

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

**MINUTES OF MEETING
AUGUST 23, 2012**

[9:04:48 AM](#)

Call Meeting to Order

Pledge of Allegiance

Opening Prayer

Roll Call Attendance – All members present

[9:06:05 AM](#)

· **Resolution 2012-761** Approve Minutes of Regular Session 8/20//2012
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:06:32 AM](#)

· **Resolution 2012-762** Approve Agenda As Presented
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:07:06 AM](#)

OLD BUSINESS:

· **Resolution 2012-763** Authorize Payment of Bills
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:07:20 AM](#)

· **Ziad Musallam, Public Utilities Director To Discuss Regional Water Study Final Report**

Mr. Musallam informed the Board that the Regional Water Study has been completed. His office will be sending out invites to all town elected officials and township trustees to attend a meeting to discuss the plan on Tuesday, September 18, 2012, at 7:00 p.m. in the 2nd Floor Administration Building Conference Room. After the meeting the plan will be placed on the County's website. He indicated that since the City of Napoleon was involved in the water study, they too will be invited to attend the meeting.

[9:11:41 AM](#)

· **Discuss Amendment to Countywide EMA Agreement**

Commissioner Genter stated that at the last EMA Executive Committee Meeting a concern was brought forth regarding paragraph #4 of the Countywide EMA Agreement. It states that the Executive Committee shall select its own Chairperson, who shall be an elected official. Todd Grisier was appointed by unanimous vote of the Committee as Chairman and he is not an elected official. Vond Hall, County Administrator, advised that this is not addressed in the code and doesn't see this as being an issue as long as he is willing to serve as chairman and the committee is willing to let him serve as such. It is not violating any statute and this agreement does not supersede the statute. Commissioner Genter advised Mr. Hall to get an opinion from the Prosecuting Attorney on this.

Commissioner Genter wanted to make sure that the EMA Executive Committee Meetings were being advertised properly to comply with the open meetings act. The Clerk indicated that that are.

Mr. Hall circulated a draft position description for EMA Director that could be shared with the EMA Executive Council. Commissioner Genter asked him to email a copy to the executive members.

[9:18:02 AM](#)

· **Review Correspondence from ODOD Regarding FY2013 Ohio Consolidated Plan**

The Office of Community Development will conduct a public hearing on the FY2013 Consolidated Plan on September 13, 2012 at 1:30 p.m. at the Riffe Center in Columbus to receive comments on the OCD administered programs.

[9:18:31 AM](#)

· **Discuss Attendance to Turnpike Town Hall Meeting**

An invitation was received from the Lucas County Commissioners regarding a Turnpike Town Hall Meeting to be held at the Maumee City Council Chambers on August 27, 2012 from 6-8 p.m. All 3 Commissioners will attend.

[9:19:44 AM](#)

NEW BUSINESS:

RESOLUTIONS:

· **Resolution 2012-764** Advertise for Bids for Northeast Water System Water Meters Upgrade Project Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Mr. Musallam was present for the discussion. He advised that this is to upgrade all existing water meters in the Northeast Water System, which involves Metamora, Amboy Township, and Assumption. This will enable them to do drive-by readings. This is being funded by a \$250,000 grant from HUD. The estimated cost of the project is \$225,000 so there is a bit of cushion for contingencies and unknown conditions.

The majority of the meters will be in a pit in the right-of-way. Other site conditions in town that are not favorable to putting them in a pit will be placed inside the home/building. All affected property owners will be given notice as soon as a contractor is hired and a timeline is established.

The completion is set for 120 days, weather permitting. The only item that may be delayed is restoration. If it isn't too late in the year, they may be able to restore as they go, otherwise, that will wait until spring.

Bids will be received in the office of the Board of Commissioners until 9:30 a.m. on the 27th day of September, 2012. The bids will be opened at 9:31 a.m. He indicated that the reason for the date of opening being so far after the advertisement was to give contractors an opportunity to view the site and get good numbers.

Commissioner Rupp asked who retains the salvage rights for the meters that are being removed? Mr. Musallam stated that the County does.

Roll call vote: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

[9:28:44 AM](#)

· **Resolution 2012-765** Approve Personnel Action for Department of Job and Family Services Commissioner Rupp made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:29:11 AM](#)

Resolution 2012-766 Award Bid for Ditch Improvement Project 2115, Branch 3a of Bean Creek Commissioner Genter made the motion and Commissioner Rupp seconded the motion.

Resolution 2012-774 Table Resolution 2012-766

During discussion, Commissioner Genter stated that it was indicated that the bid awarded was a corrected bid and in looking back to the day the bids were opened, it is the same amount. This needs to be clarified before the bid is awarded. Commissioner Barnaby made the motion to table this resolution until

explanation was received from the Chief Deputy Engineer and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:30:50 AM](#)

· **Resolution 2012-767** Authorize Board President to Execute CCAO Workers' Compensation Group Retrospective Rating Plan Agreement 2012-125

Due to higher claims this year, the County must go to a retrospective BWC plan. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:32:09 AM](#)

Resolution 2012-768 Authorize Board President to Enter Into Contracts 2012-126 & 2012-127 with Dolbey and Company on Behalf of Common Pleas and Western District Court for Software Maintenance Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:32:43 AM](#)

Resolution 2012-769 Authorize Board President to Enter Into NSP Contracts 2012-128 & 2012-129 with H&H Environmental Services for Asbestos Removal at 1102 & 1106 Perry Street, Defiance Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Mr. Hall noted that somehow they got started on the project and sent the county a bill before a contract was even in place. Motion carried unanimously.

[9:33:14 AM](#)

· **Resolution 2012-770** Authorize Board President to Enter Into NSP Contract 2012-130 with Sines Excavating LLC for the Demolition of 1988 West Street, Evansport

Commissioner Genter made the motion and Commissioner Barnaby seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.

[9:35:05 AM](#)

· **Resolution 2012-771** Approve Then and Now Purchase Orders

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

[9:35:19 AM](#)

· **Resolution 2012-772** Approve Purchase Orders and Travel Requests

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

[9:35:38 AM](#)

Resolution 2012-773 Hold Executive Session pursuant to Ohio Revised Code §121.22 (G)(1) to consider the compensation of a public employee or official

Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Genter, yes; Barnaby, yes. Motion carried unanimously.

[10:02:35 AM](#)

Out of Executive Session

Commissioner Rupp made the motion to increase the salary of the Assistant JFS Director by 10% of her base salary, per year, effective now and for the next 2 employment anniversary dates (to compensate for the extra work and training required for the new JFS Director). Commissioner Barnaby seconded the motion. Roll call vote: Rupp, yes; Barnaby, yes; Genter, no. Commissioner Genter stated that he believes this to be unfair to what they are trying to accomplish and unfair to JFS. Motion carried 2-1.

[10:03:48 AM](#)

Recess

[11:00 AM](#)

View-Ditch Petition 2120, filed for by Lowell Richer

Commissioner Genter convened the view near the north side of the railway crossing of County Road 16, just south of State Route 2. He turned the discussion over to Rod Creager, Chief Deputy Engineer. Mr. Creager explained the process as it follows Chapter 6131 of the Ohio Revised Code. He handed out a map of the petitioned area and discussed a possible plan for the improvements explaining that a survey of

the area would be conducted to get a better idea of the plan if the Commissioners would decide at the first hearing that there is enough evidence to support the improvement to order the Engineer's office to proceed with the survey.

He explained that this used to be an open ditch and records indicate that it was petitioned in 1939 for improvements. This was about the same time that the railway was put in and believes that they acted on an opportunity to do the improvement at the same time. He indicated that the railroad would receive a good deal of the assessments for this improvement. Records also indicate that there was an 18" tile that was run in 1965.

He explained that the watershed drains south from the NORTA Trails. A landowner present indicated that soil conditions should be taken into consideration when figuring assessments. Mr. Creager explained that there are several factors that are taken into consideration, such as the area, the land use, where the drainage is, who will benefit, the slope, soil, wooded areas, etc.

The first hearing on this matter will be held in the Commissioners chambers on September 20, 2012 at 11:00 a.m.

The view was adjourned at 11:21 a.m.

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 2012-761

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of August 20, 2012) Fulton County, Ohio
) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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 August 20, 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 2012-762

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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: August 23, 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 2012-763

In the Matter of Resolution Approving) Office of County Commissioners,
Payment of Bills) Fulton County, Ohio
) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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 - 764

In the Matter of Resolution to) Office of County Commissioners
Advertise for Bids for Northeast) Fulton County, Ohio
Water System – Water Meters Upgrade Project) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on August 23, 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, the plans and specifications for the Northeast Water System – Water Meters Upgrade Project have been completed in accordance with the current Northeast Water System Construction and Material Specifications; and

WHEREAS, the Director of Public Utilities has recommended the Board of Fulton County Commissioners to approve said plans and specifications and advertise for bids for the construction of said project; and

WHEREAS, Fulton County desires to proceed with said project; and

WHEREAS, as per Section 307.87 of ORC, the Board of Fulton County Commissioners shall advertise for sealed bids for the construction of said project,

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners approves said plans and specifications; and bids will be received until 9:30 am on September 27, 2012 in the office of the Fulton County Commissioners at 152 South Fulton Street, Suite 270, Wauseon, Ohio 43567, and publicly opened and read aloud at 9:31 am on that date, for the Northeast Water System – Water Meters Upgrade Project; necessary publication of the bid opening will be in the Fulton County Expositor on August 30, 2012. Also, the same advertisement for bids will be posted on the Fulton County’s website at www.fultoncountyoh.com.

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 Connors, Clerk

Cc: Public Utilities; file

RESOLUTION 2012-765

In the Matter of Resolution to Approve) Office of County Commissioners
Personnel Action for Department of Job) Fulton County, Ohio
And Family Services) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session on August 23, 2012, pursuant to notice, at the office of said board with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Anita Smith, Assistant Director of the Department of Job and Family Services, has advised the Board that Kylie Oyer, Investigator II, has successfully completed her probationary period and is therefore eligible for an increase in wages of \$0.50 (fifty cents) per hour.

THEREFORE BE IT RESOLVED, the Fulton County Board of Commissioners hereby approve the probationary wage increase in the amount of \$0.50 (fifty cents) per hour for Kylie Oyer, Investigator II, effective pay period ending September 8, 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: DJFS; Payroll; file

RESOLUTION 2012-766

In the Matter of Resolution Awarding Bid) Office of County Commissioners,
For Ditch Improvement 2115, Petitioned for by) Fulton County, Ohio
Dan Heer, et al. – Branch 3a of Bean Creek) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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, bids were received on August 20, 2012 for the improvement of Branch 3a-Ditch 2115, petitioned for by Dan Heer, et al.; and

WHEREAS, after review of the bids by the Rod Creager, Chief Deputy Engineer, corrections were made due to errors in the calculations on the unit price bid schedule for Short Excavating; otherwise all bids were found to be complete and accurate; and

WHEREAS, with the Engineer’s estimated cost in the amount of \$23,403.85, the Chief Deputy Engineer recommended that the bid submitted by Short Excavating, in the amount of \$15,920.30, be accepted as the lowest and best; and

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners accepts the Chief Deputy Engineer’s recommendation and hereby awards the bid for the improvement of Branch 3a of Bean Creek-Ditch 2115, petitioned for by Dan Heer, et al., to Short Excavating of Archbold, Ohio, in the amount of \$15,920.30. A contract shall be offered; 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; Bidders; File

RESOLUTION 2012-774

In the Matter of Resolution to Table) Office of County Commissioners
Resolution 2012-766) Fulton County, Ohio
) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner BARNABY moved for the adoption of the following resolution:

WHEREAS, the Fulton County Board of Commissioners wish to table **Resolution 2012-766** titled, in pertinent part,to Award Bid for Ditch Improvement 2115-Heer.....until further explanation can be obtained from Chief Deputy Engineer, Rod Creager, regarding the corrections made to the bids therein; and .

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby table **Resolution 2012-766; 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 of any of it committees that resulted in such formal action, wee in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner GENTER 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 2012-767

In the Matter of Resolution to Authorize Board) Office of County Commissioners
President to Enter Into CCAO Workers') Fulton County, Ohio
Compensation Group Retrospective Rating) August 23, 2012
Plan Agreement)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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 Board has been presented with the County Commissioners Association of Ohio (CCAO) Workers' Compensation Group Retrospective Rating Plan Agreement;

THEREFORE, BE IT RESOLVED, that after review, the Fulton County Board of Commissioners hereby authorize the Board President to Execute the CCAO Workers' Compensation Group Retrospective Rating Plan Agreement 2012-125 as 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

Copy to: Contract File, D. Hogrefe

RESOLUTION 2012-768

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contracts 2012-126 & 2012-127 with) Fulton County, Ohio
Dolbey & Company, Inc. on Behalf of) August 23, 2012
Common Pleas and Western District Courts)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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, a contract has been successfully negotiated on behalf of the Common Pleas and Western District Courts, respectively, for support and maintenance services for their FTR Recording System; and

THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners hereby enter into **Contracts 2012-126 & 2012-127** with Dolbey and Company, Inc. on behalf of the Common Pleas and Western District Courts, respectively, pursuant to the terms and conditions as set forth therein; and

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

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

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 2012-769

In the Matter of Resolution Authorizing Board) Office of County Commissioners
President to Enter Into **Contracts 2012-128 &**) Fulton County, Ohio
2012-129 with H&H Environmental Services for) August 23, 2012
Asbestos Removal NSP Projects – 1102 & 1106)
Perry Street, Defiance)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 2012, 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 July 20, 2012 for asbestos removal for the NSP Demolition Projects located at 1102 Perry Street, Defiance and 1106 Perry Street, Defiance, respectively; and

WHEREAS, after reviewing the bids, MVPO found H&H Environmental Services LLC to have submitted the lowest and best bid at \$24,950.00 for the property located at 1102 Perry Street, Defiance, and \$8,430.00 for the property located at 1106 Perry Street, Defiance, 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 Services LLC for asbestos removal in the amount of \$24,950.00 for the property located at 1102 Perry Street, Defiance, and \$8,430.00 for the property located at 1106 Perry Street, Defiance, and authorize the Board President to enter into **Contracts 2012-128 & 2012-1129**, respectively, with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the Work Specifications, the asbestos removal indicated therein and pursuant to the terms and conditions stated therein,; 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; RPC; Bid File

RESOLUTION 2012-770

In the Matter of Resolution Authorizing Board) Office of County Commissioners
President to Enter Into **Contract 2012-130** with) Fulton County, Ohio
Sines Excavating, LLC for NSP Demolition) August 23, 2012
Project – 1988 West Street, Evansport)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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 August 1, 2012 for NSP project known as the Demolition of 1988 West Street, Evansport; and

WHEREAS, after reviewing the bids, MVPO found Sines Excavating, LLC to have submitted the lowest and best bid at \$7,400.00 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 Sines Excavating, LLC. for the NSP project known as the demolition of 1988 West Street, Evansport, Ohio, and authorize the Board President to enter into **Contract 2012-130** with the same in the amount of \$7,400.00 to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the Work Specifications, the demolition of 1988 West Street, Evansport, 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 2012-771

In the Matter of Resolution to Approve) Office of County Commissioners,
 Then and Now Purchase Orders and Payments) Fulton County, Ohio
) August 23, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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
2012001925	RTECC50	8/2/2012	\$ 12,400.00
2012001950	BUCHH50	8/13/2012	52.50
2012001954	JAMES50	8/16/2012	7,000.00
2012001969	SPIES30	8/16/2012	11,581.53
			\$ 31,034.03

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 2012-772

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) August 23, 2012

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

RESOLUTION 2012-773

In the Matter of Resolution to Hold an Executive) Office of County Commissioners
Session to Consider the Compensation of a) Fulton County, Ohio
Public Employee or Official, Pursuant to) August 23, 2012
Pursuant to ORC §121.22(G)(1))

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 23, 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, Ohio Revised Code §121.22 (G) states, except as provided in division (J) of this section, the members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of seven specific topics;

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, pursuant to Ohio Revised Code §121.22 (G)(1) to begin at **10:30 a.m.** to consider the employment of a public employee or official; and

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

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

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

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

Attest: _____
Jennifer L. Connors, Clerk