

Description	Minutes of Meeting		
Date	11/22/2010	Location	Commissioners Session Room
Time	Speaker	Note	
9:00:35 AM	Call Meeting to Order Pledge of Allegiance Opening Prayer Roll Call Attendance – All Commissioners Present		
9:01:22 AM	<u>Resolution 2010-1079</u> Approve Minutes of November 18, 2010	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
9:02:09 AM	<u>Resolution 2010-1080</u> Approve Agenda As Presented	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
9:02:31 AM	<u>Resolution 2010-1081</u> Executive Session To Review Collective Bargaining Strategy	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Roll call vote: Barnaby, yes; Genter, yes; Short, yes. Motion carried unanimously.	
9:33:57 AM	Out of Executive Session	Action will be taken after bids are opened.	
9:34:30 AM	Bid Opening-Ditch Improvement 2109-Anderson	The Engineer's Estimate on this project is \$18,275.00. One bid was received as follows: Heer Excavating Archbold, OH Bid Bond Submitted Bid amount: \$18,081.75 The bid was referred to the Engineer's Office for review and recommendation for award of bid.	
9:36:13 AM	·Review Correspondence from Ohio Department of Development Regarding FY06 Formula Final Grant Closeout		
9:37:06 AM	·Review Dog Warden Reports		
9:38:43 AM	·Review Correspondence from OSU Extension Regarding 4-H Carteens Program	Information was submitted to the Board regarding 4-H Carteens which is a teen driver safety program for juvenile traffic offenders.	
9:38:51 AM	·Discuss Appointments to Maumee Valley RC&D Council	Larry Short is currently the member-at-large. He is also up for re-election for the Soil and Water Conservation District. The Board will revisit this after the SWCD elections on Dec 2.	
9:40:54 AM	·Discuss Board of Elections Lease <u>Resolution 2010-1088</u> Authorize 30-day Notification to Terminate	As a follow up to the previous discussion held on November 18, 2010, the lease of the office being used by the Board of Elections is up at the end of the year. There have been discussions about moving the Board of Elections to the EOC building that is owned by the county. A 30-day notice of termination is required to the Lessor of the building. Commissioner Barnaby made the motion to terminate the lease and Commissioner Short seconded the motion. Motion carried unanimously.	

	Lease	
9:41:57 AM	·Review Correspondence from Office of the Ohio Public Defender Regarding Indigent Defense Reimbursement	Notification was received of reimbursement of court appointed counsel fees to the county in the amount of \$7,503.30 for July of 2010.
9:42:28 AM	·Discuss Airport Proposals	<p>Commissioner Genter stated that they have recently received 2 proposals for airport manager: Stewart Aviation and Wright Aviation. Both were interviewed in a special session held by the Board on November 12, 2010. After interviewing it was apparent that each proposal went in a different direction. Stewart aviation wishes to focus on flight training and management. He is established in Adrian, MI and has several planes. The Wrights have been an FBO at the airport in the past so they are experienced in general management. He offers flight training but nothing is established. His proposal is less dollars and offers more revenue for the Airport Board from hangar rentals and fuel sales.</p> <p>Commissioner Genter stated that there will be performance standards put in the place of what they would like to see. The contract would be contingent on these thresholds being met. Commissioner Barnaby stated that either way, it will not be a 5 year contract to start out with.</p> <p>Mr. Glenn Lammon was present for the discussion from the Airport Authority Board. He stated that he liked Stewart's proposal and there are proven factors, but is weak on the management side. He further stated that Wrights proposal is proven as they have prior airport management experience. It would be ideal to let Stewart provide the services and let the Wrights handle the management. Commissioner Genter stated that he had already discussed that and Stewart was not interested. Stewart wants to stick with the proposal to provide the services and manage. Mr. Lammon stated that he is hesitant as he has never been a manager. Commissioner Genter stated that he visited his operation in Adrian and has a good size trucking business. His wife and son mostly run that side. He is working on the side of aviation which is his passion and will fund that with his trucking business. He has an established, active flight school in Adrian. He would rather negotiate these items with Stewart because he's established. He has nothing against the Wrights but as a business, they do not seem to be sure which way they want to go.</p> <p>Mr. Lammon mentioned that Stewart is applying for the 401 School which is a big positive. Right now, anyone attending this schooling has to go to Ann Arbor.</p> <p>Commissioner Genter stated that he is leaning toward Stewart and would like to see if we can come to an agreement and come up with a formal proposal. Commissioner Barnaby stated that he too was leaning toward Stewart. Commissioner Short stated that Stewart's passion is flight instruction, he is established, and has ran a business.</p>

	<u>Resolution 2010-1089</u> Authorize Negotiation of Terms and Conditions for Airport Manager	Commissioner Barnaby made the motion to negotiate terms and conditions with Stewart Aviation and Commissioner Genter seconded the motion. Motion carried unanimously.
9:55:38 AM	Recess	
9:58:15 AM	Action from Executive Session <u>Resolution 2010-1090</u> To Reject Fact Finder Report SERB Case 10-MED-05-0740 <u>Resolution 2010-1091</u> Authorize 30-day Notice to Terminate Contract	The Board rejects, in its entirety, the fact finder report of Donald Burkholder in the matter of Fulton County Sheriff and the Ohio Patrolmen's Benevolent Association (Deputies) SERB case 10-MED-05-0740. Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously. The Board gives their 30-day notice to terminate their contract with Paul Goldberg, the consultant for collective bargaining and labor relations for Fulton County. Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
10:00:52 AM	· <u>Resolution 2010-1082</u> Enter Into Contract 2010-155 with Stephen Campbell and Associates, Inc. on Behalf of Fulton County Sheriff	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
10:02:12 AM	· <u>Resolution 2010-1083</u> Increase Contract 2010-20 with Chris Rorick Trucking for Aggregate on Behalf of County Engineer	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
10:03:13 AM	· <u>Resolution 2010-1084</u> Reinstate Enterprise Zone Agreement 2000-037 with Drivesol Worldwide Inc.	Mr. Hall explained that the prosecutor's office has worked with counsel for Drivesol. They have received all delinquent taxes and the last 2 tax payments. They are no longer in breach of the EZA. The prosecuting attorney has recommended reinstating that status and abating the tax that was previously put back on that they were found to be in breach of. Commissioner Genter stated that this was in great cooperation with the prosecutor, Mr. Hall and the auditor to make this happen. They did not let these dollars go away and were able to get us in the position to make sure this was paid before the sale of the building. Mr. Hall stated that there was \$47K in tax increment financing alone that the general public was in a position to have to pay, but now do not have to because everyone did their job. Commissioner Genter thanked everyone. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
10:05:08 AM	· <u>Resolution 2010-1085</u> Transfer Funds for 3rd Quarter Copier Maintenance Reimbursement	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.

10:05:28 AM	<u>Resolution 2010-1086</u> Create New Line Item; Increase and Transfer Appropriations for Various Departments	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
10:06:40 AM	· <u>Resolution 2010-1087</u> Approve Purchase Orders and Travel Requests	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.
10:07:16 AM	ADJOURN	Commissioner Short made the motion and Commissioner Genter seconded the motion.
	<p>Approved:</p> <hr/> <p>Dean Genter</p> <hr/> <p>Paul Barnaby</p> <hr/> <p>Joseph D. Short</p> <p>Attest:</p> <hr/> <p>Jennifer L. Connors, Clerk</p> <p>A signed copy of the minutes or a recording of the meeting in it's entirety can be obtained in the office of the Clerk of the Board at 152 S. Fulton St, Ste 270, Wauseon, Ohio 43567.</p>	

RESOLUTION 2010-1079

In the Matter of Resolution Approving) Office of County Commissioners
Minutes of Regular Session) Fulton County, Ohio
November 18, 2010) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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 November 18, 2010 as presented; and

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

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

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Dean A. Genter	_____ Dean A. Genter	_____ Dean A. Genter
_____ Paul D. Barnaby	_____ Paul D. Barnaby	_____ Paul D. Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File

RESOLUTION 2010-1080

In the Matter of Resolution to approve) Office of County Commissioners
the agenda as amended or presented) Fulton County, Ohio
) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

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: November 22, 2010; and

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

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

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

cc: File

RESOLUTION 2010-1081

In the Matter of Resolution to Hold an) Office of County Commissioners
Executive Session to Review) Fulton County, Ohio
a Collective Bargaining Strategy) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, Ohio Revised Code 121.22 (G) Except as provided in division (J) of this section, the members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of seven specific topics.

BE IT RESOLVED, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, to begin at _____**am** to review a collective bargaining strategy.

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

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

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Joseph Short

Joseph Short

Joseph Short

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2010-1088

In the Matter of Resolution To Give 30-day) Office of County Commissioners
Notice of Termination of Contract 2008-19) Fulton County, Ohio
with Larry & or Linda Lammon, DBA Lammon) November 22, 2010
Rent Account))

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

Commissioner BARNABY moved for the adoption of the resolution herein.

WHEREAS, on December 24, 2007, the Board of Commissioners entered into Contract 2008-19 with Larry & or Linda Lammon, DBA Lammon Rent Account, on Behalf of the Fulton County Board of Elections, for the lease of property located at 525 N. Shoop Avenue, Wauseon, Ohio; and

WHEREAS, stipulated therein, the contract will automatically extend for an additional 3 year term at the end of the primary term, unless either party notifies the other party, in writing ,at least thirty (30) days prior to the end of the primary term that they elect to have the contract terminate; and

WHEREAS, the Board of Commissioners wishes to terminate said contract.

THEREFORE BE IT RESOLVED, the Board of Commissioners hereby give their 30-day notice to terminate Contract 2008-19, with Larry & or Linda Lammon, DBA Lammon Rent Account, entered into on December 24, 2007, on behalf of the Fulton County Board of Elections; 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 SHORT seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____	_____	_____
Dean A. Genter	Dean A. Genter	Dean A. Genter
_____	_____	_____
Paul D. Barnaby	Paul D. Barnaby	Paul D. Barnaby
_____	_____	_____
Joseph D. Short	Joseph D. Short	Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File

RESOLUTION 2010-1089

In the Matter of Resolution to Negotiate Terms) Office County Commissioners
and Conditions for Airport Manager for Fulton) Fulton County, Ohio
County Airport) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter, Paul Barnaby and Joseph D. Short

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, on October 29, 2010, the Board of Commissioners received Qualification Statements for an Airport Operator for the Fulton County Airport Facility; and

WHEREAS, qualification statements were received from:

- 1) Wright Way Aviation
- 2) Stewart Aviation

WHEREAS, both statements were considered and interviews were conducted during a special open session of the Fulton County Board of Commissioners on Friday, November 12, 2010; and

WHEREAS, upon evaluation of both parties, the Board wishes to negotiate terms and conditions with Stewart Aviation for the contractual service of an Airport Operator for the Fulton County Airport; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners shall negotiate terms and conditions of the contractual service of Airport Operator for the Fulton County Airport with Stewart Aviation; and

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

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

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

RESOLUTION 2010-1091

In the Matter of Resolution To Give 30-day) Office of County Commissioners
Notice of Termination of Contract 2003-79) Fulton County, Ohio
with Goldberg & Warncke Consulting) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

Commissioner BARNABY moved for the adoption of the resolution herein.

WHEREAS, on March 10, 2003, the Board of Commissioners entered into Contract 2003-79 with Goldberg & Warncke Consulting on Behalf of the Fulton County Sheriff to assist in collection bargaining and labor relations matters; and

WHEREAS, paragraph 5 of said agreement stated that the contract shall renew from year to year on March 1st and that either party may terminate the contract upon thirty (30) days written notice to the other party; and

WHEREAS, the Board of Commissioners wishes to terminate said contract.

THEREFORE BE IT RESOLVED, the Board of Commissioners hereby give their 30-day notice to terminate Contract 2003-79 with Goldberg & Warncke Consulting, entered into on March 10, 2003, on behalf of the Fulton County Sheriff; 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 SHORT seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean A. Genter

Dean A. Genter

Dean A. Genter

Paul D. Barnaby

Paul D. Barnaby

Paul D. Barnaby

Joseph D. Short

Joseph D. Short

Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File

RESOLUTION 2010-1082

In the Matter of Resolution to Authorize Board) Office of County Commissioners
President to Enter Into **Contract 2010-155** with) Fulton County, Ohio
Stephen Campbell & Associates, Inc. on) November 22, 2010
Behalf of Fulton County Sheriff)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, a Guaranteed Maintenance Service Agreement Renewal has been successfully negotiated on behalf of the Fulton County Sheriff for continued coverage on certain 911 recording equipment;

THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners hereby authorize the Board President to enter into **Contract 2010-155** with Stephen Campbell and Associates, Inc. as outlined in said contract for the Reliant 16-CH analog, 8 CH digital DVD1 Recorder, S/N 20129, 911 recording system, and UPS Power Supply, pursuant to the terms and conditions stated therein; and

BE IT FURTHER RESOLVED, the contract period shall begin January 1, 2011 and continue through December 31, 2011, unless amended or terminated by formal proceedings and shall be subject to renewal at the annual renewal date; and

BE IT FURTHER RESOLVED, said contract shall be in the amount of \$2,700 unless otherwise amended by formal proceedings; and

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

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

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Joseph D. Short

Joseph D. Short

Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

Cc: Auditor, FCSO, Vendor, Contract file

RESOLUTION 2010-1083

In the Matter of Resolution to) Office of County Commissioners
Increase **Contract 2010-20** With Chris) Fulton County, Ohio
Rorick Trucking LLC on Behalf of) November 22, 2010
the County Engineer)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph D. Short

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, a request has been received from the County Engineer to increase **Contract 2010-20**, previously entered into with Chris Rorick Trucking LLC, for the purchase of additional aggregate materials.

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby approve the increase in **Contract 2010-20** with Chris Rorick Trucking LLC in the amount of \$7,500.00 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:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter

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

Attest: _____
Jennifer L. Connors, Clerk

Copy: Auditor; Engineer; Journal; Contractor file

RESOLUTION 2010-1084

In the Matter of Resolution to **Reinstate**) Office of County Commissioners
Enterprise Zone Agreement 2000-037) Fulton County, Ohio
With Drivesol Worldwide Incorporated) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, November 22, 2010 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter; Paul Barnaby and Joseph D. Short;

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, on January 31, 2000, The Board of County Commissioners of Fulton County, Ohio approved by Resolution (Resolution 2000-077), an Enterprise Zone Agreement (Contract 2000-037), in which Fulton County, Royalton Township, and Teleflex Incorporated were parties to the agreement;

WHEREAS, said Enterprise Zone Agreement, by virtue of its terms, exempted Teleflex Incorporated from the payment of certain real and personal property taxes for a ten year period;

WHEREAS, under the terms of said Enterprise Zone Agreement, Teleflex Incorporated was obligated to file certain tax reports and returns containing information necessary for the calculation of the annual fee to be pursuant to paragraph eleven (11) of the Agreement;

WHEREAS, further pursuant to the terms of said Enterprise Zone Agreement, failure to file said tax reports and returns constitutes a material failure to fulfill the obligations of the agreement, and in so doing, a breach of the Agreement;

WHEREAS, pursuant to paragraph fifteen (15) of said Enterprise Zone Agreement, if Teleflex Incorporated materially fails to fulfill its obligations under the Agreement, the Board of County Commissioners may terminate the exemptions from taxation granted under the said Enterprise Zone Agreement and may further require repayment of the amount of taxes that would have been payable had the subject property not been exempted from taxation under said Enterprise Zone Agreement;

WHEREAS, in 2005, Teleflex Incorporated entered into an Assignment and Assumption Agreement with Drivesol Worldwide, Inc., whereby Teleflex Incorporated as seller conveyed, transferred, assigned and delivered to Drivesol Worldwide, Inc. as buyer all of Teleflex's rights, title and interest in and to the Enterprise Zone Agreement;

WHEREAS, in the said Assignment and Assumption Agreement, Drivesol Worldwide, Inc. as buyer further assumed and agreed to pay, discharge, satisfy and perform when due, all of Teleflex's debts, liabilities or obligations under the Enterprise Zone Agreement;

WHEREAS, Drivesol Worldwide, Inc., as successor-in-interest to Teleflex Incorporated, is thereby obligated to the terms and conditions pursuant to the Enterprise Zone Agreement;

WHEREAS, on April 6, 2009, via Resolution 2009-286, the Board of County Commissioners of Fulton County, Ohio, found Drivesol Worldwide, Inc. to have committed a material breach of the Enterprise Zone Agreement by reason of its failure to file all necessary tax reports and returns for the years 2008 and 2009, and the Board of County Commissioners of Fulton County, Ohio, therefore, terminated the exemptions from taxation granted under said Enterprise Zone Agreement;

WHEREAS, Drivesol Worldwide Incorporated has now complied with all necessary tax reports and returns for the years 2008 and 2009, as it is obligated to do under the terms of the Enterprise Zone Agreement;

THEREFORE, BE IT RESOLVED, The Board of County Commissioners of Fulton County, Ohio do hereby find Drivesol Worldwide, Inc. to be in full compliance and are no longer in material breach of the Enterprise Zone Agreement; and hereby **rescind** prior board action **Resolution 2009-286** previously adopted April 6, 2009.

BE IT FURTHER RESOLVED, pursuant to the Enterprise Zone Agreement, the Board of County Commissioners of Fulton County Ohio hereby reinstates all exemptions granted under the terms of the Enterprise Zone Agreement.

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

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

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Joseph D. Short

Joseph D. Short

Joseph D. Short

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

Attest: _____
Jennifer L. Connors, Clerk

cc: Auditor; Treasurer; Pros Atty; ED Dir

RESOLUTION 2010-1086

In the Matter of Resolution to Create New Line) Office of County Commissioners
 Item; Increase and Transfer Appropriations for) Fulton County, Ohio
 Various Departments) November 22, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 22, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present: Commissioners Dean Genter, Paul Barnaby and Joseph D. Short

Commissioner _____ moved for the adoption of the following resolution:

WHEREAS, it is necessary to create a new line in the GIS internal services fund for professional services; and

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

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

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

6000-63202-5-41100 Professional Services - GIS

BE IT FURTHER RESOLVED, the following **appropriations be TRANSFERRED**:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$ 7,800.00	From: 6000-61202-5-10300	Salaries-Empl-GIS
\$ 5,200.00	From: 6000-63202-5-51000	Supplies-GIS
\$ 1,500.00	To: 6000-63202-5-62000	Equipment-GIS
\$12,800.00	To: 6000-63202-5-41100	Professional Serv-GIS
\$4,000.00	From: 1000-11100-5-10100	Official's Salary-Commissioners
\$4,000.00	To: 1000-11100-5-10300	Employee's Salary-Commissioners

BE IT FURTHER RESOLVED, the following **appropriations be INCREASED**:

<u>AMOUNT</u>	<u>ACCOUNT</u>	
\$17,306.85	1500-11193-5-96000	CORSA Insurance-Self Ins

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

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

Voting Aye thereon:	Voting Nay thereon:	Abstain:
_____ Dean A. Genter	_____ Dean A. Genter	_____ Dean A. Genter
_____ Paul D. Barnaby	_____ Paul D. Barnaby	_____ Paul D. Barnaby
_____ Joseph D. Short	_____ Joseph D. Short	_____ Joseph D. Short

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

Attest: _____
 Jennifer L. Connors, Clerk

Cc: Auditor; Affected Depts. Journal

