informed the landowners that there have already been costs incurred for engineering, surveys and clerk's costs that will need to be paid.</p> <p>There were further questions taken from the landowners.</p> <p>A landowner asked why they don't just kill the petition at this point. Commissioner Genter stated that if they kill the petition and the landowners don't come up with an agreement, the process starts over again. Mr. Storeholder stated that if there is no agreement and it does not go on maintenance, he will go through with the petition.</p> <p>After deliberations, Commissioner Genter stated that after hearing the testimony, the Board finds that the project meets all of the requirements; the benefits exceed the cost of the project; the costs are levied accordingly; it is considered to be conducive to the public welfare and the project does answer the prayer of the petition. They feel the petition is necessary; however after hearing the testimony of the landowners, they are willing to grant 60 days to work out an agreement. We will reconvene here on October 25, 2010. If there is no agreement, the petition will move forward at that time. All work must meet the specifications of the engineer's office. Commissioner Genter made the motion and Commissioner Short seconded the motion. Roll call vote was taken: Short, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.</p>
<p><a href="#"><u>12:06:33 PM</u></a></p>	<p><b>Discuss Ditch Improvements 2105-Eyer &amp; 2101-Grieser</b></p>	<p>Mr. Creager stated that he is currently revising plans and work order on 2101 and will bring in.</p> <p>He further stated that on 2105, the City wanted other work for a crossover and they are working with the contractor to see how much that will costs.</p> <p>Mr. Hall then presented a spreadsheet showing the status of all current ditches showing what is being collected and what is delinquent. Special assessments can be sorted off. He noted that tentative assessments can be levied at the final hearing. After the project is completed they can go back and authorize the auditor to amend the assessments is necessary. This will alleviate the problems associated with work being done on projects but not yet collecting on them.</p>

<p><a href="#">12:19:15 PM</a></p>	<p>ADJOURN</p>	<p>Commissioner Short made the motion and Commissioner Genter seconded the motion.</p>
	<p>Approved:</p> <hr/> <p>Dean Genter</p> <hr/> <p>Paul Barnaby</p> <hr/> <p>Joseph D. Short</p> <p>Attest:</p> <hr/> <p>Barb Colon, Acting Clerk</p> <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 2010-780**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of August 23, 2010 ) Fulton County, Ohio  
) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 August 23, 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

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

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

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

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

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

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

Jennifer L. Connors, Clerk

Copy To: File

**RESOLUTION 2010-781**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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: August 26, 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 2010-782**

In the Matter of Resolution Approving        )     Office of County Commissioners,  
Payment of Bills                                )     Fulton County, Ohio  
  )     August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 certifies that the money for the credit of the bills listed on the Disbursement List is in the Treasury for the credit of the Funds from which they are to be paid, and is not appropriated for any other purpose.

**THEREFORE BE IT RESOLVED,** that the Board of Commissioners approve the payment of bills as submitted, 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**

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

Copy To:     File

**RESOLUTION 2010-796**

In the Matter of Resolution Approving        )       Office of County Commissioners  
Exterior Vestibule Concept for ADA        )       Fulton County, Ohio  
Improvements to the Fulton County Senior )       August 26, 2010  
Center    )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 2010, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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

**WHEREAS**, on August 12, 2010, Poggemeyer Design Group presented the Board of Commissioners with proposals for the design of ADA improvements for the Fulton County Senior Center; and

**WHEREAS**, Poggemeyer Design Group presented design concepts for both an exterior vestibule and interior vestibule; and

**THEREFORE BE IT RESOLVED**, after discussion, to protect the historical integrity of the building, the Board hereby approves the Exterior Vestibule Concept as presented; and

**BE IT FURTHER RESOLVED**, the Board authorizes Poggemeyer Design Group to proceed with the presentation of the project to the Pride Preservation Committee and with the development of the project specifications for the Board’s Review; 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:     File

**RESOLUTION 2010-783**

In the Matter of Resolution to Lower Purchase    )    Office of County Commissioners  
Order and Transfer Appropriations for         )    Fulton County, Ohio  
Department of Job and Family Services         )    August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 the Department of Job and Family Services has requested to lower a purchase order previously opened for the WIA In School Youth Program through JobWorks, Inc. to free up funds as more services are needed for the Out of School Youth Program; and

**WHEREAS**, a request has been received to transfer appropriations within the Public Assistance Fund 2605 to cover the costs of taxable fringe benefits; and

**THEREFORE, BE IT RESOLVED**, the Fulton County Board of Commissioners hereby authorizes the following **purchase order to be LOWERED**:

<b>P. O #</b>	<b>Vendor #</b>	<b>Fund - Line Item</b>	<b>Request To lower by:</b>
2010000745	JOBWO40	2710-17920-5-41001	\$20,000.00

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

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

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

CC: Auditor, JFS; WFD; ED; Journal

**RESOLUTION 2010-784**

In the Matter of Resolution to ) Office of County Commissioners  
Increase Contract 2010-20 With Chris ) Fulton County, Ohio  
Rorick Trucking LLC on Behalf of ) August 26, 2010  
the County Engineer for Aggregate )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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**, a request has been received from the County Engineer to increase Contract 2010-20 previously entered into with Chris Rorick Trucking LLC for aggregate materials; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the increase in Contract 2010-20 with Chris Rorick Trucking LLC in the amount of \$15,000.00; 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>
_____ 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: Auditor; Engineer; Journal; Contractor file

**RESOLUTION 2010-785**

In the Matter of Resolution Authorizing Board ) Office of County Commissioners  
President to Enter Into **Contract 2010-112** with Mark's ) Fulton County, Ohio  
Building and Remodeling, LLC for Crawford St., ) August 26, 2010  
Van Wert - Neighborhood Stabilization Program Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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.

**WHEREAS**, on February 19, 2009, the Board of Commissioners of Fulton County, Ohio, passed Resolution 2010-158, 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 for the project known as NSP Rehabilitation Project 2010-07, 821 East Crawford Street, Van Wert, Ohio; and

**WHEREAS**, after reviewing the bids, MVPO found Mark's Building and Remodeling, LLC, of Continental, Ohio to have submitted the lowest and best bid at \$63,858.00 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 Mark's Building and Remodeling, LLC, of Continental, Ohio for the NSP Rehabilitation Project 2010-07, 821 East Crawford Street, Van Wert, Ohio and authorize the Board President to enter into Contract 2010-112 with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the work specifications, the project stated hereinabove, 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>
_____ Dean A. Genter	_____ Dean A. Genter	_____ Dean A. Genter
_____ Paul D. Barnaby	_____ Paul D. Barnaby	_____ Paul D. Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short

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

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

**RESOLUTION 2010-786**

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO  
Rev. Code, Secs. 5705.34, .35**

*The Board of County Commissioners of Fulton County, Ohio, met in Regular session on the 26<sup>TH</sup> day of August, 2010, at the office of The Fulton County Commissioners with the following members present:*

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

*Commissioner \_\_\_\_\_ Moved the adoption of the following resolution:*

*WHEREAS, The Budget Commission of Fulton County, Ohio, has abolished the Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 2011; and*

*WHEREAS, The Budget Commission of Fulton County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore be it*

*RESOLVED, By the Board of County Commissioners of Fulton County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further*

*RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows in the attached schedules:*

:

**SCHEDULE A**

**SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED  
BY THE BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Com- Mission Inside 10 M. Limitation	Amount to Be Derived From Levies Outside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
General Fund	\$ 1,809,407		2.00	
Senior Center		\$ 905,755		1.10
E.M.S		\$ 0		0.00
E.M.S.		\$ 132,339		.25
E.M.S.		\$ 1,098,507		1.50
E-911 Phone System		\$ 603,713		.70
Board of DD		\$ 1,650,577		2.00
Board of DD		\$ 1,468,108		2.00
Board of Health		\$ 233,423		.50
Board of Health		\$ 410,990		.50
Incinerator Construction Funds				
Road Construction Funds				
Other – Misc. Construction Funds				
Relief and Welfare Special Levy Funds				
Child Support Special Levy Funds				
Airports and Commerce Levy Funds				
<b>TOTAL</b>	<b>\$ 1,809,407</b>	<b>\$ 6,503,412</b>	<b>2.00</b>	<b>8.55</b>

**SCHEDULE B**

**LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIED**

FUND	Maximum Rate Authorized To be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>		
Current expense levy authorized by voters on _____, 20 ____ Not to exceed _____ years.		
Current expense levy authorized by voters on _____, 20 ____ Not to exceed _____ years.		
Current expense levy authorized by voters on _____, 20 ____ Not to exceed _____ years.		
Current expense levy authorized by voters on _____, 20 ____ Not to exceed _____ years.		
TOTAL GENERAL FUND OUTSIDE 10 M. LIMITATION		
<b>SPECIAL LEVY FUNDS:</b>		
Levy Authorized by voters on <u>May 5</u> , 2005 Not to exceed <u>5</u> years. <i>Senior Ctr</i>	1.10	\$ 905,755
Levy Authorized by voters on <u>Nov. 6</u> , 1984 Not to exceed <u>Continuing</u> years. <i>E.M.S.</i>	0.00	\$ 0
Levy Authorized by voters on <u>May 2</u> , 2006 Not to exceed <u>5</u> years. <i>E.M.S.</i>	.25	\$ 132,339
Levy Authorized by voters on <u>May 2</u> , 2006 Not to exceed <u>5</u> years. <i>E.M.S.</i>	1.50	\$ 1,098,507
Levy Authorized by voters on <u>March 4</u> , 2008 Not to exceed <u>5</u> years. <i>E 911 Phone</i>	.70	\$ 603,713
Levy Authorized by voters on <u>Nov. 03</u> , 2005 Not to exceed <u>Continuing</u> years. <i>Bd of DD</i>	2.00	\$ 1,650,577
Levy Authorized by voters on <u>May 8</u> , 2007 Not to exceed <u>5</u> years. <i>Bd of DD</i>	2.00	\$ 1,468,108
Levy Authorized by voters on <u>May 06</u> , 2003 Not to exceed <u>10</u> years. <i>Bd of Health</i>	.50	\$ 233,423
Levy Authorized by voters on <u>May 2</u> , 2006 Not to exceed <u>10</u> years. <i>Bd of Health</i>	.50	\$ 410,990

AND BE IT FURTHER RESOLVED, That the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Commissioner \_\_\_\_\_ Secoded the Resolution and the roll being called upon its adoption the vote resulted as follows:

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

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

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

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 20 10

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

**CERTIFICATE OF COPY**

**ORIGINAL ON FILE**

\_\_\_\_\_

The State of Ohio, Fulton County, ss.

I, Jennifer L. Connors, Clerk of the Board of County Commissioners within and for said County, and in whose custody the Files and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original resolution adopted by the Board of Commissioners of Fulton County, Ohio, on August 26, 2010. Now on file with said Board, that the foregoing has been compared by me with said original and copied from the original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 20 10

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

**RESOLUTION 2010-787**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Leave of Absence for County Employee ) Fulton County, Ohio  
) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 Board of Commissioners has authorized a leave of absence without pay policy under Ohio Administrative Code (123:1-34-01) and included in the Board’s policy manual, section 6.8;

**WHEREAS,** said policy authorized the Appointing Authority to grant a leave of absence to any employee for a maximum duration of six (6) months at its sole discretion and with good cause shown;

**WHEREAS,** a request has been received from Jennifer Connors, Board Employee, for an extended leave of absence for medical purposes and is expected to utilize all of her accumulated sick leave and vacation time. As such, she is requesting the Board’s approval for an unpaid leave of absence after her sick leave and vacation time has been exhausted during her recovery, up to a period of two (2) weeks, beginning August 30, 2010; and

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners do hereby approve the request of Jennifer Connors for an unpaid leave of absence after her accumulated sick leave and vacation time has been exhausted, up to a period of two (2) weeks, beginning August 30, 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.

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: Employee file; Payroll

**RESOLUTION 2010-788**

In the Matter of Resolution Authorizing Frank T. ) Office of County Commissioners,  
Onweller, Fulton County Engineer, and Dean Genter, ) Fulton County, Ohio  
President of the Fulton County Board of Commissioners,) August 26, 2010  
to Participate in the Ohio Public Works Commission )  
State Capital Improvement Program and to Execute )  
Contracts as Required for the Reconstruction of County )  
Road T (Road 7 – State Route 64) )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

**WHEREAS,** the County of Fulton is planning to make capital improvements for County Road T, between Road 7 and State Route 64; and

**WHEREAS,** the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

**NOW THEREFORE, BE IT RESOLVED by the Fulton County Board of Commissioners:**

**Section 1:** Frank T. Onweller, Fulton County Engineer, and Dean Genter, President of the Fulton County Board of Commissioners, are hereby authorized to apply to the OWPC for funds as described above; and

**Section 2:** Dean Genter, President of the Fulton County Board of Commissioners is further authorized to enter into any agreements as may be necessary and appropriate for obtaining financial assistance; 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 Short	_____ Joseph Short	_____ Joseph Short

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

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



**RESOLUTION 2010 – 790**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Change Order No. 1 with Hill Roadway Maintenance ) Fulton County, Ohio  
For Crack Sealing at the Fulton County Airport ) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on August 26, 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**, Stantec Consulting Services has submitted a change order for Hill Roadway Maintenance for additional work completed under contract 2010-63 for the FY10 Crack Sealing project at the Fulton County Airport; and

**WHEREAS**, the change order is for an increase in said contract for additional crack sealing needed on the South Ramp, West T-Hangar Taxilane, and Concrete Apron Joints at the Fulton County Airport, in the amount of \$8,746.00; and

**THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve the change order as submitted thereby **INCREASING Contract 2010-63** with Hill Roadway Maintenance in the amount \$8,746.00; 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>
_____ 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 2010-791**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Formation and Membership Into Black ) Fulton County, Ohio  
Swamp Citizens Corps Council ) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 coordination of response activities within the area of Fulton County and surrounding Counties is of paramount importance to all of the local emergency management organizations, and

**WHEREAS**, it is the desire of the Fulton County Commissioners and the purpose of this Resolution and the policy of Fulton County that all response functions of the county be coordinated to the maximum extent with comparable functions of the State of Ohio and of the Federal Government, including their various departments and agencies, and other states and localities, and of private agencies of every type, to the end that the most effective preparation and use can be made of the county’s manpower, resources and facilities for dealing with any disaster or emergency that may occur, and

**WHEREAS**, it is hereby found and declared to be necessary to confer upon the Board of County Commissioners and the Director of Emergency Management Agency certain additional duties provided herein; and to provide for the rendering of cooperation and mutual aid, if necessary, to surrounding and contiguous political subdivisions of the State and adjoining states.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners do hereby approve the formation and membership into the Black Swamp Citizen Corps Council:

**SECTION 1.** That an organization, to be known as Black Swamp Citizen Corps Council, be formed to coordinate the functions as described in the Council objectives and by-laws within Fulton County.

**SECTION 2.** The Black Swamp Citizen Corps Council, hereby authorized, is to render the services of coordinating the development and maintenance of Citizen Corps Council, plan and execute such duties, as needed, to endure a coordinated response to an incident and administration of funds received by the Regional Grants Administrator for the purpose of Citizen Corps Council.

**SECTION 3.** This Council shall be established, pursuant to this agreement and composed of members of Fulton County and other County jurisdictions who adopt and pass a similar resolution to the formation and functions of a Citizen Corps Council.

**SECTION 4.** The Team shall operate under the authority of the Fulton County Emergency Management Agency. The Council shall select its own Chairman and adopt a set of by-laws by which to operate. The Council shall meet as established within the Councils Objectives and by-laws.

**SECTION 5.** The Board of County Commissioners, having general direction of the Fulton County Emergency Management Agency, shall be responsible for the carrying out of the provisions of this Resolution through the Emergency Management Agency Director. In performing duties pursuant to this agreement, the Board of County Commissioners is authorized to cooperate with other political subdivisions, with the State of Ohio, with other states and Federal Government through appropriate channels and with private agencies in all matters pertaining to the activities of this Council.

**SECTION 6. NOW, THEREFORE, BE IT RESOLVED**, that this Board of Fulton County Commissioners hereby approves and formation, organization, and membership into the Black Swamp Citizen Corps Council.

**SECTION 7.** This resolution may be amended or altered at any time by the Board of County Commissioners.

**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

\_\_\_\_\_  
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 2010-792**

In the Matter of Resolution Approving ) Office of County Commissioners,  
 Then and Now Purchase Orders and ) Fulton County, Ohio  
 Payments ) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 26, 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 order numbers and payments:

<b>PO NUMBER</b>	<b>VENDOR</b>	<b>PO DATE</b>	<b>AMOUNT</b>
2010001746	ONTHE20	7/29/2010	2,495.00
2010001749	ON THE20	7/29/2010	20,480.00
2010001780	BRITS50	8/12/2010	7,737.00
2010001790	QUILL40	8/16/2010	97.17
2010001794	AMERI98	8/19/2010	700.00
2010001797	NORTH87	8/19/2010	1,000.00
2010001815	OSUEX60	8/19/2010	200.00
		TOTAL	\$32,709.17

**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 a proper fund, properly appropriated and free from any previous encumbrance; and

**WHEREAS,** pursuant to the Ohio Revised Code §5705.41(D)(1), these purchases must be approved by resolution of the board of county commissioners.

**THEREFORE BE IT RESOLVED,** that the Fulton County Commissioners approve the Then and Now Purchase Orders as submitted by the Auditor; 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 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: Auditor; journal



**RESOLUTION 2010-794**

In the Matter of Resolution to ) Board of County Commissioners  
Close Purchase Order Within ) Fulton County, Ohio  
NSP Grant #B-Z-08-1AX-1 ) August 26, 2010

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on August 26, 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,** a request has been made by Fulton County Regional Planning Commission to close purchase order #2010000991 to CDA Construction Group, Inc., as associated with Contract #2010-64, within the B-Z-08-1AX-1 (Fund #2738) Neighborhood Stabilization Program Grant; and

**WHEREAS,** the purchase order has been replaced by the following purchase orders: 2010001117, 2010001118, 20101119, 2010001120; and

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners hereby authorize the following purchase order be closed:

**PO #2010000991**  
**2738-17919-5-41000 \$17,200.00 CDA Construction Group, Inc. Contract #2010-64**

**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
_____ Joseph Short	_____ Joseph Short	_____ Joseph Short
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby

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

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

Cc: Auditor, RPC

**RESOLUTION 2010 – 795**

In the Matter of Resolution to Authorize ) Board of County Commissioners  
Draw Request No. 221 from Ohio Dept. ) Fulton County, Ohio  
Of Development for Neighborhood ) August 26, 2010  
Stabilization Program )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on August 26, 2010, at the office of said board with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph Short

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

**WHEREAS**, Maumee Valley Planning Organization has submitted a draw of funds #221 for execution by the Fulton County Board of Commissioners in the amount of \$65,000.00 under Grant No. B-Z-08-1AX-1, and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorize and execute draw of funds #221 in the amount of \$65,000.00 under Grant No. B-Z-08-1AX-1 for submittal to the Ohio Department of Development, Office of Housing and Community Partnerships; and

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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Dean Genter

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Dean Genter

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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 Connors, Clerk

Cc: Regional Planning; MVPO, journal