

Description	Minutes-Fulton County Commissioners Meeting		
Date	11/5/2013	Location	Commissioners Board Room
Time	Speaker	Note	
8:57:37 AM			
8:59:48 AM		<p>Call Meeting to Order</p> <p>Pledge of Allegiance</p> <p>Opening Prayer</p> <p>Roll Call Attendance All Present</p>	
9:00:56 AM		<p>Resolution 2013-1018 Approve Minutes of October 31, 2013 Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.</p>	
9:01:45 AM		<p>Resolution 2013-1019 Approve Agenda As Presented or Amended Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.</p>	
9:02:18 AM		<p>Review Month End Financial Reports</p>	
9:07:44 AM		<p>Review Dog Warden Report for Week Ending 10/26/2013</p>	
9:08:14 AM		<p>Resolution 2013-1020 Close Purchase Orders and Transfer Appropriations for Various Departments Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.</p>	
9:09:02 AM		<p>Resolution 2013-1021 Enter Into Contract 2013-106 with Toledo Edison for Service Line Extension at The Plaza Building Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.</p>	
9:09:55 AM		<p>Resolution 2013-1022 Approve ALS Waivers Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Commissioner Rupp asked if there was a trend of out of county un-insureds utilizing Fulton County services. He asks what the in-county waivers total as these are all out of county. Commissioner Rupp would like to see a report comparing the two. He also asked if the individual fire stations receive a stipend from the turnpike for their stand-by status. Administrator Hall stated that he is unsure, however he will find out. Upon calling the roll, the following</p>	

		vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.
9:14:12 AM		Resolution 2013-1023 Authorize Release of Permissive Motor Vehicle Tax Funds to City of Wauseon Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.
9:14:58 AM		Resolution 2013-1024 Authorize Assignment of Property on Behalf of Fulton County EMA 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.
9:15:58 AM		Resolution 2013-1025 Accept Resignation of JFS Employee and Authorize Advertisement of Vacant Position Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.
9:16:55 AM		Resolution 2013-1026 Approve Purchase Orders & Travel Requests Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.
9:17:25 AM		Recess
9:30:54 AM		Brian Bannister, Dog Warden: Departmental Update
9:42:28 AM		Recess
9:59:38 AM		<p>First Hearing Ditch 2122-Swancreek Rod Creager, Chief Deputy Engineer presented his report as follows:</p> <p>Preliminary Report Ditch Improvement No. 2122 Branch 23 of Swan Creek Petitioned by the Swancreek Township Trustees November 5, 2013</p> <p>This drainage improvement was initiated through a single county drainage petition filed by the Swancreek Township Trustees on September 5, 2013. The petition calls for the cleaning and brush cleaning of an open ditch located in Section 14, T-7-N, R-8-E in Swancreek Township, Fulton County, Ohio. The open ditch was last cleaned through a single county drainage petition in 1946 and is</p>

known as Branch 23 of Swan Creek. An inspection of the proposed project site was conducted by the Board of County Commissioners, Fulton County, on Tuesday, October 22, 2013. There are approximately 500 acres of land within the petitioned improvement watershed.

The primary objective of this improvement is to clean the open ditch so that it can provide an adequate outlet for modern drainage installations from farms, roadsides and rural residential properties. Another objective is to establish a permanent maintenance program for the restored tile outlet.

The problems observed along Branch 23 are typical of the problems usually found on open ditches that have not been regularly and consistently maintained. Brush lines several reaches of the drain. Nuisance brush on channel banks impedes the flow of storm water in the channel.

Sediment has accumulated in the bottom of the channel along the entire length of the proposed improvement. Standing water was observed in the channel upstream from the reaches having heavy brush. Sediment can block the tile outlets that are needed to remove excess storm water from the root zone in cropland areas. Sediment can also block outlets for the accelerated runoff from roadways and developed properties in the watershed.

There was some evidence of over bank erosion along the upper middle reach of Branch 23 with some minor over bank washing observed along the open ditch, but in general there were no major washouts evident at the time of inspection. There was some evidence of erosion on channel turns.

The work plan proposed will consist of the removal on nuisance brush, drift and debris from the channel. The center of the channel will be cleaned. Sediment removed will be leveled along the route of the channel. Spoil will be removed from lawns and spread in upland farm fields. Over bank erosion will be controlled using rock chutes and eroded turns will be repaired using rock channel protection. Disturbed banks will be seeded to reestablish grass cover and fifteen (15) foot grass berms will be established along sections of the ditch where there is insufficient ground cover to prevent erosion.

The total estimated cost of the work proposed including contingencies, engineering and administrative costs is as follows:

Branch 23 Swan Creek construction: \$ 66,929.78

The final detailed construction estimate, based upon a complete engineering survey will be used to determine the estimated assessments for each parcel. Assessments will be considered at the

		<p>final hearing on this proposed improvement. Upon completion of the project work plan, actual assessments will be prorated to reflect the final cost of the work completed. Estimated benefits are expected to exceed the project cost.</p> <p>The Ohio Revised Code requires that all drainage improvement projects be placed on a permanent maintenance program. Maintenance activity is limited to the maintenance of the items originally constructed.</p> <p>This project work plan is feasible and can be economically completed through the drainage improvement petition process.</p> <p>Upon closing the report, Commissioner Barnaby performed a mass swearing in of all in attendance. No testimony was offered. The hearing was then closed for deliberations. Commissioner Barnaby commented that as part of the Black Swamp, we need to continue what was started years ago so as not to return to that era. Commissioner Rupp agreed and stated this was a good opportunity to rectify 60 years of neglect. Resolution 2013-1027: Commissioners Finding for The Improvement. Commissioner Rupp 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. June 17, 2014 at 10:00 AM is set for the filing of the plans, maps, profiles, schedules and reports prepared by the County Engineer.</p>
<p>11:24:00 AM</p>		<p>ADJOURN Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion.</p>
		<p>Submitted by: Teri Suarez APPROVED by: THE FULTON COUNTY BOARD OF COMMISSIONERS</p> <p>_____</p> <p>Paul Barnaby</p> <p>_____</p> <p>Perry Rupp</p> <p>_____</p> <p>Bill Rufenacht</p> <p>ATTESTED by:</p> <p>_____</p> <p>Teri S. Suarez, Clerk</p>

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RESOLUTION 2013-1018

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of October 31, 2013) Fulton County, Ohio
) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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 October 31, 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: _____
Teri Suarez, Clerk

RESOLUTION 2013-1019

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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 approves the agenda as amended or presented for: November 5, 2013.

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: _____
Teri Suarez, Clerk

RESOLUTION 2013-1020

In the Matter of Resolution to Close) Office of County Commissioners
 Purchase Orders; Increase, Decrease &) Fulton County, Ohio
 Transfer Appropriations For Various) November 5, 2013
 Departments)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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, it is necessary to close purchase orders that are no longer needed; and

WHEREAS, it is necessary to increase, decrease and transfer appropriations for various departments to meet expenses for the remainder of 2013; and

WHEREAS, there are sufficient resources available in the Certificate of Estimated Resources for the increases as requested herein;

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

PO#	VENDOR#	LINE	AMOUNT
2013000615	KAUFF41	1000-11700-5-52000	\$795.00
2013000738	MAUME35	1000-11700-5-52000	\$.58
2013000765	GRAIN50	1000-11700-5-52000	\$.56
2013000811	FORRE30	1000-11700-5-52000	\$21.43
2013001729	LUGBI45	1000-11700-5-52000	\$193.44
2013001820	ALLIE35	1000-11700-5-52000	\$.08
2013001990	FREES50	1000-11700-5-52000	\$67.00
2013002013	OKELE50	1000-11700-5-52000	\$.02

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

AMOUNT	ACCOUNT	
\$3,759.00	6000-63800-5-41100	Professional Services-IS

BE IT FURTHER RESOLVED, the Board of Commissioners hereby authorizes an **DECREASE of APPROPRIATIONS** as follows:

AMOUNT	ACCOUNT	
\$46,245.00	4140-20143-5-41006	Capital Outlay-Replace Bridge A21
\$74,350.50	4140-20143-5-41007	Capital Outlay-Asphalt Res CRB, CR1T
\$400,656.00	4140-20143-5-41009	Capital Outlay-Asphalt Resurf CR
\$201,967.50	4140-20143-5-41010	Capital Outlay-Bridge Replace C11
\$275,000.00	4140-20143-5-41011	Cap Outlay-Reconstruct CR T RD7-S

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

AMOUNT		ACCOUNT	
\$2,310.00	From:	6000-63202-5-51000	Supplies-GIS
\$931.00	From:	6000-63202-5-42000	Maintenance-GIS
\$3,241.00	To:	6000-63800-5-41100	Professional Services-IS
\$254,198.23	From:	4140-20143-5-41012	Capital Outlay-Bridge T64.9 Replacement
\$254,198.23	To:	4140-20143-5-41013	Bridge 10-2K.3-Capital Outlay – E
\$1,670.96	From:	2420-14143-5-75000	Bridge Replacement-GT & MV
\$1,670.96	To:	2420-14143-5-75007	Replacement of Bridge 10-2K.3-ENG

\$10,271.00	From:	2316-13137-5-94000	Transfer Out-Wireless Govt. Assist
\$10,271.00	To:	2316-13137-5-61300	Computer/Office Equipment-Wireless
\$1,200.00	From:	2310-13911-5-96000	Other Expenses-Emergency Management
\$1,200.00	To:	2310-13911-5-20400	Hospital Insurance-Emergency Management
\$4,000.00	From:	2505-15915-5-51000	Supplies-Senior Center
\$4,000.00	To:	2505-15915-5-62000	Equipment-Senior Center

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: _____
Teri S. Suarez, Clerk

RESOLUTION 2013-1021

In the Matter of Resolution to Authorize Board)	Office of County Commissioners
President to Enter into Contract 2013-106 with)	Fulton County, Ohio
Toledo Edison Company for Service Installation)	November 5, 2013
Primary Feed Upgrade at the Plaza Building)	

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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, a contract has been successfully negotiated between the Toledo Edison Company and the Fulton County Board of Commissioners for installation of a new primary electricity line at the Plaza Building, also known as 125 Courthouse Plaza, Wauseon, Ohio; and

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners hereby enter into Fulton County **Contract Number 2013-106** for the purposes outlined hereinabove and pursuant to the terms and conditions as set forth therein as attached; 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 motion 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: _____
Teri Suarez, Clerk

cc: Auditor; vendor; vendor file; contract file

Ashley Carter

PAT-008335

\$438.60

BE IT FURTHER RESOLVED, that the county EMS Office is directed to waive the balance owing and forego balance billing for services rendered as stated hereinabove; 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: _____
Teri Suarez, Clerk

RESOLUTION 2013-1023

In the Matter of Resolution Approving) Office of County Commissioners
Request by City of Wauseon for Release of) Fulton County, Ohio
Permissive Motor Vehicle Tax Funds) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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 City of Wauseon submitted a request to the Fulton County Engineer dated October 25, 2013 for the release of permissive tax funds in the amount of \$67,000.00 to assist in the costs for the resurfacing of Linfoot Street/County Road F within city limits; and

WHEREAS, upon review by the Fulton County Engineer, Frank Onweller, and by his letter dated October 29, 2013, permission was granted for the use of permissive tax funds for the project; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners approve the distribution of \$67,000.00 of Permissive Motor Vehicle Funds to the City of Wauseon to assist in the costs for the resurfacing of Linfoot Street/County Road F within city limits; 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: _____
Teri Suarez, Clerk

cc: Auditor
Fulton County Engineer
City of Wauseon
File

RESOLUTION 2013-1024

In the Matter of Approving Assignment of) Office County Commissioners
Property to Wauseon Police Department on) Fulton County, Ohio
Behalf of Fulton County EMA) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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 Fulton County Emergency Management Agency has submitted a Letter of Agreement and Hand Receipt for the assignment of property to be housed by the Wauseon Police Department; and

WHEREAS, said equipment was purchased by the Fulton County EMA under the fiscal year 2011 State Homeland Security Grant Program-Equipment Funds and therefore requires said Letter of Agreement and Hand Receipt be approved by the Fulton County Board of Commissioners;

THEREFORE BE IT RESOLVED, the Fulton County Board of Commissioners hereby approve the assignment of property as itemized in the Letter of Agreement and Hand Receipt as attached hereto; and

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

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

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ 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: _____
Teri Suarez, Clerk

RESOLUTION 2013-1025

In the Matter of Resolution to Accept) Office County Commissioners
Resignation of JFS Employee and) Fulton County, Ohio
Authorize Advertisement of Vacant Position) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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, correspondence has been received from Thomas “TJ” Jones Jr. thereby resigning from his position with the Department of Job and Family Services as Social Services Worker 2; and

WHEREAS, it is necessary to publicly advertise an open position for a Social Services Worker 2 to fill the vacancy created pursuant to the resignation herein; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners do hereby accept the resignation of Thomas “TJ” Jones, Jr., Effective November 22, 2013; and

BE IT FURTHER RESOLVED, the Board of Commissioners hereby authorize the advertisement of the open position of Social Service Worker 2 for the Fulton County Department of Job and Family Services to fill the vacancy created 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: _____
Teri Suarez, Clerk

cc: JFS; file

RESOLUTION 2013-1026

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) November 5, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 5, 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: _____
Teri Suarez, Clerk

Copy To: File

RESOLUTION 2013-1027

COMMISSIONER'S FINDING FOR THE IMPROVEMENT

Revised Code, Sec. 6131.12

In the Matter of the *Single*) Office of County Commissioners,
County Ditch No. *2122* Petitioned) Fulton County, Ohio
for by *the Swancreek Township Trustees*) *November 5, 2013*

The Board of County Commissioners of Fulton County, Ohio met in *regular* session on *November 5, 2013*, pursuant to notice, at the office of said board with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner Rupp moved for the adoption of the following:

WHEREAS, this being the day fixed by the Board in its order dated the *10th day of September, 2013* for the first hearing on the petition in the above named improvement, the Board met at the office of said Board, and conducted the hearing by causing the petition to be publicly read, together with all applications for and against the improvement; and

WHEREAS, after proper examination, the Board finds that due and legal notice has been given in the manner and for the length of time required by law to all owners of land affected by said improvement; and

WHEREAS, the Board has made a tangible view of the proposed improvement and has heard, either in person or by counsel, all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or any application therefor; and

WHEREAS, no objections were given by any landowners, or representatives thereof, in attendance at said hearing when the floor was opened for testimony; and

WHEREAS, the Board has given consideration to the protection of environmentally significant areas when those areas could be adversely affected by the construction of the proposed improvement and has given consideration, where necessary, to alternative plans providing for that protection as well as for construction of the proposed improvement.

THEREFORE BE IT RESOLVED, the Board of Commissioners hereby finds that the proposed improvement petitioned for is necessary, will be conducive to the public welfare, and is reasonably certain that the cost thereof will be less than the benefits, and further, **hereby grants the prayer of the petition**; and

BE IT FURTHER RESOLVED, the Board further determines the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the proposed manner of constructing the same are appropriate, and the same are hereby adopted and prescribed by the Board:

Commencing at the upper terminus of an open ditch located approximately 1370 feet north of the Center of Section 14, T-7-N, R-8-E, in Swancreek Township, Fulton County, Ohio, on the quarter section line between the Daubenmeyer and Schmidt properties;

Thence, continuing downstream to the east and southeast, across the south half of the northeast quarter and southeast quarter of said Section 14, to the pond on the McQuade property in the southeast quarter of Section 14;

Thence, continuing through the pond to the overflow outlet structure at the south end of the McQuade pond, and via the existing outlet tile, crossing Township Road F, to the open ditch located in Section 23, T-7-N, R-8-E, in Swancreek Township, on the south side of Road F, approximately forty (40) feet west of Township Road 2;

Thence, continuing south, parallel to the east section line of Section 23, said section line along

being the centerline of Township Road 2, for a distance of approximately 920 feet, to Swan Creek Main and there to terminate.

This ditch is known as Branch 23 of Swan Creek. It was previously petitioned and improved through a single county drainage petition in 1946, Ditch #1580

BE IT FURTHER RESOLVED, that in accordance with ORC §6131.12, the County Auditor is hereby ORDERED to transfer from the general revenue funds of the county, not otherwise appropriated, to the general drainage improvement fund the sum of \$16,732.45, after the twenty-one (21) day appeal period as provided for in ORC §6131.25 has expired and no appeal has been taken; and

BE IT FURTHER RESOLVED, the County Engineer be, and hereby is, directed to cause the preparation of the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cutting and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio, and

BE IT FURTHER RESOLVED, that the 17th day of June, 2014 at 10:00 a.m. is hereby fixed as the time for filing with the Clerk of the County Commissioners all of the plans, maps, profiles, schedules and reports prepared by the County Engineer; and

BE IT FURTHER RESOLVED, that further hearing on the improvement is hereby adjourned to the date above fixed for the filing of the reports, plans, and schedules by the County Engineer.

Commissioner Rufenacht seconded the resolution and upon calling the roll, 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: _____
Teri S. Suarez, Clerk

cc: R. Creager; J. Connors; Auditor; Project file