

COMMISSIONERS JOURNAL NO. 42 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 3, 2001

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

- 7:30 PM Public Hearing of Annexation Petition for 42.387 Acres from Concord Township to City of Dublin
- 7:45 PM Public Hearing of Annexation Petition for 53.958 Acres from Berkshire Township to Village of Sunbury
- 8:00 PM Public Hearing of Annexation Petition for 136.462 Acres from Township of Delaware to City of Delaware
- 8:15 PM Public Hearing of Annexation Petition for 32.4 Acres from Orange Township to City of Columbus

RESOLUTION NO. 01-1404

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PENDING LITIGATION:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to adjourn into Executive Session at 9:55AM.

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

RESOLUTION NO. 01-1405

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to adjourn out of Executive Session at 10:33AM.

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

PUBLIC COMMENT - None

RESOLUTION NO. 01-1406

IN THE MATTER OF APPROVING VOUCHERS AND PAYMENT OF WARRANTS NUMBERED 323105 THROUGH 323321:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve for payment warrants numbered 323105 through 323321 and Vouchers as listed below:

	<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
<u>Vouchers</u>				
1B07316	Juvenile Court	CSEA Contract/2001	0120-2035	\$ 5,030.35
1B43113	Del Cty Sheriff's Office	Professional Services/Keckle	4530-2005	\$ 24,015.20
1B43118	Del Cty Family Serv Co of Gov	Prof serv/Administrative	4510-2003	\$ 26,081.22
1B43054	Symbiont	Cluster	4535-2081	\$ 6,975.00
1B42980	Symbiont	Residential Treatment	4530-2081	\$ 6,750.00

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

RESOLUTION NO. 01-1407

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

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

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT:
003-4516-020	003-4520-015	\$ 200.00
JFS/WIA - Srvs & Chrgs	JFS/Child Protective - Mat & Sup	
003-4516-020	003-4520-020	\$ 1,300.00
JFS/WIA - Srvs & Chrgs	JFS/Child Protective - Srvs & Chrgs	
003-4516-020	003-4516-040	\$ 4,430.00
JFS/WIA - Srvs & Chrgs	JFS/WIA - Equip	
003-4516-035	003-4520-010	\$ 2,800.00
JFS/WIA - Contingency	JFS/Child Protective - Salaries	

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003-4520-011	003-4520-010	\$	16,000.00
JFS/Child Protective - Benefits	JFS/Child Protective - Salaries		
003-4520-012	003-4520-010	\$	7,000.00
JFS/Child Protective - PERS	JFS/Child Protective - Salaries		
003-4520-035	003-4520-010	\$	18,763.00
JFS/Child Protective - Contingency	JFS/Child Protective - Salaries		
003-4550-035	003-4550-010	\$	3,000.00
JFS/Admin - Contingency	JFS/Admin - Salaries		
003-4550-035	003-4550-020	\$	5,000.00
JFS/Admin - Contingency	JFS/Child Protective - Srvs & Chrgs		
111-4530-047	111-4530-015	\$	3,000.00
Childrens Srvs - Transfers	Childrens Srvs - Mat & Sup		

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

RESOLUTION NO. 01 -1408

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that Thomas Louden attend a seminar in Columbus, Ohio December 6, 2001, at the cost of \$62.00.

The Department of Job and Family Services is requesting that Angela Thomas, Carrie Block and Lee Hays attend a DCSAO Meeting in Columbus, Ohio on December 6, 2001, at the cost of \$130.00.

The Engineer Department is requesting that Erica Montero attend an Essentials of Credibility Seminar in Columbus, Ohio December 18, 2001, at the cost of \$105.00.

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

RESOLUTION NO. 01-1409

IN THE MATTER OF APPROVING PLAT FOR SUMMERWOOD SECTION 1 AND DITCH MAINTENANCE PETITION FOR RIVER’S EDGE AT ALUM CREEK SECTION 1:

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

Summer Wood Section 1

Situated In The State Of Ohio, County Of Delaware, Township Of Berlin, Being Located In Farm Lots 3 And 4, Section 4, Township 4, Range 18, United States Military Lands, Being All Of That 10.561 Acre Tract Described In A Deed To Triangle Properties, Inc, Of Record In Official Record 46, Page 226 And 5.900 Acres Of That 58.645 Acre Tract (58.467 Acres Survey) Described As Parcel 11 In A Deed To Triangle Properties, Inc., If Record In Official Record 46, Page 223, Recorder’s Office, Delaware County, Ohio; Cost \$33.00.

Ditch Maintenance Petition-River’s Edge At Alum Creek Section 1

We the undersigned owners of 14.038 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as River’s Edge at Alum Creek Section 1as evidenced by the attached subdivision plat (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 River’s Edge At Alum Creek Section 1 subdivision.

The cost of the drainage improvements is \$ 218,474.00 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. 26 lots are created in this plat and each lot receives an equal share of the benefit

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(cost) of the project. The basis for calculating the assessment for each lot is therefore, \$ 4,866.37 per lot. An annual maintenance fee equal to 2% of this basis \$ 44.85 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 \$ 6,520.94 has been paid to Delaware County.

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

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

RESOLUTION NO. 01-1410

IN THE MATTER OF ACCEPTING ROADS IN ARBORS AT CHESHIRE; BERKSHIRE DEVELOPMENT PHASE 1; HARVEST WIND PHASE 7 SECTION 2; SCIOTO RESERVE SECTION 3 PHASE 1 AND SCIOTO RESERVE SECTION 3 PHASE 2:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to release bonds and letters of credit and accept roads within the following:

Arbors at Cheshire

- An addition of 0.06 mile to **Township Road Number 1062, East Street**
- **Finch Lane**, to be known as **Township Road Number 1225**

Berkshire Development Phase 1

- **Fourwinds Drive**, to be known as **Township Road Number 1224**

Harvest Wind Phase 7, Section 2

- An addition of 0.28 mile to **Township Road Number 1204, Center Green Drive**

Scioto Reserve Section 3, Phase 1

- **Scioto Parkway**, to be known as **Township Road Number 1226**
- **New Point Place**, to be known as **Township Road Number 1227**
- **Fairfield Lakes Drive**, to be known as **Township Road Number 1228**

Scioto Reserve Section 3, Phase 2

- An addition of 0.29 mile to **Township Road Number 1228, Fairfield Lakes Drive**
- **Indian Creek Court**, to be known as **Township Road Number 1229**

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

RESOLUTION NO. 01-1411

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR ARBORS AT CHESHIRE; BERKSHIRE DEVELOPMENT PHASE 1; SCIOTO RESERVE SECTION 3, PHASE 1 AND SCIOTO RESERVE SECTION 3, PHASE 2:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to establish stop conditions:

Arbors at Cheshire

- On Township Road Number 1062, East Street, at its intersection with Township Road Number 1225, Finch Lane
- On Township Road Number 1060, Ford Street, at its intersection with Township Road Number 1062, East Street

Berkshire Development Phase 1

- On Township Road Number 1224, Fourwinds Drive, at its intersection with State Route 36-37

Scioto Reserve Section 3, Phase 1

- On Township Road Number 1226, Scioto Parkway at its intersection with County Road Number 124, Home Road
- On Township Road Number 1227, New Point Place, at its intersection with Township Road Number 1226, Scioto Parkway
- On Township Road Number 1228, Fairfield Lakes Drive, at its intersection with Township Road Number

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1226, Scioto Parkway

Scioto Reserve Section 3, Phase 2

- On Township Road Number 1229, Indian Creek Court, at its intersection with Township Road Number 1228, Fairfield Lakes Drive

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

RESOLUTION NO. 01-1412

IN THE MATTER OF ACCEPTING MAINTENANCE BONDS FOR MEDALLION ESTATES SECTION 10, PHASE 2 AND OLDE STATE FARMS SECTION 1:

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

Medallion Estates Section 10, Phase 2

The roadway construction has been completed for the referenced subdivision and, as the results of the Engineer's recent field review, he has determined that minor remedial work will be required during the 2002 construction season.

In accordance with the Subdivider's Agreement, the Engineer recommends that the maintenance bond be set at **\$14,980** for the duration of the one year maintenance period. A Letter of Credit in that amount is attached. He also request approval to return the Letter of Credit being held as construction surety to the developer, M/I Schottenstein Homes.

Olde State Farms Section 1

The roadway construction has been completed for the referenced subdivision and, as the results of the Engineer's recent field review, he has determined that minor remedial work will be required during the 2002 construction season.

In accordance with the Subdivider's Agreement, the Engineer recommends that the maintenance bond be set at **\$38,000** for the duration of the one year maintenance period. A Bond in that amount is attached. The Engineer also request approval to return the Bond being held as construction surety to the developer, Olde State Farms, Ltd.

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

RESOLUTION NO. 01 -1413

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

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

<i>Permit #</i>	<i>Applicant</i>	<i>Location</i>	<i>Type of Work</i>
U010212	Columbia Gas	Harbor Pointe Section 2	Install gas Main
U010213	Ameritech	Fancher Road	Replace Damaged Cable
U010214	Columbia Gas	Golf Village Section 3, Phase 1	Install Gas Main
U010215	Columbia Gas	South Old 3 C Highway	Install Gas Main

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

RESOLUTION NO. 01 -1414

IN THE MATTER OF APPROVING THE AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND E.L. ROBINSON ENGINEERING CO. FOR THE DESIGN SERVICES OF THE TUSSIC STREET ROAD IMPROVEMENT PROJECT:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve the following contract:

CONTRACT

AGREEMENT, made and entered into this 3rd day of December, 2001 by and between the *Delaware County Commissioners*, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and *E. L. Robinson Engineering Co.*, hereinafter designated as **SECOND PARTY**.

WITNESSETH, that said **SECOND PARTY**, for and in consideration of the lump sum amounts of **\$275,244.00**, based on a Proposal for Engineering Services dated October 19, 2001, and Cost Proposal of the same date, to be

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paid as hereinafter specified, hereby agrees to furnish unto said **FIRST PARTY**, professional design services including preparation of construction contract plans and related engineering services as specified in the Proposal submitted by the **SECOND PARTY** for the project know as Tussic Street Road Improvements Project, Delaware County, Ohio. Compensation is to be paid on a monthly basis as the estimated percentage of total work completed. Said estimated completion percentage shall be submitted by the Second Party and approved by the Delaware County Engineer.

SAID SECOND PARTY further agrees to perform the said work promptly, in a skillfully and competent manner in accordance with the normally accepted standards applicable to this work, and under the direction of the Delaware County Engineer. Work is to be completed on or before June 1, 2002.

THE SECOND PARTY hereby agrees to hold *Delaware County* free and harmless from any and all claims for loss, damages, injury, liability, costs, expenses, judgments or decrees, resulting from any negligent acts or omissions of the **SECOND PARTY**, its employees, agents, subcontractors, and their employees and agents' subcontractors and their employees agents but only to the extent that the same is actually covered and paid under the foregoing polices of the insurance.

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

RESOLUTION NO. 01-1415

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR THE PURCHASE OF A 4-WHEEL DRIVE UTILITY VEHICLE:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to adopt the following Resolution:

WHEREAS, the Delaware County Board of Commissioners requested bids for the purchase of a mid-sized four wheel drive utility vehicle as a Necessity of Need to replace a vehicle for the Emergency Management Agency, and

WHEREAS, all bids were reviewed and none were acceptable;

NOW THEREFORE BE IT RESOLVED, That the Board of County Commissioners reject all submitted bids that were received at 10:00 a.m., 15 November 2001, for the purchase of a replacement vehicle.

BE IT FURTHER RESOLVED, That the Clerk of the Board of Commissioners shall cause this Resolution to be spread upon the Board's Official Journal.

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

RESOLUTION NO. 01-1416

IN THE MATTER OF APPROVING THE PURCHASE OF A UTILITY VEHICLE FOR THE DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY UNDER THE STATE TERM CONTRACT:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to adopt the following Resolution:

WHEREAS, the Delaware County Board of Commissioners has approved a resolution of Necessity of Need for a replacement vehicle for the Emergency Management Agency, and

WHEREAS, through the bid process, no acceptable bids were received, and

WHEREAS, a utility vehicle is available through the Ohio State Term Contract;

NOW THEREFORE BE IT RESOLVED, That the Board of County Commissioners approve the purchase of a four wheel drive utility vehicle from Winkle Chevrolet, Paulding, Ohio, at a cost of \$22,094.99.

BE IT FURTHER RESOLVED, That the Clerk of the Board of Commissioners shall cause this Resolution to be spread upon the Board's Official Journal.

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

RESOLUTION NO. 01-1417

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR OLD STATE FARMS SECTION 1; SCIOTO RESERVE SECTION 3 PHASE 3 & 4 AND THE VILLAGE AT HARVEST WIND PHASE 2:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to accept the sanitary sewers for ownership, operation, and

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maintenance by Delaware County as follows:

Old State Farms Section 1	2,506 feet of 8 inch sewer 4,228 feet of 10 inch sewer	29 manholes
Scioto Reserve Section 3 Phase 3 & 4	2,900 feet of 8 inch sewer 163 feet of 10 inch sewer	16 manholes
The Village at Harvest Wind Phase 2	2,217 feet of 8 inch sewer 813 feet of 12 inch sewer	15 manholes

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

RESOLUTION NO. 01-1418

IN THE MATTER OF APPROVING CERTIFICATE OF SUBSTANTIAL COMPLETION FOR COMPLETE GENERAL CONSTRUCTION COMPANY FOR ALUM CREEK WATER RECLAMATION FACILITY EFFLUENT LINE-POWELL ROAD SEGMENT PART A (WORTHINGTON ROAD AND POWELL ROAD WIDENING IMPROVEMENTS 2000):

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

Contract No.	Date	Contractor	Project
S99-4	8/21/01	Complete General Construction Company	Alum Creek Water Reclamation Facility Effluent line-Powell Road Segment

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

RESOLUTION NO. 01-1419

IN THE MATTER OF ACCEPTING THE AWARD OF THE 2002 RECYCLE, OHIO! GRANT:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to accept the award of the 2002 Recycle, Ohio! Grant in the amount of \$84,900.00.

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

RESOLUTION NO. 01-1420

IN THE MATTER OF AUTHORIZING EXECUTION OF AN AGREEMENT WITH VITITOE CONSTRUCTION, INC. FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE FY00 CDBG FORMULA PROGRAM FOR THE VILLAGE OF SHAWNEE HILLS STORM DRAINAGE IMPROVEMENT PROJECT:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to authorize the execution of an Agreement with Vititoe Construction:

WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program; and

WHEREAS, the construction of drainage facilities is an eligible activity to be funded under the CDBG Formula Program; and

WHEREAS, funding, in the amount of Sixty Thousand Dollars (\$60,000) has been provided to Delaware County through the FY00 CDBG Formula Program, and funding in the amount of Forty Thousand Dollars (\$40,000) is to be provided from Delaware County's Revolving Loan Fund as an infrastructure grant, and funding in the amount of Eighty-Six Thousand Forty-Eight and 16/100 Dollars (\$86,048.16) is to be provided from the Village of Shawnee Hills, for the Village of Shawnee Hills Storm Drainage Improvement Project, which consists of the installation of approximately 1,394 linear feet of storm sewers and 9 catch basins and miscellaneous storm drainage collection; and

WHEREAS, Vititoe Construction, Inc., located at 3883 Clark Shaw Road, Powell, Ohio has submitted the lowest and best bid for the construction of the Village of Shawnee Hills Storm Drainage Improvement Project, in the amount of One Hundred Eighty-Six Thousand Forty-Eight and 16/100 Dollars (\$186,048.16).

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. That the Delaware County Commissioners determine that on the basis of price and experience, that Vititoe Construction, Inc., is the best entity to provide construction services for the Village of Shawnee

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Hills Storm Drainage Improvement Project.

Section 2. That the Board of Commissioners authorizes the President of the Board to execute an Agreement concurring in the awarding of a contract for construction services with Vititoe Construction, Inc. for the FY00 CDBG Formula Program and the Delaware County Revolving Loan Fund Program for a portion of the total project cost in an amount not to exceed One Hundred Eighty-Six Thousand Forty-Eight and 16/100 Dollars (\$186,048.16).

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

RESOLUTION NO. 01-1421

7:30 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 42.387 ACRES FROM CONCORD TOWNSHIP TO THE CITY OF DUBLIN:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to open the Hearing at 7:30PM:

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

RESOLUTION NO. 01- 1422

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR 42.387 ACRES FROM CONCORD TOWNSHIP TO THE CITY OF DUBLIN:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to close the Hearing at 7:55PM:

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

RESOLUTION NO. 01-1423

ORDER OF COMMISSIONERS FOR ANNEXATION OF 42.387 ACRES FROM CONCORD TOWNSHIP TO THE CITY OF DUBLIN:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve the following resolution:

The Commissioners of Delaware County, Ohio having on the 3rd day of December 2001, heard the petition of the majority of landowners in the area described to obtain Annexation of territory described in the petition to the **City of Dublin**, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition had having considered any affidavits presented with reference thereto and being fully advised in the premises do find that:

1. The petition contains all matters required by Sections 709.02 of the Ohio Revised Code;
2. Notice has been published as required by the Ohio Revised Code Section 709.03 and 709.031 and Ordinance has been adopted by and submitted by the **City of Dublin** as required by Section 709.031(B) of the Revised Code;
3. The persons whose names are subscribed to the petition are the real owners of real estate in the territory described in the petition and as of the time the petition was filed with this Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in the territory proposed to be annexed.
4. The territory included in the annexation petition is not unreasonably large;
5. The plat of the territory to be annexed is accurate, and
6. The general good of the territory sought to be annexed will be served if the annexation petition is granted, and

It is hereby ordered that the prayer of said petition be granted and that the territory described in said petition be annexed, signed by a majority in accordance with law, and that a certified transcript, signed by a majority of this Board, of all orders and proceedings of said Board relative to said petition and the hearing thereon, together with said petition and the maps attached hereto, and all papers on file relating to said matter, be delivered to the Clerk of the **City of Dublin**, Ohio.

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

RESOLUTION NO. 01-1424

7:45 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 53.958 ACRES FROM

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BERKSHIRE TOWNSHIP TO VILLAGE OF SUNBURY:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to open the Hearing at 7:55PM:

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

RESOLUTION NO. 01-1425

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR ANNEXATION OF 53.958 ACRES FROM BERKSHIRE TOWNSHIP TO VILLAGE OF SUNBURY:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to close the Public Hearing at 8:02PM:

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

RESOLUTION NO. 01-1426

ORDER OF COMMISSIONERS FOR ANNEXATION OF 53.958 ACRES FROM BERKSHIRE TOWNSHIP TO THE VILLAGE OF SUNBURY:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve the following resolution:

The Commissioners of Delaware County, Ohio having on the 3rd day of December 2001, heard the petition of the majority of landowners in the area described to obtain Annexation of territory described in the petition to the **Village of Sunbury**, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition had having considered any affidavits presented with reference thereto and being fully advised in the premises do find that:

1. The petition contains all matters required by Sections 709.02 of the Ohio Revised Code;
2. Notice has been published as required by the Ohio Revised Code Section 709.03 and 709.031 and Ordinance has been adopted by and submitted by the **Village of Sunbury** as required by Section 709.031(B) of the Revised Code;
3. The persons whose names are subscribed to the petition are the real owners of real estate in the territory described in the petition and as of the time the petition was filed with this Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in the territory proposed to be annexed.
4. The territory included in the annexation petition is not unreasonably large;
5. The plat of the territory to be annexed is accurate, and
6. The general good of the territory sought to be annexed will be served if the annexation petition is granted, and

It is hereby ordered that the prayer of said petition be granted and that the territory described in said petition be annexed, signed by a majority in accordance with law, and that a certified transcript, signed by a majority of this Board, of all orders and proceedings of said Board relative to said petition and the hearing thereon, together with said petition and the maps attached hereto, and all papers on file relating to said matter, be delivered to the Clerk of the **Village of Sunbury**, Ohio

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

RESOLUTION NO. 01-1427

8:00 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 136.462 ACRES FROM DELAWARE TOWNSHIP TO CITY OF DELAWARE:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to open the Hearing at 8:05PM:

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

RESOLUTION NO. 01-1428

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR ANNEXATION OF 136.462 ACRES FROM DELAWARE TOWNSHIP TO CITY OF DELAWARE:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to close the Public Hearing at 8:15PM:

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

RESOLUTION NO. 01-1429

ORDER OF COMMISSIONERS FOR ANNEXATION OF 136.462 ACRES FROM DELAWARE TOWNSHIP TO CITY OF DELAWARE:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to approve the following resolution:

The Commissioners of Delaware County, Ohio having on the 3rd day of December 2001, heard the petition of the majority of landowners in the area described to obtain Annexation of territory described in the petition to the **City of Delaware**, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition had having considered any affidavits presented with reference thereto and being fully advised in the premises do find that:

1. The petition contains all matters required by Sections 709.02 of the Ohio Revised Code;
2. Notice has been published as required by the Ohio Revised Code Section 709.03 and 709.031 and Ordinance has been adopted by and submitted by the **City of Delaware** as required by Section 709.031(B) of the Revised Code;
3. The persons whose names are subscribed to the petition are the real owners of real estate in the territory described in the petition and as of the time the petition was filed with this Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in the territory proposed to be annexed.
4. The territory included in the annexation petition is not unreasonably large;
5. The plat of the territory to be annexed is accurate, and
6. The general good of the territory sought to be annexed will be served if the annexation petition is granted, and

It is hereby ordered that the prayer of said petition be granted and that the territory described in said petition be annexed, signed by a majority in accordance with law, and that a certified transcript, signed by a majority of this Board, of all orders and proceedings of said Board relative to said petition and the hearing thereon, together with said petition and the maps attached hereto, and all papers on file relating to said matter, be delivered to the Clerk of the **City of Delaware**, Ohio.

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

RESOLUTION NO. 01-1430

8:15 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 32.4 ACRES FROM ORANGE TOWNSHIP TO CITY OF COLUMBUS:

It was moved by Mr. Wuertz, seconded by Mrs. Martin to open the Hearing at 8:16PM:

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

RESOLUTION NO. 01-1431

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR ANNEXATION OF 32.4 ACRES FROM ORANGE TOWNSHIP TO CITY OF COLUMBUS:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to close the Public Hearing at 8:30PM:

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

RESOLUTION NO. 01-1432

ORDER OF COMMISSIONERS FOR ANNEXATION OF 32.4 ACRES FROM ORANGE TOWNSHIP TO CITY OF COLUMBUS:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve the following resolution:

The Commissioners of Delaware County, Ohio having on the 3rd day of December 2001, heard the petition of the majority of landowners in the area described to obtain Annexation of territory described in the petition to the **City of Columbus**, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition had having considered any affidavits presented with reference thereto and being fully advised in the

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premises do find that:

1. The petition contains all matters required by Sections 709.02 of the Ohio Revised Code;
2. Notice has been published as required by the Ohio Revised Code Section 709.03 and 709.031 and Ordinance has been adopted by and submitted by the **City of Columbus** as required by Section 709.031(B) of the Revised Code;
3. The persons whose names are subscribed to the petition are the real owners of real estate in the territory described in the petition and as of the time the petition was filed with this Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in the territory proposed to be annexed.
4. The territory included in the annexation petition is not unreasonably large;
5. The plat of the territory to be annexed is accurate, and
6. The general good of the territory sought to be annexed will be served if the annexation petition is granted, and

It is hereby ordered that the prayer of said petition be granted and that the territory described in said petition be annexed, signed by a majority in accordance with law, and that a certified transcript, signed by a majority of this Board, of all orders and proceedings of said Board relative to said petition and the hearing thereon, together with said petition and the maps attached hereto, and all papers on file relating to said matter, be delivered to the Clerk of the **City of Columbus**, Ohio.

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

There being no further business the meeting adjourned.

Deborah B. Martin

James D. Ward

Donald E. Wuertz

Letha George, Clerk to the Commissioners