

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 1, 2007

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

- 1:00 PM Prosecutor Session (Commissioners Hearing Room)
- 7:00 PM Regular Business (Trenton Township Hall 15495 Hartford Road Sunbury, Ohio 43074)
- 7:30 PM Public Hearing For Consideration Of The Dewitt, Whitney #520 And The Whitney #44 Ditch Petition

RESOLUTION NO. 07-1207

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 AND FOR PENDING OR IMMINENT LITIGATION AND FOR LAND ACQUISITION:

It was moved by Mr. Ward, seconded by Mr. Evans to adjourn into Executive Session at 1:05PM.

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

RESOLUTION NO. 07-1208

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Evans to adjourn out of Executive Session at 3:00PM.

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

RECESS UNTIL 7:00PM (Trenton Township Hall 15495 Hartford Road Sunbury, Ohio 43074)

PUBLIC COMMENT

Commissioner Ward suggested that Public Comment be reserved for citizens; not elected officials. Elected officials have time to ask to be placed on the agenda.

(For a complete record refer to the Official CD minutes).

RESOLUTION NO. 07-1209

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 27, 2007 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 September 27, 2007 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 07-1210

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1001:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1001 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO’s			
Eastman Kodak Corp.	Maintenance Agreement -Scanner	10011103-5325	\$ 6,317.00
Increases			
Treasurer, State of Ohio	Return to State (Public Defender)	10011202-5319	\$ 7,000.00
Juvenile Ct.	For CSEA	23711630-5360	\$ 30,000.00
Prosecutors	For CSEA	23711630-5301	\$ 15,000.00
Blue's Auto Service	Repair	60111901-5370	\$ 4,500.00

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Vouchers

AEP	Various Locations/Sanit Eng.	66290407-5338	\$	10,472.61
AEP	Various County Offices	10011105-5338	\$	5,727.32
Trident	Security/Hayes/Juv. Ct./Ct. House	10011102-5360	\$	11,247.39

Memo Transfer Vouchers

From	To			
Commissioners	Board Developmental Disabilities	County Home	\$	6,250.00
10011501-5350	29519000-4539			
CSEA	Juvenile Court	Court Contract	\$	13,100.98
23711630-5360	10026201-4245			
CSEA	Juvenile Court	Court Contract	\$	8,811.15
23711630-5360	10026201-4245			
Commissioners	Juvenile Court	Court Contract	\$	6,748.99
10011102-5360	10026201-4245			

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

RESOLUTION NO. 07 -1211

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The EMS Department is requesting that the Paramedics attend a Paramedic Refresher Course at the Hayes Building October 1-25, 2007, at no cost.

The EMS Department is requesting that Zack Wolfe attend an EMS Expo 2007 Conference in Orlando, Florida October 9-13, 2007, at no cost.

The EMS Department is requesting that Jeff Sparks attend ICS 300 and ICS 400 Domestic Preparedness Courses in Anniston, Alabama November 11-16, 2007, at no cost.

The EMS Department is requesting that Scott Gano and Ben Berger attend Weapons of Mass Destruction Scene Management Training in Anniston, Alabama October 21-27, at no cost.

Juvenile Court is requesting that Stacy Blair and Cecelia Monahan attend a Partnering Conference is Columbus, Ohio October 16, 2007, at no cost.

Juvenile Court is requesting that Patty Cram attend a Workforce Summit in Sunbury, Ohio October 25, 2007, at no cost.

Juvenile Court is requesting that Kim Algoe attend a Gangs in Delaware Training at Ohio Wesleyan October 19, 2007, at the cost of \$25.00

Juvenile Court is requesting that Katie Murray attend an All Ohio Counselors Conference in Columbus, Ohio October 31, 2007, at the cost of \$115.00

Juvenile Court is requesting that Katie Murray attend an Abuse and Drug Detection Conference in Columbus, Ohio November 1, 2007, at no cost

Juvenile Court is requesting that Pat Martin, Faith Walzak, Teresa Tackett, Sheila Martin, Kate Menger, and Marsha Coleman attend an Abuse Neglect and Dependent Children Mediation Training in Perrysville, Ohio October 24-27, 2007.

The Department of Job and Family Services is requesting that Rhonda Leasure, Mona Rielly, Steve Fischer, Tracy Merrin and Sharon Lloyd attend a Workforce 411 Conference in Columbus, Ohio October 23-25, 2007, at the cost of \$90.00.

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

RESOLUTION NO. 07-1212

IN THE MATTER OF CANCELING THE THURSDAY OCTOBER 4, 2007 COMMISSIONERS' SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to cancel the Thursday October 4, 2007 Commissioners' Session.

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

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RESOLUTION NO. 07-1213

IN THE MATTER OF APPROVING DITCH MAINTENANCE PETITION FOR GLEN OAK SECTION 9:

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

Ditch Maintenance Petition-Glen Oak Section 9

We the undersigned owners of 3.183 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as **Glen Oak Section 9** as evidenced by the attached subdivision plats (Exhibit “A” which is available at the County Engineer’s Office). These plats have been or will be approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider’s agreement Exhibit “B” available at the County Engineer’s Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit “C” (available at the County Engineer’s Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Glen Oak Section 9 Subdivision.

The cost of the drainage improvements is \$11,305.84 and a detailed cost estimate is available at the County Engineer’s office in Exhibit “D”. The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. Seven (7) lots are created in this plat and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$2,101.34 per lot. An annual maintenance fee equal to 2% of this basis \$42.03 will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$294.19 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

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

RESOLUTION NO. 07-1214

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR SHEFFIELD PARK SECTION 2, PHASE A AND KELLER PINES:

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

Sheffield Park Section 2, Phase A

The roadways to be accepted are as follows:

- An addition of 0.26 mile to **Township Road Number 1419, Sheffield Park Drive**
- An addition of 0.08 mile to **Township Road Number 1421, Normandy Drive**
- **Chantry Drive**, to be known as **Township Road Number 1553**
- **Fox Hollow Drive**, to be known as **Township Road Number 1554**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project. He also request approval to return the Bond being held as maintenance surety to the developer, Centex Homes.

Keller Pines

The roadways to be accepted are as follows:

- **Pine View Drive**, to be known as **Township Road Number 1550**
- **Keller Pines Court**, to be known as **Township Road Number 1551**
- **White Fir Lane**, to be known as **Township Road Number 1552**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project. He also request approval to return the Letter of Credit being held as maintenance surety to the developer, Keller Pines, LLC.

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

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RESOLUTION NO. 07-1215

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR SHEFFIELD PARK SECTION 2, PHASE A AND KELLER PINES:

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

Stop Conditions –Sheffield Park Section 2, Phase A

- Establish two stop conditions on Township Road Number 1553, Chantry Drive, at its intersections with Township Road Number 1419, Sheffield Park Drive (loop street)
- On Township Road Number 1554, Fox Hollow Drive, at its intersection with Township Road Number 1421, Normandy Drive

Stop Conditions –Keller Pines

- On Township Road Number 1550, Pine View Drive, at its intersection with County Road Number 17, Harlem Road
- On Township Road Number 1551, Keller Pines Court, at its intersection with Township Road Number 1550, Pine View Drive
- Establish two stop conditions on Township Road Number 1552, White Fir Lane, at its intersections with Township Road Number 1550, Pine View Drive (loop street)

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

RESOLUTION NO. 07 -1216

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

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

Permit #	Applicant	Location	Type of Work
U07131	AT&T	Africa Road	Bore road
U07133	American Electric Power	Walton Road	Rebuild existing line

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

RESOLUTION NO. 07 -1217

IN THE MATTER OF ACCEPTING AND AWARDING THE BID AND APPROVING THE CONTRACT WITH ELITE EXCAVATING COMPANY OF OHIO, INC. FOR THE CHESHIRE ROAD CAUSEWAY PROJECT:

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

Cheshire Road Causeway Improvements
Bid Opening of September 24, 2007

As the result of the above referenced bid opening, The Engineer recommends that a bid award be made to Elite Excavating Company of Ohio, Inc. of Mansfield, Ohio, the low bidder for the project. A copy of the bid tabulation is available.

CONTRACT

THIS AGREEMENT is made this 1st day of October, 2007 by and between Elite Excavating Company of Ohio, hereinafter called the “Contractor” and the Delaware County Commissioners, hereinafter called the “Owner”.

4500 Snodgrass Road
Mansfield, Ohio 44903

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the

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construction of the improvements embraced in the project; namely, the “Cheshire Road Causeway Project”, and required supplemental work for the project all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed **Eight Hundred Twenty-two Thousand Eight Hundred Fourteen Dollars and Five Cents (\$822,814.05)**, subject to additions and deductions as provided in the Contract Documents.

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements
- i. ODOT’s 2005 LPA template which are hereby incorporated by reference

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

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

RESOLUTION NO. 07 -1218

IN THE MATTER OF ACCEPTING AND AWARDED THE BID AND APPROVING THE CONTRACT WITH VITTOE CONSTRUCTION, INC., FOR THE HOME ROAD OVER NORTH BRANCH OF EVERSOLE RUN BRIDGE REPLACEMENT:

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

Home Road over North Branch of Eversole Run Bridge Replacement
Bid Opening of September 18, 2007

As the result of the above referenced bid opening, The Engineer recommends that a bid award be made to Vittoe Construction, Inc., the low bidder for the project. A copy of the bid tab is available for your information.

CONSTRUCTION CONTRACT

AGREEMENT, made and entered into this 1st day of October, 2007, by and between the **DELAWARE COUNTY BOARD OF COMMISSIONERS**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY** and **VITTOE CONSTRUCTION, INC.**, hereinafter designated as **SECOND PARTY**. **WITNESSETH**, that said **SECOND PARTY**, for and in consideration of the sum of **TWO HUNDRED EIGHT THOUSAND SIX HUNDRED SEVENTY-THREE DOLLARS AND THIRTEEN CENTS (\$208,673.13)** based on unit prices on the attached Bid Blank, to be paid as hereinafter specified, hereby agrees to furnish unto said **FIRST PARTY** the completed Work on the project known as **HOME ROAD OVER NORTH BRANCH OF EVERSOLE RUN BRIDGE REPLACEMENT, DEL-CR124-0.76**, using all necessary labor, equipment and materials required in accordance with construction documents, plans, drawings, general specifications and the Invitation to Bid for same hereto attached; which plans, drawings, general specifications and Invitation to Bid are hereby declared to be a part of this **Contract**.

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

RESOLUTION NO. 07 -1219

IN THE MATTER OF APPROVING THE VACATION OF A TEMPORARY DRAINAGE EASEMENT FOR THE KILLDEER MEADOWS SUBDIVISION:

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

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Killdeer Meadows -Vacation of Temporary Easement

During the construction of the referenced subdivision, a temporary drainage easement was granted to the County. As this easement is no longer required, The Engineer request approval to have this easement as outlined in the attached description vacated.

RELEASE OF EASEMENT AND RIGHTS

Delaware County, whose address is 50 Channing Street, Delaware, Ohio 43015, (hereinafter called the County) does hereby release, quit claim, and surrender to Hidden Creek Estates, LLC, a Limited Liability Company, (hereinafter called “Company”) or its successors and assigns, all such right, title, and interest as the County may have, in said real estate designated below and described in Exhibit A and B hereto resulting from a certain Easement and Deed granted to the County under Deed dated May 25, 2004 and recorded in OR - Volume 0507. Pages 1281 thru 1283 filed for Record in Delaware County, Ohio.

Said real Estate and Easement is described as follows.

See attached Exhibit’s A and B for property description and delineation; (*available in the County Engineer’s Office*)

The intent of this instrument is to extinguish all easement and other rights created by the above mentioned deed recorded in OR-Volume 0507, Pages 1281 thru 1283 by releasing, assigning and quit claiming, such rights or easements to the successors and assigns of Hidden Creek Estates, LLC. or Hidden Creek Estates LLC., to the extent no successor or assign exists and thereby extinguishing such easement or rights by merger, this instrument or operation by law.

Nothing in this Release of Easements and Rights is intended nor shall it operate to release easements in favor of Delaware County or the County or a future Home Owner association for construction operation and maintenance of Storm Water Drainage Facilities created by the final plats of Killdeer Meadows, Section 1 and Killdeer Meadows, Section 2, Phase A and B as the same are recorded in OR 397, Page 904 and Section 2, Phase A and B, Plat Cabinet 3, Slides 492-492D, respectively, Records office of Delaware County, Ohio.

Execution in accordance with Chapter 5301 of the Ohio Revised Code

TO HAVE AND TO HOLD the same, to the said Company, or its Successor and assigns, forever.

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

RESOLUTION NO. 07-1220

IN THE MATTER OF AUTHORIZING THE SUBMITTAL OF THE STATUS REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA 2006 TO THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS:

It was moved by Mr. Jordan, seconded by Mr. Ward to authorize the submittal of the CDBG Formula 2006 Status Report:

WHEREAS, the Ohio Department of Development (ODOD) awarded \$150,000 in Fiscal Year 2006 Small Cities Community Development Block (CDBG) grant funds under the Formula Program to Delaware County; and

WHEREAS, funding to Delaware County through the FY06 CDBG Formula Program is intended to assist communities within Delaware County with necessary and useful public programs, which are responsive to State and National program objectives and qualification criteria for this program; and

WHEREAS, ODOD requires Delaware County to submit a Status Report of the CDBG Formula 2006 funding for review.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The authorization to submit the CDBG Formula 2006 Status Report for the period of March 3, 2007 – September 1, 2007 to ODOD, Office of Housing and Community Partnerships.

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

RESOLUTION NO. 07-1221

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IN THE MATTER OF ACCEPTING FROM THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS, THE AWARDING OF FISCAL YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE SMALL CITIES FORMULA PROGRAM:

It was moved by Mr. Ward, seconded by Mr. Jordan to accept the grant:

WHEREAS, the Ohio Department of Development (ODOD) has awarded \$146,000 in Fiscal Year 2007 Small Cities Community Development Block (CDBG) grant funds under the Formula Program to Delaware County; and

WHEREAS, funding to Delaware County through the FY07 CDBG Formula Program, is intended to assist communities within the Delaware County with necessary and useful public programs, which are responsive to State and National program objectives and qualification criteria for this program.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Commissioners accept the FY06 CDBG Formula Grant Program for Delaware County as follows:

	Proposed Project	Total Project Cost	Proposed CDBG Formula	Proposed RLF Funding	Proposed Other Funding	Description of Other Funding
1. Village of Ostrander	Road Improvements	\$64,900	\$42,600	\$ 9,800	\$12,500	Village to pay engineering design & inspection cost.
2. Village of Ashley	Water & Sewer Facilities	\$55,000	\$40,700	\$ 9,300	\$5,000	Village to pay engineering design & inspection cost.
3. Big Walnut Historical Society	Handicapped Ramp	\$28,200	\$25,500	0	\$2,700	Architect
4. Ashley Villa Senior Citizen	Building Rehabilitation	\$14,300	\$14,300	0	donated	Architect
5. Community Housing Improvement Strategy (CHIS)	Planning	\$ 8,000	\$ 7,000	0	\$1,000	MORPC Match
6. Fair Housing	Countywide	\$ 6,100	\$ 6,100			
7. Administrative	General	\$ 9,800	\$ 9,800			
Totals		\$186,300	\$146,000	\$19,100	\$21,200	

Section 2. That this resolution shall take effect and be in force immediately after passage.

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

RESOLUTION NO. 07-1222

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Michael Schuiling to EMS Assistant Chief; effective date October 1, 2007.

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

RESOLUTION NO. 07-1223

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Matthew Roy’s Temporary Summer Help Position with the Maintenance Department has ended; effective date

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September 7, 2007.

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

RESOLUTION NO. 07-1224

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE CLERK OF COURTS
OFFICE:

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

Transfer of Appropriation	
From	To
28129204-5201 Common Pleas Data Fund/Office Supplies	28129204-5328 Common Pleas Data Fund/Maint & Repair \$ 750.00

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

RESOLUTION NO. 07-1225

7:30 PM - PUBLIC HEARING FOR CONSIDERATION OF THE DEWITT, WHITNEY #520 AND THE
WHITNEY #44 DITCH PETITION:

It was moved by Mr. Ward, seconded by Mr. Jordan to open the hearing at 7:35PM.

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

RESOLUTION NO. 07-1226

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE DEWITT,
WHITNEY #520 AND THE WHITNEY #44 DITCH PETITION:

It was moved by Mr. Jordan, seconded by Mr. Ward to close the hearing at 9:00PM.

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

RESOLUTION NO. 07-1227

IN THE MATTER OF DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH
PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE DEWITT, WHITNEY #520 AND THE
WHITNEY #44 DITCH PETITION:

It was moved by Mr. Ward, seconded by Mr. Jordan to go forward with the project.

Whereas, on May 22, 2007, a Ditch Petition to The Dewitt, Whitney #520 Watershed Ditch was filed with the Delaware County Commissioners, and on August 15, 2007 an amendment was filed, for additional areas to be included in the ditch construction and maintenance, and

Whereas, the Board of Commissioners of Delaware County on Monday the 1st day of October , 2007, held a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Dewitt, Whitney #520 And The Whitney #44 Watershed Ditch, and

Whereas, after hearing testimony from property owners and the preliminary report of County Engineer, Chris Bauserman, the Board of Commissioners find the action is necessary, conducive to the public welfare, and the benefits exceed the estimated cost.

Therefore, Be It Resolved, The Delaware County Commissioners directs the Delaware County Engineer to proceed with the preparation of plans, reports and schedules as presented for the purposed Dewitt, Whitney #520 And The Whitney #44 Watershed Ditch. Said information to be presented to the Commissioners at the end of this process.

Further be it Resolved, upon receipt of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

FURTHER BE IT RESOLVED, THAT THE COMMISSIONERS APPROVE ESTABLISHING A NEW ORGANIZATION KEY FOR THE DEWITT, WHITNEY # 520 DITCH PROJECT 40311430.

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Vote on Motion	Mr. Evans	Nay	Mr. Jordan	Nay	Mr. Ward	Aye
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There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners