

<b>Description</b>	Minutes of Meeting		
<b>Date</b>	11/29/2010	<b>Location</b>	Commissioners Session Room
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">9:01:10 AM</a>	Call Meeting to Order  Pledge of Allegiance  Opening Prayer  Roll Call Attendance – All Members Present		
<a href="#">9:02:15 AM</a>	<b><u>Resolution 2010-1106</u></b> Approve Minutes of November 24, 2010	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:02:31 AM</a>	<b><u>Resolution 2010-1107</u></b> Approve Agenda As Presented or Amended	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:02:44 AM</a>	<b>OLD BUSINESS:</b> · Review Amended Certificate		
<a href="#">9:03:37 AM</a>	· Review Correspondence to EPA Regarding Wastewater Treatment Plant Improvements, Pleasant View Sewer District		
<a href="#">9:04:43 AM</a>	· Review Notice of Environmental Review for Crack Sealing and Fence at Fulton County Airport		
<a href="#">9:05:05 AM</a>	<b>NEW BUSINESS:</b> · <b><u>Resolution 2010-1108</u></b> Award Bid for Ditch Improvement Number 2109-Anderson	Commissioner Genter made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:05:41 AM</a>	· <b><u>Resolution 2010-1109</u></b> Transfer Appropriations for Eastern District Court	Commissioner Short made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:06:41 AM</a>	· <b><u>Resolution 2010-1110</u></b> Approve Amendment #1 to Contract 2010-16 on Behalf of Department of Job and Family Services	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.	
<a href="#">9:08:15 AM</a>	· <b><u>Resolution 2010-1111</u></b> Approve Amendment #3 to Contract 2008-58 with Stantec Consulting Services for FY08 Airport Projects	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.	
<a href="#">9:09:08 AM</a>	· <b><u>Resolution 2010-1112</u></b> Approve Amendment #3 to LexisNexis Contract 2009-46 on Behalf of Department of Job and Family Services	Commissioner Short made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.	
<a href="#">9:11:37 AM</a>	· <b><u>Resolution 2010-1113</u></b> Enter Into Contract 2010-	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion	

	161 with H&H Environmental for Asbestos Removal for NSP Project-Main St., Hicksville	carried unanimously.
<a href="#">9:13:06 AM</a>	· <b>Resolution 2010-1114</b> Amend Appropriations Within FY09 Formula Grant Fund 2741	Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Motion carried unanimously.
<a href="#">9:13:26 AM</a>	· <b>Resolution 2010-1115</b> Approve Purchase Orders and Travel Requests	Commissioner Barnaby made the motion and Commissioner Short seconded the motion. Motion carried unanimously.
<a href="#">9:13:46 AM</a>	Recess	
<a href="#">10:07:00 AM</a>	View of Proposed Ditch Improvement 2112-Filed by Wayne Dinius	<p>Commissioner Genter convened the view at the site of the proposed improvement at County Roads G and 26, in German Township, with Commissioners Barnaby and Short also present, together with Rod Creager, Chief Deputy Engineer, and various landowners.</p> <p>Commissioner Genter turned the discussion over to Mr. Creager. He explained that a petition was filed by Mr. Wayne Dinius to remove an existing headwall and replace a portion of an existing 15” tile and provide erosion control at its outlet. He noted that there have been repairs in this area but nothing on record as it has never been petitioned. The basin was viewed and discussion was held on the natural waterway of the area. Mr. Creager pointed north across Road G stating that they do have record of that waterway and those parcels are not charged with this outlet. The group walked to the bank of the Tiffin River to the point of the headwall. Mr. Dinius explained the lay of the area and the problems observed. Mr. Creager noted that the petition is written to extend the tile by 120 feet, out past the tree line. Landowner Doug Rupp stated that the landowners are not in disagreement that the project needs to be done, he just wanted to make sure that it was done properly and bid out by different contractors. He is bearing the cost of 79% of this project. Mr. Dinius stated that he is not willing to allow an easement on his property. Mr. Kenneth Leupp, Township Trustee, noted that it is implied when all of the landowners are involved in this kind of project. Mr. Creager then explained the easement purpose and process.</p> <p>Commissioner Genter stated that a mutual agreement in this case would be a better route for all involved instead of handling this through the petition process. Mr. Creager explained that if it is done by mutual agreement between the landowners, it can still be put on maintenance with the county so the next time there is problem the landowners do not have to go through the petition process again or another mutual agreement. Mr. Creager further explained that to have this put on maintenance it would require an easement so the county could gain access to do the work when needed. This maintenance will be assessed to the benefitting landowners.</p> <p>He further explained the mutual agreement process, stating that first they need to come up with a</p>

		<p>workable agreement. Everyone here seems to be in agreement as to the scope of the project. The next step is to draw up the plans. This will need to be done by and certified by a licensed engineer or, to save engineering costs, it can be done by the Soil and Water Conservation District. The plans then need to come before the Board of Commissioners for approval. After approved by the Board, the landowners will go out for bid to receive estimates. The estimate would then be divided up between the landowners accordingly. The money would be collected up front and an escrow account would be established. Once the money is collected, the contractor is hired to do the work. Upon completion, it is inspected by the County and if part of the agreement, shall be put on maintenance. Mr. Leupp indicated that the Township has agreed to handle the funds.</p> <p>Mr. Creager noted that they will still convene for the 1st hearing on the 20<sup>th</sup>. If there is progress, the Board may decide to dismiss the petition. If the board does not find there is satisfactory progress, the Board may vote for the petition to move forward.</p> <p>The 1<sup>st</sup> hearing on this matter will be held in the Commissioners' Chambers on January 20, 2011 at 10:30 a.m.</p> <p>The view ended at 10:50 a.m.</p>
	<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 2010-1106**

In the Matter of Resolution Approving        )       Office of County Commissioners  
Minutes of Regular Session                    )       Fulton County, Ohio  
November 24, 2010                                )       November 29, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 29, 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 24, 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:

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ 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 2010-1107**

In the Matter of Resolution to approve ) Office of County Commissioners  
the agenda as amended or presented ) Fulton County, Ohio  
) November 29, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 29, 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 29, 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:

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ 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 2010-1108**

In the Matter of Resolution Awarding Bid ) Office of County Commissioners,  
For Ditch Improvement 2109-Anderson ) Fulton County, Ohio  
) November 29, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 29, 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**, bids were received on November 22, 2010 for the Ditch Improvement Project 2109-Anderson, on behalf of the Fulton County Engineer; and

**WHEREAS**, after review of the bids by Chief Deputy Engineer, Rod Creager, it was determined that bid submitted by Heer Excavating, Inc. was complete and accurate, and further, was the lowest and best bid at a corrected amount of \$17,781.75 and therefore recommended awarding the same; and

**THEREFORE, BE IT RESOLVED**, that the bid for the Ditch Improvement Project 2109-Anderson, shall be awarded to Heer Excavating, Inc, in the amount of \$17,781.75. This is below the engineer’s estimate of \$18,275.00. A contract will be offered for the project; and

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

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

<b>Voting Aye thereon:</b>	<b>Voting Nay thereon:</b>	<b>Abstain:</b>
_____ 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: Engineer; Bidders; File; Journal



**RESOLUTION 2010-1110**

In the Matter of Resolution to Approve                    )   Office of County Commissioners  
**Amendment #1 to Contract 2010-16** with            )   Fulton County, Ohio  
Community Teaching Homes, Inc. for IV-E         )   November 29, 2010  
Services on Behalf of the Department of Job        )     
And Family Services                                     )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, November 29, 2010, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Dean Genter, Paul Barnaby, and Joseph Short

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

**WHEREAS**, is it necessary to amend **Contract 2010-15** previously entered into with Community Teaching Homes, Inc. on Behalf of the Department of Job and Family Services to increase said contract for additional IV-E Services needed; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners, on behalf of the Fulton County Department of Job and Family Services, hereby approve **Amendment No. 1 to Contract 2010-16** in the amount of \$10,960.00 for additional IV-E Services needed from the Community Teaching Homes, Inc.; and

**BE IT FURTHER RESOLVED**, except as expressly amended hereinabove, the contract is otherwise ratified and confirmed; 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>
_____	_____	_____
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

Copy to: Contract File, DJFS; journal

**RESOLUTION 2010-1111**

In the Matter of Resolution to Approve **Amendment #3** ) Office of County Commissioners  
to **Contract 2008-58** with Stantec Consulting Services ) Fulton County, Ohio  
for Engineering Services at the Fulton County Airport ) November 29, 2010

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 29, 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 amend **Contract 2008-58** previously entered into with Stantec Consulting Services on April 24, 2008 for additional engineering services to be rendered for FY08 Projects at the Fulton County Airport for January 1, 2011 through December 31, 2011; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve **Amendment #3 to Contract 2008-58**, thereby amending said contract to add a total of \$3,000 to cover additional engineering services for FY08 Projects at the Fulton County Airport for January 1, 2011 through December 31, 2011, pursuant to the terms and conditions contained therein and attached hereto; and

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

\_\_\_\_\_  
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

Copy to: Journal; contract file; AP File; Stantec



**RESOLUTION 2010-1113**

In the Matter of Resolution Authorizing Board ) Office of County Commissioners  
President to Enter Into **Contract 2010-161** with H & H ) Fulton County, Ohio  
Environmental for Asbestos Removal for Main Street, ) November 29, 2010  
Hicksville - Neighborhood Stabilization Program Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on November 29, 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.

**WHEREAS**, on February 19, 2009, the Board of Commissioners of Fulton County, Ohio, passed Resolution 2010-158, thereby authorizing the participation in the Neighborhood Stabilization Program (NSP) together with Van Wert, Defiance, Henry, Paulding, and Williams Counties and the City of Defiance; and

**WHEREAS**, Fulton County agreed to serve as the lead agency for Region 1, consisting of the entities listed hereinabove, to undertake and carry out the activities associated with the NSP; and

**WHEREAS**, the Maumee Valley Planning Organization (MVPO), consultant providing technical services to the Board of Commissioners in conjunction with the NSP, developed specifications and received quotes for an asbestos removal project known as NSP Rehabilitation Project 2010-05, 831 North Main Street, Hicksville; and

**WHEREAS**, after reviewing the quotes, MVPO found H & H Environmental of Tiffin, Ohio to have submitted the lowest and best quote at \$1,396.50 and recommended awarding the same; and

**THEREFORE BE IT RESOLVED**, that pursuant to the recommendation of the MVPO, the Board of Commissioners, serving as lead entity for the NSP for Region 1, hereby award the Bid to H & H Environmental of Tiffin, Ohio for the NSP Rehabilitation Project 2010-05, 831 North Main Street, Hicksville, Ohio, and authorize the Board President to enter into Contract 2010-161 with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the work specifications, the project stated hereinabove, and pursuant to the terms and conditions stated in the contract; 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>
_____ 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: MVPO (2); Bid File; Journal

**RESOLUTION 2010 –1114**

In the Matter of Resolution to ) Board of County Commissioners  
Amend Appropriations Within ) Fulton County, Ohio  
Grant #B-F-09-1AX-1 ) November 29, 2010

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice on November 29, 2010 at 152 S. Fulton St., 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 made by Fulton County Regional Planning to decrease appropriations within Formula Grant B-F-09-1AX-1 (Fund #2741). All projects have been completed.

**THEREFORE BE IT RESOLVED,** the Fulton County Board of Commissioners hereby authorize the following amendment to lower all appropriations within fund #2741 to zero:

<u>Expense Line Items</u>	<u>Revenue Line Items</u>
2741-17919-5-42100	2741-15919-4-53000
2741-17919-5-42000	2741-15919-4-81000
2741-17919-5-43000	
2741-17919-5-96000	

**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>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Joseph Short	_____ Joseph Short	_____ Joseph Short
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby

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

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

Cc: Auditor, RPC,

**RESOLUTION 2010 –1114  
CERTIFICATE**

I, Jennifer Connors, Clerk of the Board of County Commissioners of Fulton County, Ohio, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners of Fulton County, Ohio, and recorded in Commissioner’s Journal on November 29, 2010.

\_\_\_\_\_, Clerk  
Board of Commissioners, Fulton County, Ohio

