

Description	Minutes of Meeting	
Date	12/27/2012	Location Commissioners Chambers
Time	Speaker	Note
9:01:03 AM	Call Meeting to Order Pledge of Allegiance Opening Prayer Roll Call Attendance - All members present	
9:01:56 AM	<ul style="list-style-type: none"> · <u>Resolution 2012-1152</u> Approve Minutes of Regular Session on 12/20/2012 	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:02:07 AM	<ul style="list-style-type: none"> · <u>Resolution 2012-1153</u> Approve Agenda As Presented 	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:02:42 AM	OLD BUSINESS: <ul style="list-style-type: none"> · Discuss building report from Porter Architects 	Mr. Hall advised that correspondence has been received from Thomas Porter, the firm hired to do an analysis of the structural integrity of the plaza building for conversion to an EOC. Some questions still remain unanswered, which requires further discussions with the subcontractor doing the inspections, which will hopefully happen yet this week.
9:03:56 AM	<ul style="list-style-type: none"> · Discuss Attendance to Ohio Turnpike Commission Briefing 	The Ohio Turnpike Commission will hold a meeting at the Ohio Art Company in Bryan on Friday, December 28, 2012 at 11:30 for a private briefing to review Governor Kasich's proposal regarding the turnpike. Commissioner Barnaby confirmed his attendance.
9:04:20 AM	<ul style="list-style-type: none"> · Review Weekly Dog Warden Reports 	
9:04:28 AM	NEW BUSINESS: RESOLUTIONS: <ul style="list-style-type: none"> · <u>Resolution 2012-1154</u> Approve MOU Between Fulton County Economic 	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.

	Development & Department of Job and Family Services	
9:05:40 AM	· <u>Resolution 2012-1155</u> Lower Purchase Order; Lower and Transfer Appropriations for Various Departments	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:06:36 AM	· <u>Resolution 2012-1156</u> Approve Pay Request (1- Final) to Mika Construction, Inc. for Ditch Improvement 2110-Branch 41 of Bad Creek	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried 2-1. Commissioner Rupp abstained.
9:07:30 AM	· <u>Resolution 2012-1157</u> Increase Various Contracts on Behalf of Department of Public Utilities	Commissioner Genter made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:08:04 AM	· <u>Resolution 2012-1158</u> Enter Into IV-D Contract with Fulton County Prosecuting Attorney on Behalf of Department of Job and Family Services	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:08:28 AM	· <u>Resolution 2012-1159</u> Approve Purchase Order and Travel Requests	Commissioner Barnaby made the motion and Commissioner Rupp seconded the motion. Motion carried unanimously.
9:09:35 AM	Recess	
10:01:44 AM	Reconvene Final Hearing on Ditch Improvement 2116 Filed for by Rosemary Meier	Commissioner Genter opened the hearing turned it over to Rod Creager. Mr. Creager explained that this hearing was continued from November 1, 2012 as the commissioners requested him to work up an alternate route to cut costs. Mr. Creager presented an alternate route as requested thereby going inward from an existing utility easement. He explained that this may create a problem with leachbeds in those areas. He presented an aerial thereby showing the current easement and the railroad tie that runs through that area. He stated that the alternate line may be cheaper but in the long run will be more of a nuisance for ongoing maintenance. He suggested

going with the original plan to run the line along Dover Drive as it is on the public right-of-way, readily maintained, less intrusive and less maintenance and costs down the road. This would provide each lot with a catch basin, which would be specially assessed to the landowner and not spread across the entire project. The only disadvantage to going along the road is the need to repair the driveways.

Mr. Creager answered questions from the landowners that were present. He explained how special assessments work and advised that each person with a special assessment can hire this out themselves, as long as it is done according to the county's specs. He addressed a landowner concern regarding the possibility of causing problems on CR J, stating that there is enough free fall on J to accommodate this.

Commissioner Genter asked if there was any interest in extending the project to the North with a 10". That could be part of this project or a possibility in the future to create an additional outlet for drainage if needed. He advised that when developers came in back in the 70's and put this subdivision in, there were no drainage mandates in place at the time, so to cut costs the developers hooked into surrounding farm tile. Now we have to fix it. He explained the lay of the area, and the purpose of the ponds. Mr. Creager explained the maintenance provision as it is assessed periodically to the landowners on an as needed basis.

At 10:57 Commissioner Genter performed a mass swearing in and opened the floor for testimony.

- Larry Burkholder, present on behalf of the Dover Township Trustees, stated that the trustees are all in agreement that they would prefer that this line be run along the road as it gives access for inspection, can be maintained correctly and can address issues more easily. Their assessment went from \$7,000 to \$3,300 with the alternate

route, but decided after learning of the ancillary issues associated with the alternate route, they would rather have it run along the road. He further stated that the trustees are all in agreement that the Township would pick up any extra costs incurred between the 2 projects for themselves and all the landowners if it were run along the road. The subdivision had some major design flaws right from the beginning. This will give 1' more depth and lowering the catch basins will drain along the drive. Draining further to the north may be something to be addressed in the future. This project will not guarantee no water, but will guarantee that it will drain faster.

- Larry Vietmeyer stated that if it is something that (the Board) is going to do, he agrees that it should be done right, and come down Dover, that way it can be extended if needed. This will get up to today's codes and plan for future growth. This will also remove the stigma and help property values.
- Ed Lagenza stated that at the last meeting he signed a petition (that was read into the record in opposition to the project) and would like to remove his name from it. He would like to go down the road and extend the project the rest of the way.

Commissioner Genter closed the floor for testimony at 11:18:15 a.m. and the Board began deliberations.

Commissioner Genter thanked Mr. Creager for his extra work on this project and made a motion to proceed with the original design on the west side of Dover Drive. Commissioner Barnaby seconded the motion. He stated that after hearing testimony on sumps burning out there is obviously a problem with drainage. The Board of Commissioners is charged with the duty of getting rid of water. They have to do the right thing even if it's not the most popular decision. The petitioners didn't have

		<p>anything to do with the way the subdivision was built, and they have the right to ask for help. It is also not the responsibility of the county to pay for what was done. The county incurs expenses too. He added that if the North wants to be added, now is the time. Upon calling the roll, the following vote was taken: Rupp, yes; Barnaby, yes; Genter, yes; Motion carried unanimously. The assessment pay back period shall be five (5) years. A bid opening will be held for the construction of the improvement on February 14, 2013 at 10:00 and will be advertised in accordance with Ohio Law.</p>
11:24:51 AM	ADJOURN	Commissioner Genter made the motion and Commissioner Rupp seconded the motion.
	<p>APPROVED:</p> <hr/> <p>Dean Genter</p> <hr/> <p>Paul Barnaby</p> <hr/> <p>Perry Rupp</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 its 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 2012-1153

In the Matter of Resolution to Approve) Office of County Commissioners
Agenda as Amended or Presented) Fulton County, Ohio
) December 27, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on December 27, 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: December 27, 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:

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

RESOLUTION 2012-1154

MEMORANDUM OF UNDERSTANDING

In the Matter of Resolution Amending) Office of County Commissioners,
Working Relationship between Fulton County) Fulton County, Ohio
Economic Development & Fulton County) December 27, 2012
Department of Job & Family Services)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on December 27, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner _____ moved the adoption of the following resolution:

WHEREAS, the Fulton County Commissioners approved Resolution #2005-92 on February 7, 2005 thereby approving the working relationship between Fulton County Economic Development & the Fulton County Department Job & Family Services, and

WHEREAS, the 2013 Memorandum of Understanding is to include all WIA related expenses.

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners approve the Memorandum of Understanding and authorize Fulton County Economic Development to invoice the Fulton County Department of Job and Family Services for WIA related expenses; 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.

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

Perry Rupp

Perry Rupp

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

cc: FCED, FCWFD, FCJFS, Auditor

RESOLUTION 2012-1169

In the Matter of Resolution to Close Purchase Orders;) Office of County Commissioners
 Lower Appropriations; and Transfer Funds For) Fulton County, Ohio
 Various Departments) December 31, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session, pursuant to notice, on December 31, 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 lower and transfer appropriations and lower a purchase order for several departments balance appropriations for year end; and

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby authorizes the following **Purchase Order be CLOSED**:

PO NO	VENDOR	AMOUNT	DEPT
2011002057-001	BEILH50	\$15,746.26	COMM
2012000168-002	DEFIA42	157.50	COMM
2012000169-002	WILLI30	157.50	COMM
2012000170-002	HENRY45	157.50	COMM
2012000784-001	MEIRI35	50.00	COMM
2012000959-001	TOMAH50	14.50	COMM
2012000960-001	USPOS40	68.79	COMM
2012002267-001	DAVIS88	45.00	COMM
2012002277-001	TERRY50	1.00	COMM
2012002360-001	CURRE60	33.97	COMM
2012002694-001	GORDO50	14,000.00	SR CTR
2012000338-001	NRGRE50	900.00	TR STN
2012002318-001	ZACKS60	1,000.00	TR STN
2012000701-001	HENRY30	100.00	TR STN
2011002287-001	MECKD50	1,825.95	DITCH

BE IT FURTHER RESOLVED that the Fulton County Board of Commissioners hereby authorizes the following **APPROPRIATIONS BE LOWERED**:

:AMOUNT	ACCOUNT	
\$15,000.00	3010-40000-5-91000	E/B & Assumption W/L Bonds
\$150,701.00	4140-20143-5-41007	Cap Outlay-Asph Resurf CRB
\$185.44	5300-14144-5-10300	Salaries-Transfer Station
\$2,310.14	5300-14144-5-41000	Contract Svs-Transfer Station
\$28,052.10	4374-20146-5-41000	Contract Proj-2107 Storeholder
\$68,242.80	4375-20146-5-41000	Contract Proj-2110 Howard

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

AMOUNT		ACCOUNT	
\$20,000.00	From:	1000-11100-5-10300	Salaries-Comm
\$20,000.00	To:	1000-52000-5-94000	Transfer Out-GF
\$20,000.00	From:	1000-52000-5-94000	Transfer Out-GF
\$20,000.00	To:	5300-41144-4-41100	Transfer IN-Transfer Station

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:

cc: Auditor; Affected Depts

Jennifer L. Connors, Clerk

RESOLUTION 2012-1156

In the Matter of Resolution to Approve) Office of County Commissioners
Change Order (1-Final) and Pay Request (1-Final)) Fulton County, Ohio
For Ditch Improvement No. 2110-Branch 4, Bad Creek) December 27, 2012

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on December 27, 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, the County Engineer, has submitted Change Order (1-Final) to DECREASE Contract 2011-71 with Mika Construction, Inc. for non-performances on the Ditch Improvement 2110, Branch 4 of Bad Creek Project; and

WHEREAS, the County Engineer has further submitted a Pay Request (1-Final) for work performed on the project indicated herein; and

WHEREAS, the County Engineer has inspected the work performed therein and declares the work to be substantially complete in accordance with the contract documents, and further recommends approval of the Change Order and Pay Request as submitted; and

THEREFORE BE IT RESOLVED, pursuant to the recommendation of the County Engineer, the Fulton County Board of Commissioners hereby approves a DECREASE to Contract 2011-71, in the amount of \$2,825.69, due to non-performances on the Ditch Improvement 2110, Branch 4 of Bad Creek Project; and

BE IT FURTHER RESOLVED, the Fulton County Board of Commissioners hereby approves the Final Pay Request as submitted, in the amount of \$65,417.11; 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 Connors, Clerk

Cc: Engineer; Project File

RESOLUTION 2012-1158

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2012-187 with Fulton County Prosecuting) Fulton County, Ohio
Attorney For IV-D Services on Behalf of the) December 27, 2012
Department of Job and Family Services)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, December 27, 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, pursuant to Title IV-D of the Social Security Act; ORC §3125.13 and §3125.14; and Rule 5101:12-10-45, and its supplemental rules of the Ohio Administrative Code, the Board is authorized to enter into Contract for IV-D Services on behalf of the Department of Job and Family Services;

THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners, on behalf of the Fulton County Department of Job and Family Services will enter into **Contract 2012-187** with the Fulton County Prosecuting Attorney for IV-D Services as set forth in the contract attached hereto and incorporated herein by reference, in the amount of \$82,661.05; and

BE IT FURTHER RESOLVED, that the terms of the contract is effective from January 1, 2013 through December 31, 2013, unless otherwise terminated or extended by formal proceedings as defined therein; 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

Copy to: Auditor; Contract File, DJFS

RESOLUTION 2012-1159

In the Matter of Resolution Approving) Office of County Commissioners,
Purchase Orders and Travel Requests) Fulton County, Ohio
) December 27, 2012

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on December 27, 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

Perry Rupp

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

Attest: _____
Jennifer L. Connors, Clerk

Copy To: File