

**Fulton County Board of Commissioners  
Commissioners' Chambers  
152 S. Fulton Street, Suite 270  
Wauseon, OH 43567**

**MINUTES OF MEETING  
3/21/2013**

[9:03:50 AM](#)

- **Call Meeting to Order**
- **Pledge of Allegiance**
- **Opening Prayer**
- **Roll Call Attendance-All members present**

[9:04:46 AM](#)

**Resolution 2013-230** Approve Minutes of March 19, 2013

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:05:57 AM](#)

**Resolution 2013-231** Approve Agenda As Presented or Amended

Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:06:28 AM](#)

**OLD BUSINESS:**

**Resolution 2013-232** Approve Payment of Bills

Commissioner Rufenacht made the motion and Commissioner Rupp seconded the Motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:06:57 AM](#)

**Review Notice of Monitoring Visit from ODSA Regarding Neighborhood Stabilization Program**

ODSA will be conducting a monitoring visit on April 24-26 to monitor the FY08 Neighborhood Stabilization Program.

[9:07:23 AM](#)

**Review Notification of CEBCO Annual Membership Meeting**

The CEBCO Annual Membership Meeting will be held at the Crowne Plaza Hotel in Dublin, Ohio on April 12, 2013. Commissioner Barnaby plans to attend.

[9:07:55 AM](#)

**Review Permissive Sales Tax Report**

| PERMISSIVE SALES TAX COMPARISON<br>2012 Accumulative |                   |                        |                        | PERMISSIVE SALES TAX COMPARISON<br>2013 with 2012 Comparison |               |                |                        |                        |
|--|-------------------|------------------------|------------------------|--|---------------|----------------|------------------------|------------------------|
|  | 1% Tax<br>Revenue | Additional<br>Tax 1/2% | Accumulative<br>Totals | 1% Tax<br>Revenue  | 1%<br>Monthly | 1% Y-T-D       | Additional<br>Tax 1/2% | Accumulative<br>Totals |
| Jan  | \$325,519.30      | \$161,659.29           | \$487,178.59           | \$322,108.17   | -1.05%        | \$322,108.17   | \$160,903.22           | \$483,011.39           |
| Feb  | \$330,238.81      | \$164,149.09           | \$981,566.49           | \$339,130.63   | 2.69%         | \$661,238.80   | \$169,231.96           | \$991,373.98           |
| Mar  | \$448,891.11      | \$224,492.64           | \$1,654,950.24         | \$409,642.39   | -8.74%        | \$1,070,881.19 | \$204,379.39           | \$1,605,395.76         |
| Apr  | \$313,628.61      | \$156,692.69           | \$2,125,271.54         |  |               |                |                        |                        |
| May  | \$343,774.31      | \$171,301.51           | \$2,640,347.36         |  |               |                |                        |                        |
| Jun  | \$378,740.93      | \$188,738.35           | \$3,207,826.64         |  |               |                |                        |                        |
| Jul  | \$350,944.20      | \$175,392.00           | \$3,734,162.84         |  |               |                |                        |                        |
| Aug  | \$358,476.60      | \$179,327.35           | \$4,271,966.79         |  |               |                |                        |                        |
| Sep  | \$432,580.25      | \$214,919.63           | \$4,919,466.67         |  |               |                |                        |                        |
| Oct  | \$337,078.52      | \$165,679.48           | \$5,422,224.67         |  |               |                |                        |                        |
| Nov  | \$364,374.87      | \$181,199.79           | \$5,967,799.33         |  |               |                |                        |                        |
| Dec  | \$365,138.13      | \$182,036.21           | \$6,514,973.67         |  |               |                |                        |                        |

[9:08:39 AM](#)

**Review Correspondence from Ohio EPA Regarding Fulton County Landfill**

Mr. Musallam was present for the discussion. He stated that this was in response to the County's request to temporarily modify the operating levels of the lagoons. The EPA's correspondence indicates this to be unacceptable. He will be attending a meeting at the BG EPA Office to further discuss the details and explain the purpose of the request. Commissioner Rupp inquired of the ability to pump to Delta. Mr. Musallam replied that he has sent 3 requests to their Mayor, with the Administrator and Operator copied, with a proposed operating contract, and copies of the testing results. He has not received a reply. He noted that if they agree to accept the leachate, the County will be responsible for the costs incurred for the testing. Mr. Rupp stated that even with the extra testing costs it will still be less costly than having it hauled. Should the discharge to Delta be approved, the equipment and process can be set up in a matter of a couple of days at a cost of \$15K +/-.

[9:16:25 AM](#)

**NEW BUSINESS:**

**RESOLUTIONS:**

**Resolution 2013-233** Approve Pay Request #3 and Retainage for Northeast Water System-Water Meters Upgrade Project

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, abstain; and Barnaby, yes. Motion carried 2-1.

[9:17:27 AM](#)

**Resolution 2013-234** Authorize Increase and Transfer of Appropriations

Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:17:48 AM](#)

**Resolution 2013-235** Authorize Board President to Enter Into Contract with Perry Corporation on Behalf of Fulton County Probate Court

Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:18:27 AM](#)

**Resolution 2013-236** Enter Into Contract with Sines Excavating, LLC for NSP Demolition Project – 1079 N. Perry St., Napoleon

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:19:09 AM](#)

**Resolution 2013-237** Approve Then and Now Purchase Orders

Commissioner Rupp made the motion and Commissioner Barnaby seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:19:37 AM](#)

**Resolution 2013-238** Approve Purchase Orders and Travel Requests

Commissioner Rupp made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:20:16 AM](#)

**Resolution 2013-242** Amend Resolution 2013-229 to Amend Holiday Schedule

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Mr. Hall explained that there was a miscommunication regarding the resolution passed earlier in

the week regarding Good Friday. He advised that under the statute, 325.19(F), each elected official has the authority to close their own office, but only the Commissioners have the authority to close the buildings. The Clerk interpreted their previous action to include only offices under the Board of Commissioners and prepared the resolution accordingly. He asked if it was their intent to only close the offices under the Board, or if it was to close all buildings. A majority of the Board stated that the intent was to close all buildings. The Resolution must be amended to state that all County Buildings will close at NOON on Good Friday, not just the offices under the Boards' direction. Upon calling the roll, the following vote was taken: Rufenacht, yes; Rupp, yes; and Barnaby, yes. Motion carried unanimously.

[9:23:05 AM](#)

**Sales Tax Discussion**

Commissioner Rufenacht questioned a discrepancy in the Sales Tax Report. It was discovered that the new numbers didn't compute correctly in the spreadsheet and were corrected.

[9:28:13 AM](#)

Commissioner Rupp was excused to attend another meeting

[9:33:41 AM](#)

**Lisa Arend, Economic Development Director – To Present Annual Reporting**

**Ms. Arend presented the following regarding Enterprise Zone Agreements in 2012:**

| Company  | School District          | Local Jurisdiction | TIRC Recommendation | Year of Review |
|--|--------------------------|--------------------|---------------------|----------------|
| AERO BEECH, LTD.                                 | WAUSEON SCHOOL DISTRICT  | DOVER TOWNSHIP     | <i>continue</i>     | 4              |
| CONAGRA GROCERY PRODUCTS                         | ARCHBOLD-AREA LOCAL SD   | ARCHBOLD           | <i>continue</i>     | 9.5            |
| FULTON COUNTY PROCESSING LTD                     | PIKE-DELTA-YORK LOCAL SD | YORK TOWNSHIP      | <i>expire</i>       | 10             |
| KELSEY-HAYES COMPANY, DBA TRW AUTOMOTIVE BRAKING | GORHAM FAYETTE LOCAL SD  | FAYETTE            | <i>expire</i>       | 10             |
| THE WORTHINGTON STEEL COMPANY                    | PIKE-DELTA-YORK LOCAL SD | YORK TOWNSHIP      | <i>continue</i>     | 9              |

**Active Community Reinvestment Areas:**

| Company                        | School District             | Local Jurisdiction | TIRC Recommendation | Year of Review |
|--------------------------------|-----------------------------|--------------------|---------------------|----------------|
| Fulton County Processing, Ltd. | PIKE- DELTA - YORK LOCAL SD | YORK TOWNSHIP      | <i>continue</i>     | 4              |
| North Star Steel / BHP         | PIKE- DELTA - YORK LOCAL SD | YORK TOWNSHIP      | <i>expire</i>       | 15             |
| Worthington Industries, Inc.   | PIKE- DELTA - YORK LOCAL SD | YORK TOWNSHIP      | <i>expire</i>       | 15             |
| Worthington Industries, Inc.   | PIKE- DELTA - YORK LOCAL SD | YORK TOWNSHIP      | <i>continue</i>     | 4              |

**Tax Increment Financing:**

| Company                      | School District           | Local Jurisdiction | TIRC Recommendation |
|------------------------------|---------------------------|--------------------|---------------------|
| Fulton County Processing     | PIKE- DELTA-YORK LOCAL SD | YORK TOWNSHIP      | Expire              |
| North Star BHP Steel, LLC    | PIKE- DELTA-YORK LOCAL SD | YORK TOWNSHIP      | Expire              |
| Worthington Industries, Inc. | PIKE- DELTA-YORK LOCAL SD | YORK TOWNSHIP      | Expire              |

Pursuant to Commissioner Rufenacht's request Ms. Arend explained each agreement.

1. Enterprise Zone Agreement (EZA) – provides real and personal property tax exemptions to businesses
2. Community Reinvestment Area (CRA) - provides real property tax exemptions for property owners who renovate existing or construct new buildings.
3. Tax Increment Financing (TIF) – prorates tax dollars to finance infrastructure improvements

Ms. Arend presented the meeting minutes and letters of recommendation from the TIRC (Tax Incentive Review Council). Commissioner Rufenacht noted an error in the year reported in the minutes. Ms. Arend will make sure it is corrected from 2011 to 2012 before submitting to the State.

[9:44:39 AM](#)

**Resolution 2013-240** Accept Recommendations of Fulton County Tax Incentive Review Council Regarding Enterprise Zone, CRA, and TIF Agreements

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; and Barnaby, yes. Motion carried unanimously.

The Regional Planning Commission submitted their Semi-Annual Economic Development RLF Report also for the Board's consideration:

**Resolution 2013-239** Approve Semi-Annual RLF Report and

Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll, the following vote was taken: Rufenacht, yes; and Barnaby, yes. Motion carried unanimously.

[9:46:46 AM](#)

Recess

[9:47:01 AM](#)

**Beth Friess, Board of Developmental Disabilities Superintendent – To Discuss Developmental Disabilities Awareness Month**

Beth Friess, together with Kathy Stockham, Maria Martinez and Kim Reaver were present.

Ms. Fries explained that “each year, March is DD Awareness Month. The non-profit *group Ohio Public Images* develops an annual theme. This year, the theme is **Look Beyond**:

**Look Beyond** to See My Capabilities.

**Look Beyond** to See My Future.

**Look Beyond** to See My Potential.

And **Look Beyond** to See The Joy I Bring.”

“We wanted to meet with you today to thank you each of you for the big part that you play in helping others Look Beyond. With TP's job of processing recycling for the County, you clearly were able to Look Beyond and See the Capabilities and Potential that our workers had to be able to handle such a venture.”

“We also appreciate that you were all able to join us for the banquet last week. While we are there to honor our workers such as Maria here and we all witnessed how happy they were to receive their awards, I think we all felt the Joy They Bring to All of Us. I was sorry that Larry was unable to be with us but filling in for him meant I was the one who got all of the hugs. And what could be better than that!”

“So, on behalf of the Board of DD, we would like to present you with these mugs, for Looking Beyond and helping others to do the same.”

The Board accepted the mugs and gathered with Beth, Kathy, Maria and Kim for a photo.

[10:06:19 AM](#)

Recess

[10:07:10 AM](#)

Adjourn

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

APPROVED:

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Paul Barnaby

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Perry Rupp

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Bill Rufenacht

ATTEST:

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Jennifer L. Connors, Clerk

**RESOLUTION 2013-230**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session of March 19, 2013 ) Fulton County, Ohio  
) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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 March 19, 2013, as presented; and

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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Paul Barnaby

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Paul Barnaby

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Perry Rupp

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Perry Rupp

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Perry Rupp

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Bill Rufenacht

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Bill Rufenacht

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Bill Rufenacht

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

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

**RESOLUTION 2013-231**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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: March 21, 2013; 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>         |
|----------------------------|----------------------------|-------------------------|
| _____<br>Paul Barnaby      | _____<br>Paul Barnaby      | _____<br>Paul Barnaby   |
| _____<br>Perry Rupp        | _____<br>Perry Rupp        | _____<br>Perry Rupp     |
| _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht |

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

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

**RESOLUTION 2013-232**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Payment of Bills ) Fulton County, Ohio  
) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS,** the Fulton County Auditor certifies that the money for the credit of the bills listed on the Disbursement List is in the Treasury for the credit of the Funds from which they are to be paid, and is not appropriated for any other purpose.

**THEREFORE BE IT RESOLVED,** that the Board of Commissioners approve the payment of bills as submitted, and;

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

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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Paul Barnaby

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Paul Barnaby

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Perry Rupp

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Perry Rupp

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Perry Rupp

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Bill Rufenacht

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Bill Rufenacht

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Bill Rufenacht

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

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

**RESOLUTION 2013 - 233**

In a Matter of Resolution to Approve Pay ) Office of County Commissioners  
Request No. 3 and Retainage for Northeast ) Fulton County, Ohio  
Water System – Water Meters Upgrade Project ) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on March 21, 2013, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS**, Mika Construction, Inc. has submitted a request for Payment No. 3 as part of Contract 2012-156 for the Northeast Water System – Water Meters Upgrade Project in the amount of \$29,454.76 and for retainage in the amount of \$6,597.42; and

**WHEREAS**, the Director of Public Utilities has recommended the approval of Pay Request No. 3 and retainage as shown on the Contractor’s Application for Payment dated March 4, 2013.

**THEREFORE BE IT RESOLVED**, that Pay Request No. 3 to Mika Construction, Inc. in the amount of \$29,454.76 and for retainage in the amount of \$6,597.42 be approved.

**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

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Paul Barnaby

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Paul Barnaby

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Perry Rupp

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Perry Rupp

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Perry Rupp

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Bill Rufenacht

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Bill Rufenacht

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Bill Rufenacht

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

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

Cc: Dept. of Public Utilities



**RESOLUTION 2013-234**

In the Matter of Resolution to Increase ) Office of County Commissioners,  
 Appropriations for the Public Utilities Department ) Fulton County, Ohio  
 ) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
 Perry Rupp  
 Bill Rufenacht

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

**WHEREAS**, it is necessary to increase and transfer appropriations for the Public Utilities Department to meet expenses for supplies for the Elmira/Burlington Sewer District the remainder of the year; and

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

**THEREFORE, BE IT RESOLVED**, APPROPRIATIONS BE INCREASED as follows:

| AMOUNT     | ACCOUNT            |   |
|------------|--------------------|---|
| \$2,093.00 | 5105-63903-5-51000 | Elmira/Burlington Sewer District Supplies |

**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

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 Paul Barnaby

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 Paul Barnaby

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 Perry Rupp

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 Perry Rupp

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 Perry Rupp

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 Bill Rufenacht

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 Bill Rufenacht

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 Bill Rufenacht

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

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

Copy to: Auditor; FCPU

**RESOLUTION 2013-235**

|   |   |                                |
|---|---|--------------------------------|
| In the Matter of Resolution to Authorize Board        | ) | Office of County Commissioners |
| President to Enter Into <b>Contract 2013-30</b> , and | ) | Fulton County, Ohio            |
| Authorize Addendum, with the Perry Corporation on     | ) | March 21, 2013                 |
| Behalf of Probate Court                               | ) |                                |

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS**, a contract has been successfully negotiated with the Perry Corporation, on behalf of the Fulton County Probate Court, for the lease and maintenance of copy/print equipment currently in use by the Court.

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners will enter into **Contract 2013-30** with the Perry Corporation, on behalf of the Fulton County Probate Court, for the equipment stated therein, and pursuant to the terms and conditions thereto; and

**BE IT FURTHER RESOLVED**, the contract shall be in effect for a period of sixty (60) months, at a rate of \$207.00 per month, and shall not be extended or amended unless through formal proceedings of the Board of Commissioners; 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:                |
|-------------------------|-------------------------|-------------------------|
| _____<br>Paul Barnaby   | _____<br>Paul Barnaby   | _____<br>Paul Barnaby   |
| _____<br>Perry Rupp     | _____<br>Perry Rupp     | _____<br>Perry Rupp     |
| _____<br>Bill Rufenacht | _____<br>Bill Rufenacht | _____<br>Bill Rufenacht |

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

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

Copy to: Auditor; Probate Court; Contract File

**RESOLUTION 2013-236**

In the Matter of Resolution Authorizing Board ) Office of County Commissioners  
President to Enter Into **Contract 2013-31** with ) Fulton County, Ohio  
Sines Excavating, LLC – 1079 N. Perry St. ) March 21, 2013  
Napoleon, NSP Demolition Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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 March 6, 2013 for the project known as NSP Residential Demolition Project 1079 North Perry Street, Napoleon, Ohio; and

**WHEREAS**, after reviewing the bids, MVPO found Sines Excavating, LLC to have submitted the lowest and best bid at \$8,325.00 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 Sines Excavating, LLC for the project known as the NSP Residential Demolition Project 1079 North Perry Street, Napoleon, Ohio, and authorize the Board President to enter into **Contract 2013-31** with the same to furnish all labor, equipment, supplies, material and supervision necessary to complete, in accordance with the Work Specifications, the demolition of 1079 North Perry Street, Napoleon, Ohio, 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:**

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

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

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

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

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

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

\_\_\_\_\_  
Bill Rufenacht

\_\_\_\_\_  
Bill Rufenacht

\_\_\_\_\_  
Bill Rufenacht

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

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

Copy To: MVPO (2); Bid File

**RESOLUTION 2013-237**

In the Matter of Resolution to Approve ) Office of County Commissioners,  
 Then and Now Purchase Orders and Payments ) Fulton County, Ohio  
 ) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
 Perry Rupp  
 Bill Rufenacht

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:

| PO Number    | VENDOR # | PO Date   | Amount            |
|--------------|----------|-----------|-------------------|
| 2013000854   | TOWER50  | 3/7/2013  | \$300.00          |
| 2013000871   | FULTO31  | 3/14/2013 | \$150.00          |
| 2013000872   | BENDE20  | 3/14/2013 | \$292.00          |
| 2013000874   | CITYO89  | 3/14/2013 | \$3122.50         |
| 2013000877   | COMPM50  | 3/14/2013 | \$1857.50         |
| <b>TOTAL</b> |          |           | <b>\$5,722.00</b> |

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

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

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

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

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

|                            |                            |                 |
|----------------------------|----------------------------|-----------------|
| <b>Voting Aye thereon:</b> | <b>Voting Nay thereon:</b> | <b>Abstain:</b> |
| _____                      | _____                      | _____           |
| Paul Barnaby               | Paul Barnaby               | Paul Barnaby    |
| _____                      | _____                      | _____           |
| Perry Rupp                 | Perry Rupp                 | Perry Rupp      |
| _____                      | _____                      | _____           |
| Bill Rufenacht             | Bill Rufenacht             | Bill Rufenacht  |

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

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

cc: Auditor

Jennifer L. Connors, Clerk

**RESOLUTION 2013-238**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with all members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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:

| <b>Voting Aye thereon:</b> | <b>Voting Nay thereon:</b> | <b>Abstain:</b>         |
|----------------------------|----------------------------|-------------------------|
| _____<br>Paul Barnaby      | _____<br>Paul Barnaby      | _____<br>Paul Barnaby   |
| _____<br>Perry Rupp        | _____<br>Perry Rupp        | _____<br>Perry Rupp     |
| _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht |

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

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

Copy To: File

**RESOLUTION 2013-242**

In the Matter of Resolution Amending Resolution            )           Office of County Commissioners  
2013-229 "Amending Holiday Schedule"                    )           Fulton County, Ohio  
  )           March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS**, the Fulton County Board of Commissioners adopted Resolution 2013-229 thereby amending the Holiday Schedule previously adopted at the Annual Organizational Meeting on January 14, 2013 to include additionally recognized leave for Good Friday, March 29, 2013; and

**WHEREAS**, said resolution contained an inaccuracy as to the offices that will be closing and the Board wishes to amend the resolution to better clarify; and

**THEREFORE BE IT RESOLVED**, that after review, the Fulton County Commissioners shall amend Resolution 2013-229 to read, in pertinent part, .....the Fulton County Board of Commissioners hereby amends the 2013 Holiday Schedule thereby closing **all county office buildings** at 12:00 p.m. on Good Friday, March 29, 2013; 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>         |
|----------------------------|----------------------------|-------------------------|
| _____<br>Paul Barnaby      | _____<br>Paul Barnaby      | _____<br>Paul Barnaby   |
| _____<br>Perry Rupp        | _____<br>Perry Rupp        | _____<br>Perry Rupp     |
| _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht |

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

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

**RESOLUTION 2013 – 240**

In the Matter of Resolution Accepting the ) Office of County Commissioners  
Recommendations of the Fulton County Tax Incentive ) Fulton County, Ohio  
Review Council Relating to Enterprise Zone, CRA and ) March 21, 2013  
TIF Agreements )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Suite 270, Wauseon, Ohio with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS**, on March 21, 2013, Ms. Lisa Arend, Fulton County Economic Development Director, submitted the Annual Enterprise Zone Program review on behalf of the Fulton County Tax Incentive Review Council, for the Board of Commissioners’ review and consideration; and

**WHEREAS**, the Fulton County Board of Commissioners has reviewed the information and have found it to be complete and accurate.

**NOW THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby accept the recommendations of the Fulton County Tax Incentive Review Council and approve the Annual Enterprise Zone Program Review as submitted herein 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 for 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

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

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

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Perry Rupp

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Bill Rufenacht

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Bill Rufenacht

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Bill Rufenacht

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

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

cc: L.Arend (2); TIRC; file

**RESOLUTION 2013-239**

In the Matter of Approving Economic Development ) Office County Commissioners  
Semi-Annual Revolving Loan Fund Report ) Fulton County, Ohio  
and Authorize Board President to Sign ) March 21, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 21, 2013, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Paul Barnaby  
Perry Rupp  
Bill Rufenacht

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

**WHEREAS**, the Board of Commissioners has been presented with the Fulton County Economic Development Semi-Annual Revolving Loan Fund Report for their review and find it to be accurate and complete; and

**BE IT RESOLVED**, that the Fulton County Economic Development Semi-Annual Revolving Loan Fund Report be approved as presented and submitted, and authorize the President of the Fulton County Board of Commissioners to sign the report; 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>         |
|----------------------------|----------------------------|-------------------------|
| _____<br>Paul Barnaby      | _____<br>Paul Barnaby      | _____<br>Paul Barnaby   |
| _____<br>Perry Rupp        | _____<br>Perry Rupp        | _____<br>Perry Rupp     |
| _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht    | _____<br>Bill Rufenacht |

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

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

cc: ED; RPC; ODOD