

**FULTON COUNTY BOARD OF COMMISSIONERS**  
**152 S. Fulton Street, Ste 270**  
**Wauseon, OH 43567**

**MINUTES OF MEETING**  
**SEPTEMBER 20, 2012**

[9:00:21 AM](#)

Call Meeting to Order  
Pledge of Allegiance  
Opening Prayer  
Roll Call Attendance- All Members Present

[9:01:09 AM](#)

· **Resolution 2012-843** Approve Minutes of Regular Session 9/13/2012  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:01:46 AM](#)

· **Resolution 2012-844** Approve Agenda As Amended  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Due to yesterday's last minute arrival of the FAA Grant Agreement for FY2012 Projects and the fact that funding could be lost if not executed today, the Board amended the agenda to include the approval of the FAA Grant offer and the hiring of special legal counsel to assist with this matter. Motion carried unanimously.

[9:02:37 AM](#)

**OLD BUSINESS:**

· **Resolution 2012-845** Approve Payment of Bills  
Commissioner Rupp made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:02:51 AM](#)

· **Review Permissive Sales Tax Report**

PERMISSIVE SALES TAX COMPARISON 2011 Accumulative				PERMISSIVE SALES TAX COMPARISON 2012 with 2011 Comparison				
	1% Tax Revenue	Additional Tax 1/2%	Accumulative Totals	1% Tax Revenue	1% Monthly	1% Y-T-D	Additional Tax 1/2%	Accumulative Totals
Jan	\$320,847.60	\$158,660.70	\$479,508.30	\$325,519.30	1.46%	\$325,519.30	\$161,659.29	\$487,178.59
Feb	\$316,130.76	\$154,455.38	\$950,094.44	\$330,238.81	4.46%	\$655,758.11	\$164,149.09	\$981,566.49
Mar	\$399,599.78	\$195,385.49	\$1,545,079.71	\$448,891.11	12.34%	\$1,104,649.22	\$224,492.64	\$1,654,950.24
Apr	\$303,828.67	\$151,287.10	\$2,000,195.48	\$313,628.61	3.23%	\$1,418,277.83	\$156,692.69	\$2,125,271.54
May	\$386,218.95	\$153,165.76	\$2,539,580.19	\$343,774.31	-10.99%	\$1,762,052.14	\$171,301.51	\$2,640,347.36
Jun	\$318,969.60	\$169,634.22	\$3,028,184.01	\$378,740.93	18.74%	\$2,140,793.07	\$188,738.35	\$3,207,826.64
Jul	\$313,734.45	\$153,004.38	\$3,494,922.84	\$350,944.20	11.86%	\$2,491,737.27	\$175,392.00	\$3,734,162.84
Aug	\$356,812.15	\$177,283.68	\$4,029,018.67	\$358,476.60	0.47%	\$2,850,213.87	\$179,327.35	\$4,271,966.79
Sep	\$387,944.94	\$193,872.39	\$4,610,836.00	\$432,580.25	11.51%	\$3,282,794.12	\$214,919.63	\$4,919,466.67
Oct	\$356,567.27	\$177,694.65	\$5,145,097.92	\$0.00	-100.00%	\$3,282,794.12	\$0.00	\$4,919,466.67
Nov	\$300,846.64	\$149,779.78	\$5,595,724.34	\$0.00	-100.00%	\$3,282,794.12	\$0.00	\$4,919,466.67
Dec	\$347,825.54	\$166,558.24	\$6,110,108.12	\$0.00	-100.00%	\$3,282,794.12	\$0.00	\$4,919,466.67

[9:03:25 AM](#)

· **Review Letters of Notification from First Energy:**

In accordance with OAC Rule 4906-1-01 First Energy notified the Board of the following projects within their jurisdiction:

1. Allen Junction-Midway 345kV Transmission Line Tap Loop to Fulton Substation and North Star 345kV Transmission Line Tap Relocation; and
2. Delta-Swanton 138kV Transmission Line Loop to Fulton Substation

[9:03:54 AM](#)

· **Review Letter of Building Inspection from CORSA**

An evaluation for compliance with the CORSA Loss Control Incentive Program was conducted on September 6, 2012. It was noted that material may not be stacked closer than 18 inches from the bottom of sprinklers and that material must be removed from interior stairs. A letter must be submitted by 12/31/2012 indicating that these items were corrected to receive full credit through the program.

[9:04:40 AM](#)

· **Review Correspondence from ODOD Regarding FY10 CHIP Grant**

A reminder that the completion date for FY10 CHIP projects is November 1, 2012.

[9:05:08 AM](#)

**NEW BUSINESS:**

**RESOLUTIONS:**

· **Resolution 2012-846** Lower Purchase Orders; Increase and Transfer Appropriations for Various Departments

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

[9:05:39 AM](#)

· **Resolution 2012-847** Transfer Funds for Department of Job and Family Services for Mandated Shares; Shared Costs; and Boarding Home Payroll Expenses

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

[9:06:05 AM](#)

· **Resolution 2012-848** Transfer Appropriations within Various Public Utility Funds

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

[9:07:29 AM](#)

· **Resolution 2012-849** Approve Substantial Completion Certificate for Leachate Collection and Lagoons System Project

Mr. Musallam, Public Utilities Director, was present for the discussion. He stated that there are only minor restorations needed. The lagoons are operational and the aeration system is working. The pumps run on solar power from 2pm to 10am and then shut off for recharging. There is no electric backup, however a generator could be wired in or a battery backup could be installed.

Samples have not been taken yet. The plan is to sample what comes into the east lagoon. Currently the lagoons are only 10-15% used. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:11:36 AM](#)

· **Resolution 2012-850** Extend Bid Opening Date for Northeast Water System-Water Meters Upgrade Project

Mr. Musallam stated that he wanted to give bidders a month to get a good look at the areas of the improvement. Advertising of the bids was delayed by a week. To give them the full month intended he requested an extension to accept bids until October 4<sup>th</sup> at 10:00 a.m. Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:13:47 AM](#)

· **Resolution 2012-851** Authorize Board President to Enter Into Contract 2012-140 with 3M Cogent for Software Service Maintenance on Behalf of Department of Job and Family Services

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

[9:14:22 AM](#)

· **Resolution 2012-852** Enter Into Contract 2012-141 with Northwoods Consulting Partners for Software Support on Behalf of Department of Job and Family Services  
Commissioner Rupp made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:15:33 AM](#)

· **Resolution 2012-853** Amend Resolution 2012-790 Establishing an ERIP for the Board of Commissioners  
It is necessary to amend the effective date of the plan approved by the Board on August 27, 2012 to reflect November 6, 2012 instead of November 1, 2012 to be in compliance in OAC Rule 145-2-42. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:16:21 AM](#)

· **Resolution 2012-854** Establish New Fund and Lines for Ditch Improvement 2115-Heer  
Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.

[9:16:48 AM](#)

**Resolution 2012-855** Award Bid for Snow Removal/Ice Control for Various County Lots  
The bid was awarded to Tim Rice, of Wauseon, for both the eastern and western Fulton County Offices. It was noted that the Robert Fulton Building needed to be included in this contract also. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.

[9:18:58 AM](#)

· **Resolution 2012-856** Approve Change Order (1-Final); Pay Request (2-Final) and Release of Retainage for 2012 Seal Coat Program  
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.

[9:19:24 AM](#)

· **Resolution 2012-857** Approve Then and Now Purchase Orders  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:20:04 AM](#)

· **Resolution 2012-858** Approve Purchase Orders and Travel Requests  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:20:16 AM](#)

· **Resolution 2012-859** Accept Resignation of Part-Time Intermittent Emergency Medical Technician  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:21:11 AM](#)

· **Resolution 2012-860** Appoint Part-Time Intermittent Emergency Medical Technician for Fulton County EMS  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:21:32 AM](#)

· **Resolution 2012-861** Authorize Appointment of Special Legal Counsel and Enter Into Contract with Mark D. Hagans, Esq. for Legal Services for Matters Associated with the FY2012 FAA Grant  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:22:46 AM](#)

· **Resolution 2012-862** Authorize Board President to Execute FY2012 Grant Agreement  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:25:21 AM](#)

Recess

[9:30:00 AM](#)

**Amanda Podach & Curt Jones -Soil and Water Conservation District Update**

Ms. Podach opened by discussing their display at the fair stating that it went over well. They conducted the Annual Meeting in connection with the Farm Bureau on 9/11 with 250 people attending. Dale Minyo was the featured speaker and he recapped it on the radio the following day. Voting was up from last year. There was an attendance of 250 people at the Monarchs and More day on 9/9. This was their best attended year. The 4<sup>th</sup> Grade Ag Fest is coming up September 25-26. They are expecting good weather. All Fulton County Schools will be attending except for Wauseon. She extended an invite to the Board members to come and observe while presenting to schools.

Mr. Jones reported that they are gearing up for fall. They have a grant that they need to have submitted by Wednesday to replant trees that didn't make it last spring. Soil judging will be held on Rd 21-3 & C today. He presented information that was compiled on tillage trends, showing that no till has increased by over 40% since 1987, while conventional tilling has decreased by 65%. Mulch tilling has increased by over 25%. In November they will be conducting a cover crops meeting. He noted that radishes, rye and barley are common cover crops in this area. The best time to plant cover crops in this area is in August.

[9:50:20 AM](#)

Recess

[10:05:29 AM](#)

**Cheryl Barber-Spires-OSU Extension Quarterly Update**

Also in attendance were Jill Stechschulte and the new Ag/NR Educator, Eric Richer. Ms. Barber-Spires stated that on October 11, 2012 from 12-1pm there is an Extension Executive Committee Meeting and invited the Board members to attend. This will be held at the Extension Office. She expressed her appreciation for the Commissioners' assistance in getting their new Ag/NR in place. She has been working with Meredith Grime in Family and Consumer Sciences. They have struggled for a long time with being able to present on-site through JFS. In September this finally happened. The classes center around nutrition, budgeting and safety.

Ms. Stechschulte thanked the Board for their continued support. She stated that fair time is the last big push before the end of summer and noted that participation in the fair is optional for 4-H participants. She requires all exhibitors with livestock projects to complete Quality Assurance Training. She reported an average of 180 youth that participated in the 4-H Camping Program. This is down about 25 youth from last year, which can be attributed to SWCD's Science Camp. Either way, the kids went to camp. She is involved with planning, organizing and conducting the Jr. Fair events with the Jr. Fair board. Individually she plans, organizes and conducts the Jr. Fair parade, display booths in the Jr. Fair Building, Dress Your Goat event and the Livestock Sale Thank You Dinner. They have served 263 youth in the *Carteens* program. 2 have been repeat offenders which also must complete a driver training course. They conduct a *Real Money, Real World* financial education program for high school youths and a Grads program at Four County Career Center. She will be presenting a family and consumer science program for the Seniors at Wauseon High School, which is financial literacy program. Ms. Barber-Spires noted that they have come to the end of the grant for the 21<sup>st</sup> After School Learning program so that program will be coming to a close. She ended by stating that each year one of their "pet projects" is to pick a maintenance issue to do at Camp Palmer, such as putting in a playground, reroofing a cabin, and etc.

Commissioner Genter noted that Mr. Al Kruez was in recently to discuss his scholarship program. Funding has dried up. He applauded Al for his efforts. Successful youth continue to be successful in the community. Ms. Stechsculte agreed but stated that they can't continue to do this through her office as they do not have enough staff to handle it. They do not have any way of picking up that scholarship program. Commissioner Genter expressed his wish that this be picked privately or an initiative to put a cap on the sale so that it supports the whole program.

Mr. Richer has been getting acclimated and making adjustments as he moves into a new system. He recently made 3 trips to Columbus for a Farm Science Review and for In-Service Meetings. He piggybacked on Greg LaBarge with the sprayer classes. These classes now offer Continuing Education Points and attendance has gone up by 50 from the previous year. After the Harvest has cleared he would like to start holding luncheons and breakfasts with top tier producers from each township, next-generation farmers and producers, dealers and producers that can bring more precision ag production. He plans to continue with Soybean day, a benchmark program that was initiated by Greg LaBarge. He asked the Board for their suggestions. Commissioner Genter suggested looking at niche markets that the small and medium farmers can do to continue to be successful. There has also been an initiative for contract farming for direct delivery. This is an initiative that Marcy Kaptur has supported.

Commissioner Barnaby stated that ag is still the largest business in Fulton County and thanked them for coming in.

[10:36:51 AM](#)

#### **Brian Banister- Dog Warden Update**

Mr. Banister reported that they now have their 1<sup>st</sup> dangerous dog as classified under HB 14. As this progresses there many loop holes being found with this law. The process has become very complicated. He presented the Board with the Police Report for the case referenced last week regarding the officer that was attacked. He also presented the Board with a form that is used by police departments regarding filing a complaint against an officer. In this case, the defendant was asked to sign a notarized statement regarding her complaint against the officer, she refused to sign. He suggested this for his office as well as he is in the same situations. The form requires a signature and a penalty to the person filing a complaint if falsified. He stated that in his job they always hear the complaints, but they don't hear the "thank-yous" coming from the neighbors that are happy that a dog was removed, and etc. He moved on to report a rabbit kill in Pettisville. The dogs were found, owners were located, the dogs were licensed and an agreement was worked out between the neighbors for restitution, so there will be no county involvement.

[10:47:11 AM](#)

#### **Executive Session pursuant to Ohio Revised Code §121.22 (G)(1) to Discuss the Discipline of a Public Employee**

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

[11:05:44 AM](#)

No Action Taken

[11:05:56 AM](#)

Recess

[11:09:26 AM](#)

#### **1 st Public Hearing on Ditch Improvement #2120 Petitioned for by Lowell Richer**

Commissioner Genter opened the hearing and turned it over to Mr. Rod Creager, Chief Deputy Engineer. Mr. Creager explained the basic principles of drainage and the different options to drain land. It is either taken care of by the farmers; an agreement is reached by neighbors to improve drainage; or in this case, when there are several landowners in a watershed and access is needed to get on other property and rights

of way, a petition is filed with the county. He handed out a packet containing the drainage laws as they follow 6131 of the Ohio Revised Code. He presented a picture of the right of way that goes through the railway line.

He reported that this drainage improvement was initiated through a single county drainage petition filed on July 16, 2012 by Mr. Lowell Richer and other landowners, for improvements to an outlet tile known as Clinton Henry No. 5. The drainage improvement proposed is located in Section 28, T7N, R6E in Clinton Township, Fulton County, Ohio and crosses the Norfolk and Southern Railroad right-of-way approximately 850 feet west of Clinton Township Road 16, west of the City of Wauseon. The main line of Clinton Henry No. 5 has become obstructed by sediment and railroad ballast material where it crosses the railroad right-of-way. The petition calls for replacing broken tile and cleaning the culvert under the Norfolk and Southern Railroad as well as installing catch basins to prevent ballast material from obstructing the tile and to facilitate future maintenance of the railroad culvert and the tile line. A viewing of the proposed project site was conducted by the Board of County Commissioners, Fulton County, on Thursday, August 23, 2012. He presented pictures of the area that were taken at around the time of the view.

There are approximately 277 acres of land upstream from the railroad within the petitioned improvement watershed. A total of thirty-four (34) parcels of land will potentially be benefited by the proposed improvement. Seventy percent (70%) of the watershed area is currently agricultural land, twenty-four percent (24%) is rural residential and six (6%) of the watershed is in public rights-of-way.

The primary objectives of this improvement will be to restore the full capacity of Clinton Henry No. 5 through the railroad right-of-way to meet modern drainage demands and to control erosion and establish an ongoing maintenance program to keep the drainage improvement in good condition throughout its useful life.

The proposed work plan for this project includes tile repair and culvert cleaning on the Norfolk and Southern Railroad right-of-way. The total estimated cost of the work proposed including contingencies, engineering and administrative costs is \$20,393.88.

Assessments for the proposed improvement will be based on the benefits received from the improved drainage outlet. It is expected that the benefits derived from the proposed improvement over its estimated 20-year useful life will exceed the project costs.

This project work plan is feasible and can be economically completed through the drainage improvement petition process.

At 11:50:20 Commissioner Genter opened the floor for testimony. Mr. Creager explained that what the Commissioners must decide today is if it is necessary and conducive to public welfare; if the benefit will outweigh the costs and if the route, course, and termini, is proper.

The floor was closed for testimony at 11:52:22 and the Board began deliberations.

Commissioner Genter stated that it looks like the railway will take the majority of the assessments. He is in favor of the improvement. Commissioner Rupp agreed stating that there is a need as it meets all of the requirements. Commissioner Barnaby concurred stating that the area needs to be drained.

**Resolution 2012-864** Find for Improvement; Direct the County Engineer to File the Report, Plans, Maps and Schedules and Set Date thereof

Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. The Board set a date of February 28, 2013 at 10:00 a.m. for the County Engineer to file his report. A roll call vote was taken: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

[11:56:53 AM](#)

ADJOURN

Commissioner Rupp made the motion and Commissioner Genter seconded the motion.

APPROVED:

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Dean Genter

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Paul Barnaby

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Perry Rupp

ATTEST:

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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 2012-843**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session of September 13, 2012 ) Fulton County, Ohio  
) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 September 13, 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 2012-844**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) September 20, 2012

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

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



**RESOLUTION 2012-846**

In the Matter of Resolution to Lower Purchase Orders; ) Office of County Commissioners  
 Increase and Lower Appropriations for Various ) Fulton County, Ohio  
 Departments ) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session, pursuant to notice, on September 20, 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 orders that are no longer needed; and to transfer and increase appropriations for various departments to meet expenses for the remainder of the year; and

**WHEREAS**, there are sufficient funds available in the Certificate of Estimated Resources to allow the increase as requested; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorizes the following **PURCHASE ORDERS be LOWERED**:

PO #	CONTRACT#	VENDOR	LINE	LOWER BY
2012001009	2011-79	NOCAC50	2605-16914-5-41300	\$ 12,814.96
2011000653	2011-79	PITNE60	2605-16914-5-42101	13.00
2011001360	2011-79	MCKAY50	2605-16914-5-96001	889.80
2012001219	2010-87	FULTO58	2605-16914-5-96300	335.68
2012000009	2010-87	QUADC50	2605-16914-5-96300	9,827.25
2012000849	2010-87	SAUDE98	2710-17920-5-41004	1,500.00

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby authorizes the **INCREASE of APPROPRIATIONS** as follows:

AMOUNT	ACCOUNT	
\$100,000.00	2520-15907-5-72000	Cap Outlay/Building Addition- BD DD
\$7,800.00	2120-11200-5-10300	Salaries/Emp-REA
2,330.00	2120-11200-5-20100	PERS-REA
50.00	2120-11200-5-20300	Medicare-REA
4,700.00	2120-11200-5-20400	Hosp Ins-REA
6,000.00	2120-11200-5-51200	Postage-REA
8,442.09	6002-11800-5-10300	Salaries-IT
1,557.91	6002-11800-5-20100	PERS-IT

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby authorizes the **TRANSFER of APPROPRIATIONS** as follows:

AMOUNT		ACCOUNT	
\$ 200.00	From:	1000-11200-5-41000	Contract Svs-Aud
200.00	To:	1000-11200-5-20300	Medicare-Aud
3,072.83	From:	2120-11200-5-20200	BWC-REA
3,072.83	To:	2120-11200-5-10300	Salaries/Emp-REA
28.00	From:	6000-61202-5-20200	BWC-GIS
28.00	To:	6000-61202-5-20300	Medicare-GIS
10.00	From:	6000-61202-5-20200	BWC-GIS
10.00	To:	6000-61202-5-20400	Hosp Ins-GIS
300.00	From:	6002-11800-5-35500	Cell Phone Reimb-IT
1,227.91	From:	6002-11800-5-20200	BWC-IT
3,000.00	From:	6002-11800-5-20400	Hosp Ins-IT
4,527.91	To:	6002-11800-5-10300	Salaries-IT

AMOUNT		ACCOUNT	(Transfers-- Continued from P.1)
\$ 3,000.00	From:	6000-63202-5-42000	Maintenance-GIS
3,000.00	To:	6000-63202-5-62000	Equipment-GIS
960.00	From:	6002-11800-5-20400	Hosp Ins-IT
960.00	To:	6002-11800-5-41000	Contract Svs-IT
50,000.00	From:	2520-15097-5-10300	Salaries-BD DD
50,000.00	To:	2520-15907-5-20400	Hosp Ins-BD DD
30,000.00	From:	2505-15915-5-31000	Travel Exp-Sr Center
10,000.00	To:	2505-15915-5-38000	Vehicle Maint-Sr Center
10,000.00	To:	2505-15915-5-96000	Other Exp-Sr Center
10,000.00	To:	2505-15915-5-51000	Supplies-Sr Center
610.50	From:	1000-11193-5-95500	Liab Ins (Umbrella)
610.50	To:	1000-11193-5-39000	Workers Comp Prem

**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

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Dean Genter

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Paul Barnaby

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Paul Barnaby

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Paul Barnaby

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Perry Rupp

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Perry Rupp

\_\_\_\_\_  
Perry Rupp

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

Attest:

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

cc: Auditor; Affected Departments

**RESOLUTION 2012-847**

In the Matter of Resolution to Transfer Funds ) Office of County Commissioners  
for Department of Job and Family Services ) Fulton County, Ohio  
for Boarding Home Payroll Expenses; ) September 20, 2012  
Mandated Shares; and Shared Costs )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 Department of Job and Family Services has reconciled the cost for the care of children for the month of August 2012 and the Assistant 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 August 2012 and a transfer is being requested for said funds; and

**WHEREAS**, a request has been made for the County’s September 2012 34% share of the child Support Enforcement Agency budget; 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 September 2012; and

**THEREFORE BE IT RESOLVED**, the Fulton County Board of Commissioners hereby authorizes the TRANSFER OF FUNDS as follows:

<u>Amount</u>	<u>Account</u>
\$39,915.89	From: 1000-16161-5-96200 Children Services
\$39,915.89	To: 2615-12914-4-24001 Board and Care
\$22,935.44	From: 2610-16914-5-94000 CSEA Shared Exp
\$22,935.44	To: 2605-15914-4-53020 PA Transfer In-Shared Cost
\$ 6,288.33	From: 1000-30914-5-96200 GF Mandated Share
\$ 6,288.33	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; JFS



**RESOLUTION 2012-852**

In the Matter of Resolution to Enter Into **Contract** ) Office of County Commissioners  
**2012-141** with Northwoods Consulting Partners, Inc. ) Fulton County, Ohio  
On Behalf of the Department of Job and Family ) September 20, 2012  
Services )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, September 20, 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**, an agreement has been successfully negotiated on behalf of the Department of Job and Family Services for technical support for the Compass ® software in use by the Department and under contract with Northwoods Consulting Partners, Inc.; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners, on behalf of the Fulton County Department of Job and Family Services will enter into **Contract 2012-141** with Northwoods Consulting Partners, Inc. for the purpose stated hereinabove.

**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 ORC.

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rup	_____ Perry Rupp	_____ Perry Rupp

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

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

Copy to: Contract File, DJFS; Auditor

**RESOLUTION 2012-853**

In the Matter of Resolution to Amend Resolution            )           Office of County Commissioners,  
2012-790 to Amend Effective Date of Early                 )           Fulton County, Ohio  
Retirement Incentive Plan                                     )           September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 August 27, 2012, via Resolution 2012-790, the Board of Commissioners of Fulton County, Ohio, approved the establishment of an Early Retirement Plan for all eligible employees of the Board;

**WHEREAS**, the Ohio Administrative Code 145-2-42 requires employers to file notice with OPERS of the adoption of a Voluntary Incentive Plan at least sixty (60) days before the plan goes into effect. The effective date of the plan adopted herein was scheduled to go into effect November 1, 2012, thereby creating a notice deadline of September 1, 2012. Said plan was not received by OPERS until September 7, 2012, thereby delaying the effective date to November 6, 2012; and

**WHEREAS**, it is necessary to amend the Plan Document and F111-ab to reflect the effective dates of November 6, 2012 through November 5, 2013; and

**THEREFORE BE IT RESOLVED**, the Board of Commissioners hereby amend Resolution 2012-790 thereby authorizing the amendment to the effective dates of the Early Retirement Incentive Plan approved therein to November 6, 2012 through November 5, 2013; and

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

cc: Auditor; OPERS

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

**RESOLUTION 2012-854**

In the Matter of Resolution to Establish New ) Office of County Commissioners  
Fund and Lines for Ditch Improvement ) Fulton County, Ohio  
Number 2115-Heer, Branch 3a Bean Creek ) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 Fulton County Board of Commissioners decision on June 4, 2012, to affirm their former order, confirm the assessments and order the letting of the contracts for Ditch Improvement Number 2115-Petitioned for by Dan Heer, et al., it is necessary to establish a new fund and line items for the project; and

**THEREFORE, BE IT RESOLVED**, the Fulton County Board of Commissioners hereby authorizes the **following FUND be established**:

**Fund 4376 - Ditch 2115 Heer**

**BE IT FURTHER RESOLVED** by the Board of Commissioners that the **following LINE ITEMS be established**:

**Expense Lines:**

Maintenance 4376-20146-5-42000  
Contract Projects 4376-20146-5-41000  
Clerk’s Costs 4376-20146-5-33000  
Engineer’s Costs 4376-20146-5-41100  
Advance out 4376-50146-5-53000

**Receipts Lines:**

Cash Assessments 4376-16146-4-61000  
Tax Assessments 4376-16146-4-60000  
Advance In 4376-48146-4-48100

**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 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

Cc: Auditor; R. Creager; File



**RESOLUTION 2012-856**

In the Matter of Resolution to Approve Change ) Office of County Commissioners  
Order (1-Final); Pay Request (2-Final); and ) Fulton County, Ohio  
Release of Retainage for Ward Construction Co.) September 20, 2012  
for 2012 Seal Coat Program )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 change order request (1-final) has been submitted for a net INCREASE to **Contract 2012-100** with Ward Construction Co. for quantity adjustments needed for the 2012 Seal Coat Program in the amount of \$106,604.77; and

**WHEREAS**, a pay request (2-Final) has been submitted for work performed under said contract in the amount of \$94,150.93; and

**WHEREAS**, the County Engineer has reviewed the change order and pay request as submitted and has recommended the approval of the same; and

**WHEREAS**, the County Engineer states that this project is fully completed, inspected, and approved and therefore further recommends approval of paying the principal balance of the retainage in full to the contractor as requested, plus any and all interest accrued on the principal to date, subject to any bank fees and charges incurred; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the change order (1) as requested to **INCREASE Contract 2012-100** as submitted in the amount of (\$106,604.77); and

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby approve the final pay request (2) as submitted in the amount of \$94,150.93; and

**BE IT FURTHER RESOLVED**, that the Fulton County Board of Commissioners hereby approve the release of retainage plus any and all interest accrued on the principal to date, subject to any bank fees and charges incurred; and

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

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

**RESOLUTION 2012-857**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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
2012001984	LAUBA50	8/23/2012	\$ 94.99
2012002046	KREIN55	9/6/2012	788.00
2012002059	HENRY30	9/10/2012	87.00
2012002062	PFLAG50	9/13/2012	69.50
2012002068	NORWA90	9/13/2012	359.32
2012002069	AGCAS40	9/13/2012	32.41
2012002070	ODORS50	9/13/2012	369.99
2012002073	AESCH50	9/13/2012	174.95
2012002076	MASTI50	9/13/2012	2,240.00
			\$ 4,216.16

**WHEREAS**, it is certified that both at the time that the contract or order was made (“then”), and at the time that the County Auditor is completing the certification (“now”), that sufficient funds were available or in the process of collection, to the credit of the proper fund, properly appropriated and free from any previous encumbrance; and

**WHEREAS**, pursuant to Ohio Revised Code §5705.41(D)(1), these purchases must be approved by resolution of the Board of Commissioners; and

**THEREFORE BE IT RESOLVED**, the Board of Commissioners hereby approve the Then and Now Purchase Orders as certified by the County Auditor; and

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

cc: Auditor

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

**RESOLUTION 2012-858**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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

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Paul Barnaby

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Paul Barnaby

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Perry Rupp

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Perry Rupp

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Perry Rupp

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

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

Copy To: File



**RESOLUTION 2012-860**

In the Matter of Resolution to Appoint Part-Time    )     Office of County Commissioners,  
Emergency Medical Technician to Fulton County    )     Fulton County, Ohio  
Emergency Medical Services                            )     September 20, 2012

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

**WHEREAS**, on October 21, 2010, via resolution 2010-982, the Fulton County Board of Commissioners authorized the EMS Director to advertise and recruit as necessary a list of part-time qualified candidates to ensure available labor when needed, up to a maximum of 20 EMT's; and

**WHEREAS**, pursuant to said authorization, a job offer has been successfully negotiated to fill a vacant position in the Fulton County EMS Department.

**THEREFORE, BE IT RESOLVED**, the Fulton County Board of Commissioners hereby appoints Maryann Reimund to the Fulton County Emergency Medical Services on a part-time, intermittent basis, effective immediately, subject to successful completion of any and all pre-employment screenings.

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby

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

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

Copy To:     R. Cheney; Payroll; Personnel Files

**RESOLUTION 2012-861**

In the Matter of Resolution to Authorize                    )           Office of County Commissioners  
Retention of Special Legal Counsel and                    )           Fulton County, Ohio  
Board President to Enter Into Contract 2012-142)           September 20, 2012  
With Mark D. Hagans, Esq.                                    )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 ORC §305.14(B), the Board of County Commissioners is authorized to employ legal counsel, as provided in ORC §309.09, to represent it in any matter of public business coming before such board; and

**WHEREAS**, it is necessary to retain counsel for the purpose of providing legal representation to the Board of Commissioners for matters associated with the FY2012 Federal Aviation Administration Grant Award; and

**WHEREAS**, it is further necessary to enter into an agreement with said legal counsel to perform these duties.

**WHEREAS**, Mark D. Hagans, Esq. is familiar with these services and is qualified to perform said representation; and

**THEREFORE BE IT RESOLVED**, the Board of Commissioners hereby authorizes the retention of legal counsel for the purpose providing legal representation to the Board of Commissioners for matters associated with the FY2012 Federal Aviation Administration Grant Award; and

**BE IT FURTHER RESOLVED**, the Board of Commissioners hereby authorizes the Board President to enter into an agreement 2012-142 with Mark D. Hagans, Esq. to provide these services; and

**BE IT FURTHER RESOLVED**, the agreement shall not exceed the amount of \$800.00 without formal action of the Board of Commissioners; and

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

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

**RESOLUTION 2012-862**

In the Matter of Resolution to Authorize ) Office of County Commissioners  
The Board President to Execute FY2012 FAA ) Fulton County, Ohio  
Grant Agreement and Associated Documents ) September 20, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 20, 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 August 9, 2012, the Board reviewed and approved the 2012FY FAA Grant Application as presented by Stantec Consultants, Inc. for FY2012 Projects at the Fulton County Airport; and

**WHEREAS**, the Board has now received a grant offer in the maximum amount of \$290,535.00 for airport development;

**WHEREAS**, the grant agreement associated therewith must be reviewed and accepted by the Board of Commissioners and executed by the Board President; and

**THEREFORE BE IT RESOLVED**, the Grant Offer has been reviewed by special counsel and the Fulton County Board of Commissioners hereby accepts said offer, and the terms and conditions associated therewith, and authorize the Board President, Dean Genter, to execute the FY2012 FAA Grant Agreement as presented 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:**

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

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

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Paul Barnaby

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Dean Genter

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Dean Genter

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Perry Rupp

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Perry Rupp

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Perry Rupp

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

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