

**COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 4, 2004**

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

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

PUBLIC COMMENT

RESOLUTION NO. 04-293

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 1, 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 March 1, 2004 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 04-294

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR033 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR033:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR033, memo transfers in batch numbers MTAPR033 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Mechelle Luikart	Day Care	22411606-5348	\$ 8,000.00
City of Dublin	Reimbursement/Sewer Charges	65211905-5319	\$ 19,754.91
Barefoot and Case Inc.	Replace Skimmer Pumps at OECC	65211905-5270	\$ 6,025.00
Scot, Scriven and Wahoff LLC	Legal Fees	22411605-5301	\$ 8,000.00
Village of Sunbury	Sunbury Traffic Study	40811416-5420	\$ 6,000.00
Increase			
House of New Hope	Residential Treatment	22511608-5342	\$ 16,000.00
A New Leaf	Residential Treatment	22511608-5342	\$ 10,000.00
Presbyterian Child Welfare	Residential Treatment	22511608-5342	\$ 52,000.00
Kohls Department Store	NEC Clothing	22511607-5215	\$ 10,000.00
Starr Commonwealth	Board and Care	22511607-5350	\$ 20,000.00
Vouchers			
Suburban Gas	Gas Service Alum Creek	65211919-533833810	\$ 5,857.58
The Ohio State University	1st Quarter Appropriation-Extension	10011102-5601	\$ 60,525.00
Tyeveco	DCHIP/Huffman	23111711-5365	\$ 14,121.70
Tyeveco	DCHIP/B Osborne	23111711-5365	\$ 14,105.05
OH Bureau of Employment	Service	10011108-537037070	\$ 5,040.96
Otis Elevator Co.	Service Contract for 88 N. Sandusky	10011105-5325	\$ 5,139.29
Delaware Floor	Carpet/Code Compliance	40111402-5410	\$ 8,815.00
2 K General	Wolf 149	40111402-5410	\$ 19,941.00
City of Delaware	40% Share Municipal Court	10029203-5319	\$ 123,999.00

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

RESOLUTION NO. 04-295

IN THE MATTER OF PROCLAIMING MARCH AS RED CROSS MONTH IN DELAWARE COUNTY, OHIO:

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

Proclamation of "March as Red Cross Month"

Whereas, one of the nation's oldest, most recognized humanitarian organizations, the American Red Cross is

woven tightly into the fabric of DELAWARE COUNTY, OHIO providing compassionate care when disasters and other crises threaten to overwhelm and destroy families. We are indeed fortunate in our community to have this organization with 400 volunteers and 5,000 blood donors dedicated to relieving suffering and saving lives.

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Whereas, The American Red Cross was chartered in Delaware County on June 8, 1917 by a group of local community volunteers. Last year, the Delaware County Chapter responded to more than 42 disasters in our community alone: high profile natural disasters, single-family fires that rarely even make the news, other man-made emergencies. Concentrating on preparedness and educational issues, the local American Red Cross, offered Community Disaster Education to over 7,525 residents on how to keep families safe in a time of disaster. Americans trust and rely upon their local Red Cross chapters to provide services for families robbed of their loved ones, homes, livelihoods or dignity.

Whereas, Other Red Cross services include collecting 7,998 units of donated blood, ensuring its safety and providing local hospitals with the supply of blood and blood products for lifesaving medical treatments and routine medical procedures.

Whereas, our military men and women join the effort to fight terrorism a world away, Red Cross workers in Delaware County Chapter are working around the clock to fulfill a historical role: keeping service members and their families in touch and offering other small comforts, such as locally collecting and shipping over 4,000 pounds of "Quality of Life" items and over 1,800 Children's letters overseas to our men and women in the Armed Forces.

Whereas, Residents of DELAWARE COUNTY, OHIO get information they need to maintain safe and healthy lives through Red Cross courses in lifesaving skills—first aid, CPR, water safety and much more—while our community also benefits from other Red Cross programs that provided like "Keep Me Safe" child Identification program, Spanish as a Second Language and Scrubby Bear programs. These services and many more touched more than 25,000 individuals last year in Delaware County.

Whereas, through its work, the Red Cross, an enduring American institution, restores hope at home and throughout the world every day, and its vital services would not be possible without generous contributions from the American people.

THEREFORE, the Delaware County Commissioners do hereby proclaim March 2004 as American Red Cross Month. Especially during these trying times for our country, the Board request that each member of our community support the Delaware County Chapter noble humanitarian mission with a gift of time, blood or money. Together, we can save lives and make our world a safer, better place.

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

RESOLUTION NO. 04-296

IN THE MATTER OF PROCLAIMING MARCH 1 THROUGH MARCH 7, 2004 NATIONAL WEIGHTS AND MEASURES WEEK:

It was moved by Mr. Jordan, 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 1 through March 7, 2004, 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 1 through March 7, 2004 National Weights and Measures Week in Delaware County.

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 Aye Mr. Ward Aye

RESOLUTION NO. 04-297

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 171.082 ACRES OF LAND IN SCIOTO TOWNSHIP TO THE VILLAGE OF OSTRANDER:

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

Whereas on January 27, 2004, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by James M. Dietz, agent for the petitioners, of 171.082 Acres, more or less, in Scioto Township to the Village of Ostrander,

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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 Village of Ostrander or the Township of Scioto.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 171.082 Acres, more or less, in Scioto Township to the Village of Ostrander.

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

RESOLUTION NO. 04 -298

IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY RLF FUNDS FOR THE ABSOLUTE IMPRESSIONS, INC. AND VIGAR/HAMILTON PROPERTIES, LLC ACQUISITION & CAPITAL IMPROVEMENTS PROJECT:

It was moved by Mr. Jordan, seconded by Mr. Ward to authorize the use of Delaware RLF Funds for Absolute Impressions, Inc.:

WHEREAS, Delaware County has established a Revolving Loan Fund (RLF) capitalized with the payback from Community Development Block Grant (CDBG) loans to local eligible businesses; and

WHEREAS, the Delaware County RLF is intended to facilitate the implementation of job-creating projects that would not go forward without RLF participation; and

WHEREAS, the County's RLF Loan Review Committee has reviewed the application and supporting documentation for the Absolute Impressions, Inc. Acquisition Project and has recommended RLF participation in same.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT RESOLVED that the Delaware County Board of Commissioners, does hereby approve a loan in the amount of \$37, 250 from the Delaware County Revolving Loan Fund to **Absolute Impressions, Inc.** (the Company) and **Vigar/Hamilton Properties, LLC** (Holding Company) to complete the financing of the referenced project. Said loan shall be made at a fixed rate of 4% for 15 years, subject to the following terms and conditions as recommended by the Delaware County RLF Review Committee:

Section 1: The loan shall be secured by a second mortgage on the real estate located at 281 Enterprise Drive, Lewis Center, Ohio, Delaware County Tax Parcel Number 31834203008000281 (project site real estate location), to be purchased with the proceeds of this loan, plus a personal guaranty and corporate guaranty of repayment of said loan shall be provided by each of the owners of the Company, the Company and the Holding Company.

Section 2: Receipt of a current appraisal of value of the project site real estate from the Company, to be reviewed and accepted by the RLF Loan Review Committee.

Section 3: Execution of a Uniform Relocation Act (URA) Voluntary Acquisition Form – Third Party, as required by the Ohio Department of Development, at closing on the property and subsequent submission of this form to the Delaware County Economic Development Department.

Section 4: Key man Life Insurance on Absolute Impressions, Inc. owner and President Keith Hamilton in the amount of the RLF loan.

Section 5: Absolute Impressions, Inc. agrees to any and all Federal Davis Bacon Prevailing Wage requirements and CDBG bidding requirements as applicable to said project.

Section 6: Current HUD Low-Moderate Income (LMI) Limit levels for Delaware County, CDBG Job Certification and Verification Forms.

Section 7: Upon passage of this resolution, approval of the Legally Binding Loan Documents for this project by the Delaware County Prosecutor's Office, and approval of the RLF Project Report Form for this project, by the Ohio Department of Development, Deborah B. Martin shall be authorized to execute the Legally Binding Document for the RLF financing for the referenced project.

Section 8: Upon passage this resolution shall be immediately in effect, and hereby replaces Resolution No. 04-257, which is hereby rescinded.

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

RESOLUTION NO. 04-299

IN THE MATTER OF APPOINTING, AMY SCHADE, AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE TO THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES PLANNING COMMITTEE:

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

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

Whereas, the Board of Commissioners of Delaware County shall appoint individuals to the Delaware County Department of Job and Family Services Planning Committee for a three (3) year term, beginning March 4, 2004, and ending, December 31, 2007.

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint, Amy Schade to the Delaware County Department of Job and Family Services Planning Committee.

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

RESOLUTION NO. 04-300

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 9:43AM.

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

RESOLUTION NO. 04-301

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn out of Executive Session at 11:00AM.

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

Other Business: 911 Discussions, Ideas on what the next step could be.

There being no further business the meeting adjourned.

Kristopher W. Jordan

Deborah B. Martin

James D. Ward