

**News Release**  
**Fulton County Board of Commissioners**  
**September 13, 2012**

[9:02:30 AM](#)

Call Meeting to Order

Pledge of Allegiance

Opening Prayer

Roll Call Attendance - All members in attendance

[9:03:36 AM](#)

· **Resolution 2012-830** Approve Minutes of Regular Session 9/10/2012  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:03:49 AM](#)

· **Resolution 2012-831** Approve Agenda As Presented or Amended  
Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:04:10 AM](#)

**OLD BUSINESS:**

· **Resolution 2012- 832** Authorize Payment of Bills  
Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.

[9:04:35 AM](#)

· Discuss Proposals for Senior Center Parking Lot  
Mr. Hall reported that the survey work is done. He spoke with an engineering firm and there was not much interest expressed as the project is relatively small in nature. He reported that statutorily they are allowed to pursue a design build RFP process. He explained that this involves drawing up a request, distributing to contractors, and the contractor submits a proposal. The contractor designs and builds it. Mr. Hall presented a drawing of the area. Concrete would be bid separately. He also recommended that a couple of lights be put in. Drainage will need to be coordinated with the City of Wauseon. As it is drawn up now, there is room for 23 regular parking spaces and 2 handicapped. Angled parking in this case would eliminate 5 parking spaces. There is a fence along the alley, per agreement with the neighbors. No access from the alley is planned. If this is acceptable to the Board he will begin drawing up the proposal. The alternative would be to have it fully designed by an engineer and would not be done before the end of this year.

**Resolution 2012-839** Authorize Request for Proposals Following Design Build Criteria  
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

[9:12:28 AM](#)

· Review August 2012 Investment Reports  
2012 Interest to-date is at \$311,939.17. The total weighted yield is 1.00%. Commissioner Genter inquired if there were ways to invest in something other than CD's. Mr. Hall advised that the statute is very limited.

[9:14:09 AM](#)

· Review Monthly Apiary Inspection Report

[9:14:31 AM](#)

· Review Draft Maumee Valley Regional CEDS

[9:15:09 AM](#)

## **NEW BUSINESS:**

## **RESOLUTIONS:**

· **Resolution 2012-833** Authorize Release of Permissive Motor Vehicle Tax Funds to Village of Archbold

The Village of Archbold has requested the release of \$24,491.24 in Permissive Motor Vehicle Tax Funds to assist in the costs for improvements to North Buehrer Street. The County Engineer submitted his authorization to use the permissive tax funds requested for this work. The County Auditor's Office confirmed that this amount is available for use. Commissioner Barnaby made the motion and Commissioner Genter seconded the motion. Roll call vote: Rupp, yes; Genter, yes; Barnaby, yes. Motion carried unanimously.

[9:16:08 AM](#)

· **Resolution 2012-834** Approve Change Order No. 10 to Contract 2012-65 with Mosser Construction for Board of DD Renovations and Authorize Board President to Sign

A change order was submitted to increase the contract by \$9,389.00 to repair leaking fire sprinkler line couplings. Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:16:36 AM](#)

· **Resolution 2012-835** Increase and Transfer Appropriations for Various Departments  
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:17:02 AM](#)

· **Resolution 2012-836** Authorize Board President to Enter Into Contract 2012-139 with H&H Environmental for Asbestos Abatement of NSP Property, 1944 West Street, Evansport  
Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

[9:17:32 AM](#)

· **Resolution 2012-837** Approve Then and Now Purchase Orders  
Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.

[9:17:54 AM](#)

· **Resolution 2012-838** Approve Purchase Orders and Travel Requests

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

[9:18:17 AM](#)

Recess

[9:30:43 AM](#)

**Sandy Griggs, Senior Center Director** Department Update

Sandy Griggs and Advisory Board Member, Sally Lutz, were present for the update. She presented minutes from the Advisory Board meeting on the 10<sup>th</sup> explaining that the reports are doubled up as they do not meet in August.

She reported the following:

- Cash on hand balance is \$1,355,846.27
- 8,008 meals were ordered for the month of August. Donations totaled \$9,120.80. There were 341 Home Delivered Meals clients.
- 127 Seniors participated in the housekeeping program. The housekeepers drove 3,251 miles. They received \$1,040.75 in donations.
- Activities at the Wauseon site include: Tai Chi exercise class, and upcoming Body Recall Exercise Class. Both are sponsored by the FCHC. Other programs were given by Deb Schnitkey (piano) and Taylor Crew (signing); Joyce Johnson, Audiologist; Water color painting with Norma Thomas-Heer; Richard Epstein from the Better Business Bureau; Mary Oyer's piano students; Pete Villalovous and his band; and Jenny Hoeffel, First Call for Help.
- Turkeyfoot Creamery will give a program at the Archbold/Fayette sites and bring samples of goat cheeses. John Swearingen of the Fulton County Historical Society and Judy Cook from the FCHC will be presenting also.
- The numbers are down at the Swanton site. Delta remains the same. A video of the Fulton County Fair was enjoyed by the Seniors. Meredith Grime, OSU Extension, will be giving a program. Pete Villalovous and his band will perform at the Swanton site.
- 45 Clients were assisted in August with various problems. Medicare Part D enrollment is starting next month.
- The survey work is complete for the new parking lot. Next step is to remove the trees. A privacy fence will be installed between the new lot and the home beside it.
- 2 new hot shot trucks were delivered last Friday. Lettering needs to be put on the trucks before they are put in service. Someone will be coming to give an estimate. Nan Buehrer suggested that the county's website be included in the lettering if there is enough room.
- The next Advisory Board meeting will be on October 15<sup>th</sup> in the Commissioners' Session Room.

Commissioner Barnaby asked Ms. Griggs to explain to the Board the membership fees that were approved for payment this morning. She stated it is a program that they are involved in that allows them to get materials through the hospital at a discounted rate.

The advisory Board meeting with the Commissioners has been moved to 1:00 p.m. for all future meetings.

[9:46:29 AM](#)

Recess

[10:00:45 AM](#)

**Public Hearing on Road Vacation Petition, filed for by Conrad and Karen Moden**

Commissioner Genter opened the hearing and turned it over to the Clerk to give a brief overview of the project.

She advised that Conrad and Karen Moden filed a petition on July 26, 2012 to vacate various streets and alleys in Knapp's Division in Ottokee. The Board of Commissioners conducted a view of the petitioned area on August 30, 2012 and Frank Onweller, County Engineer, filed his recommendation with the Board of Commissioners on September 12, 2012. She read said recommendation into the record:

*In accordance with Ohio Revised Code 5553.06, I have reviewed the vacation petition filed on July 26, 2012 by Conrad and Karen Moden. The petition requests the vacation of those portions of the public rights-of-way in Knapp's Division in the Village of Ottokee that are located within an area bounded on the east by the east line of West Street, on the south by the south lines of Outlot A and Outlot B (also being the south line property owned by Alice Potter (Volume 298, Page 1493)), on the west by the west line of property owned by Conrad James Moden and Karen F. Moden (OR 304, Page 2211), and on the north by the south right-of-way line of County Road J. The public rights-of-way were created as part of the Plat of the Town of Ottokee in 1850 but were never improved. An accurate legal description and map of the rights-of-way proposed for vacation was submitted with the petition. A letter dated July 16, 2012 from the Board of Dover Township Trustees was filed with the Board of Fulton County Commissioners on August 2, 2012 indicating that the trustees "have no problems" with the vacation request. The township receives state revenue for the north .03 mi. of Township Road 1035 (also known as West Street).*

*A public view of the area was held on August 30, 2012. The rights-of-way are currently occupied as agricultural fields, mowed grass area, and residential drive. During the public viewing, it was mentioned to consider increasing the scope of the petition to include vacating those portions of Street "A" and Alley "F" located within the bounds of the Christine Guilford property (OR 303, Page 3121) and that portion of Street "A" located between West Street and County Road 14.*

*On August 13<sup>th</sup>, aware that the petition was filed, Joe Ramos stopped into the County Engineer's Office. Mr. Ramos lives at 8887 County Road 14 and expressed a concern with the proposed vacation of West Street. He indicated that he gets to the rear of his property by using West Street south from CR J because he doesn't have enough room between his house and the side property lines to get to the rear of his property from County Road 14.*

*Based on information that I have knowledge of and after reviewing the map of the proposed vacations, I want to make you aware of potential encroachments and/or hardships that may be created by certain vacations.*

1. *Vacating West Street will eliminate Mr. Ramos' current means of access to the rear of his property as previously mentioned. During the testimony portion of the public hearing, hopefully more specific information will be provided by the landowners regarding the need for access and maybe an alternate means will be presented if necessary.*
2. *It appears a portion of the driveway to the Thomas Hamilton property at 14049 CR J is located on the west half of the West Street right-of-way which will result in being on the neighbor's property to the west after the vacation.*
3. *It appears a portion of the driveway to the Andrew McQuillin property at 8959 CR 14 is located on the south half of the Street "A" right-of-way. If Street "A" between West Street and County Road 14 is included with the vacation, then the vacation will result in a portion of the McQuillin driveway being on the neighbor's property to the south.*

*A quitclaim deed or driveway easement or some form of land transfer may be required to resolve these driveway encroachments.*

*Excluding West Street and that portion of Street "A" between West Street and County Road 14, it is my opinion that the other public rights-of-way located on the Christine Guilford property should be vacated. The benefit of the vacation will be to provide clean title to the affected landowners that will be more accurately reflect current occupation. It is further my opinion that in deciding whether or not to vacate West Street and/or that portion of Street "A" between West Street and County Road 14, the Board should consider the three potential encroachments and/or hardships previously mentioned that may be created by said vacation.*

Commissioner Genter then turned the hearing over to Frank Onweller for additional comments. He stated that everything was explained in the letter and no additional comments were necessary at this time.

Commissioner Genter performed a mass swearing in to those in attendance that wish to offer testimony in the matter. He opened the floor for testimony:

**Conrad Moden, petitioner,** stated that he owns the property adjacent to all the streets and alleys being petitioned and are no longer in use. For years the area was a mess, littered with trash, and thanked whoever has started cleaning that up because it looks a lot better. He would like to eliminate these streets and alleys as he has dealt with squabbles for over 50 years from people not knowing where the property lines are. This will better define these boundaries and expressed his appreciation for the Board's consideration.

**Joe Ramos, Jr.** pointed out his residence on the map stating he has lived there for over 40 years. Previously there was a road coming through this area that was closed off as no one used it. At that time he asked if he could have access to this area and ended up adding on to his house. Now, with the situation to close West Street, it would knock off

access to the back of his property. It may not be a problem now with his current neighbors, but could be a problem in the future if someone else would move in.

**Jake Ramos**, this area has been taken care of by his family for years and they have always used this access to bring things to back of their property. Street "A" was never used to gain access to the back of his property; they have always used West Street. Using "A" would cause them to get stuck as it is softer. ½ of West Street has always been maintained by his family.

No other testimony was given. Commissioner Genter closed the floor for testimony at 10:14:50 a.m. and began deliberations.

Commissioner Genter inquired if there was interest in expanding the petition to include the other portions of "A" and "F" located within the bounds of the Guilford property and the portion of "A" located between West County Road 14. Mr. Onweller stated that a portion of the driveway to the Hamilton property is located on the west half of the West Street right-of-way which will result in being on the neighbor's property to the west after the vacation thereby creating issues of an easement or reconstruction of a driveway.

Commissioner Rupp inquired of the width of the right-of-way. Mr. Onweller stated there is a 75' right-of-way on West Street and 82' on Street "A". This is not identified on the plat. The Board asked if they could split the alley width and right-of-way to maintain access. Mr. Onweller stated to do this, the entire portion would need to be vacated and then establish a new right-of-way, but we get into some legalities there. They could narrow it up, but the center will still be the center. Access agreements will need to be put in place. There is no issue on the Guilford side, but is a problem on the other side. Commissioner Genter stated they could vacate all of it and then put agreements in place to share access, that way it is cleared up at the county level and still allow access. Mr. Onweller added that each property owner not represented here today may be in agreement with a private initiative to obtain easements.

Jake Ramos inquired why this would have to be done on their dime to draw up the easement and have a survey done. He alleged the petitioner should be responsible for that. Mr. Onweller stated that there would most likely not be another survey done. The right-of-way would be split 50/50 between the landowners on either side of it and be an attachment to the existing deed.

Commissioner Genter stated that they do not have all of the answers needed today and advised continuing this hearing until further information can be gathered on these issues which may involve the prosecuting attorney. Commissioner Rupp added that he feels strongly that they need to provide access as the landowners as they bought their property with the assumption that access would be available. He is for the vacation, but needs to make sure that they have access. Commissioner Barnaby agreed.

Joe Ramos suggested that the portions in question be left as is and vacate the rest. Commissioner Genter stated that this would leave 37.5' that others can come onto the street and drive over crops. A vacation would better define this area and restrict access. He stated that what Mr. Moden owns is not the problem, the problem is access.

**Resolution 2012-842** Continue Hearing on Road Vacation

Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously. The Hearing was continued for 30-days to October 11, 2012 at 11:00 a.m.

[10:40:43 AM](#)

Recess

[11:01:38 AM](#)

**Resolution 2012-840** Hold Executive Session pursuant to ORC §121.22(D)(2), for an audit conference to be conducted by the state auditor with the officials of the public office that is the subject of the audit

Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

[11:29:43 AM](#)

Out of Executive Session

[11:30:04 AM](#)

**Resolution 2012-841** Hold Executive Session pursuant to Ohio Revised Code §121.22 (G)(1), to consider the employment of a public employee or official

Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Roll call vote: Rupp, yes; Barnaby, yes; Genter, yes. Motion carried unanimously.

[12:33:37 PM](#)

Out of Executive Session

No action taken

[12:33:57 PM](#)

**ADJOURN**

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

**RESOLUTION 2012-830**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session of September 10, 2012 ) Fulton County, Ohio  
) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
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 September 10, 2012, 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

\_\_\_\_\_  
Perry L. Rupp

\_\_\_\_\_  
Perry L. Rupp

\_\_\_\_\_  
Perry L. Rupp

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

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

**RESOLUTION 2012-831**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
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: September 13, 2012; 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
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

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



**RESOLUTION 2012-833**

In the Matter of Resolution Approving                    )           Office of County Commissioners  
Request by Village of Archbold for Release of        )           Fulton County, Ohio  
Permissive Motor Vehicle Tax Funds                    )           September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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

**WHEREAS,** the Village of Archbold submitted a request to the Fulton County Engineer dated September 6, 2012 for the release of permissive tax funds in the amount of \$24,491.24 to assist in the costs for improvements to North Buehrer Street located within the Village limits; and

**WHEREAS,** upon review by the Fulton County Engineer, Frank Onweller, and by his letter dated September 11, 2012, permission was granted for the use of permissive tax funds for the project; and

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners approve the distribution of \$24,491.24 of Permissive Motor Vehicle Funds to the Village of Archbold to assist in the costs for the improvements to North Buehrer Street located within the Village limits; and

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

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

<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: Auditor  
Fulton County Engineer  
Village of Archbold  
File

**RESOLUTION 2012-834**

In the Matter of Resolution to Approve Change Order #10 ) Office of County Commissioners  
to Contract 2012-65 with Mosser Construction, Inc. ) Fulton County, Ohio  
For Board of DD Renovations Project and Authorize ) September 13, 2012  
Board President to Sign )

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on September 13, 2012, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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

**WHEREAS**, Beilharz Architects, Inc. has submitted a change order (10) to increase Contract 2012-65 with Mosser Construction, Inc. in the net amount of \$9,389.00 to repair seven (7) leaking fire sprinkler line couplings; and

**WHEREAS**, these changes have been acknowledged by the Fulton County Board of Developmental Disabilities, the Architect, and the Contractor and evidenced by their signature thereupon; and

**THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners hereby approves Change Order No. 10 to Contract 2012-65 in the total net amount of \$9,389.00 as indicated hereinabove, and authorize the Board President to sign; 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

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

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

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

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

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

cc: Architect; Contractor; DD; project file

**RESOLUTION 2012-835**

In the Matter of Resolution to Increase and Transfer ) Office of County Commissioners  
 Appropriations for Various Departments ) Fulton County, Ohio  
 ) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session, pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
 Paul Barnaby  
 Perry Rupp

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

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

**WHEREAS**, there are sufficient funds available in the Certificate of Estimated Resources to allow the increase as requested; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorizes the **INCREASE of APPROPRIATIONS** as follows:

AMOUNT	ACCOUNT	
\$7,000.00	2340-13912-5-62002	FY13 GRANT EQUIPMENT

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

AMOUNT		ACCOUNT	
\$15,000.00	From:	1000-13136-5-41000	CONTRACT SVS-CCNO
\$15,000.00	To:	1000-12121-5-41100	PROFESSIONAL SVS-CPC
\$7,400.00	From:	1000-20700-5-72000	CAP OUTLAY
\$7,400.00	To:	1000-11700-5-52000	SUPPLIES-MAINTENANCE
\$1,000.00	From:	2110-12120-5-41000	CONTRACT SVS-TITLE
\$1,000.00	To:	2110-12120-5-51000	SUPPLIES-TITLE
\$1,000.00	From:	1000-12123-5-42000	MAINT CONTR-CL OF COURTS
\$1,000.00	To:	1000-12123-5-31000	TRAVEL-CLERK OF COURTS

**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  
 \_\_\_\_\_  
 Paul Barnaby  
 \_\_\_\_\_  
 Perry Rupp

\_\_\_\_\_  
 Dean Genter  
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 Paul Barnaby  
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 Perry Rupp

\_\_\_\_\_  
 Dean Genter  
 \_\_\_\_\_  
 Paul Barnaby  
 \_\_\_\_\_  
 Perry Rupp

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

Attest:

cc: Auditor; Affected Departments

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

**RESOLUTION 2012-836**

In the Matter of Resolution Authorizing Board ) Office of County Commissioners  
President to Enter Into **Contract 2012-139** with ) Fulton County, Ohio  
H&H Environmental for NSP Asbestos Removal at ) September 13, 2012  
1944 West Street, Evansport )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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

**WHEREAS**, on February 19, 2009, the Board of Commissioners of Fulton County, Ohio, passed Resolution 2009-158, 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 bids on August 23, 2012 for Asbestos Removal in the NSP Project known as the demolition of 1944 West Street, Evansport, Ohio; and

**WHEREAS**, after reviewing the bids, MVPO found H&H Environmental, to have submitted the lowest and best bid at \$14,300.00 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 for asbestos removal in the NSP project known as Demolition of 1944 West Street, Evansport, Ohio, and authorize the Board President to enter into **Contract 2012-139** 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:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

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

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

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

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

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

Copy To: MVPO (2); Bid File

**RESOLUTION 2012-837**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
 Paul Barnaby  
 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>
2012002021	CITYO89	8/30/2012	\$202.75
2012002022	CURRE60	8/30/2012	13.78
2012002023	BORTO60	8/30/2012	167.50
2012002037	SUPER60	9/6/2012	32.04
2012002043	JONES49	9/6/2012	280.00
2012002044	KOLBS60	9/6/2012	32.75
2012002045	JONES49	9/6/2012	300.00
2012002050	UNITE97	9/6/2012	3,500.00
			\$4,528.82

**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>
_____ Dean Genter	_____ Dean Genter	_____ Dean Genter
_____ Paul Barnaby	_____ Paul Barnaby	_____ Paul Barnaby
_____ Perry Rupp	_____ Perry Rupp	_____ Perry Rupp

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

cc: Auditor

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

**RESOLUTION 2012-838**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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

**BE IT RESOLVED** , that the Fulton County Commissioners will sign a Purchase Order computer edit list prepared by the Fulton County Auditor, in addition to signing each individual purchase order, if necessary. Said Purchase Order Edit List will be on file in the Fulton County Commissioners Office in lieu of being journalized, and;

**BE IT FURTHER RESOLVED**, that the Board of Commissioners approve travel requests as submitted, and;

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

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

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

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Perry Rupp

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

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

Copy To: File

**RESOLUTION 2012-\_\_\_\_\_**

In the Matter of Resolution to Hold an ) Office of County Commissioners  
Executive Session to Conduct Audit ) Fulton County, Ohio  
Conference Pursuant to §121.22(D)(2) ) September 13, 2012

The Board of County Commissioners of Fulton County, Ohio met in a special session on September 13, 2012, pursuant to notice, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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; and

**WHEREAS**, the Board wishes to hold an executive session pursuant to ORC §121.22(D)(2), for an audit conference to be conducted by the state auditor with the officials of the public office that is the subject of the audit; and

**THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, to begin at 11:00 a.m. for an audit conference to be conducted by the state auditor pursuant to ORC §121.22(D)(2); and

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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

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

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

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

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Paul Barnaby

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Paul Barnaby

\_\_\_\_\_  
Paul Barnaby

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

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

**RESOLUTION 2012-\_\_\_\_\_**

In the Matter of Resolution to Hold an                    )           Office of County Commissioners  
Executive Session to Consider the                    )           Fulton County, Ohio  
Employment of a Public Employee,                    )           September 13, 2012  
Pursuant to ORC §121.22(G)(1)                        )           

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on September 13, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter  
Paul Barnaby  
Perry Rupp

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

**WHEREAS**, Ohio Revised Code §121.22 (G) states, 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;

**THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Fulton County, Ohio will hold an Executive Session, pursuant to Ohio Revised Code §121.22 (G)(1) to begin at **11:30 a.m.** to consider the employment of a public employee; and

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

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

<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
Perry Rupp	Perry Rupp	Perry Rupp

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

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