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| Description | Minutes-Fulton County Commissioner's Session | | |
| Date | 11/21/2013 | Location | Commissioners Chambers 152 S Fulton, Suite 270 Wauseon, Ohio 43567 |
| Time | Speaker | Note | |
| 9:00:34 AM | | Call Meeting to Order Pledge of Allegiance Opening Prayer Roll Call Attendance: All Present | |
| 9:01:58 AM | | Resolution 2013-1070 Approve Minutes of November 19, 2013 Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously. | |
| 9:02:53 AM | | Resolution 2013-1071 Approve Agenda As Presented or Amended Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Amended to add the use of the Administration Building parking lot for Wauseon 2013 Holiday Parade. All Commissioners agree that it is approved for this use. Mr. Hall will have the vehicles moved out the day before. Motion carried unanimously. | |
| 9:03:40 AM | | Resolution 2013-1072 Approve Payment of Bills Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously. | |
| 9:04:38 AM | | Review Amended Certificate of Estimated Resources | |
| 9:06:34 AM | | Discuss Board of DD Credit Card Issuance: The Board of Developmental Disabilities has asked the Commissioners to ratify their 2005 decision to authorize use of credit card accounts for their Board. Resolution 2013-1082: Ratify Authorization of Fulton County Board of Developmental Disabilities to Use Credit Card for Overnight Travel Expenses. 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. | |
| 9:09:46 AM | | Review Grant Closeout Letter for Fulton County Airport 2009 AIP Grant | |

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| | | Review Grant Closeout Letter for Fulton County Airport 2011 AIP Grant |
| <u>9:09:57 AM</u> | | Determine Participation in Small Communities Environmental Infrastructure Group Webinar: Commissioner Barnaby & Commissioner Rupp will participate. Vond Hall will contact Frank Onweller, County Engineer & Ziad Musallam, Sanitary Engineer and see if they would also like to participate as a group. |
| <u>9:11:39 AM</u> | | Review Dog Warden Report for Week Ending 11/9/2013: 10 dogs were picked up as strays; 8 dogs were redeemed; 2 dogs were rescue dogs; 3 licenses were issued; 2 citations were issued; 78 incoming phone calls; 25 total dogs were in the pound throughout the week; |
| <u>9:11:59 AM</u> | | Resolution 2013-1073 Increase and Transfer Appropriations for Various Departments 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. |
| <u>9:12:51 AM</u> | | Resolution 2013-1074 Increase Contract 2007-62 with Mastin Septic Tank on Behalf of Public Utilities 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. |
| <u>9:13:50 AM</u> | | Resolution 2013-1075 Increase Contract 2012-152 with Allied Waste Services, Inc. on Behalf of Public Utilities Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously. |
| <u>9:14:32 AM</u> | | Resolution 2013-1076 Approve Pay Requests for Duro Last Roofing for 2013 Roofing Project 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. |
| <u>9:15:11 AM</u> | | Resolution 2013-1077 Amend Resolution 2013-1065 to Include Approval of Change Order for Pay Request 2-final to Sand Ridge Excavating, Ditch Improvement 2116-Dover Meadows Storm Water Outlet Project 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. |

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| <p><u>9:15:54 AM</u></p> | | <p>Resolution 2013-1078 Authorize Board President to Execute FY2012 CHIP Status Reports Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.</p> |
| <p><u>9:16:56 AM</u></p> | | <p>Resolution 2013-1079 Ratify Collective Bargaining Agreement for Fulton County Board of Developmental Disabilities 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> |
| <p><u>9:17:57 AM</u></p> | | <p>Resolution 2013-1080 Approve Then & Now Purchase Orders 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.</p> |
| <p><u>9:18:41 AM</u></p> | | <p>Resolution 2013-1081 Approve Purchase Orders & Travel Requests 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.</p> |
| <p><u>9:38:24 AM</u></p> | | <p>Sheri Rychener, Senior Center Departmental Update:</p> <p>Ms. Rychener reports that the center has seen 321 new clients for the period of January through October. This is 155 more than the new clients brought on in all of 2012. Meal donations for the year to date are \$6,351.43 over 2012's entire year donations for a total of \$98,345.16. Commissioner Rufenacht asked if she felt that the center was losing money by not sending statements and Commissioner Rupp asked what the cost of sending statements was. Ms. Rychener stated that the cost is significant. She also reports that other counties send donation envelopes along with the meals and they are considering that approach. She reports that everything else is going well and the Seniors for the most part are excited about the programming changes with some locations opting out of bingo for day trips instead. She also reports that satellite sites are congregating more with each other which is in her opinion a wonderful thing. She then presented the Board with a prototype of a new packaging for their delivery meals. This carton can be frozen or placed in the oven or microwave. It also eliminates the foil edge opening which is hard for some clients to manipulate. It is also cheaper than the current containers being used. Commissioner Rupp asked if these containers would support the additional fruit or vegetable servings that the Area Office on Aging is requiring and Ms.</p> |

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| | <p>Rychener responded that most of these additions will be placed in the bag that contains the non-heated part of the meal such as bread or rolls. Commissioner Rufenacht inquired as to the vendor of the fresh fruits and vegetables and Ms. Rychener states that most of the fruits are ordered in from Gordon Food Service, but Rupp Seeds, Inc. donates large amounts of fresh vegetables for the center. The Board then thanked her for the update and applauded her successes thus far.</p> |
| <p>10:51:46 AM</p> | <p>Final Hearing Ditch 2113-Debacker</p> <p>Mr. Creager presented the board with the following presentation</p> <p>ENGINEER'S REPORT Ditch No. 2113 Little Bear Creek Petitioned by Mr. Roger DeBacker and others November 21, 2013</p> <p>This drainage improvement was initiated through a single county drain petition filed by Mr. Roger DeBacker and others on February 22, 2011. The petition is for the improvement of an existing open ditch known as Little Bear Creek located primarily in Royalton Township, Fulton County, Ohio.</p> <p>The work petitioned for includes the removal of brush, down trees, drift & debris from the Little Bear Creek channel. The petitioned work plan also includes removal of sediment from the channel bottom, the leveling of the spoil removed from channel, and the restoration of disturbed banks and berms. Erosion control measures such as alignment improvements, rock channel protection, surface water control structures, and the establishment of grass filter strips are included in the proposed project work plan.</p> <p>The primary objective of this project is to improve the drainage capacity of Little Bear Creek in order to provide an outlet for modern drainage demands and to establish permanent ditch maintenance program for the open ditch.</p> <p>The estimated cost to complete the proposed work plan for the 5.25 mile drainage improvement is \$278,578.55. The cost of the work will be assessed to the watershed landowners based on the benefits received from improved drainage. The type & quantity of drainage runoff contributed by each parcel was considered. The location of parcel relative to the location of the work was also be given consideration. It is expected that the benefits derived throughout the 2800 acre watershed from the proposed improvement over its estimated 20-year useful life will 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 maintenance of the items originally constructed. Maintenance is paid for by periodic ditch maintenance assessments to the parcels in the watershed.</p> <p>Commissioner Barnaby then performed a mass swearing-in of those in attendance who might offer testimony for or against this project. Testimony was given as follows:</p> <p>David Newbury: in favor of the improvement. His airport floods and he has had his plane sitting in 2 feet of water at times.</p> |

Judith Farley: in favor of the improvement. Her basement occasionally flood anywhere from 18 inches to 2 feet.

Scott Conrad: in favor of the improvement, though would like to see the Big Bear portion in Michigan dealt with as well.

William Iott: in favor of the improvement IF Big Bear is also dealt with.

William Patteuw: in favor of the improvement, however feels it should be contingent on the Michigan improvement as well.

Carol Newbury: in favor of the improvement. Stated it is her belief that if the project waits for Michigan, the damage could be too much. Also states her hope is that with the Ohio portion being dealt with, Michigan will begin theirs.

David Newbury stated that he thinks that fixing the Ohio portion will force the flooding into the Michigan portion and cause them to take notice.

Carol Newbury stated that when she moved to the property in 1973, her neighbor took care of the ditch cleaning. He left in 1992 and the problem has been growing since then.

Deliberations were then began as follows:

Commissioner Barnaby: As part of the Black Swamp, Fulton County has the second most ditches in Ohio. Without these drainage systems, he feels the area would regress back to the swamp state. He is in favor of the project as it will benefit all.

Commissioner Rupp: Feels that if we begin the work, Michigan will follow suit. He is in favor of the project.

Commissioner Rufenacht: He is in favor of the project and agrees the Michigan portion needs dealt with to make this truly successful.

Resolution 2013-1083: Commissioner's Finding Affirming Former Order, Confirming the Assessments and Ordering the Letting of the Contracts Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; Barnaby, yes. Motion carried unanimously.

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| <p>11:50:23 AM</p> | | <p>ADJOURN Commissioner Rufenacht made the motion and Commissioner Rupp seconded the motion.</p> |
| | | <p>Submitted by: Teri Suarez</p> <p>APPROVED by: THE FULTON COUNTY BOARD OF COMMISSIONERS</p> <p>_____ Paul Barnaby</p> <p>_____ Perry Rupp</p> <p>_____ Bill Rufenacht</p> <p>ATTESTED by:</p> <p>_____ Teri S. Suarez, Clerk</p> |

RESOLUTION 2013-1070

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session of November 19, 2013) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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 November 19, 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 2013-1071

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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 21, 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 2013-1072

In the Matter of Resolution Approving) Office of County Commissioners,
Payment of Bills) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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: _____
Teri Suarez, Clerk

RESOLUTION 2013-1073

In the Matter of Resolution to Advance Funds) Office of County Commissioners
For Ditch Improvement; Increase and Transfer) Fulton County, Ohio
Appropriations for Various Departments) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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, it is necessary to advance funds to Ditch Fund 4387 and increase appropriations therein to make payment on Change Order 1-final for Sand Ridge Excavating as approved November 19, 2013, for additional work performed under Contract 2013-034 for Ditch Improvement No. 2116, as petitioned for by Rosemary Meier; and

WHEREAS, a request has also been made to increase appropriations for the Public Utilities Department; and

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

WHEREAS, there are sufficient funds available in the certificate to allow the increase of appropriations as requested hereinabove; and

THEREFORE, BE IT RESOLVED, the Board of Commissioners hereby authorizes FUNDS be **ADVANCED** as follows:

| <u>AMOUNT</u> | <u>ACCOUNT</u> |
|---------------|--|
| \$3,098.67 | From: 3200-50145-5-53000 Advance Out-Ditch Improvement |
| \$3,098.67 | To: 4387-48146-4-48100 Advance In-Ditch 2116 |

BE IT FURTHER RESOLVED the Board of Commissioners hereby authorizes the following **APPROPRIATIONS BE INCREASED**:

| <u>AMOUNT</u> | <u>ACCOUNT</u> |
|---------------|--|
| \$3,098.67 | 4387-20143-5-41000 Contract Projects-Ditch 2116 |
| \$9,000.00 | 5209-70903-5-96000 Other Expenses-Northeast Water System |
| \$350.00 | 2415-14902-5-41000 Contract Services-Solid Waste |

BE IT FURTHER RESOLVED, the Board of County Commissioners hereby authorize the following **TRANSFER OF APPROPRIATIONS**:

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| \$500.00 | From: 5109-64903-5-74000 Vehicle-Sanitary Engineer |
| \$500.00 | To: 5109-63903-5-51000 Supplies-Sanitary Engineer |
| \$500.00 | From: 2705-17910-5-36000 Advertisement & Promotion-E. Development |
| \$500.00 | To: 2705-17910-5-96000 Other Expenses-Economic Development |
| \$419.19 | From: 2105-11300-5-20200 Workers Comp/Treas-DTAc |
| \$306.41 | From: 2105-11300-5-61300 Computer Equipment-DTAc |
| \$725.60 | To: 2105-11300-5-20100 PERS/TREAS-DTAc |
| \$2,600.00 | From: 1000-13134-5-20100 PERS-Sheriff |
| \$2,600.00 | To: 1000-13134-5-10302 Sheriff Overtime Grant |
| \$35.00 | From: 1000-13134-5-20100 PERS-Sheriff |
| \$35.00 | To: 1000-13134-5-20302 Medicare-Sheriff |

BE IT FURTHER RESOLVED, the Board of County Commissioners hereby authorize the following TRANSFER OF FUNDS:

\$10,000.00 From: 1000-13136-5-41000 Contract Services-CCNO
\$10,000.00 To: 1000-52000-5-94000 Transfer Out-General

\$10,000.00 From: 1000-52000-5-94000 Transfer Out-General
\$10,000.00 To: 6001-12102-4-24000 Receipts-Loss Control

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 D. Barnaby

Paul D. Barnaby

Paul D. 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; Affected Depts

RESOLUTION 2013 - 1074

In the Matter of Resolution to Increase) Office of County Commissioners
Landfill Leachate Hauling Service) Fulton County, Ohio
Contract 2007-62 Mastin Septic Tank) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on November 21, 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, Fulton County entered into Contract 2007-62 with Mastin Septic Tank to haul leachate from the landfill; and

WHEREAS, a request has been made by the Fulton County Department of Public Utilities to increase Contract 2007-62 between Board of County Commissioners of Fulton County and Mastin Septic Tank, Inc.;

THEREFORE BE IT RESOLVED, that Contract No. 2007-62 between the Board of County Commissioners of Fulton County and Mastin Septic Tank, Inc. be increased by \$4,480.00 to cover the cost of leachate hauling for October 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.

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's Dept. of Public Utilities

RESOLUTION 2013 - 1075

In the Matter of Resolution to Increase) Office of County Commissioners
Waste Disposal Contractual Services) Fulton County, Ohio
Contract 2012-152 Allied Waste Services, Inc.) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on November 21, 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, Fulton County entered into Contract 2012-152 with Allied Waste Services, Inc. for Waste Disposal Contractual Services; and

WHEREAS, a request has been made by the Fulton County Department of Public Utilities to increase Contract 2012-152 between Board of County Commissioners of Fulton County and Allied Waste Services, Inc.;

THEREFORE BE IT RESOLVED, that Contract No. 2012-152 between the Board of County Commissioners of Fulton County and Allied Waste Services, Inc. be increased by \$13,008.25 to cover the cost of services;

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's Dept. of Public Utilities

RESOLUTION 2013-1076

In the Matter of Resolution to Approve Payment #1) Office of County Commissioners
(Final) to Duro-Last Roofing, Inc. for Public Utilities) Fulton County, Ohio
Building Roof Project) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on November 21, 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, a payment request (1-FINAL) was submitted by Duro-Last Roofing, Inc., for work performed under purchase order 2013001041 in the amount of \$86,514.03 as associated with the replacement of the roof at the Fulton County Public Utility Building Project; and

WHEREAS, the project has been inspected and the work found to be of quality expected for the project;

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby approves the pay request (1-FINAL) as submitted in the amount of \$86,514.03, which represents payment in full on said 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: _____
Teri Suarez, Clerk

cc: Engineer; Project File

RESOLUTION 2013-1077

In the Matter of Resolution to Amend) Office of County Commissioners
Resolution 2013-1065) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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, on November 19, 2013, the Board of Commissioners passed Resolution 2013-1065 thereby approving payment request 2-final to Sand Ridge Excavating, for ditch improvement 2116-Dover Meadows Storm Water Outlet Project; and

WHEREAS, due to the Clerk’s error, it is necessary to amend said resolution, authorizing the change order that was also executed with the pay request though not mentioned in Resolution 2013-1065;

THEREFORE, BE IT RESOLVED, the Board of County Commissioners of Fulton County, Ohio hereby amend Resolution 2013-1065 thereby authorizing the change order submitted with Pay Request 2-final to Sand Ridge Excavating, for Ditch Improvement 2116-Dover Meadows Storm Water Outlet, increasing contract 2013-34 in the total amount of \$3,098.67; and

BE IT FURTHER RESOLVED, the remainder of Resolution 2013-1065 remain unchanged; 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: |
|----------------------------|----------------------------|-------------------------|
| _____ 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 2013-1079

In the Matter of Resolution to Ratify Collective) Office of County Commissioners
Bargaining Agreement 2013-119 with the) Fulton County, Ohio
OAPSE & Local #309 and The Fulton County) November 21, 2013
Board of Developmental Disabilities)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 2012, 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 collective bargaining agreement has been successfully negotiated with the Fulton County Board of Developmental Disabilities and Ohio Association of Public School Employees (OAPSE) and its Local 309, for the establishment of terms and conditions of employment.

THEREFORE, BE IT RESOLVED, after deliberation, the Fulton County Board of Commissioners hereby ratify **Collective Bargaining Agreement 2013-119** by and between the Fulton County Board of Developmental Disabilities and Ohio Association of Public School Employees (OAPSE) and its Local 309; and

BE IT FURTHER RESOLVED, that this agreement shall be effective January 1, 2014 and shall remain in full force and effect through midnight December 31, 2016; 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

Copies to: Bd of DD
Contract file

RESOLUTION 2013-1080

In the Matter of Resolution to Approve) Office of County Commissioners,
 Then and Now Purchase Orders and Payments) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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 has certified the following listed Then and Now purchase orders and payments:

| PO Number | VENDOR # | PO Date | Amount |
|------------|----------|--------------|--------------------|
| 2013002358 | AMERI98 | 11/5/13 | \$6,595.00 |
| 2013002359 | ACEHA50 | 11/7/13 | \$450.00 |
| 2013002360 | NAPAA50 | 11/7/13 | \$200.00 |
| 2013002361 | STAFF70 | 11/7/13 | \$88.92 |
| 2013002383 | FULTO82 | 11/12/13 | \$4,180.00 |
| 2013002386 | TREAS06 | 11/12/13 | \$40.00 |
| 2013002387 | CITYO89 | 11/12/13 | \$20.00 |
| 2013002392 | SAUDE98 | 11/12/13 | \$159.98 |
| 2013002395 | GORDO50 | 11/14/13 | \$683.48 |
| 2013002399 | STAFF70 | 11/14/13 | \$141.08 |
| 2013002409 | ZENZF50 | 11/14/13 | \$2,000.00 |
| 2013002411 | TMART60 | 11/14/13 | \$20.96 |
| 2013002412 | BORTO60 | 11/14/13 | \$235.00 |
| 2013002416 | RYCHE65 | 11/14/13 | \$854.97 |
| | | TOTAL | \$15,669.93 |

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

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

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

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

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

| | | |
|----------------------------|----------------------------|-----------------|
| Voting Aye thereon: | Voting Nay thereon: | Abstain: |
| _____ | _____ | _____ |
| 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

RESOLUTION 2013-1081

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) November 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 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 2013-1082

In the Matter of Resolution to Ratify 2005) Office of County Commissioners
Decision of the Fulton County Board of) Fulton County, Ohio
Developmental Disabilities Authorizing the Use) November 21, 2013
Of Credit Cards for Overnight Travel)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 21, 2012, 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, on September 19, 2005, the Fulton County Board of Developmental Disabilities decided without vote to use credit cards issued specifically for said Board for approved overnight travel expenses;

THEREFORE, BE IT RESOLVED, after deliberation, the Fulton County Board of Commissioners hereby ratify the decision by the Fulton County Board of Developmental Disabilities to use credit cards as issued in their Board’s name for overnight travel as decided on September 19, 2005;

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

Copies to: Bd of DD

RESOLUTION 2013-1083

COMMISSIONER'S FINDING AFFIRMING FORMER ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS

Revised Code, §6131.21-24

In the matter of the **Single** County) Office of County Commissioner's
Ditch No. **2113** Petitioned for by) Fulton County, Ohio
Roger Debacker, et al.) **November 21, 2013**

The Board of County commissioners of Fulton County, Ohio met in **regular** session on this **10th day of February, 2011**, 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 Resolution:

WHEREAS, this being the day fixed by said board, in its order dated the **26th day of September, 2013**, for the final hearing on the Report, Plans, and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceeding for the improvement, and on application filed for change of route or change in the nature, kind and extent of the work proposed to be done; and

WHEREAS, the Board finds that due and legal notice of this final hearing has been given as required by law; and

WHEREAS, the Board has heard all the evidence offered in the proceedings and received and considered all the schedules, plans and reports filed by the County Engineer; and

WHEREAS, the Board has considered the cost and location of construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.; and

WHEREAS, objections to the proposed assessment having been filed by: None

WHEREAS, the Board having heard any objections and all evidence offered for or against the assessment proposed to be levied against any owner or on any land, as shown by the schedule of assessments filed by the County Engineer and any competent evidence on the question of benefits, and from an actual view of the premises;

THEREFORE BE IT RESOLVED, that the Board hereby approve the maps, profiles, plans, schedules, and reports prepared by the County Engineer, and review and reconsider its former order made and dated the 4th day of April, 2011; and

BE IT FURTHER RESOLVED, that the former order finding in favor of the improvement made at the hearing on the 4th day of April, 2011, **IS HEREBY AFFIRMED**; and

BE IT FURTHER RESOLVED, that the assessments are hereby attached and the County Engineer's assessments, as presented, are hereby approved and confirmed; and

BE IT FURTHER RESOLVED, that \$266,620.94 is hereby assessed for benefits to the general public by reason of the improvement being conducive to the public welfare and shall be paid by the public; and \$3,669.81 found to benefit State Roads or highways is hereby assessed against the State; and \$6,047.85 found to benefit County Roads or Highways is hereby assessed against the County; and \$2,239.95 found to benefit Royalton Township Roads and is hereby assessed against Royalton Township, for a total amount of \$278,578.55; and

BE IT FURTHER RESOLVED, that interest shall be added to said installments of assessments at the same rate as is drawn by the bonds or notes issued to pay for said improvement; provided any owner only pay the assessment on his/her land in cash within thirty (30) days after the final hearing, without paying any interest thereon; 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 BARNABY seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Paul D. Barnaby

Paul D. Barnaby

Paul D. 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

Copy to: Rod Creager
Jennifer Connors
Auditor