

Description		Fulton County Board of Commissioners Minutes of Meeting	
Date	7/2/2013	Location	Commissioners' Chambers 152 S. Fulton Street, Suite 270 Wauseon, OH 43567
Time	Speaker	Note	
9:00:37 AM	Call Meeting to Order Pledge of Allegiance Opening Prayer Roll Call Attendance - All Present		
9:02:02 AM	Resolution 2013-585 Approve Minutes of June 27, 2013	Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.	
9:02:24 AM	Resolution 2013-586 Approve Agenda as Amended	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. The Agenda must be amended to add a Resolution to pay the bills since the Board is not meeting the rest of the week. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.	
9:03:07 AM	OLD BUSINESS: Resolution 2013-600 Approve Payment of Bills	Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Motion carried 2-1.	
9:03:10 AM	OLD BUSINESS: Discuss Upcoming Meetings/Events	<ol style="list-style-type: none"> 1. 7/8/2013 – JFS Summer Picnic All members plan to attend 2. 7/18/2013 – NW Ohio Ag-Business Breakfast Forum. This in conflict with the regular session of the Board, no members will be attending 	
9:08:25 AM	Discuss Plaza Building Updates	<p>Mr. Hall advised that Western District Court has been relocated to their new space and are back up and running. The carpet has been installed and the contractor will be back by end of week to install a door and security glass for front office. The flooring is set to be finished and should be wrapped up within 10 days. He noted that there was some discussion about furniture last week and asked if there were any further thoughts on this? Commissioner Rufenacht stated that one thing that came up in the last discussion was that not everyone has the same needs. The offices are different sizes and each department has their own needs for use of furniture. Some have already advised that they don't want new furniture. He suggested bringing in a consultant, Dan Hurko, to meet with each of</p>	

		<p>the department heads to determine their specific needs. Commissioner Rupp agreed stating that it would be time well spent. Commissioner Barnaby advised that last week he went to the Sauder Outlet to gather prices for furniture. He went on to say that if each department is going to state their needs, he wants to be present for the discussion to control the spending. The dollar amount should be the same for everyone. Commissioner Rupp stated that it's not just about cost, it's about how the furniture will be used. Commissioner Barnaby stated that all of the furniture should be identical. Commissioner Rufenacht stated that he doesn't believe that it will be, especially if some are keeping what they have. It is not his position to make everyone get new furniture even if they don't want it just to keep everything identical.</p> <p>Mr. Hall advised that Mr. Hurko will be available the beginning of next week. He will set up a meeting and coordinate with the schedules of the people in those offices. Offices that are unoccupied will be issued a standard layout.</p>						
9:15:02 AM	Review Public Notice from Ohio EPA Regarding 401 Application Filed	Copies of the application can be viewed at the Ohio EPA, Division of Surface Water Office, in Columbus.						
9:15:50 AM	Review Month End-Financial Reports	<p>Mr. Hall presented the Board with month-end financial reports as follows:</p> <ol style="list-style-type: none"> 1. Monthly Fund Summary Report for General Fund with comparison with 2012 2. Sales Tax Revenue Chart History going back to 2008 3. Revenue History Report for General Fund with Chart going back to 2008 4. Fund Summary Report Year-to-Date 						
9:18:28 AM	<p>NEW BUSINESS:</p> <p>RESOLUTIONS:</p> <p>Resolution 2013-587 Increase Appropriations in WIA Fund</p>	<p>Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.</p>						
9:19:07 AM	<p>Resolution 2013-588 Acknowledge and Congratulate Fulton County Science Day Participants</p>	<p>Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion.</p> <p>2013 Science Day Award Winners:</p> <table border="1"> <thead> <tr> <th>STUDENT</th> <th>GRADE</th> <th>RATING</th> </tr> </thead> <tbody> <tr> <td>Seth Brakefield</td> <td>8</td> <td>Excellent</td> </tr> </tbody> </table>	STUDENT	GRADE	RATING	Seth Brakefield	8	Excellent
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		<table border="1"> <tr> <td>Dustin Nofziger</td> <td>10</td> <td>Excellent</td> </tr> <tr> <td>Jacob Dennis</td> <td>8</td> <td>Superior</td> </tr> <tr> <td>Gabriel Beck</td> <td>8</td> <td>Excellent</td> </tr> <tr> <td>Chrysta Beck</td> <td>10</td> <td>Excellent</td> </tr> </table> <p>The parents, teachers and the Pettisville School Administration are commended for giving their support education and encouragement to these students thereby allowing them to excel.</p> <p>Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.</p>	Dustin Nofziger	10	Excellent	Jacob Dennis	8	Superior	Gabriel Beck	8	Excellent	Chrysta Beck	10	Excellent
Dustin Nofziger	10	Excellent												
Jacob Dennis	8	Superior												
Gabriel Beck	8	Excellent												
Chrysta Beck	10	Excellent												
9:20:41 AM	Resolution 2013-589 Authorize Advertisement of 2nd Public Hearing for CDBG Funds – Economic Development Program	Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. The 2 nd Public Hearing on FY13 CDBG Economic Development Program will be held on July 16, 2013 at 10:30 a.m. in the Commissioners’ Chambers. Motion carried unanimously.												
9:22:39 AM	Resolution 2013-590 Enter Into Contract 2013-60 with Gerken Paving, Inc. for 2013 Reclamation of Various Fulton County Roads Project	Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.												
9:23:55 AM	Resolution 2013-591 Enter Into Contract 2013-61 with Ward Construction Co. for 2013 Seal Coat Program	Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.												
9:24:41 AM	Resolution 2013-592 Approve Contracts and Final Assessments; Establish Ditch Maintenance for Ditch Improvement 2110-Howard (Branch 41 of Bad Creek)	Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.												
9:25:11 AM	Resolution 2013-593 Enter Into Contract 2013-62 with JoAnn L. Bell on Behalf of Western District Court for Technical Assistance	Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.												
9:26:15 AM	Resolution 2013-594 Award Bid for Replacement of Bridge 10-2K.3	Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion. Bids were received on June 27 th for this project. Four bids were received. Upon the recommendation of the County Engineer, the bid was awarded to R.G. Zachrich Construction Inc., of Defiance, Ohio as lowest and best, in the amount of \$338,929.56. Motion carried unanimously.												

9:27:40 AM	Resolution 2013-595 Appoint Part-time Intermittent Housekeeper – Pamela Paskan	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:28:11 AM	Resolution 2013-596 Appoint Part-time Intermittent Housekeeper – Jennifer Fitzpatrick	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:28:40 AM	Resolution 2013-597 Approve Purchase Orders and Travel Requests	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:29:07 AM	Resolution 2013-598 Approve Personnel Action for Department of Job and Family Services – Arely Arango (ERS 1-CSR)	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Mr. Hall advised that this was a vacancy due to retirements and promotions. Ms. Arango brings great value to the position as she is also able to acts as an interpreter. Motion carried unanimously.
9:30:29 AM	Brian Banister, Dog Warden – Department Update	<p>Mr. Banister advised that Archbold has amended their vicious dog ordinances as they have taken the words Pit Bull out. He reported that there have been several occurrences since then. He cited one occurrence that is pending in court this morning of a neighboring Pit attacking a blanket in the yard that a small child was laying on. This dog is a 3rd time offender and is not sure at this point what the judge is going to do. Commissioner Rufenacht asked by changing the wording of this ordinance, how this affected their situation? Mr. Banister explained that before the change a Pit Bull was automatically deemed as a vicious dog. You could have the dog, but you had to register it with the Police Dept., had to have it spayed/neutered, muzzled when outside; and the owner had to carry liability insurance. Once that wording was changed to meet the State Codes, all of that went away. Now, for the dog to be deemed vicious, it actually has to attack someone or otherwise demonstrate vicious behaviors. Archbold is the only entity in the County that has changed their ordinance so far. He reported that Swanton is fighting this right now and they have no intentions of changing their ordinances at this time.</p> <p>He reported that dog bites have gone down as June only had 5 bites whereas May had 15. He has been picking up a lot of strays and writing a lot of citations, mostly for dogs running at large.</p> <p>Commissioner Rufenacht inquired of the contracts pending with the entities for him to enforce their ordinances. He advised that we are still waiting on Metamora at this time. Their solicitor, Gary Smith, advised a couple of months ago that it was forthcoming. Commissioner Rufenacht suggested sending</p>

		<p>correspondence to their Mayor, Gary Loar, to follow-up.</p> <p>Brett Kolb was present for the update and advised the Board of a new tag law that was signed by the Governor on Sunday. This will allow for the purchase/renewal of tags for 1 year; 3 years; or a lifetime tag. He stated that this is going to result in a bookkeeping nightmare for his department. The tags will need to be color coded and will constantly be cycling through. There are still a lot of items up in the air that were not addressed when this was signed into law. It was noted that prior to this being signed it was adamantly opposed by the Ohio Dog Wardens Association, the Auditor's Association and the County Commissioners Association.</p>
9:40:23 AM	Recess	
9:40:29 AM	Public Hearing on 2014 Fulton County Tax Budget	<p>Commissioner Barnaby opened the hearing and turned it over to Vond Hall, County Administrator.</p> <p>Mr. Hall stated that the tax budget process actually starts in May as he starts asking the departments for their budget requests. He bases all spending on revenue because you have to know what is coming in before you can have a sense of what you spend. The Budget Commission handles the revenue by statute as they certify how much is available to spend, but the Commissioners are the appropriating authority.</p> <p>He explained that the Tax Budget is more than just the General Fund. Much of action in county government is General Fund based, but the Board is the appropriating authority for all funds. When they are done at the end of the year the reports will show that we spent \$130M, but only just over \$11M will be out of the General Fund.</p> <p>He cited the process as it follows Chapter 5705 of the Ohio Revised Code stating that the budget must be adopted no later than July 15th and a hearing must be held at least 10 days before the adoption. Notice of the hearing must be published 10 days before the hearing. So to meet the code, today is the last day to hold the hearing. The draft will be stamped in today and 2 copies will be sent down to the Auditor's office for public inspection. Between now and July 15th there is time to make alternations and adjustments on either the expense or revenue side. A final copy must be filed with the Auditor downstairs by July 20th. That becomes the official Tax Budget for the 2014 Fiscal Year. On September 1st, the Budget Commission files the official certificate of revenue, which is based on estimated carryover and the amounts believed to be brought in. On or around January 1st, they will issue an amended certificate based on actual figures from 2013. The Budget Commission meets the 1st</p>

		<p>Monday of every month to monitor those figures and to make adjustments as necessary throughout the year. The spending cannot exceed their totals. If appropriations exceed their estimate revenue the Auditor issues a Certificate of Non-Compliance.</p> <p>He presented the Board with historical revenues and expenses, with estimates for the balance of this year and all of next year. If the revenue is off, the Budget Commission is forced to go back and make changes to the Certificate. If the expenses are off, the Board is forced to make changes to the expense side. Then the process starts all over again in May.</p> <p>He advised the board that the way the budget is presented today, the estimated expenses will exceed the revenue by \$500K. If the Board were to adopt this, to balance this budget the county will need to use carryover to operate.</p> <p>Sales tax and property tax are the 2 major sources of revenue for the county. This revenue philosophy is what will hold the budget together. He stated that when he prepares the budget he tries to operate within middle columns (revenue) trying not to use carryover. Touching carryover reduces their ability to cash flow as there needs to be enough cash to sustain until the distribution of the property taxes takes place, which is usually in March.</p> <p>Commissioner Rufenacht inquired about Intergovernmental funds and asked for an explanation of the \$300K loss. Mr. Hall advised that the Local Government Funds have been reduced, which is the largest revenue source in that category. He then inquired of the \$400K loss in “other revenue”. A report will have to be run to determine the revenue sources paid into that category.</p> <p>Commissioner Rupp asked if they were to set-up a new transportation situation within the county how this would be funded. Mr. Hall advised that a new department would need to be set up, with their own operating source of revenue and expenses, much like an internal service situation similar to IT, Loss Control, and GIS. It too could be grown out of a smaller department.</p> <p>Commissioner Rupp inquired of the reason that the Ottokee Waterline is carrying a large balance. Mr. Hall advised that each fund carries a balance to cover repairs and maintenance on the line. Commissioner Rupp noted that in 2014 no dollars were appropriated for the Airport. Mr. Hall advised that the FBO contract funds come out of a Professional Services Line. There are no funds that go directly to the airport at this time. Commissioner Rupp</p>
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		further inquired of the costs to fund the Sanitary Engineering Department and where those funds come from. Mr. Hall explained that a percentage of each line pays for his budget. Some also comes from the General Fund. Commissioner Rupp requested an analysis of the contingency line. Mr. Hall advised that this is often used to transfer funds to cover debt services and other items. He asked if there were any thoughts on continuing the capital improvement fund to use as a source of revenue. Mr. Hall explained that this fund is currently the receipt line for casino revenue. It was previously used for airport grant dollars.
10:34:09 AM	Commissioner Barnaby closed the hearing	
10:34:48 AM	Hold Executive Session Pursuant to ORC 121.22 (G)(2) to Discuss Acquisition of Property	Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.
1:58:57 PM	Out of Executive Session	No action taken
1:59:05 PM	ADJOURN	
	APPROVED: <hr/> Paul Barnaby <hr/> Perry Rupp <hr/> Bill Rufenacht ATTEST: <hr/> Jennifer L. Connors, Clerk	

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RESOLUTION 2013-585

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of June 27, 2013) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the resolution herein.

THEREFORE BE IT RESOLVED, that after review, the Fulton County Commissioners hereby approves the minutes of Regular Session held June 27, 2013 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:

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-586

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

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: July 2, 2013; 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:
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Bill Rufenacht	_____ Bill Rufenacht	_____ Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-600

In the Matter of Resolution Approving) Office of County Commissioners,
Payment of Bills) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

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:

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-587

In the Matter of Resolution to Increase) Office of the Commissioners
 Appropriations in WIA Fund 2710) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
 Perry Rupp
 Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, according to WIA Regulations, it is necessary to appropriate at least 80% of the 1st year funds by June 30th of each year; and

WHEREAS, to accomplish this, the Assistant Director of the Department of Job and Family Services has requested an increase of appropriations in the amount of \$136,959.41 in the WIA Fund (2710); and

WHEREAS, said amount is based on the Certificate of Estimated Resources and the available WIA allocations.

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

AMOUNT	ACCOUNT	
\$59,712.33	2710-17920-5-41003	Adult-WIA
\$77,247.08	2710-17920-5-41004	Dislocated Worker-WIA

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

 Paul Barnaby

 Perry Rupp

 Perry Rupp

 Perry Rupp

 Bill Rufenacht

 Bill Rufenacht

 Bill Rufenacht

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

Attest: _____
 Jennifer Connors, Clerk

Copy to: Auditor; JFS; ED; WIA

RESOLUTION 2013-588

In the Matter of Resolution to Recognize and) Office County Commissioners
Congratulate State Science Day Individuals) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Annually, the Ohio Academy of Science and others sponsor “State Science Day”; and

WHEREAS, the Board of County Commissioners support and encourage Science Education and the participation in “Science Fairs”; and

WHEREAS, five (5) Fulton County School students excelled at the local level and earned the honor of participating in “State Science Day”.

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners do hereby give congratulations to the following Fulton County students for their **excellent** and **superior** achievements at the State level:

<u>Student Name</u>	<u>School District</u>	<u>Grade</u>	<u>Rating</u>
Seth Brakefield	Pettisville	8	Excellent
Dustin Nofziger	Pettisville	10	Excellent
Jacob Dennis	Pettisville	8	Superior
Gabriel Beck	Pettisville	8	Excellent
Chrysta Beck	Pettisville	10	Excellent

BE IT FURTHER RESOLVED, that the parents, teachers, and the school administration be commended for giving their support, education, and encouragement to the above named individuals thereby allowing them to excel.

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	Paul Barnaby
_____	_____	_____
Perry Rupp	Perry Rupp	Perry Rupp
_____	_____	_____
Bill Rufenacht	Bill Rufenacht	Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-589

In the Matter of Resolution to Fix Date for 2nd Public) Board of County Commissioners
Hearing on FY2013 CDBG Economic Development) Fulton County, Ohio
Program and Authorize Advertisement of the Same) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice on July 2, 2013, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, the Community Development Block Grant (CDBG) is a federally funding program administered by the Ohio Department of Development (ODOD); and

WHEREAS, as required by law, the Fulton County Board of Commissioners conducted the first public hearing on March 7, 2013 thereby giving an overview of the CDBG program; and

WHEREAS, the Board of Commissioners intends to apply to the ODOD under the CDBG Economic Development Program for grant funds for the development of a rail spur extension to serve Fulton County Processing, LTD, in Fulton County; and

WHEREAS, as required by law it is necessary to fix a date for a second public hearing, thereby giving the public an opportunity to review and comment on the application specific to the Economic Development grant under the CDBG Program as specified herein; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby fix July 16, 2013 at 10:30 am as the date and time of the second public hearing and authorize the advertisement of the same; and

BE IT FURTHER RESOLVED, that the necessary publication of notice of hearing will be in the Fulton County Expositor on July 2, 2013 and will be posted on the Fulton County website at www.fultoncountyoh.com; 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

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____

Jennifer Connors, Clerk

Cc: Auditor, MVPO

RESOLUTION 2013 – 590

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2013-60 with Gerken Paving, Inc.) Fulton County, Ohio
For 2013 Reclamation of Various Roads) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on July 2, 2013, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, bids were received on June 18, 2013 for the 2013 Reclamation of Various Fulton County Roads Project on behalf of the Fulton County Engineer; and

WHEREAS, on June 25, 2013, upon the recommendation of the Fulton County Engineer, the bid was awarded to Gerken Paving, Inc. in the amount of \$894,529.68 and a contract has been successfully negotiated therein.

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2013-60 with Gerken Paving, Inc. for the 2013 Reclamation of Various Fulton County Roads Project in the amount of **\$894,529.68**, subject to the terms and conditions 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:

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer Connors, Clerk

Cc: Auditor, Engineer

RESOLUTION 2013 – 591

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2013-61 with Ward Construction, Inc.) Fulton County, Ohio
For 2013 Seal Coat Project) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on July 2, 2013, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, bids were received on June 11, 2013 for the 2013 Seal Coat Project on behalf of the Fulton County Engineer; and

WHEREAS, on June 13, 2013, upon the recommendation of the Fulton County Engineer, the bid was awarded to Ward Construction, Inc. in the amount of \$1,317,987.50 and a contract has been successfully negotiated therein.

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2013-61 with Ward Construction, Inc. for the 2013 Seal Coat Project in the amount of **\$1,317,987.50**, subject to the terms and conditions 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:

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer Connors, Clerk

Cc: Auditor, Engineer

RESOLUTION 2013-592

**COMMISSIONERS' ORDER APPROVING CONTRACTS AND FINAL ASSESSMENTS AND
ESTABLISHING DITCH MAINTENANCE
Revised Code, Sec. 6131.43**

In the Matter of the *Single*) Office of County Commissioners,
County Ditch No. *2110* Petitioned) Fulton County, Ohio
for by *Jack Howard et al.*) *July 2, 2013*
Branch 41 of Bad Creek)

The Board of County Commissioners of Fulton County, Ohio met in *regular* session on the **2nd day of July, 2013**, at the office of said board with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved the adoption of the following Resolution:

WHEREAS, the work has been completed for *Ditch Improvement 2110, Branch 41 of Bad Creek*, as petitioned for by *Jack Howard and others*, and was found to be satisfactory by the Fulton County Engineer; and

WHEREAS, the County Engineer has filed with this Board the final costs associated with the above named improvement; and

WHEREAS, the assessments previously confirmed and tentatively assessed by this Board have been reduced pro rata by the difference between the estimated cost of the construction and the final cost as certified by the County Engineer; and

THEREFORE BE IT FURTHER RESOLVED, that the assessments so provided, attached hereto, including the cost of location, engineering, compensation, damages, and contingency and the assessment for maintenance of one year are hereby levied upon each parcel of land, each public corporation and each department, office, or institution of the State, as stated in the schedules as of the date of this order; and

BE IT FURTHER RESOLVED, that the County Auditor is hereby directed to place the final assessments so levied upon the Tax Duplicates of the County, making and furnishing the Treasurer of said County a special Duplicate with the assessments arranged thereon in semi-annual installments for *five (5)* years total, starting from the date tentative assessments were levied therein; and that any assessments or assessment balances of less than \$25 shall be paid in full and may not be paid semi-annually; and

WHEREAS, §6137.02 of the Ohio Revised Code provides that the Board of County Commissioners of each county shall establish and maintain a fund within each county for the repair, upkeep and permanent maintenance of each improvement constructed under Chapter 6131; therefore

BE IT FURTHER RESOLVED, that the County Auditor is hereby directed to establish and maintain a Ditch Maintenance Fund for Ditch No. 2110, Branch 41 of Bad Creek herein; and

BE IT FURTHER RESOLVED, that Ditch No. 2110, Branch 41 of Bad Creek, be hereby placed on Permanent Ditch Maintenance under Section 6137 of the Ohio Revised Code.

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 the roll being called upon its adoption, the vote resulted as follows:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Bill Rufenacht	_____ Bill Rufenacht	_____ Bill Rufenacht

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

Attest: _____

RESOLUTION 2013-593

In the Matter of Resolution to Enter Into **Contract**) Office of County Commissioners
2013-62 with JoAnn L. Bell for Technical) Fulton County, Ohio
Assistance for Western District Court) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, the County is desirous of acquiring assistance in the software training and organization of the civil department staff of the Western District Court; and

WHEREAS, JoAnn L. Bell is experienced in this field and is willing to render certain technical advice, assistance, and services in connection with the aforementioned software and organization; and

THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners hereby enters into **Contract 2013-62** with JoAnn L. Bell for technical assistance as indicated herein, 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:
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Bill Rufenacht	_____ Bill Rufenacht	_____ Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

Copy to: Auditor, Western District Court, Contract File

RESOLUTION 2013-594

In the Matter of Resolution Awarding Bid) Office of County Commissioners,
For the Replacement of Bridge 10-2K.3) Fulton County, Ohio
on Behalf of County Engineer) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, bids were received by the Board of Commissioners on June 27, 2013 for the replacement of bridge 10-2K.3 on behalf of the County Engineer; and

WHEREAS, after reviewing the bids, Frank Onweller, County Engineer, has determined that R.G. Zachrich Construction Inc., of Defiance, Ohio submitted the lowest and best bid at \$338,929.56 and therefore recommends awarding the same. This bid is under the Engineer's Estimate of \$446,000.00; and

THEREFORE, BE IT RESOLVED, upon the recommendation of the County Engineer, the Fulton County Board of Commissioners hereby award the bid for the replacement of bridge 10-2K.3 to R.G. Zachrich Construction Inc., of Defiance, Ohio in the amount of \$338,929.56. A Contract will be offered for this project; 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

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-595

In the Matter of Resolution to Appoint) Office of County Commissioners,
Part-time Intermittent Housekeeper (P. Paskan)) Fulton County, Ohio
for Fulton County Maintenance Department) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, pursuant to the Board’s authorization, a job offer has been successfully negotiated with applicant, Pamela Paskan, for the position of part-time intermittent housekeeper for the Fulton County Maintenance Department; and

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners hereby appoints Pamela Paskan to the position of part-time intermittent Housekeeper, effective immediately, subject to the successful passage of all pre-employment screenings; 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

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: T. Bingham; Payroll; Personnel File

RESOLUTION 2013-596

In the Matter of Resolution to Appoint) Office of County Commissioners,
Part-time Intermittent Housekeeper (J. Fitzpatrick)) Fulton County, Ohio
for Fulton County Maintenance Department) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, pursuant to the Board’s authorization, a job offer has been successfully negotiated with applicant, Jennifer Fitzpatrick, for the position of part-time intermittent housekeeper for the Fulton County Maintenance Department; and

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners hereby appoints Jennifer Fitzpatrick to the position of part-time intermittent Housekeeper, effective immediately, subject to the successful passage of all pre-employment screenings; 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

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: T. Bingham; Payroll; Personnel File

RESOLUTION 2013-597

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

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:

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2013-598

In the Matter of Resolution to Approve) Office of County Commissioners
Personnel Action for Department of Job) Fulton County, Ohio
And Family Services) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session on July 2, 2013, pursuant to notice, at the office of said board with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, a request has been received from the Director of the Department of Job and Family Services for authorization to appoint Arely Arango to the position of Eligibility Referral Specialist 1-CSR; and

THEREFORE BE IT RESOLVED, upon the recommendation of the Director of Job and Family Services, the Fulton County Commissioners do hereby appoint Arely Arango to the position of Eligibility Referral Specialist 1-CSR at a rate of \$11.25/hour, effective Pay Period Ending July 13, 2013, subject to an increase of \$.50/hour upon successful completion of the 180 day probation period; 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	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Bill Rufenacht	_____ Bill Rufenacht	_____ Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

Copy to: DJFS; Payroll; file

RESOLUTION 2013-599

In the Matter of Resolution to Hold Executive) Office of County Commissioners
Session Pursuant to ORC §121.22(G)(2) to) Fulton County, Ohio
Consider the Purchase of Property for Public Use) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on July 2, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Ohio Revised Code 121.22 (G), 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, to begin at 10:30 a.m., pursuant to ORC §121.22(G)(2) to consider the purchase of property for public use; 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	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp
_____ Bill Rufenacht	_____ Bill Rufenacht	_____ Bill Rufenacht

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File