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

10:00 AM Public Hearing to Consider Proposed Changes to the Building Code of Delaware County

PUBLIC COMMENT

Mr. Larry Fisher, Director of Emergency Services presented awards as follows:

Most Improved Telecommunicator – Christopher Harris

Telecommunicator of the Year – Mathew Fletcher

Mr. Ward announced that the Commissioners are starting their process of selecting an individual to fill the position of Sheriff for Delaware County. They will appoint an individual to fill this position until the Republican Central Committee selects who they are going to appoint to the position. He referenced the sections of code that speak to the qualifications the person must have.

Anyone interested in applying for the position needs to move forward to summit their names to the Commissioners for consideration

RESOLUTION NO. 07-420

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 9, 2007 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 April 9, 2007 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 07-421

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0411 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0411:

It was moved by Mr. Ward , seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR 0411, memo transfers in batch numbers MTAPR0411 and Purchase Orders and Vouchers as listed below:

Vouchers				
Toddler Inn	Day Care	22411610-5348	$	16,735.20
Liberty Community Center	Day Care	22411610-5348	$	11,700.08
CFOA	Protective Services Grant	22411606-5348	$	11,250.00
Burnsteen and Company LLC	Operations Review	22511607-5301	$	9,045.00
Motorola	800 MHZ Radios	21411306-5250	$	94,090.00
Pitney Bowes	Postage/Del. Co. Offices	10011105-5331	$	20,000.00
Squire, Sanders & Dempsey	Legal Services	10011102-5361	$	9,706.16
Thasher Dinsmore & Dolan	Legal Services	10011102-5361	$	6,801.00
The Trident Group	Hayes Bldg. Security	10011102-5360	$	513.51
The Trident Group	Court House Security	10011102-5360	$	3,640.00
The Trident Group	Juvenile Court Security	10011102-5360	$	1,820.00

Memo Transfer Vouchers			
From	**To**		
CSEA/Rent 23711630-5335	Commissioners/Apr. 07 Rent 10011101-4233	$	7,420.42

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

RESOLUTION NO. 07-422

IN THE MATTER OF NEW LIQUOR LICENSE REQUEST FROM KILBOURNE PIZZA & MORE, LLC LOCATED AT 5676 SR 521 AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH A REQUEST FOR A HEARING:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the request for a hearing:

Whereas, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners and the Brown Township Trustees that **KILBOURNE PIZZA & MORE, LLC** located at 5676 SR 521 has requested a D1 and D2 permit

Whereas, the Brown Township Trustees have requested a hearing, the Delaware County Sheriff has responded no known reason for a hearing to be requested, and

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that an objection was made and a hearing is requested by this Board of County Commissioners.

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

RESOLUTION NO. 07423

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS

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

911 Department is requesting that m. Treadway, C VanGundy and C. Jenkins attend a 911 Supervisor Seminar in Massillon on November 11-13, at a cost of $1,711.28

911 Department is requesting that C. Jenkins, M. Treadway, and C VanGundy participate in a Web Seminar "Sins of the Supervisor" on May 2 at a cost of $59.00

GIS Department is requesting that Shoreh Elhami attend the ESRI User Conference in San Diego on June 18-22 and the URISA Conference in Washington DC on August 19-23 at a cost of $3755.00

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

RESOLUTION NO. 07-424

IN THE MATTER OF ESTABLISHING A DRAINAGE MAINTENANCE ACCOUNT AND APPROVING THE PERMANENT DRAINAGE MAINTENANCE EASEMENT FOR THE GWINNER # 262 DITCH PROJECT:

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

Establish Drainage Maintenance Account and Drainage Maintenance Easement as Follows:

Name: Gwinner #262
Account: 0638
Organization: 21911401
Amount: $2,075.59

Easement Gwinner #262 Drainage Improvement

In United States Military District Section 1, Township 4, Range 19, Delaware Township, Delaware County, Ohio. Commencing At the Norfolk & Southern railroad right-of-way adjacent to the east property line of 1627 Berlin Station Road and terminating at the east Berlin Station Road right-of-way. Points A to B: 25 feet right of top of bank and 25 feet left of top of bank. (A copy of the easement map is available in the Engineer's Office until no longer of administrative value).

FURTHER BE IT RESOLVED, that the Commissioners will approve the final schedule of constructions assessments (copy available in the Engineer's Office until no longer of administrative value) <u>when the interest rate of the bond for the borrowing of the money is determined.</u>

BE IT FURTHER RESOLVED, that the Commissioners Office will supply to the Auditor's Office the final schedule of constructions assessments after the bond is issued and the interest rates are determined for the

assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.

As this project came in under the estimate, some property owners who paid in advance are due a refund, in addition several property owners whose total cost is below the minimum $10.00 requirement will be increased to meet that requirement.

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

RESOLUTION NO. 07-425

IN THE MATTER OF ESTABLISHING A DRAINAGE MAINTENANCE ACCOUNT AND APPROVING THE PERMANENT DRAINAGE MAINTENANCE EASEMENT FOR THE PRIMMER #1; PRIMMER NEILSON LATERAL #140 AND PRIMMER LATERAL #3 DITCH PROJECT:

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

Establish Drainage Maintenance Account and Drainage Maintenance Easement as follows:

Name: Primmer # 1
Account: 0702
Organization: 21911401
Amount: $3,811.90

Name: Primmer # 1 Neilson Lateral # 140
Account: 0704
Organization: 21911401
Amount: $1,282.50

Name: Primmer # 1 Lateral # 3
Account: 0703
Organization: 21911401
Amount: $405.60

Easement Primmer #1 Drainage Improvement

In United States Military District Section 3, Township 5, Range 18 Section 4, Township 5, Range 18, Section 1, Township 4, Range 18 Brown And Berlin Townships, Delaware County, Ohio. Commencing At Point A in the Primmer # 1 subsurface drain inspection well near the Boyer/Sheets property line and terminating at Point "C" at the north right-of-way of U.S. Rt. 36/St. Rt. 37.

Points A to B 25 feet right of top of bank; 40 feet left of subsurface drain Points B to C 25 feet right of top of bank; 25 feet left of top of bank (A Copy Of The Easement Map Is Available In The Engineer's Office Until No Longer Of Administrative Value).

Easement Primmer # 1 Neilson Lateral

In United States Military District Section 1, Township 4, Range 18 Section 2, Township 4, Range 18, Berlin Township, Delaware County, Ohio. Commencing At Point A on the Neilson #140 Lateral of the Primmer # 1 on the subsurface drain inspection well at or near the north right-of-way of U.s. Rt 36/St. Rt. 37 and terminating at Point "C" at the confluence with the Primmer #1 main

Points A to B 40 feet right of subsurface drain ; 40 feet left of subsurface drain Points B to C 25 feet right of top of bank; 25 feet left of top of bank (A Copy Of The Easement Map Is Available In The Engineer's Office Until No Longer Of Administrative Value).

Easement Primmer #1 Lateral # 3

In United States Military District Section 3, Township 5, Range 18 Section 4 Township 5 Range 18, Brown Township, Delaware County, Ohio. Commencing At Point A on the Lateral # 3 of the Primmer # 1 on the inspection well at or near the north right-of-way of Bowtown Road (DR # 84) and terminating at Point "B" at the confluence with the Primmer #1 main
Points A to B 40 feet right of subsurface drain ; 40 feet left of subsurface drain
(A Copy Of The Easement Map Is Available In The Engineer's Office Until No Longer Of Administrative Value).

FURTHER BE IT RESOLVED, that the Commissioners will approve the final schedule of constructions assessments (copy available in the Engineer's Office until no longer of administrative value) when the interest rate of the bond for the borrowing of the money is determined.

BE IT FURTHER RESOLVED, that the Commissioners Office will supply to the Auditor's Office the final schedule of constructions assessments after the bond is issued and the interest rates are determined for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.

As this project came in under the estimate, some property owners who paid in advance are due a refund, in addition several property owners whose total cost is below the minimum $10.00 requirement will be increased to meet that requirement.

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

RESOLUTION NO. 07-426

IN THE MATTER OF APPROVING A GRANT RENEWAL APPLICATION FOR AN OHIO DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES FOR A FAMILY DRUG COURT PROGRAM:

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

Ohio Department of Alcohol and Drug Addiction Services for Family Drug Court. A summary of the grants is as follows:

1. Grant # 99-09018-DCRT-T-04-0005
Source: ODADAS
Grant Period: July 1, 2007 to June 30, 2008

Grant Request Amount:	$74,999.00
Match:	$0.00
Total Grant Amount:	$74,999.00*

The ODADAS Grant Program funds the Treatment Court Liaison position and partially covers one Magistrate position. No match dollars are required. All staff members paid from this grant are well aware that their positions are grant funded and contingent on continued funding.
*The budget is for FY08 only. A new budget will be required for FY09.

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

RESOLUTION NO. 07-427

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION FOR JUVENILE COURT:

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

Supplemental Appropriation

27126310-5215	Juvenile Incentive Grant/Program Supplies	$	3000.00
27126310-5294	Juvenile Incentive Grant/Food Supplies	$	300.00
27126310-5305	Juvenile Incentive Grant/Training	$	1,500.00
27126310-5335	Juvenile Incentive Grant/Rental Services	$	1,800.00

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

RESOLUTION NO. 07-428

IN THE MATTER OF APPROVING A TRANSFER OF FUNDS FOR JOB AND FAMILY SERVICES:

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

Transfer of Funds

From	**To**
22511607-5801	22411604-4601

Children's Services Transfers	JFS Child Protection/Interfund Revenue	$ 448,891.92
22311611-5801 Workforce Investment /Transfers	22411603-4601 JFS Workforce/Interfund Revenue	$ 150,000.00

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

RESOLUTION NO. 07-429

IN THE MATTER OF APPROVING A PERSONNEL ACTION:

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

Angela Rosencrans has accepted the position of Social Worker III, start date is May 14, 2007

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

RESOLUTION NO. 07-430

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Rick Dzik is resigning his full-time paramedic position effective April 18 2007

Ned Resanovic has accepted a promotion to Lieutenant at Medic # 10 effective date March 24, 2007

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

RESOLUTION NO. 07-431

IN THE MATTER OF AMENDING THE ORGANIZATIONAL KEY INFORMATION FOR A TRANSFER OF APPROPRIATIONS APPROVED IN RESOLUTION 07-414:

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

Whereas, Resolution 07-414 approved a transfer of appropriations from 66711901-5415 to 66711901-5301 for $25,000.00, and

Whereas, it was later discovered that the transfer of appropriations should have been from 66711902 -5415 directed to 66711902 - 5301.

Therefore Be It Resolved, that the Commissioners amend resolution 07-414 to read :

Transfer of Appropriations

From: 66711902 -5415 to 66711902 – 5301 for $25,000.00

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

RESOLUTION NO. 07-432

IN THE MATTER OF OPENING THE PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO THE BUILDING CODE OF DELAWARE COUNTY

It was moved by Mr. Ward, seconded by Mr. Jordan Ward to open the hearing at 10:04 AM

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

RESOLUTION NO. 07-433

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO THE BUILDING CODE OF DELAWARE COUNTY

It was moved by Mr. Jordan , seconded by Mr. Ward to close the hearing at 10:10 AM

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

RESOLUTION 07-434

IN THE MATTER OF ADOPTING AMENDMENTS TO THE BUILDING CODE OF DELAWARE COUNTY:

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

WHEREAS, the Building Code of Delaware County was originally adopted in October, 1964, and most recently amended in July, 2006; and

WHEREAS, by virtue of Ohio Revised Code 307.37 and 3781.10, the Board of Commissioners is authorized and empowered to adopt regulations pertaining to the erection, construction, repair, alteration and maintenance of all buildings within the unincorporated portion of the County and any other jurisdiction under contract with the County; and

WHEREAS, as required by Ohio Revised Code 3781.01, Delaware County has notified the Board of Building Standards of the locally adopted regulations governing structures; and

WHEREAS, the Board of Building Standards has reviewed the applicable residential regulations of the Building Code of Delaware County and has determined no conflicts exist with the Residential Code of Ohio; and

WHEREAS, the Board of Building Standards has recommended amendments to The Building Code of Delaware County; and

WHEREAS, this Board has determined that the recommended amendments to the Building Code of Delaware County are administrative in nature and, if adopted cause no negative impact to the citizens of Delaware County;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, STATE OF OHIO:

1. That The Building Code of Delaware County, February 23, 2007, final draft copy is adopted to replace The Building Code of Delaware County, July 27, 2006 (effective date), edition.

2. That this Resolution shall become effective on May 27, 2007.

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

RESOLUTION NO. 07-435

IN THE MATTER OF SUPPORTING THE BACKYARD CONSERVATION PARK AT THE DELAWARE COUNTY FAIRGROUNDS:

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

Whereas, Delaware County is the most rapidly developing county in Ohio with the highest rate of conversion of agricultural land to developed land; and

Whereas, the development of land may result in decreased wildlife habitat and increased sources of non-point pollution from residential lawns and impervious surfaces; and

Whereas, conservation practices voluntarily applied to residential land may increase habitat and decrease surface runoff and pollutants; and

Whereas, the Heart of Ohio Resource Conservation & Development Council in partnership with Delaware Soil and Water Conservation District, Delaware County Fair Board are establishing a Backyard Conservation Park at the Delaware County Fairgrounds to demonstrate conservation practices and to promote understanding of residential land stewardship concepts;

Now, Therefore, We the Commissioners of Delaware County do hereby support the establishment of the Backyard Conservation Park to promote the education and application of urban conservation practices to promote a healthy, clean and beautiful landscape for future generations.

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

RESOLUTION NO. 07-436

COMMISSIONERS JOURNAL NO. 49 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 12, 2007

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR LAND ACQUISITION AND PENDING OR IMMINENT LITIGATION

It was moved by Mr. Jordan , seconded by Mr. Evans to adjourn into Executive Session at 10:30 AM.

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

RESOLUTION NO. 07-437

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans , seconded by Mr. Ward to adjourn out of Executive Session at 11:50 AM.

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

There being no further business, the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners