

**FULTON COUNTY BOARD OF COMMISSIONERS**  
**MINUTES OF MEETING**  
**April 7, 2011**  
**Commissioners Session Room**

[9:00:02 AM](#)

Call Meeting to Order

Pledge of Allegiance

Opening Prayer

Roll Call Attendance – All members present

[9:01:02 AM](#)

**Resolution 2011-336** Approve Minutes of April 4, 2011

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

[9:01:48 AM](#)

**Resolution 2011-337** Approve Agenda As Presented or Amended

Commissioner Barnaby noted that the meeting with the Fire Chief's at 1 p.m. has been cancelled. Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:02:25 AM](#)

**OLD BUSINESS:**

· **Resolution 2011-338** Approve Payment of Bills

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

[9:03:19 AM](#)

· Steve Brown, Regional Planning Director:

Amendment to Rural Zoning Resolution

A resolution to approve the recommendation of the Fulton County Rural Zoning Commission was tabled pursuant to an objection brought forth by Mr. James Worley, FES Transport LLC, regarding the size of the sign allowable for home based businesses.

Mr. Brown indicated that he had spoken with Mr. Worley and didn't see a problem increasing the size from 4 square feet to 12 square feet.

Mr. Worley joined the meeting. He presented the size of the sign he wishes to use.

Commissioner Rupp indicated that he would have no problem with going up to 16 square feet, which is a half sheet of plywood. Anything bigger than that would be too much in a residential area.

Mr. Worley suggested that different sizes should be considered for a residential vs. rural area.

**Resolution 2011-346** Take Resolution 2011-320 off the Table

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

**Resolution 2011-347** Adopt Modification of Fulton County Rural Zoning Commission's Recommendation

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

This modification will increase the size of the sign allowable under Section 5 of Article 100-5.9 for home based businesses from 4 square feet to 12 square feet.

**Resolution 2011-348** Approve Amendment to Rural Zoning Resolution

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

***NEW ADDITION***

100-5.9            Home Based Business

General Requirements

1. For all "AG/RE" Districts, a home based business may include the use of an accessory building as a place for operation of the home based business or for purposes of storage of equipment. The accessory building shall not exceed 10% of the lot area or 2,000 sq. ft. in area maximum.
2. For all "R" Districts, a home occupation shall be confined to the dwelling.
3. No person(s) other than members of the family residing on the premises shall be engaged in such occupation.
4. The use of the dwelling unit for the home based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home based business.
5. There shall be no alteration in the outside appearance of the building or premises, outside storage of materials incidental to the home occupation, nor other visible evidence of the conduct of such home based business other than one (1) sign, not exceeding twelve (12) sq. ft. in area, non-illuminated.
6. No traffic shall be generated by such home based business in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution, and shall not be located in a required front yard.
7. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the site.

***NEW ADDITION***

100-9.3            Conditionally Permitted Uses (AG/RE)

12. Agricultural (Home Based) Support Uses

There are certain agricultural support uses that are necessary to preserve Fulton County's agricultural economy. Many of these support uses are conducted in the Agricultural/Rural Estate

Zoning District. Such uses may include agricultural services, the sale of agricultural goods produced, and the restoration of agricultural implements.

A conditional use permit shall be required for certain agricultural support uses. The Zoning Board of Appeals shall review all “Conditional Use Permit Applications”. If a permit is granted, the applicant shall have one year from date of issuance of said permit to initiate the agricultural use or the permit will automatically expire.

In order to grant an agricultural (home based) support use the following conditions must be met:

- a. The use shall be related to the support of agriculture, which shall be determined by the Zoning Board of Appeals and the Fulton County Regional Planning Commission.
- b. The use shall be located on a 5-acre or larger parcel.
- c. All materials, unassembled parts and equipment related to the use shall be stored in an enclosed building.
- d. Only the property owner(s) and related family members shall be involved in the support use.
- e. A detailed site plan, depicting buildings, parking, signage, etc., shall be submitted.
- f. Only one (1) nameplate shall be allowed. It may display the names of the occupant and/or the name of the contractor’s occupation (e.g. John Jones, Realtor). It shall not exceed five (5) square foot in area, shall be non-illuminated, and attached flat to the main structure or visible through a window. The limitation to one (1) nameplate is intended to apply to all lots, including corner lots.
- g. A display area of 5,000 sq. ft. shall be permitted and depicted on the site plan. No more than 5 agricultural items shall be displayed within the designated area.

***NEW ADDITION***

100-9.4 Area, Height, Bulk and Placement Requirements (AG/RE)

Setback from a Ditch or Stream

All residential units and permanent accessory buildings shall be located a minimum of 30 feet from the top of the ditch bank or stream.

***NEW DEFINITIONS***

Home Based Business: The utilization of a single family residential dwelling, accessory building, and/or property, or a multiple family residential dwelling unit to provide a service, produce a product, sell merchandise or otherwise engage in an activity for the pursuit of remuneration; excluding the sale of the property and its improvements, garage sales, and infrequent sale of personal merchandise consistent with use of the property solely as a residence.

Agricultural Supply Establishment: The use of land, buildings or structures for the purposes of supply of goods, materials or services that support agricultural uses. These shall include such goods and services as sale and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service.

**DELETE** the following current definition of Home Occupation.

Home Occupation: Any use customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling

purposes and does not change the character thereof. Provided further that no article or service is sold or offered for sale on the premises except as such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary in residential areas. One (1) non-illuminated nameplate, not more than two (2) square feet in area, may be attached to the building which shall contain only the name and occupation of the resident of the premises. Clinics, hospitals, barber shops, beauty parlors, tea rooms, tourist homes, animal hospitals, kennels, millinery shops, among others, shall not be deemed to be home occupations. This does not include single operator/owner barber and beauty shops.

[9:10:54 AM](#)

-Safe Routes to School Funding

The following letter was received from ODOT regarding the Safe Routes to Schools Project Funding:



**OHIO DEPARTMENT OF TRANSPORTATION**  
CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR

March 31, 2011

Steven C. Brown, Planning Director  
152 S. Fulton St., Suite 230  
Wauseon, Ohio 43567

Dear Mr. Brown,

The Ohio Department of Transportation (ODOT) is pleased to inform you that the Safe Routes to School Project for Fulton County has been selected for partial funding. The RR crossing improvements and the portion of the sidewalk leading to the ball fields did not compare favorably to other applications we received this funding round. We appreciate that the Fulton County Engineers Office has agreed to do the design for this project. Award Amount: \$413,000

**SRTS Project Award Details:**

Construction: \_\_\_\_\_ \$396,000  
Construction Engineering: \_\_\_\_ \$17,000  
**Sale Date:** August 2012

As noted in the application, no right of way issues are anticipated. If right of way becomes an issue this award may need to be reevaluated.

This selection is pending approval of a final project scope with ODOT representatives. The project scope is necessary to establish final cost estimates and program milestone dates to guide project development. Upon completion of the project scope, ODOT will verify the amount of funding and when funds will be available.

Please contact Imad Bdeiri, in the ODOT District 2 office at 419-373-4456, or by email at [imad.bdeiri@dot.state.oh.us](mailto:imad.bdeiri@dot.state.oh.us) to schedule a scope meeting and start the process of developing your project. It is very important to establish solid commitment dates for your project because failure to meet the commitment dates could result in funding being withdrawn.

If you have any questions, please feel free to contact Julie Walcoff at 614-466-3049 or by email at [julie.walcoff@dot.state.oh.us](mailto:julie.walcoff@dot.state.oh.us). We look forward to working with you as you continue to develop your SRTS program.

Respectfully,

A handwritten signature in cursive script that reads "Julie Walcoff".

Julie Walcoff, SRTS Program Manager  
Ohio Department of Transportation

cc: Imad Bdeiri, D02

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Mr. Brown indicated that the funding has been awarded and he is trying to put together a meeting to discuss the scope of the project. The total award is \$413,000, with \$17,000 of that being set aside for Engineering. He noted that the bid date is scheduled out to August 2012 as the process must go through ODOT. Commissioner Rupp inquired of the county match for this. Mr. Brown said that it is funded 100%, no match required. Commissioner Genter noted that there are a lot of requirements that the school and community will need to abide by, such as no bus routes being allowed in that area.

[9:13:23 AM](#)

· Review Dog Warden Reports

A few modifications to the daily log sheets were presented. Adjustments will be made.

[9:15:46 AM](#)

· Review Correspondence from FEMA Regarding National Flood Insurance Program

Letters of Map Change were submitted. The Regional Planning Office is handling the distribution to insurance companies and mortgage lenders.

[9:16:48 AM](#)

· Review Auditor/Treasurer Tie Out Report

[9:19:35 AM](#)

#### **NEW BUSINESS:**

· **Resolution 2011-339** Increase and Transfer Appropriations for Various Departments  
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion.  
Motion carried unanimously.

[9:20:17 AM](#)

**Resolution 2011-340** Increase Appropriations in CDBG Grant Fund 2737  
Commissioner Genter made the motion and Commissioner Barnaby seconded the motion.  
Motion carried unanimously.

[9:21:34 AM](#)

· **Resolution 2011-341** Increase Contract 2010-157 with Downes Hurst, Hass and Kim LLP for Legal Representation  
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion.  
Motion carried unanimously.

[9:22:13 AM](#)

· **Resolution 2011-342** Approve Personnel Action for Department of Job and Family Services  
Commissioner Barnaby made the motion and Commissioner Genter seconded the motion.  
Motion carried unanimously.

[9:23:18 AM](#)

· **Resolution 2011-343** Approve Animal Claim as Recommended by Fulton County Dog Warden  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:24:04 AM](#)

· **Resolution 2011-344** Approve Then and Now Purchase Orders and Payments  
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:25:06 AM](#)

· **Resolution 2011-345** Approve Purchase Orders and Travel Requests  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:25:56 AM](#)

Recess

[9:34:05 AM](#)

**Bid Opening - Replacement of Bridge C11.1**

The Engineer's Estimate for this project is \$403,935.00. Bids were received as follows:

B. Hill'z Excavating, Inc.  
Wayne, Ohio  
Bid Bond Received  
\$346,543.00

R.G. Zachrich Construction, Inc.  
Defiance, OH  
Bid Bond Received  
\$334,350.90

Heer Excavating, Inc.  
Archbold, OH  
Bid Bond Received  
\$317,573.35

Miller Brothers Construction, Inc.  
Archbold, OH  
Bid Bond Received  
\$369,955.80

The Bids were turned over to the Fulton County Engineer for review and recommendation for award of bid.

[9:37:35 AM](#)

Recess

[9:47:20 AM](#)

**Vond Hall, County Administrator – Overview of Governor Kasich's Budget Proposal and Its Impact on County Government**

Mr. Hall presented a PowerPoint and stated that the topics he will go over are what are included in the Governor's proposal as of today and are not final law. These issues will be worked on through July 1<sup>st</sup>.

The highlights of the Governor's proposal:

- Authorizes a municipal corporation, county, or other political subdivision that is required by law to make any legal publication in a newspaper to use an insert placed in the newspaper.
- Revises the criteria for a publication to qualify as a newspaper.

- Permits state agencies and political subdivisions to authorize placing commercial advertising on state agency and political subdivision web sites.
- Authorizes, generally, political subdivisions to enter into agreements with other political subdivisions to perform services for one another.
- Increases the filing fee for most disclosure statements that are required to be filed with the appropriate ethics commission.
- Increases the penalty for filing a late disclosure statement with the appropriate ethics commission.
- Extends, from through fiscal year 2011 to through fiscal year 2013, the authority for a county appointing authority to establish a mandatory cost savings program in which its exempt employees must participate, and expands the program to apply to townships and municipal corporations.
- Expands the definition of fiscal emergency for purposes of a county, township, or municipal corporation implementing mandatory cost savings days for its exempt employees in the event of a fiscal watch or fiscal emergency occurring in fiscal year 2014 or later.
- Allows a county, township, or municipal corporation appointing authority to establish a modified work week schedule program applicable to its exempt employees.
- Authorizes a board of county commissioners to require county offices to use centralized purchasing, printing, transportation, vehicle maintenance, information technology, human resources, revenue collection, and mail operation services.
- Eliminates judges as members of a corrections commission and instead provides for formation of a judicial advisory board to make recommendations to a corrections commission regarding correctional centers.
- Specifies that a member of the board of county commissioners, rather than the president of the board, is to be a member of a corrections commission.
- Establishes the Medicaid reimbursement rate as the rate of payment for medical care provided to persons confined in multicounty, municipal-county, or multicounty-municipal correctional centers by medical providers not employed by or under contract with a municipal corporation or township participating in the center.
- Increases from \$10,000 to \$25,000 the threshold amount that triggers competitive bidding for service contracts entered into by a board of park trustees for municipal park improvements.
- Requires a board of county commissioners to provide office space and utilities to the county's general health district board of health through FY 2011.
- Requires the board of county commissioners to pay in FY 2012 through FY 2015 specified decreasing proportions of the estimated costs of office space and utilities, with no obligation to provide or pay for office space and utilities after FY 2015.
- Relieves the board of county commissioners of its obligation to provide office space and utilities if the board of health rents, leases, leases purchases, or acquires office space on its own.
- Permits a board of county commissioners, in FY 2016 and thereafter, to provide office space and utilities to the general health district board of health, by contract.
- Authorizes the board of county commissioners, at any time, to provide office space and utilities for the board of health free of charge.
- Authorizes a board of county commissioners to donate or sell property, buildings, and furnishings to any board of health of a general or combined health district.

- Repeals the statutes that require the Public Health Council to adopt rules governing the licensure and inspection of manufactured home parks.
- Instead requires a board of health within whose jurisdiction a manufactured home park is located to adopt rules governing the inspection of and issuance of licenses for manufactured home parks within 12 months of the provision's effective date.
- Authorizes a board of health to levy a fee for a manufactured home park license in accordance with procedures established in the Health Districts Law.
- Establishes procedures for the transition from the operation of the Public Health Council rules governing manufactured home parks in a health district to a board of health's rules.
- Repeals the statutes that require the Public Health Council to adopt rules governing the licensure and inspection of marinas.
- Instead requires a board of health within whose jurisdiction a marina is located to adopt rules governing the inspection of and issuance of licenses for marinas within 12 months of the provision's effective date.
- Authorizes a board of health to levy a fee for a marina license in accordance with procedures established in the Health Districts Law.
- Establishes procedures for the transition from the operation of the Public Health Council rules governing marinas in a health district to a board of health's rules.
- Repeals the statutes that require the Public Health Council to adopt rules governing the licensure and inspection of agricultural labor camps. Instead requires a board of health within whose jurisdiction an agricultural labor camp is located to adopt rules governing the inspection of and issuance of licenses for agricultural labor camps within 12 months of the provision's effective date.
- Authorizes a board of health to levy a fee for an agricultural labor camp license in accordance with procedures established in the Health Districts Law.
- Establishes procedures for the transition from the operation of the Public Health Council rules governing agricultural labor camps in a health district to a board of health's rules.
- Authorizes a board of county commissioners to adopt a quarterly spending plan or amended spending plan for appropriations from any county fund for any county office, department, or division under certain circumstances.

Mr. Hall then discussed how these changes will impact County Government:

## **Local Government Fund (LGF) historic**

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- The Local Government Fund was created when the state sales tax was enacted in December 1934.
- Basic structure of the original LGF has been maintained to this day: state revenue earmarked for LGF (replaced by an appropriation beginning in 1939); LGF monies distributed to 88 undivided LGFs; and funds subsequently distributed by county budget commission to eligible subdivisions

## Local Government Fund (LGF) –

- The Budget utilizes the FY 2011 distribution and appropriates 75% of that amount to the political subdivisions in FY 2012 and 50% of that amount in FY 2013.
- The LGF distribution then returns to a formula calculation for FY 2014 with the new percentage of shared revenue calculated as a percent of the FY 2013 distribution divided by total state revenues at that time.

### How is the LGF Shared???

County	48%	\$963,646.32
Villages	35%	\$702,658.78
Townships	17%	\$341,291.41
<b>Total</b>	<b>100%</b>	<b>\$2,007,596.51</b>

### Village Breakdown

Archbold	17%	\$119,451.99
Delta	17%	\$119,451.99
Fayette	8%	\$56,212.70
Lyons	5%	\$35,132.94
Metamora	5%	\$35,132.94
Swanton	16%	\$112,425.41
Wauseon	32%	\$224,850.81

**TOTAL 100% \$702,658.78**

### Township Breakdown

Amboy	6.49%	\$22,149.81	Chesterfield	7.48%	\$25,528.60
Clinton	10.47%	\$35,733.21	Dover	5.26%	\$17,951.93
Franklin	7.24%	\$24,709.50	Fulton	6.74%	\$23,003.04
German	12.95%	\$44,197.24	Gorham	9.95%	\$33,958.50
Pike	6.24%	\$21,296.58	Royalton	6.24%	\$21,296.58
Swancreek	10.47%	\$35,733.21	York	10.47%	\$35,733.21

**Total 100% \$341,291.41**

## LGF

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□ The Local Government Funding levels are recommended as follows:

- SFY 2010                    \$641.7 million
- SFY 2011 (est)            665.0
- SFY 2012 (proposed)    526.0 (-21% from SFY 11)
- SFY 2013 (proposed)    339.0 (-36% from SFY 12)

When compared to estimated funding levels in SFY 11, local governments will receive 49% less in SFY 13.

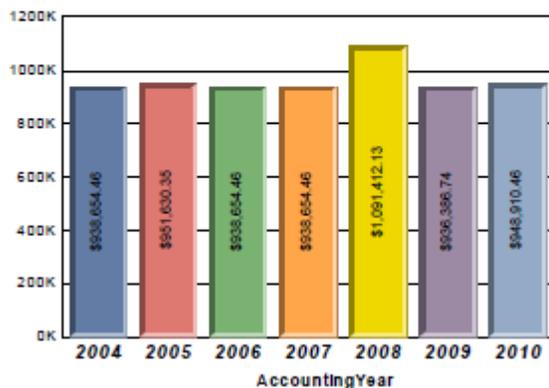
## General Fund Revenue Losses

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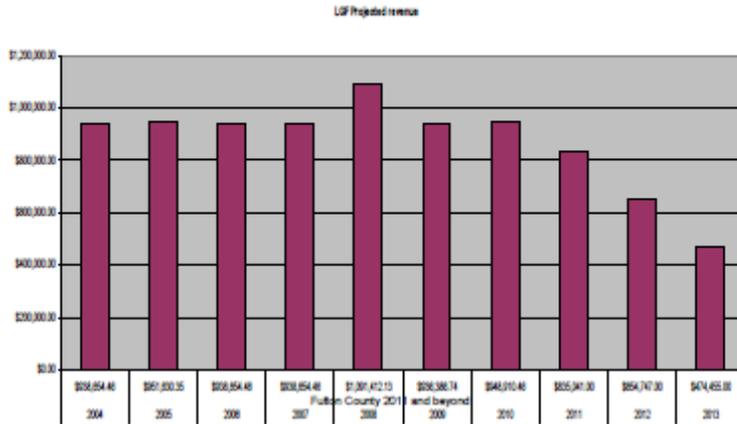
- Interest earnings is declining more than expected and pick up will not occur until the Feds change their rates
  
- Local Govt. Fund **loss** anticipated to be approx. \$780,000.00 over the State biennium

## Local Govt. Fund Income by year

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## Local Govt. Fund projected



## Estimated Revenue Loss from LGF

- 2011 - **\$79,959.00**
- 2012 - **\$260,253.00**
- 2013 - **\$440,545.00**

3 Yr. total Loss of Revenue **\$780,757.00**

## Tangible Personal Property (TPP) and Public Utility Reimbursements –

- Changes reimbursements to jurisdictions for public utility reimbursements and TPP reimbursements. Reduces each one separately by no more than 2% of the jurisdiction's total resources, and could have some level of reimbursement extended beyond 2016, and as far as 2030.
- There will be no payment in the second half of 2011 to a local jurisdiction whose reimbursement would total less than 2% of its total tax revenue stream; a local jurisdiction will be reimbursed for any percentage above that 2%. Thereafter, starting in calendar year 2012, a simple 2% is added annually to the base rate.

- Local governments and schools will receive \$422 million less in utility reimbursements and roughly \$870 M less for TPP over the biennium.
- Delays the sending of TPP local government property tax replacement funds. Currently, the state sends such reimbursements in May, August, and October. One fall payment will be made on November 20th, and the May payment will not change.

## Health and Human Services

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- Medically Handicapped Children - Medically Handicapped Children is decreased by 14%; it appears this decrease in state funding is offset by a 14.3% increase in the county assessment appropriation to the program which is increased by 14% in the next biennium. 2010 - \$80,592.79 (+14% = \$11,300.00)
- Department of Health bills counties for treatment services for medically handicapped children, as permitted under continuing law. counties are liable only for treatment services up to 1/10 mil until now.
- TANF/child care – Cuts are anticipated to county departments of job and family services programs and the child care program in order to meet Ohio Works First (OWF) caseload demand, since OWF is an entitlement program. ODJFS estimates that each will be cut by approximately \$80M annually.
- Would be cut of 27% or \$8500.
- TANF OVERALL: A CUT MINIMUM CUT OF \$222,000
- JFS Admin Funding – all GRF line items coming to the county have been cut by 10%. ODJFS has been slated for cuts as well, but those cuts' impacts on counties is still unclear.
- Child, Family and Adult Community & Protective Services – The 600-533 line item, created in the last biennial budget, has been continued in this budget. It is distributed to county JFS agencies using the same formula as Title XX funds. Cut 10% in SFY12 and then held flat in SFY13, for a total of \$13.5M each year. The amount cut will be about \$4500.

- Child Support Enforcement Support - Cut 15% in SFY12 and then held flat in SFY13, for a total of \$16.8M each year. It is unclear based on current available information how much money the state will allocate to child support enforcement from TANF MOE dollars. When combined with the lack of federal action to enable local areas to use incentive dollars for child support match. These cuts could be devastating to CSEAs. Do not have clarification of this yet.
- Kinship Permanency Incentive program – the proposed budget completely eliminates funding for this program, which was funded \$3.68M in SFY10 and appropriated \$5M in SFY11. Last year we spent \$11,000.00. If we have enough TANF will try to continue program with PRC dollars.
- Adult Protective Services – Cut 10% in SFY12 and held flat in SFY13, for a total of \$366,003 each year.

## **Tools to Address Budget Challenges**

The budget also includes the following tools: statewide public notice website; online advertising; shared services; centralized services; construction reform; permissive health care pool; furloughs; modified work week; and quarterly budget allotments allowed for a county office.

## **SB 5 Public employee benefits**

- Caps vacation leave for certain public employees at 7.7 hours per biweekly pay period and limits total accrual for those public employees currently accruing 9.2 hours per pay period.
- Reduces sick leave accrual for most public employees from 4.6 hours to 3.1 hours per biweekly pay period.
- Limits public employer contributions toward health care benefit costs to 85%. (Currently at 88%)
- Limits public employer contributions toward pension benefit costs to 12%. Down from 14% today. Law enforcement will go from 18.1% down to 16.1%

- • Requires health care benefits provided to management level employees to be the same as any health care benefits provided to other employees of the same public employer.
  - Requires boards of education to adopt policies to provide leave with pay for school employees and abolishes statutorily provided leave for those employees.
  - Abolishes continuing contracts for teachers, except for those continuing contracts in existence prior to the effective date of the bill and revises the law relating to limited contracts.
- • Prohibits a public employer from paying employee contributions to the five public employee retirement systems.
  - Requires health care benefits provided through a jointly administered trust fund to be the same as the health care benefits provided to other public employees.
  - Allows death benefits paid under the Police and Fire Pension Fund to be paid in accordance with existing salary schedules and increases in salaries.

## **SB 5 Reduction in force**

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- • Removes consideration of seniority and length of service, by itself, from decisions regarding a reduction in work force of certain public employees.

## **SB 5 Public employee pay**

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- • Generally eliminates statutory salary schedules and steps.
  - Requires performance-based pay for most public employees, including board and commission members, and makes other, related changes.
  - Requires performance-based pay for teachers based, in part, on evaluations conducted under a policy that is based on a framework for teacher evaluations that has been recommended by the Superintendent of Public Instruction and adopted by the State Board of Education.

## **SB 5 Dispute resolution**

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- • Eliminates the ability of the parties to submit disputes to an agreed-upon dispute resolution procedure.
  - Extends the timelines involved in the dispute resolution process.
  - Expands the list of factors a fact-finder must consider in resolving disputes, and requires the fact-finder to consider as the primary factor the interests and welfare of the public and the ability of the public employer to finance and administer the issues proposed.
  - Eliminates the final offer settlement procedure.

- • Requires the legislative body of the public employer to be the final decision-maker with respect to any dispute that is unresolved during the fact-finding process, and prescribes procedures and requirements for the legislative body to make a determination.
  - Requires any agreement determined by the legislative body to be in effect for three years.
  - Requires, if the legislative body fails to select a last best offer, the public employer's last best offer to become the agreement between the parties.
  
- • Allows, for certain public employers, if the legislative body selects the last best offer that costs more and the chief financial officer of the legislative body cannot or refuses to determine whether sufficient funds exist to cover the agreement, the last best offers to be submitted to the voters for selection.
  - Prescribes procedures to place the last best offers on the ballot and for that election.

[10:32:03 AM](#)

ADJOURN

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

Approved:

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Paul D. Barnaby

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Dean A. Genter

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Perry L. Rupp

Attest:

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Jennifer L. Connors, Clerk

A signed copy of the minutes or a recording of the meeting in its entirety can be obtained in the office of the Clerk of the Board at 152 S. Fulton St, Ste 270, Wauseon, Ohio 43567.

**RESOLUTION 2011-336**

In the Matter of Resolution Approving        )     Office of County Commissioners  
Minutes of April 4, 2011                     )     Fulton County, Ohio  
   )     April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the resolution herein.

**THEREFORE BE IT RESOLVED**, that after review, the Fulton County Commissioners hereby approve the minutes of Regular Session held April 4, 2011 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 D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

\_\_\_\_\_  
Paul D. Barnaby

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Dean A. Genter

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Perry L. Rupp

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Perry L. Rupp

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Perry L. Rupp

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

Attest: \_\_\_\_\_

Jennifer L. Connors, Clerk

Copy To:     File

**RESOLUTION 2011-337**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, Commission Staff, to the best of its ability, has prepared the agenda for the day, and

**WHEREAS**, the Board of County Commissioners has reviewed said agenda and find it to be satisfactory as presented or as officially amended on the record in open session.

**THEREFORE, BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approve the agenda as amended or presented for: April 7, 2011; and

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

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

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

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

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

cc: File



**RESOLUTION 2011-338**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Payment of Bills ) Fulton County, Ohio  
) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter and Perry Rupp

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:

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

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

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

Copy To: File

**RESOLUTION 2011-347**

In the Matter of Resolution to Adopt ) Office of County Commissioners  
Modification of the Fulton County Rural ) Fulton County, Ohio  
Zoning Commission’s Recommendation ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, on February 22, 2011 the Fulton County Rural Zoning Commission voted to approve an amendment to the Fulton County Rural Zoning Resolution and made a recommendation to the Board of Commissioners to approve the same; and

**WHEREAS**, after a public hearing, the Board of Commissioners is required to either approve or reject the recommendation, or adopt a modification thereof; and

**WHEREAS**, after reviewing the evidence and testimony presented, the Board of Commissioners wishes to adopt a modification of the Rural Zoning Commission’s recommendation thereby amending the size of the sign allowable under Section 5 of Article 100-5.9 of the Rural Zoning Commission to twelve (12) square feet.

**THEREFORE, BE IT RESOLVED**, the Board of Commissioners hereby modifies the recommendation of the Rural Zoning Commission thereby amending the size of the sign allowable under Section 5 of Article 100-5.9 of the Rural Zoning Commission to twelve (12) square feet; and

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

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

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

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

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

cc: RPC; Journal

**RESOLUTION 2011-348**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Amendment to Fulton County Rural Zoning ) Fulton County, Ohio  
Resolution ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, on February 22, 2011 the Fulton County Rural Zoning Commission voted to approve an amendment to the Fulton County Rural Zoning Resolution and made a recommendation to the Board of Commissioners to approve the same, with receipt thereof by the Board of Commissioners on March 3, 2011; and

**WHEREAS**, pursuant to that recommendation, the Board of Commissioners is required by the ORC to hold a public hearing not more than thirty (30) days from the date of receipt of such recommendation. This public hearing was held on Thursday, March 24, 2011; and

**WHEREAS**, the Board finds that due and legal notice of this hearing was given as required by law in the Fulton County Expositor, a paper of general circulation within Fulton County; and

**WHEREAS**, the ORC states that the Board of Commissioners must either approve or reject the recommendations, or adopt a modification thereof, of the Rural Zoning Commission within twenty (20) days after the date of the hearing; and

**WHEREAS**, after considering the evidence and the testimony presented, the Commissioners passed **Resolution 2011-347** on April 7, 2011, thereby adopting a modification to the Rural Zoning Commission’s recommendation to increase the size of the sign allowable under Section 5 of Section 100-5.9 to twelve (12) square feet;

**THEREFORE, BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby adopt an amendment to the Fulton County Rural Zoning Resolution as follows:

***NEW ADDITION***

100-5.9 Home Based Business

General Requirements

1. For all “AG/RE” Districts, a home based business may include the use of an accessory building as a place for operation of the home based business or for purposes of storage of equipment. The accessory building shall not exceed 10% of the lot area or 2,000 sq. ft. in area maximum.
2. For all “R” Districts, a home occupation shall be confined to the dwelling.
3. No person(s) other than members of the family residing on the premises shall be engaged in such occupation.
4. The use of the dwelling unit for the home based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home based business.
5. There shall be no alteration in the outside appearance of the building or premises, outside storage of materials incidental to the home occupation, nor other visible evidence of the conduct of such home based business other than one (1) sign, not exceeding twelve (12) sq. ft. in area, non-illuminated.
6. No traffic shall be generated by such home based business in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution, and shall not be located in a required front yard.

7. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the site.

**NEW ADDITION**

100-9.3 Conditionally Permitted Uses (AG/RE)

12. Agricultural (Home Based) Support Uses

There are certain agricultural support uses that are necessary to preserve Fulton County's agricultural economy. Many of these support uses are conducted in the Agricultural/Rural Estate Zoning District. Such uses may include agricultural services, the sale of agricultural goods produced, and the restoration of agricultural implements.

A conditional use permit shall be required for certain agricultural support uses. The Zoning Board of Appeals shall review all "Conditional Use Permit Applications". If a permit is granted, the applicant shall have one year from date of issuance of said permit to initiate the agricultural use or the permit will automatically expire.

In order to grant an agricultural (home based) support use the following conditions must be met:

- a. The use shall be related to the support of agriculture, which shall be determined by the Zoning Board of Appeals and the Fulton County Regional Planning Commission.
- b. The use shall be located on a 5-acre or larger parcel.
- c. All materials, unassembled parts and equipment related to the use shall be stored in an enclosed building.
- d. Only the property owner(s) and related family members shall be involved in the support use.
- e. A detailed site plan, depicting buildings, parking, signage, etc., shall be submitted.
- f. Only one (1) nameplate shall be allowed. It may display the names of the occupant and/or the name of the contractor's occupation (e.g. John Jones, Realtor). It shall not exceed five (5) square foot in area, shall be non-illuminated, and attached flat to the main structure or visible through a window. The limitation to one (1) nameplate is intended to apply to all lots, including corner lots.
- g. A display area of 5,000 sq. ft. shall be permitted and depicted on the site plan. No more than 5 agricultural items shall be displayed within the designated area.

**NEW ADDITION**

100-9.4 Area, Height, Bulk and Placement Requirements (AG/RE)

Setback from a Ditch or Stream

All residential units and permanent accessory buildings shall be located a minimum of 30 feet from the top of the ditch bank or stream.

**NEW DEFINITIONS**

Home Based Business: The utilization of a single family residential dwelling, accessory building, and/or property, or a multiple family residential dwelling unit to provide a service, produce a product, sell merchandise or otherwise engage in an activity for the pursuit of remuneration; excluding the sale of the property and its improvements, garage sales, and infrequent sale of personal merchandise consistent with use of the property solely as a residence.

Agricultural Supply Establishment: The use of land, buildings or structures for the purposes of supply of goods, materials or services that support agricultural uses. These shall include such goods and services as sale and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service.

**DELETE** the following current definition of Home Occupation.

Home Occupation: Any use customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided further that no article or service is sold or offered for sale on the premises except as such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary in residential areas. One (1) non-illuminated nameplate, not more than two (2) square feet in area, may be attached to the building which shall contain only the name and occupation of the resident of the premises. Clinics, hospitals, barber shops, beauty parlors, tea rooms, tourist homes, animal hospitals, kennels, millinery shops, among others, shall not be deemed to be home occupations. This does not include single operator/owner barber and beauty shops.

**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

\_\_\_\_\_  
Dean Genter

\_\_\_\_\_  
Dean Genter

\_\_\_\_\_  
Dean Genter

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

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

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

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

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

cc: RPC; File; Journal

**RESOLUTION 2011-339**

In the Matter of Resolution to Increase ) Office of County Commissioners  
 And Transfer Appropriations for Various ) Fulton County, Ohio  
 Departments ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, it is necessary to increase and transfer appropriations for various departments to pay for internal services costs and to cover various expenses for the remainder of the year; and

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

**THEREFORE, BE IT RESOLVED**, the Board of Commissioners hereby authorizes the following line APPROPRIATIONS be INCREASED:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$ 233.34	4170-20921-5-41000	Landfill-Contract Services
\$10,000.00	1000-11100-5-41100	Commissioners-Professional Services
\$ 2,354.00	2510-15154-5-41000	Contract Services-Dog and Kennel

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

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$ 157.93	From: 2521-15907-5-59000	Supplies-Gift & Donations Fund
\$ 157.93	To: 2521-15907-5-96000	Donations-Other Exp
\$ 4,811.00	From: 2310-13911-5-62000	Equipment-EMA
\$ 4,811.00	To: 2310-13911-5-41000	Contract Services-EMA

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

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

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

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

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

cc: Auditor; Affected Depts; Journal

**RESOLUTION 2011 – 340**

In the Matter of Resolution to ) Board of County Commissioners  
Increase Appropriations in Fund 2737 ) Fulton County, Ohio  
CDBG Economic Development Program ) April 7, 2011  
Grant #B-E-07-1AX-1, (ZincOx) )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice on April 7, 2011, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Commissioner Paul Barnaby, Commissioner Dean Genter, and Commissioner Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, pursuant to the cancellation of Grant B-E-07-1AX-1 for the FY07 Zinc & Iron Recycling of Ohio Competitive CDBG Economic Development Project, Fulton County was awarded \$5,000 from the Office of Housing and Community Partnerships for the administration of the grant prior to cancellation; and

**WHEREAS**, said funds have been certified by the County Auditor and it is now necessary to increase appropriations to enable payment to the Maumee Valley Planning Organization for their technical services rendered herein; and

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

<u>Amount</u>	<u>Account</u>
\$5,000.00	2737-17919-5-43000 –Administration

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

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

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

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

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

Cc: Auditor , RPC, MVPO

**RESOLUTION 2011-341**

In the Matter of Resolution to Increase ) Office of County Commissioners  
**Contract 2010-157** with Downes, Hurst , ) Fulton County, Ohio  
Hass & Kim, LLP for Legal Services ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp.

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, it is necessary to increase **Contract 2010-15**, previously entered into with Downes, Hurst, Hass & Kim LLP for additional legal services being rendered for labor relations; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the increase in **Contract 2010-15** with Downes, Hurst, Hass & Kim LLP in the amount of \$10,000.00 and

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

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

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

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

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

Copy: Auditor; B. Colon; Journal; Contract file

**RESOLUTION 2011-342**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Personnel Action for Department of Job ) Fulton County, Ohio  
And Family Services ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session on April 7, 2011, pursuant to notice, at the office of said board with the following members present:

Commissioners Paul Barnaby, Dean Genter and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, the Board has received notification that Holly Cade, Social Services Worker II, for the Department of Job and Family Services, has successfully completed her probationary period and is therefore eligible for an increase in wages of \$0.50 (fifty cents) per hour; and

**THEREFORE BE IT RESOLVED**, the Fulton County Board of Commissioners hereby approve the probationary wage increase in the amount of \$0.50 (fifty cents) per hour for Holly Cade, effective pay period ending April 23, 2011; and

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

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

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

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

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

Copy to: DJFS; file

**RESOLUTION 2011-343**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Animal Claim as Filed by Ruth Ann Cole ) Fulton County, Ohio  
) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS,** an animal claim has been filed by Ruth Ann Cole, of Delta, Ohio, for 11 Aricona Chickens that were allegedly injured or killed by a stray dog, and

**WHEREAS,** the Fulton County Dog Warden has conducted an investigation and recommends that the claim be approved for the fair market value of the chickens in the total amount of \$110.00;

**THEREFORE, BE IT RESOLVED,** that the Fulton County Board of Commissioners hereby approve the animal claim filed herein by Ruth Ann Cole, of Delta, Ohio, **in the fair market value of \$110.00;** Said animal claim shall be paid from Dog-Animal Claim Fund (2510-15154-5-33200); 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

\_\_\_\_\_  
Dean Genter

\_\_\_\_\_  
Dean Genter

\_\_\_\_\_  
Dean Genter

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Perry Rupp

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Perry Rupp

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Perry Rupp

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

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

**RESOLUTION 2011-344**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) April 7, 2011

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 7, 2011, at 152 South Fulton Street, Wauseon, Ohio, with the following members present: Commissioners Paul Barnaby, Dean Genter, and Perry Rupp

Commissioner \_\_\_\_\_ moved for the adoption of the following resolution:

**WHEREAS**, the Fulton County Auditor has certified the following listed Then and Now purchase orders and payments:

<b>PO Number</b>	<b>VENDOR #</b>	<b>PO Date</b>	<b>Amount</b>
2011000921	STANT20	3/24/2011	\$ 17,922.82
2011000930	SWANC70	3/28/2011	181.61
2011000931	TREAS50	3/28/2011	200.00
2011000932	CITYO89	3/28/2011	45.00
2011000936	FAYET46	3/28/2011	3500.00
2011000938	BRITS50	3/31/2011	9371.93
2011000940	FULTO78	3/31/2011	1737.59
2011000942	GAYLO60	3/31/2011	450.00
2011000943	INDUS60	3/31/2011	42.00
2011000944	UTILI58	3/31/2011	1168.12
2011000945	MEMIL50	3/31/2011	24.30
2011000955	NURSE50	3/31/2011	102.00
			\$ 34,745.37

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

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

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

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

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

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

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

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

