

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

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

Present: Kristopher W. Jordan (Absent), Deborah B. Martin, James D. Ward

- 10:00 AM Bid Opening Date And Time For Portable Changeable Message Boards For The Delaware County Engineers Office (50 Channing Street)**
- 7:30 PM Public Hearing For Consideration Of Request To Vacate The Right Of Way In The Rear Of The Property Located At 4341 State Route 203 Radnor, Ohio**
- 7:45 PM Public Hearing For A Zoning District Change From Farm Residential District (FR-1) To Planned Industrial (PI) For A 4.95-Acre Tract In Radnor Township Owned By Larry Garrett**

PUBLIC COMMENT

RESOLUTION NO. 03-272

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0228:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0228 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Sims Brothers Inc.	Recycling Roll of Containers	68011916-5450	\$ 8,000.00
Marion Industrial Electrical supply	Repair of Motor/ACWRF	65211919-5328	\$ 5,500.00
Delaware JVS	Client-Tuition/Continuing Education	22411603-5350	\$ 10,000.00
Ashland University	Client-Tuition/Continuing Education	22411603-5350	\$ 5,000.00
Delaware City Schools	Child Care	22411606-5348	\$ 10,000.00
A Plus Child Care	Child Care	22411606-5348	\$ 8,000.00
Clarence Jones	Demo-House 174 N. Union	40111402-5410	\$ 9,500.00
Increases			
AEP	Services	66011913-5338	\$ 20,000.00
Don-A-Del Inc. West	Child Care	22411606-5348	\$ 8,000.00
Childrens World	Child Care	22411606-5348	\$ 10,000.00
A Powell Child care	Child Care	22411606-5348	\$ 8,000.00
Vouchers			
Upper Valley Medical Center	Residential Treatment	22511608-534234215	\$ 6,682.00
Del County Juvenile Court	House Bill 57	22411604-5348	\$ 5,695.00
Suburban Fuel	Gas Service/ACWRF	65211919-533833810	\$ 5,515.21
Squire, Sanders & Dempsey	Legal Fees	21011113-530130107	\$ 6,618.25
Emeritech Inc.	Maintenance Agreement	21411306-5325	\$ 17,502.27
	Maintenance Agreement	10011304-5325	\$ 17,502.26
Boys Village Inc.	Residential Treatment	22511607-5342	\$ 9,796.00

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-273

IN THE MATTER OF PROCLAIMING MARCH 3 THROUGH MARCH 8 NATIONAL WEIGHTS AND MEASURES WEEK:

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

Whereas, on March 2, 1799, the first Weight and Measures Law in the United States was enacted, and during the week of March 3 through March 8, 2003, this anniversary will be celebrated.

Whereas, Weights and Measures is the oldest consumer protection service known today, and this service protects the consumer as well as the business operator by insuring that all measuring devices are inspected and certified to be accurate.

Therefore, Be It Resolved: That the Board of County Commissioners of Delaware County hereby officially declares March 3 through March 8, 2003 National Weights and Measures Week in Delaware County.

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

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. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-274

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 3.859 ACRES OF LAND IN DELAWARE TOWNSHIP TO THE CITY OF DELAWARE:

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

Whereas on January 24, 2003, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by David C. Shade, agent for the petitioners, of 3.859 Acres, more or less, in Delaware Township to the City of Delaware.

Whereas, ORC Section 709.23-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Delaware.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 3.859 Acres, more or less, in Delaware Township to the City of Delaware.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-275

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 0.9 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF POWELL:

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

Whereas on January 24, 2003, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Harrison W. Smith (Jackson Reynolds), agent for the petitioners, of 0.9 Acres, more or less, in Liberty Township to the City of Powell.

Whereas, ORC Section 709.23-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Powell or the Township of Liberty.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 0.9 Acres, more or less, in Liberty Township to the City of Powell.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03 -276

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Department of Job and Family Services is requesting that Heather Roberts attend a SETS State Training (Data Training) in Columbus, Ohio March 27, 2003, at no cost.

The Department of Job and Family Services is requesting that Pam Pruettt, Deanna Slone and Larry Hager attend a Caseworker State Training in Columbus, Ohio March 12, 2003, at no cost.

The Administrative Services Department is requesting that Steve Savon attend a Behavioral Based Safety Systems Training in Pickerington, Ohio May 29, 2003.

The Emergency Services Department is requesting that Pearline Howald and Bill Barks attend a Seminar on Emergency Vehicle Law in Franklin, Ohio March 27, 2003, at the cost of \$70.00.

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

The Department of Job and Family Services is requesting that Pam Pruett attend a ABD Medicaid and CRIS-E Training in Columbus, Ohio April 1 to 2, 2003, at no cost.

The Department of Job and Family Services is requesting that Tracy Merrin and Chad Richardson attend a State Youth Conference in Worthington, Ohio March 12 to 14, 2003, at no cost.

The Department of Job and Family Services is requesting that Rhonda Leasure, Jackie Culberton, Julie Kunkle and Larry Hager attend a Business Information Training in Columbus, Ohio March 24, 2003, at the cost of \$15.00.

The Department of Job and Family Services is requesting that Rhonda Leasure and Sharon Lloyd attend a SCOTI Training for WIA in Franklin County March 6, 2003, at no cost.

The Department of Job and Family Services is requesting that Rhonda Leasure and Donna Eckman attend a SETS Training in Columbus, Ohio March 7, 2003, at no cost.

The Engineer's Office is requesting that Chris Bauserman attend a NACE 2003 Annual Meeting in Biloxi, Mississippi in March 23 to 27, 2003, at the cost of \$2,614.00.

The Engineer's Office is requesting that Steve Savon attend a Training on Indoor Air Quality in Pickerington, Ohio April 15 to 16, 2003, at the cost of \$20.00.

The Commissioners' Office is requesting that Kris Jordan attend a CCAO Training Session in Columbus, Ohio March 26 to 27, 2003, at the cost of \$115.00.

The Environmental Services Department is requesting that Rich Felton attend an Ohio Water Environment Annual Conference in Huron, Ohio June 6 to July 3, 2003, at the cost of \$743.50.

The Environmental Services Department is requesting that Barry Bryant attend an Ohio Use Land Program in Perrysville, Ohio March 13 to 14, 2003, at the cost of \$155.00.

The Environmental Services Department is requesting that Barry Bryant attend a Conflict Resolution Services For Government Officials in Maumee, Ohio April 24 to 25, 2003, at no cost.

The Environmental Services Department is requesting that Fred Fowler attend an Ohio Use Land Program in Perrysville, Ohio March 13 to 14, 2003, at the cost of \$213.58.

The Environmental Services Department is requesting an increase to the travel request for Earl Schmitz to attend a Buckeye Valley BIA "Mold" Seminar in Hebron, Ohio from February 6, 2003, at the cost of \$25.00.

The Environmental Services Department is requesting that Ed Meek attend an Electrical Safety Inspector Refresher and Training in Columbus, Ohio October 12 to November 16, 2003 (weekly), at the cost of \$350.00.

The Maintenance Department is requesting that Tom Ruthig, Jack Prim and Gregg Rittenhouse attend a Workshop on "Intellipak Operators And Maintenance" in Columbus, Ohio March 12, 2003, at the cost of \$675.00.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-277

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE SHERIFF'S OFFICE:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
10031302-5345	Sheriff /Prisoner Transport	\$ 9,913.14

Discussion on Court House Security Guards

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

Discussion on Nurse's Jail Contract with Sheriff (G.M. Health Services Contract died with lack of a second. Mr. Ward thought all 3 commissioners should be present).

RESOLUTION NO. 03-278

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003

7:30 PM PUBLIC HEARING FOR CONSIDERATION OF REQUEST TO VACATE A PORTION OF AN ALLEY IN FRONT OF LOT # 35 IN THE REAR OF THE PROPERTY LOCATED AT 4341 STATE ROUTE 203 RADNOR, OHIO:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 7:35PM.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-279

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF REQUEST TO VACATE A PORTION OF AN ALLEY IN FRONT OF LOT # 35 IN THE REAR OF THE PROPERTY LOCATED AT 4341 STATE ROUTE 203 RADNOR, OHIO:

It was moved by Mrs. Martin, seconded by Mr. Ward to close the Hearing at 7:42PM.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-280

IN THE MATTER OF PETITION TO VACATE A PORTION OF AN ALLEY IN FRONT OF LOT # 35 IN THE REAR OF THE PROPERTY LOCATED AT 4341 STATE ROUTE 203 RADNOR, OHIO:

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

WHEREAS, a petition signed by at least twelve freeholders of Delaware County residing in the vicinity of South Main Street in the Village of Radnor pursuant to section 5553.04 of the Ohio Revised Code was filed with the Delaware County Commissioners on December 16, 2002.

WHEREAS, the petition requests to vacate a portion of the Main Street “right located at 4341 St. Rte. 203, at the south end of Main Street, in the Village of Radnor. This measuring 20 feet from the centerline of Main Street—the request to vacate includes all remaining right of way toward Lot # 35 beyond the 20 feet center mark as described below:

Situated in the State of Ohio, County of Delaware and Township of Radnor, being part of Main Street in the Village of Radnor, as described in Deed Book 12, Page 124 and being more particularly described as follows:

Beginning at an iron pipe found at the northwest corner of in lot 35 of the Village of Radnor as described in Deed Book 12, Page 124 and being on the easterly right-of-way line of Main Street:

Thence along the westerly line of said Lot 35 and the easterly right-of-way line of Main Street South 27°01’06” East, 95.41 feet to an iron pipe found marking the southwest corner of said Lot 35;

Thence leaving the westerly line of Lot 35 South 62°38’49” West, 23.16 feet to an iron pin set:

Thence North 27°21’11” West, 95.40 feet to a railroad spike set;

Thence North 62°37’36” East, 23.72 feet to the Point of Beginning containing 0.0513 acres more or less, according to a survey made by Jobes Henderson & Associates Inc., in September 2002.

The bearings in the above description are based on an assumed meridian and are used to denote angles only.

All iron pins are 5/8” in diameter rebar by 30” in length with red surveyors identification caps marked “J&H, PS 7900”. Subject to all valid and existing easements, restrictions, and conditions of record.

Whereas, the county commissioners viewed the location of the proposed vacation on the 19th day of February 2003 at 10:00 AM;

Whereas, the Board of County Commissioners held a Public Hearing on the 3rd day of March 2003, at 7:30 PM, and at that hearing the Board found the vacation would serve the public convenience and welfare;

Now Therefore Be It Resolved, the 0.0513 acre parcel as described above shall be vacated. The vacated portion of this road right of way shall pass in fee to Vanessa Cread Chappellear as provided by law. The Delaware County Engineer shall cause an accurate survey and map to be made and filed with this board.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-281

IN THE MATTER OF APPROVING DITCH MAINTENANCE PETITION FOR RIVER’S EDGE AT

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003

ALUM CREEK SECTION 2:

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

Ditch Maintenance Petition- River's Edge At Alum Creek Section 2

We the undersigned owners of 20.412 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as **River's Edge At Alum Creek Section 2** as 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 Subdivision.

The cost of the drainage improvements is \$161,684.50 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-one (41) 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, \$3,943.52 per lot. An annual maintenance fee equal to 2% of this basis \$78.87 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 \$3,233.69 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. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-282

IN THE MATTER OF APPROVING SUBDIVIDER'S AGREEMENTS FOR NORTH ORANGE SECTION 2, PHASE 3, PART A AND NORTH ORANGE SECTION 3, PHASE 2, PART A:

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

North Orange Section 2, Phase 3, Part A

SUBDIVIDER'S AGREEMENT

THIS AGREEMENT executed on this 3rd day of March 2003, between **PLANNED COMMUNITIES, INC.** as evidenced by the **NORTH ORANGE SECTION 2, PHASE 3, PART A** Construction plans filed with the **Delaware County Engineer**, Delaware County, Ohio and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** is governed by the following considerations, to wit:

Said **SUBDIVIDER** is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this **AGREEMENT**, said **SUBDIVIDER** shall, at the time of plat approval, execute bond, certified check, irrevocable letter of credit or other approved financial warranties equal to the cost of any remaining construction as shown in the Engineer's Estimate approved 11/1/02, which is acceptable to the **COUNTY COMMISSIONERS** to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Subdivision Regulations** of Delaware County, Ohio. The **SUBDIVIDER** shall pay the entire cost and expense of all improvements.

The **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one year from the date of the approval of said subdivision by the **COUNTY COMMISSIONERS**. But an extension of time may be granted if approved by the **COUNTY COMMISSIONERS**.

The **SUBDIVIDER** shall have a competent representative who is familiar with the project on site during

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

construction. The representative shall be capable of reading plans and specifications and shall have the authority to execute the plans and specifications and alterations required by the COUNTY. The representative shall be replaced by the SUBDIVIDER when, in the opinion of the COUNTY, his performance is deemed inadequate.

If no bonding or performance surety has been filed, then no subdivision plat will be approved until a performance bond has been approved or until all public improvements have been made. In either case, the SUBDIVIDER further agrees that any violations or non-compliance with any of the provisions and stipulations of this AGREEMENT shall constitute a breach of contract and the COUNTY shall have the right to stop work forthwith.

If a subdivision plat has been approved with the necessary bonding, then the COUNTY shall have the right to act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

ROADWAY AND STORM DRAINAGE

It is further agreed that upon execution of the AGREEMENT, the SUBDIVIDER shall deposit **TWENTY-FOUR THOUSAND NINE HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the Delaware County Engineer and, if deemed necessary by the Delaware County Engineer, testing by an independent laboratory. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the SUBDIVIDER shall replenish the account, upon notice by the Delaware County Engineer. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the SUBDIVIDER, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

The County reserves the right during construction and thereafter to permit connection of adjoining properties within the original drainage basin to the storm sewer system.

Upon completion of construction, the SUBDIVIDER shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workmanship for a period of one year. Said SUBDIVIDER'S bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the County Engineer for said maintenance. The reduction may be approved only after the County Engineer has been provided evidence that all work has been accomplished according to the approved plan and/or to the County Engineer's satisfaction. All work is to be done in accordance to the Ohio Department of Transportation Specifications.

Acceptance of the roads and drainage structures in said subdivision into the public system shall be completed only after written notice to the COUNTY COMMISSIONERS from the County Engineer of his approval. The SUBDIVIDER'S maintenance responsibility as described above shall be completed upon formal acceptance by the COUNTY COMMISSIONERS.

Any snow and ice removal or other safety requirements deemed necessary by the County Engineer during the period of construction or maintenance shall be the responsibility of the SUBDIVIDER. All of the funds set forth in the AGREEMENT shall be made available to the County Engineer to ensure proper safety compliance.

CONSTRUCTION

The SUBDIVIDER shall, within thirty (30) days following the completion of construction and prior to final acceptance, furnish to Delaware County, as required, "as-built" drawings of the improvements, which plans shall become the property of the County and remain in the office of the Delaware County Engineer.

The SUBDIVIDER shall, within thirty (30) days of completion of construction, furnish to the County an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The SUBDIVIDER shall indemnify and hold harmless the County from expenses or claims for labor or material incident to said construction of improvements.

The SUBDIVIDER shall, during construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the County regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The SUBDIVIDER shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The SUBDIVIDER shall be responsible for all utility charges and installation costs. Utility user charges shall be paid by the SUBDIVIDER and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the County. Should the SUBDIVIDER become unable to carry out the provisions of this AGREEMENT, the SUBDIVIDER'S heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this AGREEMENT.

In consideration whereof, the BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO hereby grants the SUBDIVIDER or his agent the right and privilege to make the improvements stipulated herein.

North Orange Section 3, Phase 2, Part A

SUBDIVIDER'S AGREEMENT

THIS AGREEMENT executed on this 3rd day of March 2003, between **PLANNED COMMUNITIES, INC.** as evidenced by the **NORTH ORANGE SECTION 3, PHASE 2, PART A** Construction plans filed with the Delaware County Engineer, Delaware County, Ohio and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** is governed by the following considerations, to wit:

Said SUBDIVIDER is to construct, install or otherwise make all public improvements shown and set

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this **AGREEMENT**, said **SUBDIVIDER** shall, at the time of plat approval, execute bond, certified check, irrevocable letter of credit or other approved financial warranties equal to the cost of any remaining construction as shown in the Engineer's Estimate approved 2/19/03, which is acceptable to the **COUNTY COMMISSIONERS** to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Subdivision Regulations** of Delaware County, Ohio. The **SUBDIVIDER** shall pay the entire cost and expense of all improvements.

The **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one year from the date of the approval of said subdivision by the **COUNTY COMMISSIONERS**. But an extension of time may be granted if approved by the **COUNTY COMMISSIONERS**.

The **SUBDIVIDER** shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading plans and specifications and shall have the authority to execute the plans and specifications and alterations required by the **COUNTY**. The representative shall be replaced by the **SUBDIVIDER** when, in the opinion of the **COUNTY**, his performance is deemed inadequate.

If no bonding or performance surety has been filed, then no subdivision plat will be approved until a performance bond has been approved or until all public improvements have been made. In either case, the **SUBDIVIDER** further agrees that any violations or non-compliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract and the **COUNTY** shall have the right to stop work forthwith.

If a subdivision plat has been approved with the necessary bonding, then the **COUNTY** shall have the right to act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

ROADWAY AND STORM DRAINAGE

It is further agreed that upon execution of the **AGREEMENT**, the **SUBDIVIDER** shall deposit **THIRTEEN THOUSAND FOUR HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer** and, if deemed necessary by the **Delaware County Engineer**, testing by an independent laboratory. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the **SUBDIVIDER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the **SUBDIVIDER**, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

The **County** reserves the right during construction and thereafter to permit connection of adjoining properties within the original drainage basin to the storm sewer system.

Upon completion of construction, the **SUBDIVIDER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workmanship for a period of one year. Said **SUBDIVIDER'S** bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the **County Engineer** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance to the **Ohio Department of Transportation Specifications**.

Acceptance of the roads and drainage structures in said subdivision into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **SUBDIVIDER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

Any snow and ice removal or other safety requirements deemed necessary by the **County Engineer** during the period of construction or maintenance shall be the responsibility of the **SUBDIVIDER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

CONSTRUCTION

The **SUBDIVIDER** shall, within thirty (30) days following the completion of construction and prior to final acceptance, furnish to **Delaware County**, as required, "as-built" drawings of the improvements, which plans shall become the property of the **County** and remain in the office of the **Delaware County Engineer**.

The **SUBDIVIDER** shall, within thirty (30) days of completion of construction, furnish to the **County** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **SUBDIVIDER** shall indemnify and hold harmless the **County** from expenses or claims for labor or material incident to said construction of improvements.

The **SUBDIVIDER** shall, during construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the **County** regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The **SUBDIVIDER** shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The **SUBDIVIDER** shall be responsible for all utility charges and installation costs. Utility user charges shall be paid by the **SUBDIVIDER** and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the **County**.

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

Should the **SUBDIVIDER** become unable to carry out the provisions of this **AGREEMENT**, the **SUBDIVIDER'S** heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this **AGREEMENT**.

In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants the **SUBDIVIDER** or his agent the right and privilege to make the improvements stipulated herein.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-283

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR GRAND OAK SECTION 1:

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

Grand Oak Section 1

The roadways to be accepted are as follows:

- **Grand Oak Boulevard**, to be known as **Township Road Number 1335**
- **Dorshire Drive**, to be known as **Township Road Number 1336**
- **Edgebrooke Drive**, to be known as **Township Road Number 1337**
- **Harrow Glen Drive**, to be known as **Township Road Number 1338**
- **Braymoore Drive**, to be known as **Township Road Number 1339**
- **Harrow Glen Court**, to be known as **Township Road Number 1340**

The Engineer recommends that 25mile per hour speed limits be established throughout the project.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-284

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR GRAND OAK SECTION 1:

It was moved by Mrs. Martin, seconded by Mr. Ward to establish stop conditions for the following:

Stop Conditions –Grand Oak Section 1

It is hereby requested that a stop condition be established at the following roads within the above referenced subdivision:

- On Township Road Number 1335, Grand Oak Boulevard, at its intersection with Township Road Number 109, Big Walnut Road
- On Township Road Number 1335, Grand Oak Boulevard, at its intersection with Township Road Number 1337, Edgebrooke Drive
- On Township Road Number 1336, Dorshire Drive, at its intersection with Township Road Number 1335, Grand Oak Boulevard
- On Township Road Number 1338, Harrow Glen Drive, at its intersection with Township Road Number 1336, Dorshire Drive
- On Township Road Number 1338, Harrow Glen Drive, at its intersection with Township Road Number 1340, Harrow Glen Court
- On Township Road Number 1339, Braymoore Drive, at its intersection with Township Road Number 1338, Harrow Glen Drive

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03 -285

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

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

Permit #	Applicant	Location	Type of Work
U03023	AEP	Plumb Road	Push conduit
U03024	Verizon	Calhoun Road	Relocate poles

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003

RESOLUTION NO. 03-286

IN THE MATTER OF SETTING BID OPENING DATE AND TIME FOR THE 2003 ROADSIDE MOWING PROGRAM:

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

Sealed proposals will be received by the Delaware County Commissioners at the **Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00 a.m. local time on Monday, March 24, 2003** for furnishing all labor, materials and equipment necessary to complete the project known as the **2003 Roadside Mowing Program** and, at said time and place, publicly opened and read aloud. Specifications and bid documents can be obtained at the **Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015**. This project provides for four rounds of mowing the eastern half of Delaware County for a total of 151.569 center lane miles of County Roads.

Each bidder is required to furnish with its **Proposal** a Bid Guaranty and Contract Bond in accordance with Section 153.54 of the Ohio Revised Code. Bid security furnished in Bond form shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each **Proposal** must contain the full name of the party or parties submitting the proposal and all persons interested herein. Each bidder must also submit evidence of its experiences on projects of similar size and complexity. The owners intend and require that this project be completed no later than **October 11, 2003**.

The Delaware County Commissioners reserve the right to waive irregularities and to reject any or all bids.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-287

7:45 PM PUBLIC HEARING FOR A ZONING DISTRICT CHANGE FROM FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED INDUSTRIAL (PI) FOR A 4.95-ACRE TRACT IN RADNOR TOWNSHIP OWNED BY LARRY GARRETT:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 7:47PM.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-288

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR A ZONING DISTRICT CHANGE FROM FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED INDUSTRIAL (PI) FOR A 4.95-ACRE TRACT IN RADNOR TOWNSHIP OWNED BY LARRY GARRETT:

It was moved by Mrs. Martin, seconded by Mr. Ward to close the Hearing at 7:53PM.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-289

IN THE MATTER OF A REQUEST FOR REZONING DISTRICT CHANGE OF A 4.95 ACRE TRACT, MORE OR LESS, IN THE TOWNSHIP OF RADNOR FROM FARM RESIDENCE DISTRICT (FR-1) TO PLANNED INDUSTRIAL (PI) UNDER THE COUNTY ZONING RESOLUTION:

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

WHEREAS, the advertised hearing in this matter was held March 3, 2003 at 7:45 PM, and

WHEREAS, all parties were given an opportunity to express their views thereto, and

WHEREAS, the appropriate review and comment by the Delaware County Regional Planning Commission was approval, and

WHEREAS, the Delaware County Rural Zoning Commission has recommended approval of said rezoning.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners, Delaware County, State of Ohio, that the following described property shall be rezoned from Farm Residence District (FR-1) To Planned Industrial (PI) for a 4.95-acre tract located on the south side of St. Rt. 37 West, approximately 1300 feet west of Section Line Road in Radnor Township Delaware, Ohio.

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

The Clerk shall send certified copies of this action to the Delaware County Regional Planning Commission and the Delaware County Zoning Department with a request to change the official maps to reflect this action. This action effective the earliest date allowable by law.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-290

IN THE MATTER OF APPROVING AN ADDENDUM TO THE COMMUNITY-BASED CORRECTIONS PROGRAMS 407 SUBSIDY GRANT AGREEMENT:

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

ADDENDUM

This addendum is between the State of Ohio, Department of Rehabilitation and Correction, and the county of Delaware. It modifies the Community-Based Corrections Program 407 subsidy grant agreement in the amount of **\$90,464.00** executed by the parties on the date of **July 1, 2002**.

The Grant award shall be decreased by **\$2,262.00** from **\$90,464.00** to **\$88,202.00** effective on the date approved by the Director of the Ohio Department of Rehabilitation and Correction. Total expenditures for Fiscal Year 2003 (July 1, 2002 to June 30, 2003) will not in any case exceed **\$88,202.00**

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-291

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE 911CENTER:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
21411306-5345	911/Data Processing Services	\$ 5,000.00

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-292

IN THE MATTER OF APPOINTING A “THREAT RISK AND NEEDS” COMMITTEE FOR DELAWARE COUNTY:

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

WHEREAS, the possibility of Weapons of Mass Destruction (WMD) and Terrorist incidents from both international and domestic sources is real, and

WHEREAS, the Delaware County Board of Commissioners has created a Committee to address the Threat Risk and Needs issue in regard to domestic preparedness and homeland security, and

WHEREAS, this Board has received recommendations from the County Director of Emergency Management, and,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners appoint the following members, to serve for a period of at least two years without compensation, to the local “Threat Risk and Needs” Committee (TRN Committee):

- | | |
|--------------------------|--|
| Commissioner | James D. Ward |
| Sheriff’s Office | Chief Deputy Gil Borchers |
| Law | Chief Robert Taylor – Genoa |
| Fire | Chief Tom Macklin – City of Delaware |
| Mayor | Wayne Lockhart – Ashley Village |
| Public Works/Engineering | Chris Bauserman |
| Trustee | Paul Price |
| Health Department | Doug Sams |
| EMA | Larry Fisher, Dave Hall and Bob Lavender |

BE IT FURTHER RESOLVED: That the Clerk of the Board of Commissioners shall cause this Resolution to be

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

spread upon the Board's Official Journal.

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-293

IN THE MATTER OF SUPPORTING AND SPONSORING THE DELAWARE COUNTY CITIZEN CORPS COUNCIL:

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

WHEREAS, the President of the United States called upon all our citizens to engage in volunteer service that will support emergency preparation, prevention and response, following the horror of the terrorist attacks of September 11 and;

WHEREAS, the State of Ohio has formed a State Citizen Corps Council in partnership with and between the Ohio Community Service Council, Ohio Emergency Management Agency, Ohio Volunteer Center Association and the Ohio Retired and Senior Volunteer Program Directors Association, and;

WHEREAS, the Delaware County Board of Commissioners desire to foster the spirit of courage, compassion and unity exhibited by our citizens as a result of these dreadful acts and provide an avenue for citizens to volunteer their time to serve their community,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners support and agree to sponsor a Delaware County Citizens Corps Council to nurture a culture of service and responsibility and enable all our citizens to participate in making their communities safer, stronger and better prepared for preventing and handling threats of crime, disasters and terrorism of all kinds.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-294

IN THE MATTER OF APPROVING THE PURCHASE OF AN AUTOMATED TELEPHONE ALERT NOTIFICATION SYSTEM:

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

WHEREAS, it is the desire of the Delaware County Board of Commissioners to provide a method for providing alert notification to the citizens of Delaware County during times of emergencies, and

WHEREAS, an automated telephonic system has been identified that has the potential for alerting a majority of our citizens in a timely manner through either live or canned messages, and

WHEREAS, the system can also be used to enhance the State of Ohio Amber Alert system for abducted or missing persons, and for notifying County personnel to respond to an emergency or increase security within County facilities, and

WHEREAS, procedures will be established that will allow any political sub-division or public safety organization throughout Delaware County to utilize the system through the Sheriff's Office or 9-1-1 Center.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approve the recommendation to purchase an automated telephone alert notification system from Diaologic Communications at an approximate cost of \$43,400.00.

BE IT FURTHER RESOLVED: That the Board of County Commissioners approve the appropriation of funds necessary for this purchase to Account 21411306, Object Number 5450.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-295

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDER LETHA DELELLES:

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

Child Care		Basic Rates Full Time (25 Hrs. or More)	Adjustment to Basic Rates

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

Letha Delelles 158 Lofton Circle Delaware, Ohio 43015	Infant	\$ 2.75	None
	Toddler	\$ 2.75	
	Preschool	\$ 2.50	
	Schoolage	\$ 2.50	
		Per Hour	

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-296

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND SYMBIOT AND DETTMER ADOLESCENT RESIDENTIAL CENTER INC. FOR CHILD PLACEMENT SERVICES:

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

Child Placement Service	Per diem cost and per diem reimbursement for the following categories
Symbiot 29 West Church Street Newark, Ohio 43055	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Dettmer Adolescent Residential Center 3130 North Dixie Highway Troy, Ohio 45373	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)

Further Be It Resolved, that the Commissioners approve a Purchase Order to Dettmer Adolescent residential Center Inc. in the Amount of \$50,000.00.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-297

IN THE MATTER OF APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND COUNCIL FOR OLDER ADULTS:

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

AMENDMENT

This amendment, effective February 1, 2003, is to amend the Adult Protective Services Contract between the Delaware County Department of Job and Family Services and Council for Older Adults entered into on the 1st day of February 2002.

This agreement shall amend Article C.7 modifying the date covered by the agreement to February 1, 2003 through January 31, 2004 and modifying the budget amount to \$59,667.00.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-298

IN THE MATTER OF APPROVING A TRANSFER OF FUNDS FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES:

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

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

TRANSFER OF FUNDS

FROM:	TO:	AMOUNT:
22511607-5801	22411604-4601	\$ 464,938.24

Children's Services/Transfers JFS/Interfund Revenue

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-299

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS GOLF VILLAGE SECTION 12 PHASES A & B:

It was moved by Mrs. Martin, seconded by Mr. Ward to accept the sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Golf Village Section 12 Phases A & B 3,068 feet of 8 inch sewer 17 manholes

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-300

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR SCIOTO RESERVE SECTION 1 PHASE 7 & 8:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve sanitary sewer plan for Scioto Reserve Section 1 Phase 7 & 8 for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-301

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILE FOR THE USE OF THE COUNTY COMMISSIONERS; ANY COUNTY DEPARTMENT, BOARD, COMMISSION, OFFICE OR AGENCY; OR ANY ELECTED COUNTY OFFICIAL OR HIS OR HER EMPLOYEES:

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

WHEREAS; the Board of County Commissioners of Delaware County, Ohio are required by Ohio Revised Code §307.41, to find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees, and

WHEREAS; the Board of County Commissioners of Delaware, County, Ohio has before it a request from the Sanitary Engineer to expend county monies for the purchase of two (2) new 4-wheel drive Dodge Dakota Pickup Trucks; and

WHEREAS; the Board of County Commissioners have legally appropriated monies from the proper fund for the acquisition of vehicles

THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that a necessity exists to purchase two (2) new 4-wheel drive Dodge Dakota Pickup Trucks for use by the Sanitary Engineer

Section 2. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the number of motor vehicles required is two (2) for replacement of a current vehicle and as an additional vehicle.

Section 3. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the make and model of such vehicles is Dodge, Model Dakota QC and that the estimated cost of said purchase or lease will be \$16,521.75 each and total of \$33,043.50.

Section 4. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the purchase or lease of said vehicle(s) will be in conformity with the public bidding requirements of Ohio Revised Code §§307.86 through 307.92.

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003**

Vote on Motion Mr. Jordan Absent Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-302

IN THE MATTER OF WAIVING THE DELAWARE COUNTY PORTION OF FEES AT THE SOLID WASTE TRANSFER FACILITY TO SUPPORT LITTER CONTROL CAMPAIGNS:

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

WHEREAS, the Board of County Commissioners of Delaware County sustains a Solid Waste Transfer Station Operation Agreement with County Disposal (Ohio), Inc. for the operation of the Delaware County Solid Waste Transfer Station, and

WHEREAS, the Delaware General Health District has requested that the Board of County Commissioners waive its portion of the Solid Waste Transfer Station fees in support of litter control campaigns, and

WHEREAS, these litter control campaigns include support of Keep Delaware County Beautiful, an affiliate of Keep America Beautiful to promote the Great American Cleanup, and the Olentangy River Sweep, and

WHEREAS, said the Board of County Commissioners of Delaware County has waived its portion of Solid Waste Transfer Station fees in support of these initiatives in past years,

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Delaware County does hereby waive its portion of Solid Waste Transfer Station fees in support of the aforementioned programs effective April 1, 2003 through December 31, 2003.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

RESOLUTION NO. 03-303

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE ENVIRONMENTAL SERVICES DEPARTMENT:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
68011916-5301	Solid Waste/Professional Services	\$ 3,500.00

Vote on Motion Mrs. Martin Aye Mr. Jordan Absent Mr. Ward Aye

RESOLUTION NO. 03-304

IN THE MATTER OF DELAWARE COUNTY ADOPTING A RESOLUTION PROCLAIMING MARCH 2003 AS MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES MONTH:

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

Whereas: mental retardation and developmental disabilities are conditions which affect more than six-million American children and adults and their families;

Whereas: the most effective weapons for alleviation of the serious problems associated with developmental disabilities are public knowledge and understanding;

Whereas: we encourage all our citizens to realize that every face in our community belongs and that individuals with developmental disabilities should be afforded full access to community housing, employment and leisure activities; and

Whereas: the potential for citizens with developmental disabilities to function more independently and productively must be fostered;

Now, therefore, we, the Delaware County Commissioners, do hereby proclaim the month of March 2003 as Mental Retardation and Developmental Disabilities Month...

...and give full support to efforts toward enabling people with developmental disabilities to live productive lives and achieve their potential.

Vote on Motion Mr. Ward Aye Mr. Jordan Absent Mrs. Martin Aye

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2003

There being no further business the meeting adjourned.

Kristopher W. Jordan

Deborah B. Martin

James D. Ward

Letha George, Clerk to the Commissioners