

COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 17, 2004

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

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

PUBLIC COMMENT

RESOLUTION NO. 04-209

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 12, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held February 12, 2004 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 04-210

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0213:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0213, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Powerware Corporation	Batteries for Powerware Plus 160	10011304-5270	\$ 4,374.50
Powerware Corporation	Batteries for Powerware Plus 160	21411306-5270	\$ 4,374.50
Increases			
Toddler Inn	Day Care	22511607-5348	\$ 3,150.00
A New Leaf Inc.	Residential Treatment	22511607-5342	\$ 20,000.00
Vouchers			
Toddler Inn	Day Care	22411606-5348	\$ 14,374.10
St. Vincent Children's Center	Cluster/Residential Treatment	22511608-5342	\$ 5,632.44
Christy, John	SSI/Retro	22411601-5350	\$ 5,256.00

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

RESOLUTION NO. 04-211

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 4.86 ACRES OF LAND IN ORANGE TOWNSHIP TO THE CITY OF COLUMBUS:

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

Whereas on January 13, 2004, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Jill Stemen Tangeman Esq., agent for the petitioners, of 4.86 Acres, more or less, in Orange Township to the City of Columbus.

Whereas, ORC Section 709.023-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 Columbus or the Township of Orange.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 4.86 Acres, more or less, in Orange Township to the City of Columbus.

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

RESOLUTION NO. 04-212

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IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, WILLIAM D. FERGUS JR., REQUESTING ANNEXATION OF 1.056 ACRES OF LAND IN ORANGE TOWNSHIP TO THE CITY OF COLUMBUS:

It was moved by Mr. Ward, seconded by Mr. Jordan to acknowledge that on February 11, 2004, the Clerk to the Board of Commissioners received an annexation petition request to annex 1.056 acres from Orange Township to the City of Columbus.

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

RESOLUTION NO. 04-213

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF AN ADDRESS CORRECTION FROM LIQUOR CONTROL FOR A LIQUOR LICENSE PERMIT FOR CHILLYS PLACE INC DBA GABBYS PLACE:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Delaware Township Trustees that the correct address for Chillys Place Inc DBA Gabbys Place is 3120 Olentangy River Road, Delaware Township, Delaware, Ohio 43015 and not the 3108 and 3120 Olentangy River Road as shown on the original notice sent to the local legislative authority, and

Whereas, the Ohio Division of Liquor Control has determined that the corrected street address does not involve any geographical or physical change in the actual location and that the only action required is the changing of records to correspond with the corrected address.

Therefore Be it Resolved, The Clerk of the Board shall change the official records to correspond with the corrected address.

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

RESOLUTION NO. 04 -214

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The EMS Department is requesting that Pearline Howald attend a Basic Life Support Instructor Course at Grady Memorial Hospital May 18 to 19, 2004, at the cost of \$150.00.

The EMS Department is requesting that 33 Paramedics attend a Paramedic Refresher Course in Delaware County February 18 and March 23, 2004, at the cost of \$7,326.00

The EMS Department is requesting that Cheryl Vangundy, Cathy Jenkins, Elissa Sessley, and Michele Treadway attend a Coaching, Mentoring and Team Building Seminar in Columbus, Ohio April 7 to 8, 2004, at the cost of \$620.50.

The Administrative Services Department is requesting that Terry Conant attend an Ohio Veterinary Medical Association Conference in Columbus, Ohio February 26 to 29, 2004, at no cost.

The Court of Common Pleas is requesting that Erin Cook and Eric Mosley attend a Moral Reconciliation Therapy Training For Group Facilitators in Memphis, Tennessee April 28 to may 1, 2004, at the cost of \$1,815.00.

The Environmental Services Department is requesting that Rick Varner attend a Wastewater Workshop in Columbus, Ohio March 16 to 17, 2004, at the cost of \$225.00.

The Environmental Services Department is requesting that Marshall J. Yarnell attend a Wastewater Workshop in Columbus, Ohio March 16 to 17, 2004, at the cost of \$225.00.

The Environmental Services Department is requesting that Barry Bryant attend a Wastewater Workshop in Columbus, Ohio March 16 to 17, 2004, at the cost of \$225.00.

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

RESOLUTION NO. 04-215

IN THE MATTER OF APPROVING TUITION ASSISTANCE REQUEST:

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It was moved by Mr. Ward, seconded by Mr. Jordan to approve the Tuition Assistance requests as follows:

Pamela Pruett 2 Classes \$838.00

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

RESOLUTION NO. 04-216

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

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

Supplemental Appropriation	AMOUNT
24113102-5265 County Recorder Equipment/Office Furniture >\$500, <\$4,999	\$6,115.64
Vote on Motion Mr. Jordan Aye Mrs. Martin Absent Mr. Ward Aye	

RESOLUTION NO. 04-217

IN THE MATTER OF APPROVING PLAT FOR WALNUT WOODS SECTION 2:

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

Walnut Woods Section 2

Situated In The State Of Ohio, County Of Delaware, Township Of Orange, Being A Part Of Farm Lots 2 And 3 Quarter Township 1, Township 3, Range 18, United States Military Lands, And Being Part Of A 23.237 Acre Tract, Conveyed To The Bigler Co., Ltd, In Record Volume 391, Page 2062, Delaware County Recorder's Office. Cost \$90.00.

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

RESOLUTION NO. 04-218

IN THE MATTER OF APPROVING ADDITIONS TO THE TEMPORARY WEIGHT LIMIT REDUCTIONS ON VARIOUS COUNTY AND TOWNSHIP ROADS:

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

Weight Limit Reductions

Further to my request dated January 21, 2004 for the reduction of weight limits by 40 percent of the legal limit on various County and Township roads as outlined by Section 5577.07 of the Ohio Revised Code, Genoa Township has requested the reduction of two additional roads to the list previously approved by your Board. The additional roads they are requesting to be placed under this weight limit reduction are Township Road Number 110, Jaycox Road and Township Road Number 517, Hoover Woods Drive. The Engineer, therefore, requests your approval of the weight limit reduction on these roads for 2004.

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

RESOLUTION NO. 04-219

IN THE MATTER OF APPROVING A TEMPORARY DITCH MAINTENANCE EASEMENT FOR NORTH ORANGE SECTION 1, PHASE 2:

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

Temporary Ditch Maintenance Easement -North Orange Section 1, Phase 2

Available for your approval are two temporary ditch maintenance easements for the above referenced project. These temporary easements are being requested due to the fact that there are culverts running under U.S. Route 23 that pass through these lots in North Orange. To guarantee that they are going to flow correctly and can be maintained, easements are necessary to protect the County's interest. However, since the end users of these lots is unknown at this time, the developer does not want to grant permanent easements as it is unknown where the end user will want to tie into the storm system, so the exact location of the permanent easement is unknown. The developer wanted to record the final plat so as to be able to sell lots, and The County

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Engineer's needed assurance of easements being in place. Therefore, the developer is requesting that the Engineer accept the temporary easements so they can be changed at the time the lots are sold and the end user submits his development plan to this office for approval which will show the location of the permanent easements.

TEMPORARY DITCH MAINTENANCE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that **North Orange Development, LLC**, herein after called the Grantor, for valuable consideration by the **Delaware County Commissioners**, hereinafter called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does grant, bargain, sell and convey to said Grantee, its successors and assigns, an easement, which is a temporary, for the purpose of constructing, installing, maintaining, or removal of ditch maintenance easements and appurtenances,, together with the right of ingress and egress over and across the following lands owned by the Grantor in the State of Ohio, County of Delaware, and Township of Orange, and more particularly as follows, to wit:

See Exhibits "A-1", "A-2" and "A-3" together with drawings "B-1", "B-2" and "B-3" describing TEMPORARY DITCH MAINTENANCE EASEMENTS FOR NORTH ORANGE DEVELOPMENT, LLC prepared by Floyd Browne Associates, Inc., dated December 2003, showing part of Farm Lots 2, 4, 5 and 6, Section 2, Township 3, Range 18, United States Military Lands attached hereto and made a part hereof.

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property improvements along and over the premises herein described so long as the same are so constructed as not to impair the strength or interfere with the use and maintenance of said utilities, or ingress and egress to or over the Easement area.

The Temporary Easements herein conveyed are to be considered released and void upon the acceptance of Permanent Easements to be put in place at the time that the Final Development Plans are accepted for the anticipated divisions of the subject lots. The Delaware County Engineer's Office will review and approve (in writing) the permanent easements prior to releasing the temporary easements. The Grantor covenants that it is the owner of the above-described lands, and said lands are free and clear of all encumbrances, except mortgages, leases, easements, and restrictions of record.

Exhibit "A-1"

December 22, 2003

Description of Two Temporary Ditch Maintenance Easements

Situated in the State of Ohio, County of Delaware, Township of Orange and being part of Farm Lot 2, Section 2, Township 3, Range 18 United States Military Lands, Being part of Lots 6256 and 6257 in North Orange Section 1, Phase 2, Plat Cabinet ____, Slide ____ and being Two easements for the purposes of constructing, installing, maintaining or removal of a drainage ditch and retention basin, together with the right of ingress and egress over and across the following described premises:

A Temporary Ditch Maintenance Easement in above said Lot 6257 is further described (Easement No. 1):

COMMENCE at a railroad spike found at the intersection of Gooding Boulevard and Halfway Avenue;

Thence, measure North 78°33'01" East, with said centerline of said Halfway Avenue (passing a railroad spike found at 87.22 feet), for a total distance of 221.10 feet to a point;

Thence, North 11°26'59" West, for a distance of 30.00 feet to a point on the northerly Right-of-Way line of said Halfway Avenue and also being a point on the southerly line of said Lot 6257, said point being the **TRUE POINT OF BEGINNING**;

Thence, through said Lot 6257 the following said 2 (two) courses:

Course 1) North 11°52'46" West, a distance of 50.54 feet to a point;

Course 2) South 89°38'34" West, a distance of 186.82 feet to a point on the easterly Right-of-Way line of said Gooding Boulevard;

Thence, North 11°26'59" West, with the easterly Right-of-Way line of said Gooding Boulevard a distance of 50.95 feet to a point;

Thence, through said Lot 6257 the following said w (two) courses;

Course 1) North 89°38'34" East, a distance of 237.46 feet to a point;

Course 2) South 11°52'46" East, a distance of 91.75 feet to a point on the northerly Right-of-Way line of said

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Halfway Avenue

Thence South 78°33'01" West, with the northerly Right-of-Way line of said Halfway Avenue a distance of 50.00 to the **TRUE POINT OF BEGINNING**.

In addition to the above described (Easement No. 1), a Temporary Ditch Maintenance Easement in the above said Lot 6256 is further described (Easement No. 2);

COMMENCE at a railroad spike found at the intersection of Gooding Boulevard and Halfway Avenue;

Thence, measure North 78°33'01" East, with said centerline of said Halfway Avenue (passing a railroad spike found at 87.22 feet), for a total distance of 221.55 feet to a point;

Thence, South 11°26'59" East, for a distance of 30.00 feet to a point on the southerly Right-of-Way line of said Halfway Avenue and also being a point on the northerly line of said Lot 6256, said point being the **TRUE POINT OF BEGINNING**;

Thence, North 78°33'01" East, with the southerly Right-of-Way line of said Halfway Avenue a distance of 50.00 feet to a point;

Thence, through said Lot 6256 the following said 3 (three) courses;

Course 1) South 11°52'46" East, a distance of 151.93 feet to a point;

Course 2) South 61°07'38" East, a distance of 138.05 feet to a point;

Course 3) North 78°33'01" East, a distance of 49.45 feet to a point on the westerly Right-of-Way line of U.S. Route 23;

Thence, South 11°26'59" East, with the westerly Right-of-Way line of said U.S. Route 23 a distance of 274.24 feet to an iron pin found at the southeasterly corner of said Lot 6256 and also being on the northeasterly corner of Lot 5578 in North Orange Section 1, Phase 1 as recorded in Plat Cabinet 2, Slide 73, 753A, 753B;

Thence, North 56°08'29" West, with a line common to said Lots 6256 and 5578 for a distance of 195.25 feet to a point;

Thence, through said Lot 6256 the following said 3 (three) courses:

Course 1) North 11°26'59" West, a distance of 144.44 feet to a point;

Course 2) North 61°07'38" West, a distance of 88.15 feet to a point;

Course 3) North 11°52'46" West, a distance of 175.22 feet to the **TRUE POINT OF BEGINNING**;

Subject to all other easements, restrictions and rights-of-way of record, if any.

Bearings are based on the State Plane Coordinate System, Ohio North Zone based on GPS observations.

The above legal description is based on and referenced to a plat of survey labeled Exhibit "B-1" and titled "Plat of survey of a Ditch Maintenance Easement for The Board of County Commissioners, Delaware County, Ohio", by Floyd Browne Associates, Inc. dated December 22, 2003, attached hereto and made a part hereof.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

Exhibit "A-2"
December 23, 2003
Description of a Temporary Ditch Maintenance Easement

Situated in the State of Ohio, County of Delaware, Township of Orange and being part of Farm Lot 4, Section 2, Township 3, Range 18 United States Military Lands, Being part of Lot 6257 in North Orange Section 1, Phase 2, Part A, Plat Cabinet ____, Slide ____ and being an easement for the purposes of constructing, installing, maintaining or removal of a drainage ditch and retention basin, together with the right of ingress and egress over and across the following described premises:

COMMENCE at a railroad spike found at the intersection of Halfway Avenue and the old centerline of State Highway 4 Section L (U.S. 23) and Property line;

Thence, measure North 11°26'59" West, with said centerline of said U.S. 23 for a distance of 320.22 feet to a point;

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Thence, South 78°33'00" West, for a distance of 60.00 feet to a point on the westerly Right-of-Way line of said U.S. 23 and also being on the easterly line of said Lot 6257, said point being the **TRUE POINT OF BEGINNING**;

Thence, through said Lot 6257 the following said 2 (two) courses:

Course 1 North 63°22'39" West, a distance of 129.10 feet to a point;
Course 2) North 48°51'17" West a distance of 474.72 feet to a point on the easterly Right-of-Way line of Gooding Boulevard and also being on the westerly line of said Lot 6257;

Thence North 11°26'59" West, with the easterly Right-of-Way line of Gooding Boulevard and on the westerly line of said Lot 6257 a distance of 50.00 feet to a point;

Thence, through said Lot 6257 the following said 3 (three) courses:

Course 1) North 78°33'01" East, a distance of 153.36 feet to a point;

Course 2) North 37°39'36" East, a distance of 206.10 feet to a point;

Course 3) North 77°57'52" East, a distance of 76.63 feet to a point on the westerly Right-of-Way line of said U.S. 23 and also being on the easterly line of said Lot 6257;

Thence, South 12°02'02" East, with the westerly Right-of-Way line of said U.S. 23 and on the easterly line of said Lot 6257 for a distance of 412.97 feet to a 1" solid iron pin found;

Thence South 11°27'00" East, continuing with the westerly Right-of-Way line of said U.S. 23 and on the easterly line of said Lot 6257 a distance of 229.46 to the **TRUE POINT OF BEGINNING**;
Subject to all other easements, restrictions and rights-of-way of records, if any.

Bearings are based on the State Plane Coordinate System, Ohio North Zone based on GPS observations.

The above legal description is based on and referenced to a plat of survey labeled Exhibit "B-2" and titled "Plat of survey of a Ditch Maintenance Easement for The Board of County Commissioners, Delaware County, Ohio", by Floyd Browne Associates, Inc. dated December 23, 2003, attached hereto and made a part hereof.

All references are to records of the Recorder's Office, Delaware County, Ohio.

**Exhibit "A-3"
December 29, 2003
Description of A Temporary Ditch Maintenance Easement**

Situated in the State of Ohio, County of Delaware, Township of Orange and being part of Farm Lots 5 & 6, Section 2, Township 3, Range 18 United States Military Lands, Being part of Lot 6606 in North Orange Section 1, Phase 2, Part B, Plat Cabinet ____, Slide ____ and being an easement for the purposes of constructing, installing, maintaining or removal of a drainage ditch together with the right of ingress and egress over and across the following described premises:

COMMENCE at a railroad spike found at the intersection of Corduroy Road and the old centerline of State Highway 4 Section L (U.S. 23) and Property line;

Thence, measure North 10°56'51" West, with said centerline of said U.S. 23 for a distance of 385.73 feet to a point;

Thence, South 78°28'20" West, for a distance of 80.49 feet to a point on the westerly Right-of-Way line of said U.S. 23 and also being on the easterly line of said Lot 6606, said point being the **TRUE POINT OF BEGINNING**;

Thence, through said Lot 6606 the following said 4 (four) courses:

Course 1) North 62°00'32" West, a distance of 108.67 feet to a point;

Course 2) North 22°53'14" West, a distance of 118.98 feet to a point;

Course 3) South 88°38'14" West, a distance of 205.15 feet to a point;

Course 4) South 84°33'10" West, a distance of 256.75 feet to a point on the easterly Right-of-Way line of Gooding Boulevard and also being on the westerly line of said Lot 6606;

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Thence, North 11°26'59" West, with the easterly Right-of-Way line of said Gooding Boulevard and on the westerly line of said Lot 6606 a distance of 50.28 feet to a point;

Thence, through said Lot 6257 the following said 4 (four) courses:

Course 1) North 84°33'10" East, a distance of 264.98 feet to a point;

Course 2) South 88°38'14" East, a distance of 240.44 feet to a point;

Course 3) South 22°53'14" East, a distance of 133.53 feet to a point;

Course 4) South 62°00'32" East, a distance of 48.91 feet to a point on the westerly Right-of-Way line of said U.S. 23 and also being on the easterly line of said Lot 6606;

Thence, South 12°02'02" East, with the westerly Right-of-Way line of said U.S. 23 and on the easterly line of said Lot 6606 for a distance of 65.29 feet to the **TRUE POINT OF BEGINNING**.

Subject to all other easements, restrictions and rights-of-way of record, if any.

Bearings are based on the State Plane Coordinate System, Ohio North Zone based on GPS observations.

The above legal description is based on and referenced to a plat of survey labeled Exhibit "B-3" and titled "Plat of survey of a Ditch Maintenance Easement for The Board of County Commissioners, Delaware County, Ohio", by Floyd Browne Associates, Inc. dated December 29, 2003, attached hereto and made a part hereof.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

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

RESOLUTION NO. 04-220

IN THE MATTER OF APPROVING A RIGHT OF WAY PURCHASE AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND LENA A. SPARKS, TRUSTEE:

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

AGREEMENT

THIS AGREEMENT made at Delaware, Ohio, this 17th day of February 2004, by and between LENA A. SPARKS, TRUSTEE, SELLER and the Delaware County Commissioners, BUYER:

WITNESSETH:

In consideration of the promises and covenants herein contained, the SELLER agrees to sell and convey and BUYER agrees to purchase road right of way across the real estate described on attached plat. (Available in the County Engineer's Office)

The purchase of said road right of way is Eight Hundred Twenty Seven Dollars (\$827.00), plus Two Thousand Six Hundred Forty Three Dollars (\$2,643.00) for improvements and Ninety Five Dollars (\$95.00) for temporary right of way to be paid upon the execution of the Contract of Sale and Purchase.

Further Be It Resolved, that the Commissioners approve a Purchase Order Request and Voucher in the amount of \$3,565.00 to Lena A. Sparks, Trustee.

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

RESOLUTION NO. 04-221

IN THE MATTER OF APPROVING A RIGHT OF WAY PURCHASE AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND JEFFREY T. AND HILARY A. BEARD:

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

AGREEMENT

THIS AGREEMENT made at Delaware, Ohio, this 17th day of February 2004, by and between JEFFREY T. AND HILARY A. BEARD, SELLER and the Delaware County Commissioners, BUYER:

WITNESSETH:

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In consideration of the promises and covenants herein contained, the SELLER agrees to sell and convey and BUYER agrees to purchase road right of way across the real estate described on attached plat. (Available in the County Engineer's Office)

The purchase of said road right of way is One Thousand Six Hundred Sixty Seven Dollars (\$1,667.00), plus Nine Thousand Six Hundred Ninety Nine Dollars (\$9,699.00) for improvements and Eleven Dollars (\$11.00) for temporary right of way to be paid upon the execution of the Contract of Sale and Purchase.

Further Be It Resolved, that the Commissioners approve a Purchase Order Request and Voucher in the amount of \$11,377.00 to Jeffrey T. and Hilary A. Beard.

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

RESOLUTION NO. 04-222

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS AND THE RENAMING OF FUNDS AND ORGANIZATIONS FOR THE ENGINEER'S OFFICE:

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

CHANGE THE NAME OF THE FOLLOWING FUND/ORG KEY

FUND NUMBER:	FROM:	TO:
29214014	Issue II Match-Concord Rd	Issue II Match - Liberty Rd North Bridges
40740406	Issue II – Concord Rd	Issue II – Liberty Road North Bridges

APPROVE THE FOLLOWING NEW FUND/ORG KEY:

29214016	Issue II Match-Cook Rd
41040419	Issue II – Cook Rd

SUPPLEMENTAL APPROPRIATION

FUND NUMBER:	FUND NAME:	AMOUNT:
29214014-5425	Issue II Match - Liberty Rd North Bridges	\$ 222,600
40740406-5425	Issue II – Liberty Road North Bridges	\$ 333,900
29214016-5420	Issue II Match-Cook Rd	\$ 115,700
41040419-5420	Issue II – Cook Rd	\$ 297,000

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

RESOLUTION NO. 04-223

IN THE MATTER OF SETTING DATE AND TIME FOR PUBLIC HEARING#2 FOR THE VILLAGE OF ASHLEY WATER DISTRIBUTION SYSTEM PROJECT:

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

Whereas, a public hearing will be held on **Monday, March 1, 2004, at 7:45 pm** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is needed to consider the Village of Ashley Water Distribution System Project.

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

RESOLUTION NO. 04-224

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND MCDANIEL'S CONSTRUCTION FOR SHAWNEE HILLS ROADWAY IMPROVEMENT FOR THE FY 2002 CDBG FORMULA PROGRAM:

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

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

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WHEREAS, funding, in the amount up to \$30,000 has been provided to Delaware County through the FY02 CDBG Formula Program, and funding in the amount up to \$31,000 has been provided through the Delaware County Revolving Loan Fund by the Delaware County Board of Commissioners; and

WHEREAS, the project was bid out and bids were received on October 21, 2003; and

WHEREAS, CPS Consulting, engineering firm for Shawnee Hills, has reviewed the bids received, and the bid submitted by McDaniel's Construction in the amount up to \$59,997.60 has been determined to be the lowest and best bid.

WHEREAS, the Delaware County Board of Commissioners awarded the bid to McDaniel's Construction to do the Roadway Improvements as approved in the FY02 CDBG Formula Grant Program for Shawnee Hills on November 3, 2003, resolution #03-1422.

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 Board of Commissioners approves to enter into an agreement with McDaniel's Construction for the Village of Shawnee Hills Roadway Improvements to Glick Road.

Section 2. That the Delaware County Board of Commissioners agrees to the funding up to \$30,000 from CDBG FY 02 funds, and up to \$31,000.00 from Delaware County Revolving Loan Fund funds towards the Roadway Improvements. The bid amount may be exceeded by no more than 10%, subject to review and approval of any Project change orders.

Section 3. That this resolution shall take effect and be in force immediately after its passage

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

RESOLUTION NO. 04-225

IN THE MATTER OF APPROVING A CLASSIFIED ADVERTISING AGREEMENT WITH THE COLUMBUS DISPATCH FOR CLASSIFIED ADVERTISEMENTS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve a classified advertising agreement with The Columbus Dispatch for classified advertisements.

(A copy of the agreement is available in the Commissioners office until no longer of administrative value.)

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

RESOLUTION NO. 04-226

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS NORTH ORANGE SECTION 1, PHASE 2, PART B AND RIVERS EDGE AT ALUM CREEK, SECTION 2:

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

North Orange Section 1, Phase 2, Part B	1,557 feet of 8-inch sewer	8manholes
Rivers Edge At Alum Creek, Section 2	1,188 feet of 8-inch sewer	7 manholes

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

RESOLUTION NO. 04-227

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR THE WOODS OF POWELL SOUTH:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve sanitary sewer plan for The Woods of Powell South for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 04-228

IN THE MATTER OF APPROVING A PERSONNEL ACTION FOR ENVIRONMENTAL SERVICES:

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

James Rutherford has been promoted to Maintenance Mechanic II with the Environmental Services Department; February 18, 2004.

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

RESOLUTION NO. 04-229

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

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

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT
10011102-5901	10015102-5801	
General Fund-Contingency	Data Support/Transfers	\$ 14,000.00

TRANSFER OF FUNDS

FROM:	TO:	AMOUNT:
10015102-5801	20315101-4601	\$ 14,000.00
Data Support/Transfers	Data Support-Revenue	

SUPPLEMENTAL APPROPRIATION

20315101-5450		
Data Support/Capital		\$ 14,000.00

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

RESOLUTION NO. 04-230

IN THE MATTER OF ACCEPTING A STATE HOMELAND SECURITY EXERCISE GRANT FOR THE DELAWARE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT:

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

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management is eligible to receive a State Homeland Security Exercise Grant of \$6,000.00, and;

WHEREAS, these grant funds will allow us to conduct a Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Tabletop Exercise in April of 2004, and;

WHEREAS, these Federal funds were identified following the Terrorist events of "9/11" specifically for use at the local level;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approve acceptance of this grant award for a total amount of \$6,000.00 for the purpose of improving the overall response capability within the County to CBRNE incidents.

BE IT FURTHER RESOLVED: That the Board of County Commissioners approve the appropriation of these funds and rename this Account, FY03 SHSGE as follows:

Account 21511308	-	5201	-	\$ 600.00
		5250	-	\$3,000.00
		5301		\$2,400.00

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. Jordan Aye Mrs. Martin Absent Mr. Ward Aye

RESOLUTION NO. 04-231

IN THE MATTER OF AMENDING RESOLUTION NO. 04-63 (AUTHORIZING THE USE OF DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES FUNDS TO ASSIST IN FUNDING THE

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PURCHASE OF COFFEE, MEALS, REFRESHMENTS AND OTHER AMENITIES FOR THE DKMM BOARD MEETING):

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

Whereas the Board Of County Commissioner in Section 1 of Resolution 04-63 approved that the Delaware County Board of Commissioners hereby authorizes the use of Department of Job and Family Services funds in an amount not to exceed \$210.50, to assist in funding the purchase of coffee, meals, refreshments and other amenities for The DKMM board meeting to be held January 20, 2004, and

Whereas, there was an error in calculating the number of people who were to attend the meeting, and

Whereas, the actual cost due the Elks and Buehlers was a total of \$216.21,

Therefore Be It Resolved, that the Commissioners approve an increase to the Purchase Order to the Elks (PO402442) in the amount of \$4.50 and \$1.21 increase to the Purchase Order to Buehlers (PO402443).

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

RESOLUTION NO. 04-232

IN THE MATTER OF APPOINTING TIM BOLAND, DAVE CANNON AND LEAH SELLERS AS THE DELAWARE COUNTY BOARD OF COMMISSIONERS REPRESENTATIVES TO THE CITY OF WESTERVILLE TAX INCENTIVE REVIEW COUNCIL:

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

WHEREAS, The Board of County Commissioners, Delaware County, is responsible to make appointments from the public to various boards, councils, and committees; and

WHEREAS, The Board of County Commissioners, Delaware County, shall appoint individuals to the City of Westerville Tax Incentive Review Council for an unspecified term.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Delaware County, State of Ohio, to appoint Tim Boland, Dave Cannon and Leah Sellers to the City of Westerville Tax Incentive Review Council.

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

RESOLUTION NO. 04-233

SETTING BID OPENING DATE AND TIME FOR PROPERTY & CASUALTY SELF-INSURANCE PROGRAM TO COVER ALL LINES OF RISK FOR DELAWARE COUNTY'S PROPERTY AND LIABILITY:

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

**PUBLIC NOTICE
INVITATION TO BID**

Sealed bids will be received by the Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 at **10:15 AM on Thursday, April 1, 2004**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for reinsurance, pooling services, and/or administrative services for the self-insurance program for property and casualty insurance for Delaware County.

Each bid must contain the full name of every person or company interested in same, and be accompanied by an acceptable bid bond or certified check in the amount of \$1,000 made payable to the Delaware County, Ohio. Bid specifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., Delaware, Ohio during normal business hours.

The County reserves the right to reject any and all bids, in whole or in part, to waive any informality in any or all bids, to accept the bid or part it deems most favorable to the County after the bids have been examined and checked, and subject to the approval of the County Commissioners. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Self-Insurance Program." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

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

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There being no further business the meeting adjourned.

Kristopher W. Jordan

Deborah B. Martin

James D. Ward

Letha George, Clerk to the Commissioners