

COMMISSIONERS JOURNAL NO. 47 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 2, 2005

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

Present: Glenn A. Evans, Kristopher W. Jordan, James D. Ward

PUBLIC COMMENT

RESOLUTION NO. 05-771

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 31, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held May 31, 2005 as contained in the county’s official electronic recordings of the proceedings.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-772

IN THE MATTER OF APPROVING PURCHASEORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR061:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR061, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Vouchers			
JG Contracting Co.	Milestone Payment	41111421-5410	\$ 90,442.00
URS Corporation	Tunneling Consulting/Perry Taggart	65511918-5415	\$ 10,251.71
Memo Transfer Vouchers			
From	To		
Job and Family 22411601-5301	Family Children’s First 70161607-4501	TANF Admin Charges	\$ 11,778.44

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-773

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 9.556 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF POWELL:

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

Whereas, on April 27, 2005, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by James Dietz Esq., agent for the petitioners, of 9.556 acres, more or less, in Liberty Township to the City of Powell.

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 Powell or the Township of Liberty.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 9.556 acres, more or less, in Liberty Township to the City of Powell.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-774

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:

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

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Supplemental Appropriation						Amount
66011913-5450						Scioto Reserve/Machinery & Equipment \$5,000.00
Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Aye	Mr. Evans	Aye

RESOLUTION NO. 05-775

IN THE MATTER OF APPROVING A GRANT APPLICATION FOR A VOCA GRANT (VICTIMS OF CRIME ACT) FOR VICTIM SERVICES:

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

Grant #	SAGENE445					
Source:	VOCA -Ohio Attorney General					
Grant Period:	October 1, 2005 to September 30, 2006					
Grant Amount:	\$22,316.00					
Match:	\$ 7,438.67 (general fund)					
Total Grant Amount:	\$29,754.67					

This renewal grant will provide continued funding for Victim’s Assistance programs in Delaware County.

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye
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RESOLUTION NO. 05-776

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Brett Bratton has accepted the promotion to Case Manager with the Child Support Enforcement Agency; effective date June 4, 2005.

Rhonda Griffith will be required to take 80 hours of leave without pay for the pay period of 0501012 and 80 hours leave without pay for 0501013; effective May 21, 2005.

Daniel Lundy is resigning his full time position as a paramedic with the EMS Department; effective June 12, 2005. He wishes to remain employed part-time.

Gary Wilhelm has accepted the Plans Examiner Position with the Code Compliance Department; effective date June 13, 2005.

Elizabeth Feliciano’s employment as an Income Maintenance Worker III, with the Department of Job and Family Services, has been terminated during her probationary period; effective May 27, 2005.

Vote on Motion	Mr. Evans	Aye	Mr. Jordan	Aye	Mr. Ward	Aye
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RESOLUTION NO. 05-777

IN THE MATTER OF DETERMINING THE NECESSITY OF IMPROVING AND WIDENING OF (I) LEWIS CENTER ROAD FROM A POINT COMMENCING APPROXIMATELY 400 FEET EAST OF ITS INTERSECTION WITH DUBOIS ROAD AND PROCEEDING WESTERLY TO ITS INTERSECTION WITH U. S. ROUTE 23 AND (II) U. S. ROUTE 23 FROM A POINT 700 FEET SOUTH OF ITS INTERSECTION WITH LEWIS CENTER ROAD AND PROCEEDING NORTHWESTERLY TO ITS INTERSECTION WITH ORANGEWICK DRIVE BY EXCAVATING, GRADING, PAVING, DRAINAGE, CONDUIT, CURBS AND GUTTERS, TRAFFIC PAVEMENT MARKINGS, SIGNALIZATION AND STREET SIGNS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES, AND ACCEPTING PETITION FOR SPECIAL ASSESSMENTS IN CONNECTION THEREWITH:

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

WHEREAS, on May 31, 2005 this Board received a Petition for Special Assessments and Affidavit (a copy of which is on file in the office of the Clerk of this Board and referred to herein as the “Petition”) requesting the County to improve and widen (i) Lewis Center Road from a point commencing approximately 400 feet east of its intersection with DuBois Road and proceeding westerly to its intersection with U. S. Route 23 and (ii) U. S. Route 23 from a point 700 feet south of its intersection with Lewis Center Road and proceeding northwesterly to its intersection with Orangewick Drive by excavating, grading, paving, drainage, conduit, curbs and gutters, traffic pavement markings, signalization and street signs, together with all necessary and related appurtenances (the

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“Improvement”), and providing that a portion of the compensation, cost, damages and expenses of such Improvement be assessed against certain real property identified in the Petition; and

WHEREAS, the Petition represents that the owners of 100% of the real property identified in the Petition and to be assessed for Improvement have signed the Petition;

WHEREAS, this Board has determined that the signatory of real property is the Authorized Representative of the owners of 100% of the real property identified in the Petition and to be assessed for Improvement and that the owners of the real property are residents of the County;

WHEREAS, within 30 days of receiving such Petition, this Board went upon the line of the proposed Improvement to determine whether the public convenience and welfare required such Improvement; and

WHEREAS, this Board has determined the necessity of the Improvement pursuant to Section 5555.06 of the Ohio Revised Code; and

WHEREAS, this Board has determined that the compensation, cost, damages and expenses of the Improvement shall be assessed in the manner set forth in the Petition; and

WHEREAS, this Board has determined to accept the Petition and order the County Engineer to prepare the necessary surveys, plans, profiles, cross sections, estimates of cost and specifications for the Improvement, together with the estimated assessments, based upon the estimates of cost, compensation, damages, and expenses of the Improvement to be assessed, upon the real property identified in the Petition;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, Delaware County, State of Ohio, that:

Section 1. The Board has received the Petition which is on file with the Clerk of this Board. The Petition has been signed by the owners of 100% of the real property to be assessed as described in Section 5 and that owners have asked for the Improvement as described in Section 2.

Section 2. Within thirty (30) days of receiving the Petition, the Board went upon the line of the proposed Improvement and determined that the public convenience and welfare require the Improvement and it is therefore deemed necessary by this Board to improve and widen (i) Lewis Center Road from a point commencing approximately 400 feet east of its intersection with DuBois Road and proceeding westerly to its intersection with U.S. Route 23 and (ii) U. S. Route 23 from a point 700 feet south of its intersection with Lewis Center Road and proceeding northwesterly to its intersection with Orangewick Drive by excavating, grading, paving, drainage, conduit, curbs and gutters, traffic pavement markings, signalization and street signs, together with all necessary and related appurtenances.

Section 3. The Board finds and determines that the Improvement constitutes a “continuous road improvement” within the meaning of Section 5555.01, Ohio Revised Code, and therefore, the Improvement shall be treated as a single improvement and included in the same legislation and contract.

Section 4. The Board hereby accepts the Petition. The Board finds that the Petition provides that the compensation, damages, cost and expenses of the improvement be assessed against the Property (as defined and described in the Petition) and that all of the Property is located within two (2) miles of either side of the Improvement. The Board hereby determines that, in accordance with Section 5555.41, Ohio Revised Code, the compensation, damages, cost and expenses of the Improvement (plus any interest on the special assessments to be computed at the same rate applicable to notes or bonds to be issued by the County in anticipation of the collection of the special assessments) shall be assessed in the manner described in the Petition against the Property.

Section 5. The special assessments to be levied shall be paid in 20 annual installments (each annual installment to be payable semi-annually at the time real estate taxes in Delaware County, Ohio are payable), together with interest on the unpaid principal amount of each special assessment as provided for by law or in the resolution levying the final special assessments. The County presently intends to issue securities in anticipation of the collection of the special assessments.

Section 6. The Board hereby directs the County Engineer to make and file with this Board the necessary surveys, plans, profiles, cross sections, estimates of cost, and specifications for the Improvement, together with the estimated assessments, based upon the estimates of cost, compensation, damages, and expenses of the Improvement to be assessed, upon the Property.

Section 7. Upon the filing of the surveys, plans, profiles, cross sections, estimates of cost, and specifications for the Improvement, together with the estimated assessments, the Clerk of this Board is hereby directed to cause to be published in the *Delaware Gazette*, a newspaper published and of general circulation in this County, once a week for two consecutive weeks, the notice that the Improvement is to be made, that copies of the surveys, plans, profiles, cross sections, estimates, specifications and estimated assessments therefore are on file in the office of the Clerk of this Board for the inspection of all persons interested therein, and that objections to the

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Improvement and to the estimated assessments will be heard by the Board at the place, time and date specified in that notice.

Section 8. This Resolution shall be in full force and effect immediately upon its adoption.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-778

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. Evans to adjourn into Executive Session at 9:47AM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-779

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Jordan to adjourn out of Executive Session at 10:23AM.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners