

COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MARCH 25, 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. 04-379**

**IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 22, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:**

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the resolutions and records of the proceedings from regular meeting held March 22, 2004 as contained in the county's official electronic recordings of the proceedings.

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

**RESOLUTION NO. 04-380**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0324 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0324:**

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0324, memo transfers in batch numbers MTAPR0324 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
<b>PO's</b>			
Mid State Generator Service	Preventive Maint./Generators	65211919-5328	\$ 5,691.83
	Equipment Maint. And Repairs	65211905-5328	\$ 5,691.83
Weller & Associates	Archaeological Survey	65511918-5301	\$ 116,000.00
<b>Increases</b>			
Buckeye Ranch	Cluster Residential Treatment	22511608-5342	\$ 15,000.00
<b>Vouchers</b>			
Buckeye Ranch	Cluster Residential Treatment	22511607-5342	\$ 8,060.00
Del. JVS Area Career Center	Tuition	22411603-5350	\$ 8,030.00
<b>MEMO TRANSFER</b>			
<u>From</u>	<u>To</u>	<u>Account Number</u>	<u>Amount</u>
Job & Family Services	Family Children's First	70161605-4301	\$ 22,701.64

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

**RESOLUTION NO. 04 - 381**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY RLF FUNDS FOR THE 3<sup>RD</sup> DEGREE TANNING, LLC EXPANSION PROJECT:**

It was moved by Mr. Jordan, seconded by Mr. Ward to authorize the use of Delaware RLF Funds for Third Degree Tanning, LLC:

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 3<sup>rd</sup> Degree Tanning Expansion 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 \$50,000 from the Delaware County Revolving Loan Fund to **3<sup>rd</sup> Degree Tanning, LLC** (the Company) to complete the financing of the referenced project. Said loan shall be made at a fixed rate of 3.5% for 7 years, subject to the following terms and conditions as recommended by the Delaware County RLF Review Committee and required by the RLF program:

Section 1: Final approval of a renovation and expansion loan from National City Bank (NCB) to 3<sup>rd</sup>

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Degree Tanning, LLC in the amount of \$250,000 per NCB's Commitment Letter Dated January 30, 2004.

Section 2: The loan shall be secured by a second mortgage on the real estate located at 9 North Sandusky Street, Delaware, Ohio, Delaware County Tax Parcel Number 51943225029000 (project site real estate location), a Security Agreement on the equipment to be purchased with the proceeds of the RLF loan, plus a personal guaranty and corporate guaranty of repayment of said loan shall be provided by the owner of the Company and the Company.

Section 3: Key person Life Insurance on 3<sup>rd</sup> Degree Tanning, LLC owner Denise E. Dunlap in the amount of the RLF loan.

Section 4: Final review of revised financial statements submitted by 3<sup>rd</sup> Degree Tanning LLC.

Section 5: 3<sup>rd</sup> Degree Tanning, LLC agrees to any and all Federal Davis Bacon Prevailing Wage requirements and CDBG bidding requirements as applicable to said project.

Section 6: Use by the Company of current HUD Low-Moderate Income (LMI) Limit levels for Delaware County, CDBG Job Certification and Verification Forms to verify and certify levels of jobs created by the project.

Section 7: Upon passage of this resolution, approval of the Legally Binding Loan Documents for this project by the Delaware County Prosecutor's Office, upon release of Environmental Conditions by the Ohio Department of Development and the Ohio Historic Preservation Office, and approval of the RLF Project Report Form for this project by the Ohio Department of Development, Deborah B. Martin, President of the Board of County Commissioners, 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.

**Further Be It Resolved**, that the Commissioners approve a Purchase Order Request in the amount of \$50,000.00 to 3<sup>rd</sup> Degree Tanning (23111709-5365).

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

**RESOLUTION NO. 04-382**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

Alan Hankins has accepted the Engineer Tech with the Sanitary Engineer's Department, effective date April 12, 2004.

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

**RESOLUTION NO. 04-383**

**IN THE MATTER OF APPOINTING STEPHEN FINNEY AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVES TO THE DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES:**

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 Board of Developmental Disabilities for a one year term beginning March 25, 2004, and ending December 31, 2004, and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint Stephen Finney to the Delaware County Board of Developmental Disabilities.

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

There being no further business the meeting adjourned.

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Kristopher W. Jordan

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Deborah B. Martin

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James D. Ward

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Letha George, Clerk to the Commissioners