THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present: James Ward, Deborah Martin, Donald Wuertz

RESOLUTION NO. 00-917

IN THE MATTER OF APPROVING RESOLUTIONS AND MINUTES FROM REGULAR MEETINGS HELD OCTOBER 30, 2000:

It was moved by Mr. Wuertz, seconded by Mr. Ward to dispense with the reading of the minutes and resolutions of the regular meeting held October 30, 2000, and to approve resolutions and minutes as submitted.

Vote on Motion Mr. Ward Aye Mrs. Martin Aye Mr. Wuertz Aye

PUBLIC COMMENT - None

RESOLUTION NO. 00-918

IN THE MATTER OF APPROVING FOR PAYMENT WARRANTS NUMBERED 286676 THROUGH 287383:

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve for payment warrants 286676 through 287383 on file in the office of the Delaware County Commissioners.

Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Aye	Mr. Ward	Aye

RESOLUTION NO. 00-919

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Wuertz, seconded by Mr. Ward to approve the following:

Sanitary Engineer is requesting that Chad Antle attend the Pumping System Design for Engineers at Indianapolis on February 1 through February 2, 2001, in the amount of \$875.00.

Department of Job and Family Services is requesting that Rhonda Leasure, Julie Kunkle and Sharon Lloyd attend the Quarterly Workforce Initiatives Meeting at Finlay, Ohio on November 14, 2000, in the amount of \$30.00.

Department of Job and Family Services is requesting that Mona Reilly attend OHSDA Legislative Committee Meetings at Columbus on November 14 and November 17, 2000, in the amount of \$20.00.

Intensive Supervision is requesting that Doug Missman attend the Community Corrections Act Biennial Regional Meeting at Logan, Ohio on November 8 through November 9, 2000, in the amount of \$120.00.

Auditor is requesting that Jane Tinker attend the GFOA Satellite Conference at Cincinnati on November 9, 2000, in the amount of \$165.00.

Data Center is requesting that Jerry Walraven attend the Cisco Training Course at Worthington on November 13 through November 17, 2000, in the amount of \$2,295.00.

Department of Job and Family Services is requesting that Mona Reilly attend the OHSDA District Meeting at Chillicothe on November 2, 2000, in the amount of \$15.00.

Vote on Motion Mr. Wuertz Aye Mr. Ward Aye Mrs. Martin Aye

RESOLUTION NO. 00-920

IN THE MATTER OF APPROVING TRANSFER OF FUNDS, APPROPRIATIONS, AND SUPPLEMENTAL APPROPRIATIONS:

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the following:

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT:	
001-0120-035	001-0200-010	\$	309.57
Gen Fund/General - Contingency	Gen Fund/Veteran's Services - Salaries		

001-0120-035 Gen Fund/General - Conti	ngency	001-0510-0 Gen Fund/T	20 `reasurer - Srvs &	c Chrgs	\$	4,000.00
038-3530-040 Sanitary Sewer - Equipme	ent	038-3530-0 Sanitary Sev	20 wer - Srvs & Chr	gs	\$	412,500.00
091-9110-040 911 - Equipment		091-9110-0 911 – PERS			\$	2,400.00
Vote on Motion RESOLUTION NO. 00-	Mrs. Martin 921	Aye	Mr. Wuertz	Aye	Mr. Ward	Aye

IN TH/E MATTER OF APPROVING THE APPLICATION AND ACCEPTING THE AWARD OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT:

It was moved by Mr. Wuertz, seconded by Mr. Ward to approve the resolution:

Whereas, The Delaware County Sheriff's Office has qualified as a disparate jurisdiction by the Attorney General of the State of Ohio, and

Whereas, the Delaware County Sheriff's Office has applied as a disparate jurisdiction for a Local Law Enforcement Block Grant through the Bureau of Justice Assistance to provide additional funding for the Delaware County Sheriff

Now Therefore Be It Resolved, by the Board of Commissioners of Delaware County, Ohio

That the Board of County Commissioners approves of the grant application, accepts Local Law Enforcement Block Grant in the amount of \$7,384.00, and creates a new special revenue fund for the proper accounting of the grant.

Vote on Motion	Mr. Ward	Aye	Mrs. Martin	Aye	Mr. Wuertz	Aye
----------------	----------	-----	-------------	-----	------------	-----

RESOLUTION NO. 00-922

IN THE MATTER OF APPROVING PLATS FOR SCIOTO RESERVE, SECTION 3, PHASE 2; HIGHLAND LAKES NORTH, SECTION 6, PART 2 AND DITCH MAINTENANCE PETITIONS FOR US 23 & POWELL RETAIL SITE; HIGHLAND HILLS AT THE LAKES, SECTION 2 AND HIGHLAND LAKES NORTH, SECTION 7:

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the plat and ditch maintenance petitions:

Scioto Reserve, Section 3, Phase 2

Situated in State of Ohio, County of Delaware, Township of Concord, Section 1, Township 2, Range 19 of the United States Military Lands, being 15.875 Acres, more or less, including 3.087 Acres of right-of-way, containing 7.279 acres out of Farm Lot 15, 2.165 Acres out of Farm Lot 16, and 6.431 Acres out of Farm Lot 32, and being 6.431 Acres out of the 81.658 Acre Tract conveyed to Triangle Properties Inc., by Deed of record in Deed Book 663 at Pages 653, 656 and 659, and 9.444 Acres out of the 121.758 Acre Tract conveyed to Triangle Properties, Inc. by deed of record in Deed book 663 at Page 648, records of the Recorder's Office, Delaware County, Ohio. Lot fee in the amount of \$141.00.

Highland Lakes North, Section 6, Part 2

Situated in the State of Ohio, County of Delaware, Township of Genoa and in Farm Lot E, Quarter Township 2, Township 3, Range 17, United States Military Lands, containing 7.163 Acres of land, more or less, said 7.163 Acres being part of that tract of land conveyed to Planned Communities, Inc. by deed of record in Deed Book 621, Page 192, and part of that tract of land conveyed to Planned Communities, Inc. by deed of record in Deed Book 658, Page 325, Recorder's office, Delaware County, Ohio. Lot fee in the amount of \$54.00.

U. S. 23 & Powell Road Retail Site – Ditch Maintenance Petition

We the undersigned owners of 18.144 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as U.S. 23 & Powell Road Retail Site as evidenced by the subdivision plant (Exhibit "A" which is available at the County Engineer's Office). This plat has been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider's agreement Exhibit "B" available at the County Engineer's Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit

"C" (available at the County Engineer's Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement.

We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the U.S. 23 & Powell Road Retail Site Subdivision.

The cost of the drainage improvements is \$466,982.00 and a detailed cost estimate is available at the County Engineer's office in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. Seven lots are created in this plat and each lot receives a share of the benefit (cost) of the project. The basis for calculating the assessment and annual maintenance fee equal to 2% of each individual lot is as follows:

Lot No.	Area (Ac)	Lot Assessment	Annual Maintenance Fee
4469	1.299	\$ 33,433.08	\$ 668.66
4470	1.120	\$ 28,826.05	\$ 576.52
4471	0.769	\$ 19,792.17	\$ 395.84
4472	0.750	\$ 19,303.16	\$ 386.06
4473	1.012	\$ 26,046.39	\$ 520.93
4474	1.009	\$ 25,969.18	\$ 519.39
4475	12.185	\$313,611.97	\$ 6,272.24
Totals:	18.144	\$466,982.00	\$9,339.64

An annual maintenance fee, as listed within the final column of the aforementioned table, will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years the first year's assessment for all of the lots in the amount of \$9,339.64 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Highland Hills at the Lakes, Section 2 – Ditch Maintenance Petition

We the undersigned owners of 22.0124 acres in Genoa & Orange Township, Delaware County, Ohio propose to create a subdivision known as Highland Hills at the Lakes, Section 2 as evidenced by the subdivision plant (Exhibit "A" which is available at the County Engineer's Office). This plat has been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider's agreement Exhibit "B" available at the County Engineer's Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit "C" (available at the County Engineer's Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement.

We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Highland Hills at the Lakes, Section 2 Subdivision.

The cost of the drainage improvements is \$111,544.00 and a detailed cost estimate is available at the County Engineer's office in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. Forty-nine lots are created in this plat and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$2,276.41 per lot. An annual maintenance fee equal to 2% of this basis \$45.53 will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$2,230.88 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Highland Lakes North, Section 7 – Ditch Maintenance Petition

We the undersigned owners of 9.70035 acres in Genoa Township, Delaware County, Ohio propose to create a subdivision known as Highland Lakes North, Section 7 as evidenced by the subdivision plant (Exhibit "A" which is available at the County Engineer's Office). This plat has been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this

subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider's agreement Exhibit "B" available at the County Engineer's Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit "C" (available at the County Engineer's Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement.

We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Highland Lakes North, Section 7 Subdivision.

The cost of the drainage improvements is \$58,435.00 and a detailed cost estimate is available at the County Engineer's office in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. Fourteen lots are created in this plat and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$4,173.93 per lot. An annual maintenance fee equal to 2% of this basis \$83.48 will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$1,168.70 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Aye	Mr. Ward	Aye

RESOLUTION NO. 00-923

IN THE MATTER OF ACCEPTING THE ROADS IN WALKER WOOD, SECTION 10, PHASES 1 & 2, DAVENTRY PARK, SECTION 1, PART 3 AND VILLAGE AT ALUM CREEK, SECTIONS 3 & 4:

It was moved by Mr. Wuertz, seconded by Mr. Ward to accept the roads:

Walker Wood, Section 10, Phases 1 & 2

- An addition of 0.03 mile to Township Road Number 872, Maxwell Avenue
- An addition of 0.03 mile to **Township Road Number 936, Eric Court**
- An addition of 0.32 mile to Township Road Number 937, Lydia Drive

We also request approval to return the Letters of Credit being held as maintenance surety to the developer, Planned Communities, Inc.

Daventry Park, Section 1, Part 3

• Riverpoint Court, to be known as Township Road Number 951

We also request approval to return the Letter of Credit being held as maintenance surety to the developer, F. A. Kohler Company.

Village at Alum Creek, Section 3

- An addition of 0.25 mile to Township Road Number 669, Parklawn Drive
- Tulane Court, to be known as Township Road Number 952
- Trent Court, to be known as Township Road Number 953
- Seton Drive, to be known as Township Road Number 954

We also request approval to return the Letter of Credit being held as maintenance surety to the developer, M/I Schottenstein Homes

Village at Alum Creek, Section 4

- An addition of 0.27 mile to Township Road Number 669, Parklawn Drive
- An addition of 0.28 mile to Township Road Number 954, Seton Drive
- Alum Village Drive, to be known as Township Road Number 955
- Seton Court, to be known as Township Road Number 956
- Melrose Drive, to be known as Township Road Number 957

We also request approval to return the Letter of Credit being held as maintenance surety to the developer, M/I Schottenstein Homes

Vote on Motion	Mr. Ward	Aye	Mrs. Martin	Aye	Mr. Wuertz	Aye
----------------	----------	-----	-------------	-----	------------	-----

RESOLUTION NO. 00-924

IN THE MATTER OF AUTHORIZING STOP CONDITIONS FOR DAVENTRY PARK, SECTION 1, PART 3; WALKER WOOD, PHASE 10 AND VILLAGE AT ALUM CREEK, SECTIONS 3 & 4:

It was moved by Mr. Ward, seconded by Mr. Wuertz to authorize the stop conditions:

Daventry Park, Section 1, Part 3

• On Township Road Number 951, Riverpoint Court, at its intersection with State Route 315

Walker Wood, Phase 10

• On Township Road Number 872, Maxwell Avenue, at its intersection with Township Road Number 937, Lydia Drive

Village at Alum Creek, Section 3

- On Township Road Number 669, Parklawn Drive, at its intersection with County Road Number 10, South Old State Road
- On Township Road Number 952, Tulane Court, at its intersection with Township Road Number 669, Parklawn Drive
- On Township Road Number 953, Trent Court, at its intersection with Township Road Number 952, Tulane Court
- On Township Road Number 954, Seton Drive, at its intersection with Township Road Number 669, Parklawn Drive

Village at Alum Creek, Section 4

- On Township Road Number 954, Seton Drive, at its intersection with Township Road Number 955, Alum Village Drive
- On Township Road Number 955, Alum Village Drive, at its intersection with Township Road Number 669, Parklawn Drive
- On Township Road Number 956, Seton Court, at its intersection with Township Road Number 954, Seton Drive
- On Township Road Number 957, Melrose Drive, at its intersection with Township Road Number 669, Parklawn Drive
- On Township Road Number 957, Melrose Drive, at its intersection with Township Road Number 955, Alum Village Drive

Vote on Motion	Mr. Wuertz	Aye	Mr. Ward	Aye	Mrs. Martin	Aye

RESOLUTION NO. 00-925

IN THE MATTER OF ACCEPTING THE BONDING FOR SCIOTO RESERVE, SECTION 3, PHASE 2 AND SCIOTO RESERVE, SECTION 1, PHASE 3:

It was moved by Mr. Wuertz, seconded by Mr. Ward to accept the bonding:

Scioto Reserve, Section 3, Phase 2

The construction of the above referenced project was started without bonding, thereby not allowing the developer to file the plat. They are now at a point where they would like to file the plat. The Engineers have, therefore, estimated the remaining construction costs to be **\$346,500** and a Letter of Credit in that amount is in place to cover the bonding of this project.

Scioto Reserve, Section 1, Phase 3

The construction of the above referenced project was started without bonding, thereby not allowing the developer to file the plat. They are now at a point where they would like to file the plat. The Engineers have, therefore, estimated the remaining construction costs to be **\$250,000** and a Bond in that amount is in place to cover the bonding of this project.

Vote on Motion Mr. Ward	Aye	Mrs. Martin	Aye	Mr. Wuertz	Aye
-------------------------	-----	-------------	-----	------------	-----

RESOLUTION NO. 00-926

IN THE MATTER OF ACCEPTING MAINTENANCE BOND FOR BRYN MAWR, SECTION 2, PHASE 1:

It was moved by Mr. Ward, seconded by Mr. Wuertz to place the following on maintenance:

The roadway construction has been completed for the referenced subdivision and, as the results of our recent field review, we have determined that minor remedial work will be required during the 2001-construction season.

In accordance with the Subdivider's Agreement, we recommend that the maintenance bond be set at **\$74,800** for the duration of the one-year maintenance period. A Bond in that amount is currently in place.

We also request approval to release the Letter of Credit being held as construction surety to the developer, M/I Schottenstein Homes.

Vote on Motion Mrs. Martin Aye Mr. Wuertz Aye Mr. Ward Aye

RESOLUTION NO. 00-927

IN THE MATTER OF EXTENDING THE TIME FOR THE SUBDIVIDER'S AGREEMENT AND LETTER OF CREDIT FOR BRYN MAWR AT DELAWARE, SECTION 2:

It was moved by Mr. Wuertz, seconded by Mr. Ward to extend the subdivider's agreement:

In December, 1999, the Board of County Commissioners executed a Subdivider's Agreement with M/I Schottenstein Homes for the referenced project. Since that time, the developer has decided to split the project into two phases, constructing one phase this year and one phase next year.

Therefore, the Engineer is requesting that an extension of the Subdivider's Agreement be given to the developer of one year for Phase 2 of this project. They have posted a construction bond in the amount of \$230,286 to cover the bonding of this project.

Vote on Motion Mr. Wuertz Aye Mr. Ward Aye Mrs. Martin Aye

RESOLUTION NO. 00-928

IN THE MATTER OF APPROVING RIGHT OF WAY WORK PERMIT SUMMARY SHEET:

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the following work permits:

Permit #	Applicant	Location		Type of We	ork	
U000149	Ameritech	Green Cook Road		Bury telephone cable		
U000150	Ameritech	Old 3C Highway		Move pedestal		
U000151	General Telephone	Orange Road		Place telep	hone cable	
Vote on Mot	ion Mr. Ward	Aye	Mrs. Martin	Aye	Mr. Wuertz	Aye

RESOLUTION NO. 00-929

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN DELAWARE COUNTY ENGINEER AND FIBER REINFORCED SYSTEMS FOR SUPPLYING COMPOSITE DECK PANELS FOR TYLER ROAD BRIDGE:

It was moved by Mr. Wuertz, seconded by Mr. Ward to approve the contract:

SUPPLY CONTRACT, made and entered into this 6th day of November 2000, by and between the Delaware County Engineer's Office, Delaware County, Ohio, and hereinafter designated as FIRST PARTY, and Fiber Reinforced systems, Ltd., hereinafter designated as SECOND PARTY.

WITNESSETH, that said SECOND PARTY, for and in consideration of the sum of \$211,594 (Two hundred eleven thousand five hundred ninety-four and zero cents, the "Contract Price"), to be paid as hereinafter specified, hereby agrees to supply approximately 2,200 square feet of composite deck panels with end plates and required epoxy to the Tyler Road Bridge site unto said FIRST PARTY, the project known as Tyler Road Bridge Deck Replacement, Delaware County, Ohio. Except as set forth in the preceding sentence, the Contract Price does not include clips, fasteners or other materials which may be necessary for installation of the panels nor does the Contract Price include installation. The Contract Price shall be paid in full in cash by FIRST PARTY to SECOND PARTY within 30 days after SECOND PARTY notifies FIRST PARTY that the materials have been manufactured and delivered to SECOND PARTY.

SAID SECOND PARTY further agrees to manufacture and furnish said materials, in a good, substantial and workmanship manner, under the direction of the Delaware County Engineer's Office. Work is to be completed and panels available for delivery to site, FOB jobsite, no later than 180 days from execution of this Contract by the Delaware County Engineer's Office.

THE SECOND PARTY hereby agrees to hold the Delaware County free and harmless from any and all claims for

damages, costs, expenses, judgments or decrees, resulting from any operations of said SECOND PARTY, his sub-contractors, agents or employees. SECOND PARTY shall not be responsible for any damages caused by improper installation, use or handling of the materials by FIRST PARTY or any other third party.

FIRST PARTY represents and warrants to SECOND PARTY that this Contract has been duly approved and authorized by Delaware County and FIRST PARTY and that this Contract is a valid, binding and legal obligation of FIRST PARTY enforceable in accordance with its terms.

THE PARTIES ACKNOWLEDGE THAT THE DECK PANELS ARE A NEW AND EXPERIMENTAL PRODUCT AND, AS SUCH, HAVE NOT BEEN FULLY TESTED OR EVALUATED UNDER LONG-TERM ACTUAL USE CONDITIONS AND, THEREFORE, SECOND PARTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING NO WARRANTIES AS TO MERCHANTABILITY OR AS TO THE FITNESS OF THE PRODUCTS FOR ANY PARTICULAR USE OR PURPOSE, AND SECOND PARTY SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE, DIRECTLY OR INDIRECTLY, ARISING FROM THE USE OF THE PRODUCTS OR FOR CONSEQUENTIAL DAMAGES.

Vote on Motion Mrs. Martin Aye Mr. Wuertz Aye Mr. Ward Aye

RESOLUTION NO. 00-930

IN THE MATTER OF APPROVING THE PERSONNEL ACTIONS:

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the personnel actions:

Thomas Ruggles has failed to successfully complete his probationary period as Med Tech I for EMS; effective date of termination was October 5, 2000.

Randy Cope has accepted the position as Painter for Maintenance; effective date of hire is November 13, 2000.

Vote on Motion Mr. Wuertz Aye Mr. Ward Aye Mrs. Martin Aye

Presentation – Dennis Schooley - DATA

There being no further business, the meeting adjourned.

Deborah Martin

James D. Ward

Donald Wuertz

Letha George, Clerk to the Commissioners