

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

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

2:00 PM Prosecutor Session

PUBLIC COMMENT

Commissioner Ward made the following announcement:

On May 17, 2006, at 7:00 PM the organizational meeting of the Delaware County Port Authority will be held at the Commissioner's Hearing Room, 101 North Sandusky Street, Delaware, Ohio. The Board of County Commissioners will be in attendance.

RESOLUTION NO. 06-606

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 11, 2006 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held May 11, 2006 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 06-607

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0512:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve payment of warrants in batch numbers CMAPR0512, and Purchase Orders and Vouchers as listed:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Emergitech Inc.	Maint Contract for CAD and RMS	21411306-5325	\$ 41,025.98
Family & Children First	Help Me Grow	22411601-5301	\$ 115,735.78
Delaware City Schools	Day Care Summer SACC	22411610-5348	\$ 30,000.00
Delaware City Schools	Day Care Summer SACC	22511607-5348	\$ 10,000.00
Eastman Kodak	Digital Archive Service Agreement	10011103-5325	\$ 5,186.00
G & G Enterprises	Smith Ditch	40311414-5430	\$ 44,000.00
Increases			
BP Products (Facilities)	Gas for County Vehicles	10011106-5228	\$ 25,000.00
Downes, Hurst Fishel	Legal Fees	10011303-5301	\$ 5,000.00
Noah's Ark	Day Care	22511607-5348	\$ 11,000.00
Vouchers			
Postmaster	Property Tax/2nd Half(Thru Smartbill)	10011105-5331	\$ 8,000.00
Kindercare/Tara Hill	Day Care	22411610-5348	\$ 8,862.71
Kindercare Neverland	Day Care	22411610-5348	\$ 26,058.25
Delaware Christian	Day Care	22411610-5348	\$ 6,284.20
Englefield Oil	Walker Woods	10011106-5228	\$ 7,772.05
City of Dublin	Reimbursement Dublin Sewer Charge	65211905-5319	\$ 25,939.57
Ameritas Group Dental	April Premiums for May Billing	75010903-5370	\$ 17,720.88

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

RESOLUTION NO. 06-608

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Child Support Enforcement Agency is requesting that Bridgette DeCastro and Kelly Mills attend a Committee Conference in Columbus, Ohio June 9, 2006, at the cost of \$12.00.

The Commissioners Office is requesting that Jim Ward, Kris Jordan and Glenn Evans attend the CCAO Summer Conference in Summit County June 11-13, 2006, at the cost of \$1,985.00.

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

The EMS Department is requesting that Eric Burgess attend a Weapons of Mass Destruction Course in Anniston, Alabama August 7-11, 2006, at no cost.

The EMS Department is requesting that Mark Edison attend a Weapons of Mass Destruction Course in Anniston, Alabama August 8-11, 2006, at no cost.

The EMS Department is requesting Guest Instructor, Michael Heimann, for an ACLS Training at the Rutherford B. Hayes Building on May 17, 2006, at the cost of \$160.00.

The EMS Department is requesting Guest Instructors, TEEEX (program from Texas A&M), for an Weapons Mass Destruction Training at the Rutherford B. Hayes Building October 19-27, 2006, at no cost.

The Administrative Services Department is requesting that Kevin Williams attend a CCAOSC Worker's Comp Group Rating Meeting in Hilliard, Ohio June 2, 2006, at no cost.

The Court of Common Pleas (Adult Court Services) is requesting an amendment to Lorrie Sanderson's ASP Training in London, Ohio; revised total amount \$210.00.

The Recorder's Office is requesting that Andy Brenner attend an Ohio Recorders Association Summer Conference in Toledo, Ohio June 13-16, 2006, at the cost of \$350.00.

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

RESOLUTION NO. 06-609

IN THE MATTER OF ADOPTING RESOLUTION OF CONGRATULATIONS TO KURT DAVID KOSTYU UPON EARNING HIS EAGLE SCOUT AWARD:

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

WHEREAS, Kurt David Kostyu has been a member of Boy Scout Troop # 318; and

WHEREAS, Kurt David Kostyu has met all the requirements and been approved by the National Council of Boy Scouts to receive the Eagle Scout Award, and

WHEREAS, The Board of Commissioners of Delaware County wishes to express congratulations to Kurt David Kostyu on earning the Eagle Scout Award.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby officially congratulates Kurt David Kostyu on attaining Scouting's highest rank - the Eagle Scout Award. Your diligence and hard work have earned you the distinction of being an Eagle Scout. You join company with a select group of individuals who are recognized as outstanding in all that Scouting represents.

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

RESOLUTION NO. 06-610

IN THE MATTER OF APPROVING SUBDIVIDER'S AGREEMENT FOR CHESHIRE ROAD WIDENING AT CHESHIRE WOODS:

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

Cheshire Road Widening At Cheshire Woods

SUBDIVIDER'S AGREEMENT

THIS AGREEMENT made and entered into this 15th day of May 2006, by and between the **COUNTY OF DELAWARE** (acting by and through its **BOARD OF COUNTY COMMISSIONERS**), hereinafter called the **COUNTY**, and **CHESHIRE WOODS, LLC**, hereinafter called the **SUBDIVIDER**, as evidenced by the Engineering and Construction Plan entitled "**CHESHIRE ROAD WIDENING AT CHESHIRE WOODS**" which was approved by the County Engineer, hereinafter called the **PLAN**, is governed by the following considerations, to wit:

1. The **SUBDIVIDER** is to construct, install or otherwise make all of the improvements as shown and set forth to be performed and completed on the **PLAN**, which is a part of this **AGREEMENT**.
2. The **SUBDIVIDER** shall pay the entire cost and expenses of their portion of said improvements.
3. The **SUBDIVIDER** is to provide an irrevocable letter of credit or other approved financial warranties in the amount of **ONE HUNDRED EIGHTY-THREE THOUSAND NINE HUNDRED DOLLARS** payable to the **BOARD OF COUNTY COMMISSIONERS** to insure the faithful performance of this **AGREEMENT** and the completion of all of the said improvements in accordance with the current "**Delaware County Engineering and**

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

Surveying Standards for Subdivision Development” and the current **“Subdivision Regulations of Delaware County, Ohio”**.

4. The **SUBDIVIDER** shall deposit **FOURTEEN THOUSAND SEVEN HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. 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**.

5. The **SUBDIVIDER** is to complete all construction to the satisfaction of the **COUNTY** as evidenced by an approval letter from the **Delaware County Engineer**.

6. The **SUBDIVIDER** shall hold the **COUNTY** free and harmless from any and all claims for damages of every nature arising or growing out of the construction of the said improvements.

7. The **SUBDIVIDER** shall perform and complete all said improvements prior to **SEPTEMBER 30, 2006**.

8. The **SUBDIVIDER** will at all times during the construction of said improvements maintain through traffic on the public roadway and keep the same free of unreasonable hazards to the public. Said roadway shall not be closed to traffic except as approved by the **Delaware County Engineer**. Construction signs, barricades and lights shall be placed as needed on the job site in accordance with the **Ohio Department of Transportation “Uniform Traffic Control Devices”** and **“Traffic Control for Construction and Maintenance”**.

9. The **SUBDIVIDER** further agrees that any violation of or noncompliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract, and the **Delaware County Engineer** shall have the right to stop work forthwith and use the surety for the completion of the improvement.

10. If the **SUBDIVIDER** should 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**.

11. Upon approval and acceptance of the improvements, the original copy of the **PLAN** shall become the property of the **COUNTY** and shall be filed in the office of the **Delaware County Engineer**.

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

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

RESOLUTION NO. 06-611

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR OAKS AT HIGHLAND LAKES PHASE 6:

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

Oaks at Highland Lakes Phase 6

The roadways to be accepted are as follows:

- An addition of 0.17 mile to **Township Road Number 1315, Sierra Drive**
- **Mosaic Way**, to be known as **Township Road Number 1480**

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

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

RESOLUTION NO. 06-612

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR OAKS AT HIGHLAND LAKES PHASE 6:

It was moved by Mr. Jordan, seconded by Mr. Evans to establish stop conditions for the following:

Stop Conditions –Oaks at Highland Lakes Phase 6

- On Township Road Number 1480, Mosaic Way, at its intersection with Township Road Number 1315, Sierra Drive

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

RESOLUTION NO. 06-613

IN THE MATTER OF APPROVING THE RELEASE OF THE MAINTENANCE BOND WITH RUTHERFORD ESTATES 1 LLC FOR RUTHERFORD ROAD WIDENING AT RUTHERFORD ESTATES :

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

It was moved by Mr. Evans, seconded by Mr. Jordan to release the maintenance bond for the Rutherford Road Widening At Rutherford Estates:

Rutherford Road Widening At Rutherford Estates

In March, 2004, your Board entered into agreement with Rutherford Estates 1 LLC, for the above referenced project. This project has been completed to the satisfaction of this office, so The Engineer is therefore requesting approval to release the bond being held as surety for the project and to release Rutherford Estates 1 LLC from their responsibility to this project.

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

RESOLUTION NO. 06 -614

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

It was moved by Mr. Jordan, seconded by Mr. Evans to approve the following work permits:

Permit #	Applicant	Location	Type of Work
U06064	Suburban Natural Gas	Manors at Willow Bend	Install new gas mains
U06065	Columbia Gas	Sawmill Parkway	Install gas main
U06066	Consolidated Electric	Burnt Pond Road	Set new pole
U06067	Consolidated Electric	Wilson Road	Replace two poles

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

RESOLUTION NO. 06-615

IN THE MATTER OF AUTHORIZING A REQUEST THAT ODOT ENACT A SPEED LIMIT REVISION ON BUTTS ROAD (COUNTY ROAD #137):

It was moved by Mr. Evans, seconded by Mr. Jordan to authorize speed limit revision as follows:

Butts Road (CR#137) Speed Limit Reduction Request

As the result of a speed limit study prepared by The Engineer’s office, The Engineer request that your Board consider adoption of a Resolution to request the Ohio Department of Transportation to lower the speed limit on Butts Road to 45 mph.

Butts Road is currently a non-posted 55 mph speed zone but, due to several factors identified within the study (traffic volume, road width, and development), it is possible that ODOT will consider a reduction to 45 mph.

Therefore, The Engineer is recommending that a Resolution be passed by your Board to request the Director of the Ohio Department of Transportation to determine and declare a 45 MPH speed limit for **Butts Road (CR #137)** between S.R. 257 and S. Section Line Road in southwestern Delaware County. Upon receipt of your Resolution, The Office will send a letter of request and the Resolution to the Ohio Department of Transportation for their action.

SPEED ZONE RESOLUTION

WHEREAS, a request has been made to this Board that the statutory vehicular speed limit established by Sec. 4511.21, Revised Code of Ohio is greater than that considered reasonable and safe on Butts Road (CR#137) between S.R. 257 and South Section Line Road, and

WHEREAS, this Board has caused to be made an engineering and traffic investigation upon the section of road described above, and

WHEREAS, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic.

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

Section 1. By virtue of the provisions of Sec. 4511.21, Revised Code of Ohio the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Butts Road (CR#137) between S.R. 257 and South Section Line Road in Delaware County, Ohio.

Section 2. That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the section of road described in Section 1 hereof, standard signs, properly posted and giving notice thereof will be erected.

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

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

RESOLUTION NO. 06-616

IN THE MATTER OF APPROVING A DRAINAGE EASEMENT VACATION FOR LOT 1285, TUSSIC WOODS ESTATES, GENOA TOWNSHIP, DELAWARE COUNTY, OHIO, (PLAT BOOK 16, PAGE 39):

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

Drainage Easement Vacation

The Engineer has received a request from Bob Webb Harvest Wind, LLC, an Ohio limited liability company, the owner of Lot 1284 in Tussic Woods Estates, commonly known as 6441 Tussic Street Road, Westerville, Ohio 43082, to vacate the portion of the original forty (40) foot drainage easement on the Tussic Woods Estates plat that crosses the said Lot 1284. The portion of the easement indicated on the attached Exhibit 1 as “area to be released” is located in the northwest corner of Lot 1284 in Tussic Woods Estates, as depicted in Plat Book 16, Page 39, Recorder’s Office, Delaware County, Ohio. The portion of the drainage easement to be vacated also lies completely within a landscape easement described in Official Records Volume 506, Pages 2249-2251, in the Recorder’s Office, Delaware County, Ohio. The portion of the original drainage easement that crosses Lot 1284 in Tussic Woods Estates is no longer required after the construction of other drainage facilities in this area. Therefore, the Engineer requests your approval to vacate this easement and to include a marginal reference on Plat Book 16, Pages 39-41 of this action to vacate the easement.

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

RESOLUTION NO. 06-617

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING THE THIRD WEEK OF MAY 2006 AS NATIONAL EMERGENCY MEDICAL SERVICES WEEK IN THE COUNTY OF DELAWARE, OHIO:

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

WHEREAS; Emergency Medical Services is a vital public service; and

WHEREAS; the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS; access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS; the emergency medical services system consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS; the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

THEREFORE be it resolved by the Board of County Commissioners, Delaware County, State of Ohio, that this resolution be passed, recognizing the value and accomplishments of emergency medical services providers, and declaring the Third Week of May 2006 as:

EMERGENCY MEDICAL SERVICES WEEK

And encourage the community to observe this week with appropriate programs, ceremonies, and activities.

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

RESOLUTION NO. 06-618

IN THE MATTER OF ADOPTING A RESOLUTION APPROVING THE PURCHASE OF REFRESHMENTS FOR THE EMERGENCY MEDICAL SERVICE OPEN HOUSE EVENT AS PART OF NATIONAL EMS WEEK:

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

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue of Expenditure of Public Funds for Proper "Public Purpose"; and

WHEREAS, the Delaware County Board of Commissioners has recognized the third week of May as National EMS week honoring EMT’s throughout the County and the important service they provide; and,

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

WHEREAS, planned activities for that week include Open Houses at Medic Station 1 and Medic Station 2 on Saturday, 20 May, 2003 for residents of Delaware County; and,

NOW THEREFORE, BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby resolve to approve the purchase of refreshments for visitors to the Medic Stations during this Open House activity at a not to exceed cost of \$100.00.

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

RESOLUTION NO. 06-619

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Greg Auchard is being promoted to a Full-Time Paramedic Position at Medic #4 on one unit; effective date May 7, 2006.

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

RESOLUTION NO. 06-620

IN THE MATTER OF APPROVING CHANGE ORDER 5 FOR MOTOROLA, INC. FOR THE NEW COUNTYWIDE RADIO SYSTEM:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve change orders:

WHEREAS, the Board of Commissioners contracted with Motorola, Inc. for the purchase and construction of a Countywide 800 MHz radio system, and;

WHEREAS, the completion date has gone beyond the contracted time requiring an extension on the contract; and,

WHEREAS, this contract extension has been determined to be beyond the control of Motorola; and,

WHEREAS, this change requires additional remobilization of personnel and extended project management costs as follows:

Original Contract	\$11,684,038.00
Previous Changes	\$ -603,508.00
Change Order 5	\$ 62,500.00
Revised Contract Amount	\$11,143,030.00

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approves Change Order 5 for Motorola that reflects an extension in the contract project completion of 100 days at a cost of \$62,500.00 and authorizes the Motorola project manager to make appropriate changes with Motorola.

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

RESOLUTION NO. 06-621

IN THE MATTER OF APPROVING AN APPLICATION FOR THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES, JUSTICE ASSISTANCE GRANT FOR THE JUVENILE TREATMENT COURT PROGRAM:

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

Grant # 2006-JG-C01-T1333
Source: OCJS/JAG
Grant Period: January 1, 2007 to December 31, 2007
Grant Request Amount: \$ 84,904.00
Match: \$ 35,382.00
Total Grant Amount: \$120,286.00

The OCJS/JAG provides funding for the Juvenile Treatment Court Liaison, and a Probation Officer. No general fund dollars are required for the match. All staff members paid from this grant are well aware that their positions are grant funded and contingent on continued funding.

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

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

RESOLUTION NO. 06-622

**IN THE MATTER OF APPROVING AN APPLICATION FOR A VOCA/SVAA (VICTIMS OF CRIME ACT)
GRANT FOR JUVENILE COURT:**

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

Grant # 2006VADSCE474/2006SADSCE474

Source: VOCA/SVAA

Grant Period: October 1, 2006 to September 30, 2007

	VOCA	SVAA
Grant Request Amount:	\$20,290.10	\$2,028.78
Match:	\$13,526.16	\$ 0.00
Total Grant Amount:	\$33,816.26	\$ 0.00

Through the VOCA/SVAA grant the Office of the Attorney General partially funds the Court Appointed Special Advocate program (CASA). These grant dollars fully fund the executive direction position. No general fund dollars are required for the match. All staff members paid from this grant are well aware that their positions are grant funded and contingent on continued funding.

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

RESOLUTION NO. 06-623

**IN THE MATTER OF APPROVING AN APPLICATION FOR A VOCA/SVAA (VICTIMS OF CRIME ACT)
GRANT FOR JUVENILE COURT:**

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

Grant # 2006VADSCE035/2006SADSCE035

Source: VOCA/SVAA

Grant Period: October 1, 2006 to September 30, 2007

	VOCA	SVAA
Grant Request Amount:	\$35,859.23	\$26,376.21
Match:	\$11,953.08	\$ 0.00
Total Grant Amount:	\$47,812.31	\$ 0.00

The Office of the Attorney General assists in funding the Victim's Services program through VOCA/SVAA funds. These grant dollars partially fund the Coordinator and the Assistant positions as well as two Family Advocate positions. These funds also help defray the costs of equipment, rent, and training. Matching funds come from the Dispute Resolution fund. All staff members paid from this grant are well aware that their positions are grant funded and contingent on continued funding.

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

RESOLUTION NO. 06-624

**IN THE MATTER OF AMENDING THE PURCHASE OF CHILD CARE SERVICES CONTRACTS BETWEEN
THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE
COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS T & J JUNIOR ACADEMY; GRACE
FAMILY DAYCARE & PRESCHOOL AND THERESA MITCHELL:**

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

T & J Junior Academy

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT
AMENDMENT NO. 1

This amendment, effective April 28, 2006, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and T & J Junior Academy entered into on the 1st day of July, 2005.

Article 4. Cost and Delivery of Purchased Services:

(A) Payment Rates: The total amount of services to be reimbursed under this contract is increased from \$60,000 to \$125,000.

Grace Family Daycare & Preschool

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT
AMENDMENT NO. 2

This amendment, effective April 28, 2006, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Grace Family Daycare & Preschool entered into on the 1st day of July, 2005.

Article 4. Cost and Delivery of Purchased Services:

Payment Rates: The total amount of services to be reimbursed under this contract is increased from **\$15,000 to \$32,000.**

Theresa Mitchell

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT
AMENDMENT NO. 3

This amendment, effective April 28, 2006, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Theresa Mitchell entered into on the 6th day of October, 2005.

Article 4. Cost and Delivery of Purchased Services:

Payment Rates: The total amount of services to be reimbursed under this contract is increased from **\$10,000 to \$25,000.**

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

RESOLUTION NO. 06-625

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS NICHOLE THACKER AND WHITNEY DOWALTER:

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

BASIC RATES

Full-time Week for Licensed Center and Type A Providers: 25 to 60 hours

Hourly: Paid after 60 hours

Part-time Week for Center and Type A Providers: 8 hours to 24.9 hours

Hourly Paid for .1 hour to 7.9 hours

Full-time Week for Certified Type B Home Providers: 25 hours to 50 hours

Hourly: Paid after 50 hours

Part-time Week for Home Providers: 8 hours to 24.9 hours

Hourly Paid for .1 hour to 7.9 hours

Child Care Provider	Infants	Toddlers	Preschool	School
Nichole Thacker 108 Channing Street Delaware, Ohio 43015	\$132.08 Full \$ 86.16 Part \$ 5.09 Hourly	\$124.52 Full \$ 82.62 Part \$ 4.88 Hourly	\$118.78 Full \$ 76.94 Part \$ 4.63 Hourly	\$104.96 Full \$ 70.82 Part \$ 3.37 Hourly
Whitney Dowalter 111 Gold Dust Ct. Delaware, Ohio 43015	\$132.08 Full \$ 86.16 Part \$ 5.09 Hourly	\$124.52 Full \$ 82.62 Part \$ 4.88 Hourly	\$118.78 Full \$ 76.94 Part \$ 4.63 Hourly	\$104.96 Full \$ 70.82 Part \$ 3.37 Hourly

(A Copy of each of these contacts is available in the Commissioners' Office until no longer of Administrative Value).

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

RESOLUTION NO. 06-626

IN THE MATTER OF APPROVING AN INCREASE TO THE TRAVEL REIMBURSEMENT RATE FOR FOSTER PARENTS OF THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES:

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

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

WHEREAS, the Delaware County Department of Job and Family Services and the Delaware County Commissioners reimburse foster parents who provide transportation for children placed with them by the Delaware County Department of Job and Family Services,

WHEREAS, the Delaware County Commissioners set the reimbursement rate for foster parents and adjusts that rate from time to time,

WHEREAS, the current travel reimbursement rate for foster parents of the Delaware County Department of Job and Family Services is \$0.35 per mile,

WHEREAS, the Department of Job and Family Services is requesting that reimbursement be adjusted to \$0.40 per mile,

BE IT NOW THEREFORE RESOLVED, that the travel reimbursement rate for foster parents and shall be set at \$0.40 per mile effective May 1, 2006.

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

RESOLUTION NO. 06-627

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Barbara Shirley has declined the Service Worker III position with the Department of Job And Family Services; previously accepted with start date of May 15, 2006.

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

RESOLUTION NO. 06-628

A RESOLUTION IMPLEMENTING SECTIONS 5709.61 THROUGH 5709.69 OF THE OHIO REVISED CODE, EXPANDING AND DESCRIBING THE BOUNDARIES OF THE VILLAGE OF SUNBURY ENTERPRISE ZONE LOCATED IN THE VILLAGE OF SUNBURY, DELAWARE COUNTY, OHIO:

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

WHEREAS, the Ohio Enterprise Zone Act (the "Act"), under Ohio Revised Code (ORC) Sections 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities therein, to designate areas as Enterprise Zones, to modify the boundaries of existing Enterprise Zones, and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zone in exchange for specified local tax incentives granted by the County; and

WHEREAS, the Village Council of the Village of Sunbury (the "Council") in the County of Delaware, State of Ohio, upon due consideration, desires to implement said Act to expand the area of an existing Enterprise Zone within the boundaries of the Village of Sunbury ("The Village") to promote the economic welfare of said village; and

WHEREAS, Delaware County has heretofore designated an Enterprise Zone in Delaware County that consists of a portion of the Village of Sunbury and that the Director of the Ohio Department of Development certified this Enterprise Zone No. 220C on November 27th, 1991 and again on December 13, 1993, and that the County desires to expand Enterprise Zone No. 220C to include a portion of the Village of Sunbury, and that the portion of the Village that is in said Enterprise Zone is adjacent to the portion of the Village that the County desires to include in said Enterprise Zone, and that the population of this enlarged zone continues to meet the population requirements for Enterprise Zones as stated in the Ohio Revised Code; and

WHEREAS, it is necessary for the Council to formally request from the Board of County Commissioners of Delaware County, Ohio, ("The Board") the inclusion of this additional portion of the Village in the existing Enterprise Zone and to include such a resolution in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such a zone; and

WHEREAS, the Board finds and determines that designation of the zone pursuant to ORC Section 5709.632 will promote the economic welfare of the residents of the Village by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said village; and

WHEREAS, the Council understands that the Board of County Commissioners has agreed to administer all

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

Enterprise Zones and agreements within the County and will therefore appoint a designee to be responsible for 1) the establishment and operation of the Tax Incentive Review Council as specified in ORC Section 5709.85, 2) to ensure that the Enterprise Zone Agreements contain the information required in ORC Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and / or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and / or personal property, 3) to forward copies of all Enterprise Zone Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the ORC, 4) to notify affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school boards as part of the review process as required under ORC Section 5709.83, 5) to maintain a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) to submit a comprehensive annual report of the status of all Enterprise Zone activities on or before March 31 of each year pursuant to Section 5709.68; and

WHEREAS, the Council is requesting designation of an Enterprise Zone which includes all or a part of the Village area and meets the population and boundary requirements to be certified as a limited authority Enterprise Zone under Section 5709.632; and

WHEREAS, the Board of County Commissioners will have primary responsibility for negotiating and administering Enterprise Zone Agreements. It is the intention of the Board to involve the affected municipality in the negotiation process and to receive the consent and approval of the affected municipality prior to formal approval by the Board; and

WHEREAS, the Board hereby agrees to retain the existing Tax Incentive Review Council or Councils pursuant to ORC Section 5709.85 and its two representatives to said Council after the state development director re-certifies the Zone; and

WHEREAS, a Tax Incentive Negotiating Committee (TINC) shall be retained and shall consist of representatives of the Big Walnut Local School District, the Village, and the Delaware County Administrator or designee. The Tax Incentive Negotiating Committee shall meet with all applicants for tax incentives within the designated Enterprise Zone for the purpose of negotiating an acceptable incentive package with the applicant. The TINC shall convey their recommendations on all proposed tax incentive agreements to the Council and the Delaware County Board of Commissioners prior to consideration of said agreements by the Village and County.

WHEREAS, it is anticipated that the level of incentives available under the Enterprise Zone Program in the Village shall be provided at a level that is acceptable to the affected school board of education. As such, the Council and the Board shall adopt, within 90 days of the passage of this resolution, a set of guidelines and procedures to guide the use of tax incentives in this Enterprise Zone.

WHEREAS, the Zone, as proposed, will be the only Enterprise Zone in the Village, and will expand an existing Enterprise Zone in the Village.

WHEREAS, the Board hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of said Board, that all deliberations of the Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the ORC.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Board of County Commissioners, County of Delaware, State of Ohio hereby authorizes the County to include that portion of the Village described and illustrated in **Exhibit "A"** in the existing Village of Sunbury Enterprise Zone; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of County Commissioners of Delaware County, Ohio is hereby authorized to include this resolution in the petition to the Director of the Department of Development of the State of Ohio.

**Village of Sunbury, County of Delaware, State of Ohio
Enterprise Zone Expansion Area
Boundary Description**

Expansion Area "A"

Beginning at the intersection of United States Route 36 / Ohio State Route 37 and Domigan Road, then proceeding southeasterly along the centerline of United States Route 36 / Ohio State Route 37, a distance of approximately 3,204 feet, to the southwestern corner of Delaware Tax Parcel Number 41713101007000, which is the Point of Beginning (POB) of the Enterprise Zone Expansion Area; then proceeding along a line in a generally northerly direction along the westerly property line of parcel number 41713101007000, a distance of approximately 1,172 feet; then proceeding west, then north, then east along this property line of parcel number 41713101007000 to a point at the southwestern corner of Delaware County Tax Parcel Number 41713101001000; then proceeding in an northerly

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

direction, a distance of approximately 2,017 feet, to a point at the northwest corner of parcel number 41713101001000; then proceeding in an easterly direction along the northern property line of parcel number 41713101001000, a distance of approximately 2,245 feet, to a point at the northeastern corner of tax parcel number 41713101001000; then proceeding in a southerly direction along the eastern property line of parcel number 41713101001000, a distance of approximately 2,012 feet, to a point at the southeast corner of parcel number 41713101001000; then proceeding in a generally westward direction along the southern property line of parcel number 41713101001000, a distance of approximately 1,370 feet to a point at the northeast corner of parcel number 41713101007000; then proceeding in a southerly direction along the eastern property line of parcel number 41713101007000, a distance of approximately 1,721 feet, to a point at the southeast corner of parcel number 41713101007000; then proceeding in a westerly direction, a distance of approximately 694 feet, to a point of intersection with United States Route 36 / Ohio State Route 37; then proceeding northwest along said centerline, a distance of 465 feet to the Point of Beginning, encompassing an area of approximately 133.04 acres.

Expansion Area "B"

Beginning at a point at the intersection of the centerlines of States Route 36 / Ohio State Route 37 and State Route 3, which is the Point Of Beginning; then proceeding in a southeasterly direction along US Route 36 / State Route 37 to Burrer Drive, then proceeding southwesterly along Burrer drive to a point; then proceeding northwesterly to a point at the centerline of State Route 3, a distance of approximately 692 feet; then proceeding southwesterly along the centerline of State Route 3 to a point at the intersection of State Route 3 and Miller Drive, a distance of approximately 1,033 feet; then proceeding northwest then north east along Miller Drive to a point of intersection with US Route 36 / State Route 37; then proceeding northwest along US Route 36 / State Route 37 to a point; then proceeding north, then southeast to a point of intersection with Miller Drive, a distance of approximately 439 feet; then proceeding north along Miller Drive to a point, then proceeding in a generally southeasterly direction to a point of intersection with the centerline of State Route 3, a distance of approximately 1,908 feet; then proceeding in a southwesterly direction, a distance of approximately 823 feet to the Point Of Beginning, encompassing an area of approximately 85.8 acres.

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

RESOLUTION NO. 06-629

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

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

Grant #	GENE445	
Source:	VOCA -Ohio Attorney General	
Grant Period:	October 1, 2006 to September 30, 2007	
Grant Amount:	\$25,038.96	
Match:	\$ 8,346.32	(\$4,000.00 general fund)
Total Grant Amount:	\$33,385.28	

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

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

RESOLUTION NO. 06-630

IN THE MATTER OF APPROVING THE FY07 ADDENDUM FOR COMMUNITY BASED CORRECTIONS PROGRAMS 407 SUBSIDY GRANT AGREEMENT:

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

FY07 ADDENDUM
FOR COMMUNITY BASED CORRECTIONS PROGRAMS
407 SUBSIDY GRANT AGREEMENT

Please be advised that pursuant to paragraph 1, under Terms and Conditions, the FY06 Community Based Corrections Program Subsidy Grant Agreement between the Ohio Department of Rehabilitation and Correction and **Delaware County** is being extended to June 30, 2007.

This Addendum is made and entered into this day of , 2006, by and between the State of Ohio, Department of Rehabilitation and Correction (hereinafter referred to as Grantor) and the undersigned representatives of **Delaware County**, Ohio, (hereinafter referred to as Grantee), pursuant to authority in Section 5149.061 et. seq. of the Ohio Revised Code.

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006**

The Grantor awards to the Grantee the sum of **Ninety-one thousand, six hundred six dollars, (\$91,606)** for the period beginning with the effective date of this addendum and ending June 30, 2007. Total expenditures for Fiscal Year 2007 (July 1, 2006 to June 30, 2007) will not in any case exceed **\$91,606**.

The grant amount is subject to legislative appropriation of the Grantor's proposed Community Based Corrections non-residential program subsidy budget amount for Fiscal Year 2007. The parties agree that the Grantor may modify the amount if such appropriation is less than the amount proposed to the General Assembly by Grantor. The modified amount shall be determined solely by Grantor officials within their discretion. The Grantee and the Grantor agree to an interim payment of grant funds if an interim budget is adopted pending the final approval of the State of Ohio Fiscal Year 2007 budget. Furthermore, the obligations of the state under this agreement are subject to the determination by the Grantor that sufficient funds have been appropriated by the General Assembly to the Grantor for the purposes of this grant agreement and to the certification of the availability of such funds by the Director of Budget and Management as required by Section 126.07 of the Ohio Revised Code.

These funds are to be maintained and reported separately from existing Community Based Corrections funds.

All other terms and conditions of the subsidy grant agreement shall remain the same.

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

RESOLUTION NO. 06-631

SETTING DATE AND TIME FOR REQUEST FOR STATEMENT OF QUALIFICATIONS FOR ARCHITECTURAL/ENGINEERING FIRMS TO ASSIST THE COUNTY IN THE DESIGN OF A NEW COUNTY COURTHOUSE FOR DELAWARE COUNTY, OHIO:

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

**Public Notice
Request for statement of Qualifications
Architectural / Engineering Design Consultants Services
New County Courthouse Delaware County, Ohio**

The Delaware County Board of Commissioners, in accordance with Section 153.67 of the Ohio Revised Code, wishes to receive Statements of Qualifications (SOQ) from experienced architectural/engineering firms to assist the County in the design of a New County Courthouse for Delaware County, Ohio.

The work may involve, but not limited to, project programming and schematic design, schematic design budget estimating, associated parking requirements/options, detail design development, construction documents, and other associated services for a new County Courthouse which may be constructed in multiple phases with a final area of approximately 200,000 square feet. The basis of the work is from the Delaware County Judicial System Master Plan, Final Report dated June 13, 2005 and Updated April 28, 2006. Funding and schedule for the project has not been determined. It is anticipated that the architectural and engineering services will be authorized in phases that may not be consecutive.

The complete Request for Qualifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., Delaware, Ohio during normal business hours, or off the internet at the County's web page at <http://www.co.delaware.oh.us> under the heading "Current Bids".

Statements of Qualifications will be received at the Delaware County Commissioners' Office, Attention: Mr. Dave Cannon, County Administrator, 101 North Sandusky Street, Delaware, Ohio 43015 until **5:00 PM on Tuesday June 13th, 2006**. Five (5) copies of all submittals are to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

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

RESOLUTION NO. 06-632

IN THE MATTER OF APPROVING A DECREASE OF APPROPRIATIONS AND SUPPLEMENTAL APPROPRIATIONS:

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

Decrease Appropriation		AMOUNT
From	To	
10031305-5001	Sheriff Court Security/Compensation	-204,899.14
10031305-5004	Sheriff Court Security/Overtime	-5,000.00
10031305-5120	Sheriff Court Security/PERS	-28,756.18

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

10031305-5131	Sheriff Court Security/Medicare	-3,043.54
10031305-5102	Sheriff Court Security/Workers Comp	-3,778.18
10031305-5101	Sheriff Court Security/Hospital Insurance	-37,080.00
10031305-5224	Sheriff Court Security/Uniforms	-1,000.00
10031305-5260	Sheriff Court Security/Inv Tools	-500.00
10031305-5305	Sheriff Court Security/Training & Staff Development	-500.00
10031305-5313	Sheriff Court Security/Printing	-400.00
10031305-5325	Sheriff Court Security/Maintenance Contract	-1,000.00
10031305-5340	Sheriff Court Security/Lab Testing	-100.00
10031305-5380	Sheriff Court Security/Other	-500.00

Supplemental Appropriation

10031301-5001	Sheriff Deputies/Compensation	204,899.14
10031301-5004	Sheriff Deputies/Overtime	5,000.00
10031301-5120	Sheriff Deputies/PERS	28,756.18
10031301-5131	Sheriff Deputies/Medicare	3,043.54
10031301-5102	Sheriff Deputies/Workers Comp	3,778.18
10031301-5101	Sheriff Deputies/Hospital Insurance	37,080.00
10031301-5224	Sheriff Deputies /Uniforms	1,000.00
10031301-5250	Sheriff Deputies/Inv Tools	500.00
10031301-5305	Sheriff Deputies/Training & Staff Development	500.00
10031305-5313	Sheriff Deputies/Printing	400.00
10031301-5325	Sheriff Deputies/Maintenance Contract	1,000.00
10031301-5340	Sheriff Deputies/Lab Testing	100.00
10031301-5380	Sheriff Deputies/Other	500.00

Further Be It Resolved, that all expenditures in 10031305 be re-posted to 10031301.

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

RESOLUTION NO. 06-633

IN THE MATTER OF THE BOARD OF DELAWARE COUNTY COMMISSIONERS SUBMITTING ANNEXATION PETITION FOR 12.704 ACRES FROM LIBERTY TOWNSHIP TO THE CITY OF DELAWARE UNDER SECTION 709.023 OF O.R.C. TO THE BOARD OF DELAWARE COUNTY COMMISSIONERS FOR REVIEW AND APPROVAL:

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

PETITION FOR ANNEXATION

The Board of Commissioners, of Delaware County, Ohio hereby submits this Petition for Annexation to the Board of Commissioners, Delaware, County, for review and approval of annexation. Said land is to be annexed to the City of Delaware.

1. Annexation Provision. This Annexation Petition is Filed under Section 709.023 of the Ohio Revised Code, as an expedited annexation, without a public hearing, said code section entitled; "Special annexation procedure where land is not excluded from township."
2. Subject Land for Annexation. The subject land for Annexation shall be Approximately 12.704 Acres of Undeveloped Ground in Liberty Township, Delaware County, Ohio, Tax Parcel 41941004002000. See attached "Exhibit A" hereto.
3. Agent for Petitioners. David Cannon, County Administrator of Delaware County, Ohio shall act as the Agent for the Petitioners.
4. Adjacent Owners. Pursuant to R.C. Section 709.023(B), the names, addresses and tax parcel numbers of adjacent or contiguous owners is attached as "Exhibit B" hereto.
5. Petition. This Petition for Annexation is filed by the County Commissioners of Delaware County, Ohio. Said Commissioners are signing with due notice of the nature of the proceeding, and have received the statutory notice that immediately precedes their signatures herein.
6. Future Acts. This Petition is submitted with the understanding and anticipation of a later deed of the public right of way for the border of the subject property abutting Cheshire Road to the City of Delaware. Upon deeding said right of way, the City of Delaware will provide services for said right of way.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 15, 2006

FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE." (R.C. 709.023 (A)).

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

RESOLUTION NO. 06-634

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, DAVID CANNON, REQUESTING ANNEXATION OF 12.704 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Evans, seconded by Mr. Jordan to acknowledge that on May 15, 2006, the Clerk to the Board of Commissioners received an annexation petition request to annex 12.704 acres from Liberty Township to the City of Delaware.

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

RESOLUTION NO. 06-635

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 2:02PM.

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

RESOLUTION NO. 06-636

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 2:43PM.

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

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward