

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

**MINUTES OF MEETING
SEPTEMBER 24, 2012**

[9:00:40 AM](#)

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

[9:01:24 AM](#)

· **Resolution 2012-865** Approve Minutes of Regular Session 9/20/2012
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:01:46 AM](#)

· **Resolution 2012-866** Approve Agenda As Presented
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:02:07 AM](#)

OLD BUSINESS:

· **Review Correspondence from ODOT Regarding Statewide Transportation Improvement Program**

ODOT will hold an "open house" on October 11, 2012 from 3:00 p.m. to 6:00 p.m. at their Bowling Green Office to share the current list of projects scheduled for SFY 2014-2017.

[9:02:49 AM](#)

NEW BUSINESS:

RESOLUTIONS:

· **Resolution 2012-867** Enter Into Contract 2012-143 with Zack's Recycling LLC for Recycling of Ferrous and Non-Ferrous Metals
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:03:19 AM](#)

· **Resolution 2012-868** Lower Purchase Orders and Transfer Appropriations for Various Departments
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:27 AM](#)

· **Resolution 2012-869** Approve Change Orders for Triangular Processing/Board of DD Renovations
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:05:07 AM](#)

· **Resolution 2012-870** Authorize Change Order (3) and Pay Request (3) for Reconstruction of County Road T Project
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:05:32 AM](#)

· **Resolution 2012-871** Approve Purchase Orders and Travel Requests
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

[9:05:55 AM](#)

Recess

[9:30:15 AM](#)

Resolution 2012-872 Executive Session pursuant to Ohio Revised Code §121.22 (G)(1) to Discuss the Employment of a Public Employee

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

[11:03:11 AM](#)

Out of Executive Session – No Action Taken

[11:03:16 AM](#)

Recess

[11:10:27 AM](#)

Rod Creager, Chief Deputy Engineer-To File Plans on Ditch Improvement 2116-Filed for by Rosemary Meier

Mr. Creager advised that for this Dover Meadows subdivision, they are proposing they keep the drainage along the west side of Dover Drive, take it out to the front & through the intersection at Dover Drive and across to the south side of CR J to tie into the 12 inch outlet that was petitioned a few years back in Ditch Improvement Number 2075. There is a water line on the east side of Dover Drive and the gas lines on are the west. He explained that there is a 6 inch in there right now; he would like to replace it with a 10 inch PVC. Anything under the drives will be 12 inches. They will drop some catch basins on each property along the lot lines. The outlet between the pond at the Adams property and the road tile is not working, they are proposing a 12 inch to the pond there. The basin on the south side of CR J will be lower than the trouble spot on the Adams property to drain that area.

Tentative assessments have been figured taking into consideration all runoff from the structures on the land, based on 1st floor square footage, pavement, and calculated benefit. These figures are also used to size the basins. Commissioner Genter noted that the assessment calculated on the Wagner property seemed high considering they had already paid to put in some of their own drainage out there. Mr. Creager stated he would check that over as it seemed high to him also.

Resolution 2012-873 Accept Engineers Report and Set for Final Hearing-Ditch 2116-Meier
Commissioner Barnaby made the motion to set the Final Hearing for November 1, 2012 at 10:00 a.m. and Commissioner Rupp seconded the motion. Motion carried unanimously.

[11:26:13 AM](#)

ADJOURN

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

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.

RESOLUTION 2012-865

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of September 20, 2012) Fulton County, Ohio
) September 24, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 24, 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 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 2012-866

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) September 24, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 24, 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 24, 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 - 867

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2012-143 with Zack’s Recycling, LLC) Fulton County, Ohio
for Scrap Metal Contractual Services for) September 24, 2012
Fulton County Solid Waste Facility

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on September 24, 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, bids were received on August 2, 2012 for the recycling of ferrous and non-ferrous (scrap) metals for the Fulton County Solid Waste Facility; and

WHEREAS, after reviewing all bids and the Director of Fulton County Public Utilities’ recommendation it was determined that Zack’s Recycling, LLC presented the lowest and best bid for recycling of ferrous and non-ferrous (scrap) metals for the Fulton County Solid Waste Facility.

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2012-143 with Zack’s Recycling, LLC for the recycling of ferrous and non-ferrous (scrap) metals for the Fulton County Solid Waste Facility in the amount of \$50.00 per pull for disposal outside the Four County Solid Waste District, with 100% of market price being reimbursed.

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: Contract File Vendor Dept. of Public Utilities

RESOLUTION 2012-870

In the Matter of Resolution to Approve Change) Office of County Commissioners
Order (3) and Pay Request (3) for Vernon) Fulton County, Ohio
Nagel, Inc. for Reconstruction of Fulton County) September 24, 2012
Road T Project)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 24, 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 (2) has been submitted for a net DECREASE to **Contract 2012-62** with Vernon Nagel, Inc. for quantity adjustments needed for the Reconstruction of Fulton County Road T Project, in the amount of \$80,661.92; and

WHEREAS, a pay request (3) has been submitted for work performed under said contract in the amount of \$492,774.43; and

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

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby approves the change order (3) as requested to **DECREASE Contract 2012-62** as submitted in the amount of (\$80,661.92); and

BE IT FURTHER RESOLVED, that the Fulton County Board of Commissioners hereby approve the pay request (3) as submitted in the amount of \$492,774.43; 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: Eng.; Aud; Project File

RESOLUTION 2012-871

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) September 24, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 24, 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 2012-872

In the Matter of Resolution to Hold an) Office of County Commissioners
Executive Session to Consider the) Fulton County, Ohio
Employment of a Public Employee or Official) September 24, 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 September 24, 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 **9:30 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