

**MINUTES OF MEETING
FULTON COUNTY BOARD OF COMMISSIONERS
152 S. FULTON STREET, SUITE 270
WAUSEON, OH 43567**

May 10, 2012

[9:02:28 AM](#)

Call Meeting to Order

Pledge of Allegiance

Opening Prayer

Roll Call Attendance – All members present

[9:03:34 AM](#)

· **Resolution 2012-420** Approve Minutes of Regular Session May 7, 2012
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:10 AM](#)

· **Resolution 2012-421** Approve Agenda As Presented
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:29 AM](#)

OLD BUSINESS:

· **Resolution 2012-422** Authorize Payment of Bills
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:47 AM](#)

· Follow up Discussion on Personnel Policy Manual
Mr. Hall asked the Board if they had a chance to review the policy discussed last week and if there were any specific questions or sections they wished to discuss. He noted a few changes that he felt appropriate indicating in the previous draft the meals for overnight stays were previously broke out by meal, up to a maximum of \$50.00/day. He suggested that the total cost reimbursement be limited to \$50.00/day without regard to a specific amount for any particular meal.

Mr. Hall further indicated that previously when an employee was off for 7 days a doctor's note was required to come back to work. He feels that 7 days is too much. He proposed reducing that number to 3 days.

The Board noted no objections. Mr. Hall will make the revisions and email the Board an electronic version for adoption on Monday.

[9:06:59 AM](#)

Follow Up Discussion on Hotshot Trucks

A meeting will be held on Tuesday the 15th at 9:00 a.m. with Henry County to observe their set-up and procedures with their Hotshot meal delivery system.

[9:08:21 AM](#)

· Review Inspection Report of Fulton County Transfer Station Facility

The paperwork was reviewed in Mr. Musallam's office. The contingency plan was available and reviewed at the office of the waste handling area. The information in the plan was up-to-date. Proper signage is posted as required. A small amount of scattered litter was observed outside the waste handling area. The facility was found to be in compliance.

[9:08:48 AM](#)

· Discuss Attendance to Northwest Ohio Commissioners and Engineers Association Meeting

Allen County will host the next quarterly meeting on June 11, 2012. Registration will begin at 12:30 p.m. Tours of the Allen County Museum and the Lima Army Tank Plant are being offered before the 4:00 p.m. meeting. Commissioners Barnaby and Rupp will attend.

[9:11:05 AM](#)

· Review Notice of Meeting Regarding Ohio Turnpike

A strategy meeting will be held in Cleveland on May 14, 2012 to pool efforts and provide an alternative analysis regarding the State's privatization of the Ohio Turnpike before a final decision is made. Commissioner Rupp will attend.

[9:12:53 AM](#)

NEW BUSINESS:

RESOLUTIONS:

· **Resolution 2012-423** Enter Into Contract 2012-78 with H&H Environmental for Demolition of NSP Property -209 N. Wayne Street, Van Wert, OH

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

[9:13:27 AM](#)

· **Resolution 2012-424** Approve Draw Down #5 for FY2012 FAA Airport Projects

In the amount of \$3,872.00. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

In regard to the airport, Commissioner Rupp indicated that there is new leadership on the Airport Authority Board and that they are looking for clarification on whether or not they should stay as a regional authority or alter their function. They are willing to work with the Board and now is the time to act. Mr. Hall indicated that the Airport Authority needs to write a letter to the Judge.

[9:15:09 AM](#)

· **Resolution 2012-425** Approve Change Order #1 to Contract 2012-65 with Mosser Construction for Board of DD Renovation Project - General

Due to the bid date being delayed by a week, the completion dates shall be extended as follows:

1. Substantial Completion – September 7, 2012
2. Final Completion – September 14, 2012

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

[9:17:03 AM](#)

· **Resolution 2012-426** Approve Change Orders #1-2 to Contract 2012-64 with Regent Electric, Inc. for Board of DD Renovation Project -Electrical

Change Order #1 - Service entry revisions were made in accordance with Toledo Edison's work order and line extension agreement for a secondary metered service thereby resulting in a net decrease to the contract in the amount of (\$3,710.50).

Change Order #2- Due to the bid date being delayed by a week, the completion dates shall be extended as follows:

1. Substantial Completion – September 7, 2012
2. Final Completion – September 14, 2012

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

[9:17:30 AM](#)

· **Resolution 2012-427** Approve Change Order #1 to Contract 2012-66 with Dimech Services, Inc. for Board of DD Renovation Project - Mechanical

Due to the bid date being delayed by a week, the completion dates shall be extended as follows:

1. Substantial Completion – September 7, 2012
2. Final Completion – September 14, 2012

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

[9:18:44 AM](#)

· **Resolution 2012-428** Approve Change Order #1 (Final) to Contract 2011-142 with PHC, Inc. for Village of Lyons, West Morenci Street Water Main CDBG Project

Quantity adjustments were necessary thereby resulting in a net increase to the contract in the amount of \$5,589.00. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:20:24 AM](#)

· **Resolution 2012-429** Authorize Board President to Execute Loan Closeout Report for FY2009 WPCLF/ARRA Home Sewer Treatment System Improvements

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

[9:21:09 AM](#)

· **Resolution 2012-430** Appoint Fulton County Director of Job & Family Services

Ms. Amy Metz-Simon of Fayette, Ohio is appointed as the Director of the Fulton County Department of Job and Family Services. Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:21:46 AM](#)

· **Resolution 2012-431** Lower Purchase Orders; Increase and Transfer Appropriations; and Transfer Funds for Various Departments

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

[9:22:57 AM](#)

· **Resolution 2012-432** Approve Amendment #1 to Contract 2012-009 with Berea Children's Home and Family Services for IV-E Services

Amendment is due to Berea Children's Home and Family Services legally changing their name to Guidestone. Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:23:38 AM](#)

· **Resolution 2012-433** Approve Then and Now Purchase Orders

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

[9:23:50 AM](#)

· **Resolution 2012-434** Approve Purchase Orders and Travel Requests

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

[9:24:13 AM](#)

Recess

[9:31:25 AM](#)

Brian Banister, Acting Dog Warden - Departmental Update

Deputy Banister indicated that the new Pit Bull laws, led by Barbara Sears, will go into effect on May 22nd. He recommended that the Board adopt a policy stating that they will not adopt Pit Bulls out of the pound. With a policy in place only owner redemption of a Pit will be allowed. He recapped his previous discussions stating that within the city limits the vicious dog laws will be enforced by City Ordinances. According to Assistance Prosecuting Attorney, Luke Jones, this leaves the County with 2 options: 1) Either the municipalities handle the dog calls and citations themselves or 2) the municipalities put the Dog Wardens on as an auxiliary to their police force. This would allow the Dog Wardens to issue citations under municipal codes.

He explained that a new tag system will be in place for dogs deemed as vicious or dangerous. They will be issued a red tag at a cost of \$50.00. He explained that a dog is considered dangerous if he acts in a menacing way when unprovoked. This law does not automatically classify dogs as vicious due to breed. There must first be an incident, at which time they will be required to get a new tag and carry vicious dog insurance. He said that under this new law even a nuisance dog will be classified as vicious if there are 3 offenses (i.e. dog running lose, etc.), even if there are no violent behavior problems. He stated there are many things that have been overlooked by the legislators in this process and there are many details to work out yet.

He reported that Defiance County just passed a resolution about a month ago stating that they can still enforce the pit-bull laws under the old authority. This was taken to court by an offender and their resolution was upheld by the state. Mr. Hall indicated that they would need to further research this with the Prosecuting Attorney. Commissioner Genter stated that in the mean time they would like to get Brian in as an Auxiliary Officer. Letters need to be send out to the municipalities advising them of what these changes will bring and if it is their will to deputize the Dog Wardens so they may write citations on behalf of their communities. **Resolution 2012-435** Commissioner Genter made the motion to authorize the Dog Warden to be added as an auxiliary officer upon the approval of each municipality and Commissioner Barnaby seconded the motion. A roll call vote was taken: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

They instructed Deputy Banister to bring forth a draft of a policy regarding the adoption of Pit Bulls for review by the board and adoption thereof.

[9:53:21 AM](#)

Recess

[9:56:25 AM](#)

Todd Bingham, Maintenance Supervisor –To Discuss Lawn Mowing Proposal

Mr. Bingham informed the Board that his calculations show that each mow costs the county approximately \$1,100.00. The calculations include 40 hours of mowing times the wages and benefits paid to the employees doing the job; maintenance on the mowers; and fuel costs. He explained that he asked 4 local lawn mowing businesses to give us a quote. The quotes ranged anywhere from \$765/mow to \$1,300/mow. He reported that this would save the county money and would also free up his staff to work on preventative maintenance to keep up with things before they break, instead of after. This would also free up the guys to work on some things that are currently hired out due to lack of time and manpower. He recommended hiring the mowing out just for the rest of this season and to re-evaluate it at that time.

Commissioner Barnaby inquired if they would still be willing to work around the Court's schedule so there is less noise disturbance when in session. Mr. Bingham stated that this company is willing to work weekends and evenings or he could schedule them on the afternoons when they don't have court.

Commissioner Barnaby inquired about the spraying. Mr. Bingham stated that he has received a bid for \$995 to spray once in the fall and once in the spring. However, he has since learned that the SWCD has a sprayer and if they can do it with the 6x6 gator without tearing up the yard, they will do the spraying themselves.

Commissioner Barnaby asked who would be watering the flowers at the Board of Elections? Mr. Bingham stated that his staff would be doing that. The only thing that would be hired out is the mowing, edging and blowing off the concrete. The rest would still be handled by him and his staff. This will allow him to put his guys to better use.

Commissioner Barnaby expressed concern with what happens when the maintenance staff gets caught up with everything. Mr. Bingham stated that they will never be caught up as there is always something going on.

Commissioner Barnaby wanted to ensure that the maintenance would still be done on the vehicles and further inquired where our mowers will be stored. Mr. Bingham replied that the vehicles will still be on a maintenance schedule and that one mower would be stored at the engineer's and the other in the maintenance shop.

Commissioner Genter stated that he agreed with taking a proactive approach to the maintenance issues instead of reactive and thanked Mr. Bingham for his proposal. He asked how Mr. Bingham came up with his recommendation? Mr. Bingham stated that his recommendation is based lowest and most qualified proposal. Commissioner Genter instructed him to forward all of the proposals to Mr. Hall for review to be brought back up for discussion on Monday.

[10:06:46 AM](#)

Recess

[11:00 AM](#)

**VIEW OF PROPOSED DITCH IMPROVEMENT 2118-FILED FOR BY CARL HAAS JR.
BRANCH 11 OF BAD CREEK, YORK TOWNSHIP, FULTON COUNTY, OHIO**

Commissioner Genter convened the view at the site of the proposed improvement on York Township Road 10, ¼ mile North of 20A and SR 2. He turned the floor over to Rod Creager, Chief Deputy Engineer. Mr. Creager presented the landowners with a map of proposed improvement area and explained that the bulk of watershed sits in one square mile to the west side of the road, with 2 ditches on the east side. He gave a brief history of the ditch and previous improvements stating that 1957 was the last improvement. This petition has been written up to the railroad. There may be some interest by certain landowners to extend it. Because of the location of the area, it does not lend itself well to private improvement.

11:12 AM To allow better view of each section of the ditch, the Board drove north on Road 10 and east into a drive at the Falor Farm Center, they walked the ditch going south, then east and then back north to the starting point. At 11:35 more landowners joined the view. During this view, the Board observed silt and brush in the channels thereby restricting the flow. Mr. Creager indicated that he would take pictures and have a preliminary plan to present at the 1st hearing on May 24th.

11:55 AM Board moved east to SR 109 to look downstream toward Delta between Road H and Rt 2. More silt and brush were observed. Mr. Creager answered questions from the landowners regarding the removal of tress, assessments and cost sharing by the SWCD for filter strips and structures.

12:16 AM Commissioner Genter adjourned the view.

APPROVED:

Dean Genter

Paul Barnaby

Perry Rupp

ATTEST:

Jennifer L. Connors, Clerk

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

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RESOLUTION 2012-420

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of May 7, 2012) Fulton County, Ohio
) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the resolution herein.

THEREFORE BE IT RESOLVED, that after review, the Fulton County Commissioners hereby approve the minutes of Regular Session held May 7, 2012, 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

Perry L. Rupp

Perry L. Rupp

Perry L. Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2012-421

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

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

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

THEREFORE, BE IT RESOLVED, that the Board of Fulton County Commissioners hereby approve the agenda as amended or presented for: May 10, 2012; 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	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2012-422

In the Matter of Resolution Approving) Office of County Commissioners,
Payment of Bills) Fulton County, Ohio
) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

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:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2012-423

In the Matter of Resolution Authorizing Board) Office of County Commissioners
President to Enter Into **Contract 2012-78** with H&H) Fulton County, Ohio
Environmental for Asbestos Removal – NSP Demolition) May 10, 2012
Project - 209 N. Wayne St., Van Wert)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the resolution herein.

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

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

WHEREAS, the Maumee Valley Planning Organization (MVPO), consultant providing technical services to the Board of Commissioners in conjunction with the NSP, developed specifications and received bids on April 17, 2012 for asbestos removal in the project known as 2012 NSP Residential Demolition Project – 209 N. Wayne Street, Van Wert, Ohio; and

WHEREAS, after reviewing the bids, MVPO found H&H Environmental to have submitted the lowest and best bid at \$648.00 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 H&H Environmental for asbestos removal in the project known as the 2012 NSP Residential Demolition Project 209 N. Wayne Street, Van Wert, Ohio and authorize the Board President to enter into Contract 2012-78 with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the Work Specifications, the asbestos removal at 209 N. Wayne Street, Van Wert, Ohio, and pursuant to the terms and conditions stated in the contract,; and

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

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

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: MVPO (2); Bid File

RESOLUTION 2012-424

In the Matter of Resolution to Authorize Board) Office of County Commissioners
President to Execute FAA Reimbursement) Fulton County, Ohio
Request No. 5 for FAA FY2012 Fulton County Airport) May 10, 2012
Projects)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Stantec Consulting Services, Inc. has presented the Board with FAA Reimbursement Request No. 5 in the amount of \$3,872.00 for execution by the Board President for FY2012 Airport Projects and for forwarding to the Federal Aviation Administration for processing; and

THEREFORE BE IT RESOLVED, that after review of said request, the Fulton County Board of Commissioners hereby authorize the Board President to execute the FAA Reimbursement Request No. 5 for the Fulton County Airport FY 2012 Projects as presented in the amount of \$3,872.00; 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:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

CC: FAA; Stantec; File

RESOLUTION 2012-425

In the Matter of Resolution to Approve Change Order #1) Office of County Commissioners
To Contract 2012-65 with Mosser Construction, Inc.) Fulton County, Ohio
For Board of DD Renovations Project and Authorize) May 10, 2012
Board President to Sign)

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on May 10, 2012, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Beilharz Architects has submitted change order (1) to Contract 2012-65 with Mosser Construction, Inc. to extend the substantial and final completion dates for general work for the Board of Developmental Disabilities Renovation Project due to extension of the bid date. Said change order shall result in a net zero increase/decrease to Contract 2012-65; and

WHEREAS, this change has been acknowledged by the Fulton County Board of Developmental Disabilities, the Architect, and the Contractor and evidenced by their signature thereupon; and

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners hereby approves Change Order #1 to Contract 2012-65 with Mosser Construction, Inc. thereby extending the following:

- 1. Substantial Completion Date to September 7, 2012
- 2. Final Completion Date to September 14, 2012

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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Architect; Contractor; DD; project file

RESOLUTION 2012-426

In the Matter of Resolution to Approve Change Order) Office of County Commissioners
Nos. 1 and 2 to Contract 2012-64 with Regent Electric, Inc.) Fulton County, Ohio
For Board of DD Renovations Project and Authorize) May 10, 2012
Board President to Sign)

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on May 10, 2012, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Beilharz Architects has submitted change order (1) to Contract 2012-64 with Regent Electric, Inc. to extend the substantial and final completion dates for the electrical work for the Board of Developmental Disabilities Renovation Project due to extension of the bid date.

WHEREAS, Beilharz Architects has submitted change order (2) to Contract 2012-64 with Regent Electric, Inc. for the labor and materials to make service entrance revisions in accordance with Toledo Edison’s work order and line extension agreement for a secondary metered service. Said change order shall result in a net DECREASE to Contract 2012-64 in the amount of (\$3,710.50); and

WHEREAS, this change has been acknowledged by the Fulton County Board of Developmental Disabilities, the Architect, and the Contractor and evidenced by their signature thereupon; and

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners hereby approves Change Order #1 to Contract 2012-64 with Regent Electric, Inc. thereby extending the following:

- 1. Substantial Completion Date to September 7, 2012
- 2. Final Completion Date to September 14, 2012

BE IT FURTHER RESOLVED, the Board of Commissioners hereby approves Change Order #2 for the labor and materials to make service entrance revisions in accordance with Toledo Edison’s work order and line extension agreement for a secondary metered service, thereby DECREASING Contract 2012-64 in the net amount of (\$3,710.50); 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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Architect; Contractor; DD; project file

RESOLUTION 2012-427

In the Matter of Resolution to Approve Change Order #1) Office of County Commissioners
To Contract 2012-66 with Dimech Services, Inc.) Fulton County, Ohio
For Board of DD Renovations Project and Authorize) May 10, 2012
Board President to Sign))

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on May 10, 2012, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Beilharz Architects has submitted change order (1) to Contract 2012-66 with Dimech Services, Inc. to extend the substantial and final completion dates for the mechanical work for the Board of Developmental Disabilities Renovation Project due to extension of the bid date. Said change order shall result in a net zero increase/decrease to Contract 2012-66; and

WHEREAS, this change has been acknowledged by the Fulton County Board of Developmental Disabilities, the Architect, and the Contractor and evidenced by their signature thereupon; and

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners hereby approves Change Order #1 to Contract 2012-66 with Dimech Services, Inc. thereby extending the following:

- 1. Substantial Completion Date to September 7, 2012
- 2. Final Completion Date to September 14, 2012

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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Architect; Contractor; DD; project file

RESOLUTION 2012-428

In the Matter of Resolution to Approve Change Order #1) Office of County Commissioners
to Contract 2011-142 with PHC, Inc. for FY10 CDBG) Fulton County, Ohio
West Morenci Street Water Main Project) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on May 10, 2012, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Stantec Consulting Services, Inc. has submitted change order (1-Final) to Contract 2012-142 with PHC, Inc. for additional costs related to the final quantity adjustment from plan to field construction. Said change order shall result in a net INCREASE to contract 2012-142 in the amount of \$5,589.00; and

WHEREAS, Stantec Consulting Services, Inc. has further recommended that the contract period be extended by 100 days to April 25, 2012; and

WHEREAS, said changes have been acknowledged by the Village of Lyons, the Project Engineer, and the Contractor and evidenced by their signature thereupon; and

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners hereby approves Change Order #1 to Contract 2011-142 with PHC, Inc. thereby INCREASING Contract 2011-142 in the amount of \$5,589.00 for additional costs related to the final quantity adjustments from plan to field construction; and

BE IT FURTHER RESOLVED, the Board of Commissioners hereby authorizes the extension of the contract period by 100 days to April 25, 2012; 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

Perry Rupp

Perry Rupp

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Engineer; Contractor; RPC; project file

RESOLUTION 2012-429

In the Matter of Resolution to Authorize) Office of County Commissioners
Board President to Execute Loan Close-Out) Fulton County, Ohio
Report for Home Sewer Treatment System) May 10, 2012
Program (CS398026-01-0))

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, on July 13, 2009, the Board of Commissioners authorized the application for assistance from the American Recovery and Reinvestment Act of 2009, through the Water Pollution Control Fund, for the repair and/or replacement of home sewage treatment systems and entered into a WPCLF Agreement the Ohio Environmental Protection Agency and Ohio Water Development Authority; and

WHEREAS, this funding round and projects have been completed and the EPA wishes to close out Loan CS398026-01-0 associated therewith; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby authorize the Board president to execute the Water Pollution Control Loan Fund Final Exhibit 1 as submitted and attached hereto; 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
_____	_____	_____
Perry Rupp	Perry Rupp	Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Angela Adkins, EPA
K. Cupp, Health Dept
S. Brown, RPC
Project File

RESOLUTION 2012-430

In the Matter of Resolution to Appoint) Office of County Commissioners
Director of Fulton County Department of) Fulton County, Ohio
Job and Family Services) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, pursuant to the Board’s authorization, a job offer has been successfully negotiated with Amy Metz-Simon for the position of Director of the Fulton County Job and Family Services; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby appoint Amy Metz-Simon to the position of Director of the Fulton County Job and Family Services, effective Monday, May 14, 2012; 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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: Payroll; A. Metz-Simon; Personnel File

RESOLUTION 2012-431

In the Matter of Resolution to Lower and Close) Office of County Commissioners
 Purchase Orders; Increase and Transfer Appropriations;) Fulton County, Ohio
 And Transfer Funds for Various Departments) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session, pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
 Paul Barnaby
 Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, it is necessary to lower Purchase Order 2012001131 for Regent Electric, Inc. pursuant to the Board’s approval of Change Order #2 to contract 2012-64 thereby decreasing the contract due to service entry revisions in the Board of Developmental Disabilities Renovations Project; and

WHEREAS, it is necessary to lower and close Purchase Order 2012000394 for Berea Children’s Home and Family Services as they have legally changed their name to Guidestone and a new Purchase Order will be entered pursuant to the Board’s approval of the amendment to the contract therein; and

WHEREAS, it is necessary to lower Purchase Order 2012000164 in the FY2012 Community Corrections Grant Fund to correct a negative appropriation in the travel line; and

WHEREAS, it is necessary to transfer funds for the 2nd Payment on the County Grant to the Soil and Water Conservation District; and

WHEREAS, a request has been submitted by the Prosecuting Attorney’s Office to transfer appropriations for transcript fees to the Common Pleas Court; and

WHEREAS, the Department of Job and Family Services has reconciled the cost for the care of children for the month of April 2012 and the Interim Director is thereby requesting a transfer for the balance owed by the County; and

WHEREAS, reports are complete to establish the Child Support Enforcement Agency’s Shared Cost payment to public assistance for April 2012 and a transfer is being requested for said funds; and

WHEREAS, a request has been made for the transfer of funds for the County’s monthly mandated cost payment for Public Assistance and the Child Support Enforcement Agency for May 2012; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby approves the following **appropriations be transferred** as follows:

<u>AMOUNT</u>	<u>ACCOUNT</u>
\$207.00	From: 1000-11400-5-33000 Professional Svs-Pros
\$207.00	To: 1000-12121-5-10300 Salaries-Common Pleas

BE IT FURTHER RESOLVED, that the Fulton County Board of Commissioners hereby approve the following **purchase orders be lowered and closed**:

<u>PO#</u>	<u>VENDOR#</u>	<u>LINE</u>	<u>AMOUNT</u>	<u>ACTION</u>	<u>DEPT</u>
2012001131	REGEN45	2520-15907-5-72000	\$ 3,710.00	LOWER	DD
2012000394	BEREA10	2615-16914-5-39003	\$42,185.84	CLOSE	JFS
2012000164	BLANKET	2384-13138-5-31000	\$ 18.05	LOWER	CCG

THEREFORE BE IT RESOLVED, the Fulton County Board of Commissioners hereby authorize the following **TRANSFER OF FUNDS**:

<u>Amount</u>	<u>Account</u>
\$44,250.00	From: 1000-30181-5-96200 FCSWCD Co Share
\$44,250.00	To: 1000-52000-5-94000 General-Transfer Out
\$44,250.00	From: 1000-52000-5-94000 General-Transfer Out
\$44,250.00	To: 9020-50905-4-84100 GRANTS - COUNTY – SWCD

Fund Transfers (cont'd from p.1)

<u>Amount</u>	<u>Account</u>
\$39,352.57	From: 1000-16161-5-96200 Children Services
\$39,352.57	To: 2615-12914-4-24001 Board and Care
\$17,316.47	From: 2610-16914-5-94000 CSEA Shared Exp
\$17,316.47	To: 2605-15914-4-53020 PA Transfer In-Shared Cost
\$ 6,400.83	From: 1000-30914-5-96200 GF Mandated Share
\$ 6,400.83	To: 2605-15914-4-53015 PA Transfer In-GF Mandated Share
\$7,514.33	From: 1000-30914-5-96400 PA, CSEA Transfers
\$7,514.33	To: 2610-15914-4-55000 CSEA-County Share

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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest:

Jennifer L. Connors, Clerk

CC: Auditor; Affected Departments

RESOLUTION 2012-432

In the Matter of Resolution to Approve) Office of County Commissioners
Amendment #1 to **Contract 2012-009** with) Fulton County, Ohio
Berea Children’s Home and Family Services) May 10, 2012
For IV-E Services on Behalf of Department of)
Job and Family Services)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, is it necessary to amend **Contract 2012-009** previously entered into with the Berea Children’s Home and Family Services for IV-E Services as Berea Children’s Home and Family Services has legally changed its’ name to Guidestone; and

THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners, on behalf of the Fulton County Department of Job and Family Services, hereby approve:

- o **Amendment #1 to Contract 2012-009**, previously entered into with Berea Children’s Home and Family Services thereby amending the vendor’s name to Guidestone; and

BE IT FURTHER RESOLVED, all other provisions of Contract 2012-009 not amended herein shall remain in full force and effect; 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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2012-433

In the Matter of Resolution to Approve) Office of County Commissioners,
 Then and Now Purchase Orders and Payments) Fulton County, Ohio
) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
 Paul Barnaby
 Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

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

PO Number	VENDOR #	PO Date	Amount
2012001159	CURRE60	4/26/2012	\$ 699.00
2012001164	FULTO27	4/27/2012	17,832.82
2012001186	TREAS06	5/3/2012	300.00
2012001187	JONES49	5/3/2012	334.50
2012001188	COMME90	5/3/2012	485.00
			\$ 19,651.32

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:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____	_____	_____
Dean Genter	Dean Genter	Dean Genter
_____	_____	_____
Paul Barnaby	Paul Barnaby	Paul Barnaby
_____	_____	_____
Perry Rupp	Perry Rupp	Perry Rupp

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

cc: Auditor Attest: _____
 Jennifer L. Connors, Clerk

RESOLUTION 2012-434

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) May 10, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on May 10, 2012, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

BE IT RESOLVED , that the Fulton County Commissioners will sign a Purchase Order computer edit list prepared by the Fulton County Auditor, in addition to signing each individual purchase order, if necessary. Said Purchase Order Edit List will be on file in the Fulton County Commissioners Office in lieu of being journalized, and;

BE IT FURTHER RESOLVED, that the Board of Commissioners approve travel requests as submitted, and;

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

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

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File