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| <b>Description</b>         | Minutes-Fulton County Commissioners Session |  |
| <b>Date</b>                | 10/29/2013                                  | <b>Location</b> Commissioners Chambers   |
| <b>Time</b>                | <b>Speaker</b>                              | <b>Note</b>  |
| <a href="#">9:03:06 AM</a> |   | <p>Call Meeting to Order</p> <p>Pledge of Allegiance</p> <p>Opening Prayer</p> <p>Roll Call Attendance: Commissioners Barnaby &amp; Rufenacht Present, Commissioner Rupp Absent</p>  |
| <a href="#">9:04:35 AM</a> |   | Resolution 2013-997 Approve Minutes of October 24, 2013<br>Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.  |
| <a href="#">9:05:09 AM</a> |   | Resolution 2013-998 Approve Agenda As Presented or Amended<br>Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.   |
| <a href="#">9:05:30 AM</a> |   | Review Inspection Report from Fulton County Health Department as Conducted at Fulton County Transfer Station   |
| <a href="#">9:06:33 AM</a> |   | Review Grant Close Out Information for 2010 EDI Special Project Grant as Submitted by Director of Public Utilities: This was a \$250,000.00 HUD grant that was used in the water meters upgrade project for the NEWS in Metamora. Ziad Musallam reports that over all it was very successful.  |
| <a href="#">9:09:03 AM</a> |   | Review Weekly Dog Warden Report for Week Ending 10/19/13 :<br>The County Administrator handed out a draft of a Waiver of Liability, Assumption of Risk, & Indemnity Agreement that the Prosecutor feels should be signed by anyone entering the kennel portion of the Dog Warden's building. The protection offered is two-fold in that it will protect the County in case of a bite and also states that photos of animals are not guarantees that the animals will be available for adoption any longer than the three day period of retention afforded by the Ohio Revised Code. It has also been suggested that the Dog Warden begin posting photos of available dogs on the county owned website to facilitate adoptions.<br>Commissioner Barnaby moved for a resolution approving the waiver and a photo policy for the County owned website. Motion died for lack of second. Discussions to continue. |
| <a href="#">9:18:13 AM</a> |   | Resolution 2013-999 Close Purchase Orders and Transfer Appropriations for Various Departments  |

|                             |  |   |
|-----------------------------|--|---|
|                             |  | Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.  |
| <a href="#">9:18:43 AM</a>  |  | Resolution 2013-1000 Amend Resolution 2013-913 to Extend Date to Accept Statements of Qualification for Professional Services on Behalf of Fulton County Public Utilities<br>Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.   |
| <a href="#">9:19:19 AM</a>  |  | Resolution 2013-1001 Approve Payment Request #1 to Sand Ridge Excavating for Ditch 2116-Dover Meadows Storm Water Outlet Project<br>Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Motion carried unanimously.  |
| <a href="#">9:19:56 AM</a>  |  | Resolution 2013-1002 Approve Purchase Orders & Travel Requests<br>Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion. Motion carried unanimously.  |
| <a href="#">9:20:41 AM</a>  |  | Recess  |
| <a href="#">10:05:48 AM</a> |  | <p>First Hearing Ditch 2122-Kurivial: Chief Deputy Engineer, Rod Creager presented his preliminary report as summarized follows:<br/> <b>Preliminary Report</b><br/> <b>Ditch Improvement No. 2121</b><br/> <b>Branch 9 of Swan Creek</b><br/> <b>Petitioned for by John Kurivial</b><br/> October 29, 2013</p> <p>This drainage improvement was initiated through a single county drainage petition filed by John Kurivial on September 5, 2013. The petition calls for the replacement of an existing 15inch outlet tile across his property located in Swancreek Township. An inspection of the proposed project site was conducted by the Board of County Commissioners, Fulton County, on Tuesday, October 15, 2013. There are thirty-six (36) parcels of land containing approximately 333 acres within the petitioned improvement watershed.</p> <p>The existing 15-inch outlet across the Kurivial property is broken down in several places and it is completely obstructed. The primary objective of this improvement will be to provide a suitable outlet for modern drainage systems within the watershed and to establish a permanent maintenance program for the new tile outlet.</p> <p>The 15-inch outlet across Kurivial installed in 1910 will be replaced. The new main will be placed on one side of the existing tile and a new sub-main is proposed for the other side. Laterals encountered will be connected to the new tiles. The existing tile will be ripped, plowed or otherwise abandoned in place.</p> <p>Catch basins are proposed to handle surface water that accumulates north of US 20A. The existing 21-inch US 20A cross over will</p> |

|                                    |  |  |
|------------------------------------|--|--|
|                                    |  | <p>be cleaned and extended away from the edge of the pavement on the both sides of the state highway. The plan presented also proposes repairs to the outlet south of US 20A.</p> <p>Rock channel protection will be provided at the outlet and other erosion control measures such as temporary seeding will also be included in the work plan.</p> <p>The estimated cost of the project is \$ 68,687.04 and the benefits of the project are expected to be exceed the project cost.</p> <p>The Ohio Revised Code requires that all drainage improvement projects be placed on a permanent maintenance program. The Fulton County ditch maintenance program is administered by the county commissioners and carried out under the direction of the county engineer. Maintenance is paid for by periodic ditch maintenance assessments to the parcels in the watershed.</p> <p>Immediately following Mr. Creager’s presentation, Commissioner Barnaby performed a mass swearing in of those who would speak for or against the proposed plans with only Mr. Kurivial participating. Mr. Kurivial stated that he feels this is what is best for all of those in that area and was disappointed that he didn’t receive a lot of support from his neighbors in the petition. The hearing was then closed and Commissioner Barnaby &amp; Commissioner Rufenacht deliberated briefly as they both feel it is necessary to move forward. Resolution 2013-1003: Commissioners Finding for the Improvement. Commissioner Barnaby made the motion and Commissioner Rufenacht seconded the motion. Upon calling the roll the following vote was taken: Barnaby: yes; Rufenacht: yes; Motion carried unanimously. May 15, 2014 at 10:00 AM is set for the filing of the plans, maps, profiles, schedules and reports prepared by the County Engineer.</p> |
| <p><a href="#">11:14:59 AM</a></p> |  | <p>ADJOURN Commissioner Rufenacht made the motion and Commissioner Barnaby seconded the motion.</p>  |
|                                    |  | <p>Submitted by:<br/>Teri Suarez</p> <p>APPROVED by:<br/>THE FULTON COUNTY BOARD OF COMMISSIONERS</p> <p>_____</p> <p>Paul Barnaby</p> <p>_____</p> <p>Bill Rufenacht</p> <p>ATTESTED by:</p>  |

|  |  |                                    |
|--|--|------------------------------------|
|  |  | <hr/> <p>Teri S. Suarez, Clerk</p> |
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**RESOLUTION 2013-997**

In the Matter of Resolution Approving ) Office of County Commissioners  
Minutes of Regular Session of October 24, 2013 ) Fulton County, Ohio  
) October 29, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 29, 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 approves the minutes of Regular Session held October 24, 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

\_\_\_\_\_  
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

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

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

Attest: \_\_\_\_\_  
Teri Suarez, Clerk

**RESOLUTION 2013-998**

In the Matter of Resolution to Approve ) Office of County Commissioners  
Agenda as Amended or Presented ) Fulton County, Ohio  
) October 29, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 29, 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 approves the agenda as amended or presented for: October 29, 2013.

**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:**

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

\_\_\_\_\_  
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

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

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

Attest: \_\_\_\_\_  
Teri Suarez, Clerk

**RESOLUTION 2013-999**

In the Matter of Resolution to Close ) Office of County Commissioners  
 Purchase Orders; and Transfer Appropriations ) Fulton County, Ohio  
 For Various Departments ) October 29, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 29, 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 close purchase orders that are no longer needed; and

**WHEREAS**, it is necessary to transfer appropriations for various departments to meet expenses for the remainder of 2013; and

**THEREFORE, BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby authorizes the following **PURCHASE ORDERS BE CLOSED**:

| PO#        | VENDOR# | LINE               | AMOUNT   |
|------------|---------|--------------------|----------|
| 2012001070 | GOODR50 | 2605-16914-5-42101 | \$485.24 |
| 2012001113 | GOODR50 | 2605-16914-5-42102 | \$44.81  |
| 2013001114 | GOODR50 | 2610-16914-5-96000 | \$24.30  |
| 2013000842 | SWART28 | 2710-17920-5-41003 | \$381.00 |

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

| AMOUNT    |       | ACCOUNT            |                                 |
|-----------|-------|--------------------|---------------------------------|
| \$1088.50 | From: | 1000-11400-5-61000 | Office Equipment-Pros. Attorney |
| \$1088.50 | To:   | 1000-11400-5-51000 | Office Supplies-Pros. Attorney  |
|           |       |                    |                                 |
| \$155.63  | From: | 5300-14144-5-96000 | Other Exp.-Transfer Station     |
| \$155.63  | To:   | 5300-14144-5-51000 | Supplies-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:       |
| _____               | _____               | _____          |
| 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: \_\_\_\_\_  
 Teri S. Suarez, Clerk

**RESOLUTION 2013-1000**

In the Matter of Resolution to Amend ) Office of County Commissioners  
Resolution 2013-913 ) Fulton County, Ohio  
) October 29, 2013

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 29, 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**, on October 1, 2013, the Board of Commissioners passed Resolution 2013-913 thereby approving in pertinent part:

... *“that Statements of Qualifications will be received from interested design firms for engineering and/or planning services for the Fulton County Department of Public Utilities until 4:00 pm, local time, on November 1, 2013 in the office of the Fulton County Public Utilities at 6306 County Road 14, Suite A, Wauseon, Ohio 43567;”* and

**WHEREAS**, due to the Clerk’s error, it is necessary to amend said resolution, thereby extending the receipt date to December 1, 2013 at 4:00 p.m.;

**THEREFORE, BE IT RESOLVED**, the Board of County Commissioners of Fulton County, Ohio hereby amend Resolution 2013-913 thereby extending the deadline for acceptance to 4:00 p.m. on December 1, 2013; and

**BE IT FURTHER RESOLVED**, the remainder of Resolution 2013-913 remain unchanged; 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>         |
|----------------------------|----------------------------|-------------------------|
| _____<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: \_\_\_\_\_  
Teri S. Suarez, Clerk

**RESOLUTION 2013 - 913**

In the Matter of Resolution to Authorize ) Office of County Commissioners  
Advertisement for Statement of Qualifications ) Fulton County, Ohio  
For Professional Services for Fulton County ) October 1, 2013  
Public Utilities

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on October 1, 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**, pursuant to ORC 153.68 Fulton County wishes to prequalify professional design firms to provide engineering and/or planning services for various projects for the Fulton County Department of Public Utilities.

**THEREFORE BE IT RESOLVED**, that Statements of Qualifications will be received from interested design firms for engineering and/or planning services for the Fulton County Department of Public Utilities until 4:00 pm, local time, on November 1, 2013 in the office of the Fulton County Public Utilities at 6306 County Road 14, Suite A, Wauseon, Ohio 43567; and

**BE IT FURTHER RESOLVED**, that the necessary publication of notice for Statement of Qualifications will be on the Fulton County’s website “[www.fultoncountyoh.com](http://www.fultoncountyoh.com)”; 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: \_\_\_\_\_  
Teri Suarez, Clerk

Cc: Dept. of Public Utilities

**RESOLUTION 2013-1001**

In the Matter of Resolution to Approve Pay ) Office of County Commissioners  
Request No. 1 to Sand Ridge Excavating ) Fulton County, Ohio  
for Ditch Improvement 2116- Dover Meadows ) October 29, 2013  
Storm Water Outlet Project )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on October 29, 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 pay request (1) has been submitted by Sand Ridge Excavating in the amount of \$49,069.16 for work performed under Contract 2013-34 for the improvement of Ditch 2116-Dover Meadows Storm Water Outlet Project; and

**WHEREAS**, the County Engineer has reviewed said pay request and recommended the approval thereof as submitted; and

**THEREFORE BE IT RESOLVED**, that the Fulton County Board of Commissioners hereby approve the pay request (1) as submitted in the amount of \$49,069.16; 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: \_\_\_\_\_  
Teri Suarez, Clerk

cc: Aud; Eng; Project File

**RESOLUTION 2013-1002**

In the Matter of Resolution Approving ) Office of County Commissioners,  
Purchase Orders and Travel Requests ) Fulton County, Ohio  
) October 29, 2013

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

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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Paul Barnaby

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Perry Rupp

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

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Perry Rupp

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

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

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

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

Attest: \_\_\_\_\_  
Teri Suarez, Clerk

Copy To: File

# RESOLUTION 2013-1003

## COMMISSIONER'S FINDING FOR THE IMPROVEMENT

Revised Code, Sec. 6131.12

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In the Matter of the *Single* ) Office of County Commissioners,  
County Ditch No. *2121* Petitioned ) Fulton County, Ohio  
for by *John Kurivial* ) *October 29, 2013*

The Board of County Commissioners of Fulton County, Ohio met in *regular* session on *October 29, 2013*, pursuant to notice, at the office of said board with the following members present:

Paul Barnaby  
Bill Rufenacht

*Commissioner Barnaby* moved for the adoption of the following:

**WHEREAS**, this being the day fixed by the Board in its order dated the *10<sup>th</sup> day of September, 2013* for the first hearing on the petition in the above named improvement, the Board met at the office of said Board, and conducted the hearing by causing the petition to be publicly read, together with all applications for and against the improvement; and

**WHEREAS**, after proper examination, the Board finds that due and legal notice has been given in the manner and for the length of time required by law to all owners of land affected by said improvement; and

**WHEREAS**, the Board has made a tangible view of the proposed improvement and has heard, either in person or by counsel, all evidence offered by any owner of land for or against the granting of the proposed improvement, or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, or any application therefor; and

**WHEREAS**, the Board has given consideration to the protection of environmentally significant areas when those areas could be adversely affected by the construction of the proposed improvement and has given consideration, where necessary, to alternative plans providing for that protection as well as for construction of the proposed improvement.

**THEREFORE BE IT RESOLVED**, the Board of Commissioners hereby finds that the proposed improvement petitioned for is necessary, will be conducive to the public welfare, and is reasonably certain that the cost thereof will be less than the benefits, and further, **hereby grants the prayer of the petition**; and

**BE IT FURTHER RESOLVED**, the Board further determines the following described route and termini of the proposed improvement and of the branches, spurs and laterals thereof, and the proposed manner of constructing the same are appropriate, and the same are hereby adopted and prescribed by the Board:

*Commencing at an existing catch basin near the south right-of-way line of the Norfolk and Southern Railroad, located approximately 1,125 feet north and 66 feet west of the Southeast Corner of Section 8, T-7-N; R-8-E in Swancreek Township, Fulton County, Ohio;*

*Thence, continuing in a southeasterly direction along the line of an existing outlet tile to an existing catch basin on the north right-of-way of US 20A and State Route 2 and there to terminate.*

*This outlet is known as Branch 9 of Swan Creek.*

**BE IT FURTHER RESOLVED**, that in accordance with ORC §6131.12, the County Auditor is hereby ORDERED to transfer from the general revenue funds of the county, not otherwise appropriated, to the general drainage improvement fund the sum of \$17,171.76, after the twenty-one (21) day appeal period as provided for in ORC §6131.25 has expired and no appeal has been taken; and

**BE IT FURTHER RESOLVED**, the County Engineer be, and hereby is, directed to cause the preparation of the necessary survey for the proposed improvement, plans for the structures, maps showing the location of the land proposed to be assessed, and profiles showing the cutting and gradient of the improvement, and make an estimate of the cost of the construction of the improvement; which shall include actual construction cost, the cost of engineering, and the cost of notices, publication and other incidental expenses; and set proper construction stakes, and perform such other duties as required by Section 6131.14 of the Revised Code of Ohio, and

**BE IT FURTHER RESOLVED**, that the 15<sup>th</sup> day of May, 2014 at 10:00 a.m. is hereby fixed as the time for filing with the Clerk of the County Commissioners all of the plans, maps, profiles, schedules and reports prepared by the County Engineer; and

**BE IT FURTHER RESOLVED**, that further hearing on the improvement is hereby adjourned to the date above fixed for the filing of the reports, plans, and schedules by the County Engineer.

*Commissioner Rufenacht* seconded the resolution and upon calling the roll, the vote resulted as follows:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

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

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

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

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

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

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

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

Attest: \_\_\_\_\_  
Teri S. Suarez, Clerk

cc: R. Creager; J. Connors; Auditor; Project file