

COMMISSIONERS JOURNAL NO. 51 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 3, 2008

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

7:30 PM Final Hearing For The Brookview Watershed Ditch Petition Project

PUBLIC COMMENT

RESOLUTION NO. 08-1303

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 30, 2008 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held October 30, 2008 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 08-1304

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1031:

It was moved by Mr. Evans, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1031, and Purchase Orders and Vouchers as listed below:

Vendor	Description	Account	Amount
PO’s			
Inohva Pneumatic	Repair Sludge Blower	66290302-5328	\$ 12,000.00
Malcolm Pirnie Inc.	Dewatering Improv. OECC	66690301-5301	\$ 236,700.00
Tri State Academy	Residential Treatment	22511607-5342	\$ 15,000.00
Increases			
AEP	Service/Scioto Hills	66291002-5338	\$ 1,200.00
Patricia Jones	Day Care	22511607-5348	\$ 15,000.00
Decrease			
AEP	Service/Scioto Bluff	66291002-5338	\$ 200.00
Vouchers			
Siemens	Bioxide/Golf Village	66290305-5290	\$ 4,571.82
Siemens	Bioxide/Leatherlips	66290318-5290	\$ 3,366.00
AEP	Electric Service	66290302-5338	\$ 30,186.53
Learning Center	Day Care	22411610-5348	\$ 9,325.49
Life Point	Day Care	22411610-5348	\$ 6,427.58
Adventure	Day Care	22411610-5348	\$ 10,414.00
Memo Transfer			
From	To:		
Commissioners	Board of Developmental Disability	County Home	\$ 5,000.00
10011501-5350	29519000-4234	Closing	
CSEA	JV Court	Court	\$ 8,616.86
23711630-5360	10026201-4245	Billing	

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

RESOLUTION NO. 08 -1305

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Engineer’s Office is requesting amendments to previously approved travel request for Chris McGrew, Ron Ford , Phil Rivers, John Russel, Jim Drumm Jr. to attend the 2008 Superintendents Conference new total cost \$1,075.00

The 911 Department is requesting that Yvette Hatten, Patrick Brandt, Sharon Creamer and Kathy Coy attend a 911 Users’ Group Conference in Columbus, Ohio November 17-18, 2008, at no cost.

The Department of Job and Family Services is requesting that Debra Benjamin attend a Personnel and Labor

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Seminar in Columbus, Ohio November 7, 2008, at the cost of \$105.00.

Juvenile Court is requesting that Amanda Clements attend a Verbal De-Escalation Seminar in Columbus, Ohio December 5, 2008, at no cost.

Juvenile Court is requesting that Faith Walzak, Pat Martin, Dodie Davenport attend an Ohio Mediation Association Meeting in Westerville, Ohio December 5, 2008, at the cost of \$30.00.

Juvenile Court is requesting that Faith Walzak attend an Ohio Mediation Association Meeting in Columbus, Ohio October 31, 2008, at the cost of \$10.00.

Juvenile Court is requesting that Faith Walzak attend an Ohio Mediation Association Meeting in Columbus, Ohio September 12, 2008, at the cost of \$10.00.

Juvenile Court is requesting that David Andrews and Faith Walzak attend a Child Welfare Meeting in Columbus, Ohio November 12-14, 2008, at the cost of \$50.00.

The Department of Job and Family Services is requesting that Heather Allen attend a Career Choices Workshop in Columbus, Ohio November 12-13, 2008, at the cost of \$206.20.

The Environmental Services Department is requesting that Cecil Puckett, Nathan Frey and Mark Hobler attend a Basic Wastewater Treatment Course at the Alum Creek Water Reclamation Facility, at the cost of \$1,785.00.

The Environmental Services Department is requesting that Jack Smelker attend a Continuing Education Class at Malcolm on November 12, 1008, at no cost.

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

RESOLUTION NO. 08-1306

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Mary Burns to an Income Maintenance Worker III with the Department of Job and Family Services; effective date November 10, 2008.

Recommendation to promote Brenda Newell to an Income Maintenance Supervisor with the Department of Job and Family Services; effective date November 10, 2008.

Recommendation to hire Tonya Fransen as an Income Maintenance Worker III with the Department of Job and Family Services; effective date November 10, 2008.

Recommendation to hire Christina Cochrane as an Income Maintenance Supervisor with the Department of Job and Family Services; effective date November 10, 2008.

Recommendation to hire Beth Brasseur as an Income Maintenance Screener with the Department of Job and Family Services; effective date November 10, 2008.

Recommendation to hire Lisa Fowler as an Income Maintenance Screener with the Department of Job and Family Services; effective date November 10, 2008.

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

RESOLUTION NO. 08-1307

IN THE MATTER OF APPROVING THE RENAMING OF ORG KEY 21511314 TO 2009 HMEP
(HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS):

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

WHEREAS, the Delaware County Local Emergency Planning Committee is eligible to apply for Hazardous Material Emergency Preparedness funds; and

WHEREAS, the funding is distributed by the State Emergency Response Commission for the purpose of planning and training for response to hazardous materials spills; and

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approves the renaming of Org Key 21511314 to 2009 HMEP.

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

RESOLUTION NO. 08-1308

**IN THE MATTER OF APPROVING THE TRANSFER OF APPROPRIATIONS IN THE LOCAL
EMERGENCY PLANNING COMMITTEE (LEPC) ORG KEY:**

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

WHEREAS, the Delaware County Board of Commissioners approved the appropriation of the LEPC funds; and

WHEREAS, the County has used those funds for the EMA Office to provide service to the LEPC,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approve a transfer of appropriations in account 21511319 for the amount of \$150.00,

FROM: 5101 - \$150.00	TO: 5001 - \$150.00
LEPC	LEPC
Health Insurance	Compensation

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

RESOLUTION NO. 08-1309

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to hire AJ Cooper as an Operator with the Olentangy Environmental Control Center; effective date November 10, 2008.

Recommendation to hire Robert Brode as a Maintenance Mechanic I with the Water Reclamation Department; effective date November 10, 2008.

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

RESOLUTION NO. 08-1310

**IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY
COMMISSIONER AND K&H ENERGY SERVICES, INC. FOR THE SCADA UPGRADES TO THE
OLENTANGY ENVIRONMENTAL CONTROL CENTER:**

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

WHEREAS the County employees a Supervisory Control and Data Acquisition (SCADA) computer system to help control and monitor the treatment process at its major water reclamation facilities, and

Whereas the system helps the operations staff to be knowledgeable of the treatment process and system alarms which helps protect the water quality of the Olentangy River, and

Whereas the SCADA system at the Olentangy Environmental Control Center (OECC) is aging and needs to be replaced, and

Whereas the K&H Energy Services Inc, has provided a proposal to upgrade the SCADA system at the OECC, and

Whereas the scope and cost of said services are complete and competitive in nature, and

Whereas K&H Energy Services, Inc has performed successfully on projects for the County in the past.

WHEREAS it is recommended to execution an agreement with K&H Energy Services, Inc to perform the desired improvements.

THEREFORE be it resolved that the Board of County Commissioners execute the agreement, for the SCADA Upgrades to the Olentangy Environmental Control Center with K&H Energy Services, Inc of Dublin, Ohio.

FURTHERMORE Let it be resolved that the Board of County Commissioner’s approve the following purchase order:

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\$12,700.00 from Org Key 66690302 - 5301 for the SCADA Upgrades to the Olentangy Environmental Control Center with K&H Energy Services, Inc of Dublin, Ohio.

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

RESOLUTION NO. 08-1311

**IN THE MATTER OF DECLARING AN EMERGENCY FOR THE REPAIR OF THE NORTH PLANT
EMERGENCY BACKUP GENERATOR AT THE OLENTANGY ENVIRONMENTAL CONTROL FACILITY
(OECC):**

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

WHEREAS the OECC utilizes a diesel generator which is used to supply power to the north plant during power outages; and

WHEREAS the cooling system on the OECC north plant diesel generator has failed, and

WHEREAS this repair needs to be made in a diligent and quick fashion, and

WHEREAS because of this failure, an auxiliary backup generator needs to be utilized to provide power in the event of a power outage, and

WHEREAS failure to not repair the generator would create an unnecessary burden on the citizens of the County and a threat to the water quality of the Olentangy River; and

WHEREAS County deems it necessary to take emergency action for the protection of the public health and the environment;

THEREFORE be it resolved that the Delaware County Board of Commissioners resolve to take emergency action to repair the generator

Furthermore be it resolved that the Board of Commissioners approve the following:

Supplemental Appropriations to 66611903-5450 for \$40,000.00

Supplemental Appropriations to 66611903-5335 for \$9,000.00

A purchase order to Ohio Cat from 66690302-5450 for \$ 45,056.52

A purchase order to Peterson Construction Co. from 66690302-5450 for \$1,600.00.

This action is to become effective immediately upon the execution of this resolution.

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

RESOLUTION NO. 08-1312

IN THE MATTER OF APPROVING THE 2009 HEALTH INSURANCE RENEWAL RATES FROM CEBCO:

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

WHEREAS, the County Employee Benefits Consortium of Ohio (CEBCO) calculated a 4% increase according to Delaware County’s claims utilization for the past 12 months, and

WHEREAS, due to this increase there are new/revised renewal 2009 rates for health insurance, and,

WHEREAS, rates will remain on a 24 pay per year schedule for calendar year 2009.

Further Be It Resolved, that the Commissioners accept CEBCO rates and approve the following rates for health insurance:

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Benefit	Employee Contribution Per Pay Rate	Employee Monthly Rate	Employer Distribution Monthly Rate	Total Monthly Rate	Monthly COBRA Rate
Medical Insurance (Prescription Plan is included)					
CEBCO – Anthem Blue Access (Delaware County Self-funded)					
Plan 1 - Single	\$13.06/pay	\$26.12/mth	\$508.00/mth	\$534.12/mth	\$544.81/mth
Plan 1 – Family	\$32.91/pay	\$65.82/mth	\$1264.00/mth	\$1296.91/mth	\$1322.85/mth
Plan 2 – Single	\$0.00/pay	\$0.00/mth	\$508.00/mth	\$508.00/mth	\$518.16/mth
Plan 2 - Family	\$0.00/pay	\$0.00/mth	\$1264.00/mth	\$1264.00/mth	\$1289.28/mth
Per Pay Rate is based on 24 pays per year					

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

RESOLUTION NO. 08-1313

IN THE MATTER OF ESTABLISHING A NEW ORGANIZATIONAL KEY FOR THE 2009 LEAP GRANT:

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

28631323 LEAP grant in the 2009

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

RESOLUTION NO. 08-1314

7:30 PM FINAL HEARING FOR THE BROOKVIEW WATERSHED DITCH PETITION PROJECT;
INCLUDING MAIN; WOODTOWN SOUTH LATERAL AND WOODTOWN NORTH LATERAL:

It was moved by Mr. Ward, seconded by Mr. Evans to open the hearing at 7:30PM.

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

RESOLUTION NO. 08-1315

IN THE MATTER OF APPROVING, FOR A SPECIFIC OCCURRENCE, A SUSPENSION OF RULE 3-
SPEAKER REGISTRATION; RULE 4-LIMITATIONS AND RULE 7-PUBLIC COMMENT PROCEDURE
FROM THE RULES GOVERNING PUBLIC COMMENT BEFORE THE BOARD OF COUNTY
COMMISSIONERS OF DELAWARE COUNTY, OHIO:

It was moved by Mr. Evans, seconded by Mr. Ward to approve, for a specific occurrence, a suspension of Rule 3-Speaker Registration; Rule 4-Limitations; Rule 7-Public Comment Procedure from the Rules Governing Public Comment Before The Board Of County Commissioners Of Delaware County, Ohio

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

RESOLUTION NO. 08-1316

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO ADDRESS THE BROOKVIEW WATERSHED
DITCH PETITION PROJECT:

It was moved by Mr. Ward, seconded by Mr. Evans to close the hearing at 8:55PM.

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

RESOLUTION NO. 08-1317

IN THE MATTER OF COMMISSIONERS FINDING AFFIRMING ORDER FOR THE BROOKVIEW
WATERSHED DITCH PETITION PROJECT:

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

Whereas, on July 9, 2004, a Ditch Petition For The Brookview Watershed Ditch Petition Project was filed with

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the Board of Commissioners of Delaware County (the "Board"); and

Whereas, the Board on November 1, 2004 with Resolution 04-1353 directed The Delaware County Engineer To Proceed With Preparation Of Plans, Reports, And Schedules For The Brookview Watershed Ditch Petition Project, and

Whereas, the Board on Monday the 3rd day of November 2008, held a final public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners; considering the schedules, plans, and reports filed by the County Engineer; and-considering the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, the Board is prepared to issue its findings on the proposed improvements.

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

The Board hereby finds that the proposed improvement is necessary and that it will be conducive to the public welfare. The Board also finds that it is reasonably certain that the cost of the proposed improvement will be less than the benefits. Accordingly, the Board hereby grants the prayer of the petition and approves the maps, profiles, plans, schedules and reports prepared by the Delaware County Engineer, and

This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

Vote on Motion	Mr. Evans	Aye	Mr. Jordan	Aye	Mr. Ward	Aye
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RESOLUTION NO. 08-1318

IN THE MATTER OF COMMISSIONERS CONFIRMING THE ASSESSMENTS; APPROVING THE PAYMENT SCHEDULE AND ORDERING THE LETTING OF THE CONTRACTS FOR THE BROOKVIEW WATERSHED DITCH PETITION PROJECT:

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

Whereas, the Board on Monday the 3rd day of November 2008, held a final public hearing and with resolution NO. 08-1317 found affirming order for The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners on the assessments for the improvement, the Board is prepared to issue its findings on the assessments.

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

The Board hereby approves The Brookview Watershed Ditch Petition Project assessments prepared by the Delaware County Engineer, and

FURTHER BE IT RESOLVED, That once the water shed is confirmed, the Delaware County Engineer's estimated assessments are hereby approved and confirmed, and the Engineer is ordered to receive bids for the construction of the improvement, and

FURTHER BE IT RESOLVED, The County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; and

FURTHER BE IT RESOLVED, That the County Engineer be and he is hereby directed to give at least two weeks public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, and

FURTHER BE IT RESOLVED, That the Board fixes the 15th day of January, 2009 as the date and time for the County Engineer to receive bids for the construction of the improvement, and all bids shall be received at the office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio, and

FURTHER BE IT RESOLVED, That county borrow funds to pay for the improvement, and that eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement, and that interest shall be charged on the installments

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at the same rate charged to the Commissioners for the borrowing of the money, if after the deadline for the landowners to pay their assessments upfront passes and the total remaining construction cost to be borrowed is less than \$10,000.00 then the County will up front the remaining cost of the Construction and Commissioners will no longer borrow the money.

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

SOUTH LATERAL CONTINGENT ON APPROVAL OF MAIN

RESOLUTION NO. 08-1319

IN THE MATTER OF COMMISSIONERS FINDING AFFIRMING ORDER FOR THE WOODTOWN SOUTH LATERAL OF THE BROOKVIEW WATERSHED DITCH PETITION PROJECT:

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

Whereas, on July 9, 2004, a Ditch Petition For The Brookview Watershed Ditch Petition Project was filed with the Board of Commissioners of Delaware County (the "Board"); and

Whereas, the Board on November 1, 2004 with Resolution 04-1353 directed The Delaware County Engineer To Proceed With Preparation Of Plans, Reports, And Schedules For The Brookview Watershed Ditch Petition Project, and

Whereas, the Board on Monday the 3rd day of November 2008, held a final public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Woodtown South Lateral Of The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners; considering the schedules, plans, and reports filed by the County Engineer; and-considering the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, the Board is prepared to issue its findings on the proposed improvements.

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

The Board hereby finds that the proposed improvement is necessary and that it will be conducive to the public welfare. The Board also finds that it is reasonably certain that the cost of the proposed improvement will be less than the benefits. Accordingly, the Board hereby grants the prayer of the petition and approves the maps, profiles, plans, schedules and reports prepared by the Delaware County Engineer, and

This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

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

RESOLUTION NO. 08-1320

IN THE MATTER OF COMMISSIONERS CONFIRMING THE ASSESSMENTS; APPROVING THE PAYMENT SCHEDULE AND ORDERING THE LETTING OF THE CONTRACTS FOR THE WOODTOWN SOUTH LATERAL OF THE BROOKVIEW WATERSHED DITCH PETITION PROJECT:

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

Whereas, the Board on Monday the 3rd day of November 2008, held a final public hearing and with resolution NO. 08-1319 found affirming order for The Woodtown South Lateral Of The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners on the assessments for the improvement, the Board is prepared to issue its findings on the assessments.

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

The Board hereby approves The Woodtown South Lateral of The Brookview Watershed Ditch Petition Project assessments prepared by the Delaware County Engineer, and

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FURTHER BE IT RESOLVED, That once the water shed is confirmed, the Delaware County Engineer's estimated assessments are hereby approved and confirmed, and the Engineer is ordered to receive bids for the construction of the improvement, and

FURTHER BE IT RESOLVED, The County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; and

FURTHER BE IT RESOLVED, That the County Engineer be and he is hereby directed to give at least two weeks public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, and

FURTHER BE IT RESOLVED, That the Board fixes the 15th day of January 2009 as the date and time for the County Engineer to receive bids for the construction of the improvement, and all bids shall be received at the office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio, and

FURTHER BE IT RESOLVED, That county borrow funds to pay for the improvement, and that eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement, and that interest shall be charged on the installments at the same rate charged to the Commissioners for the borrowing of the money, if after the deadline for the landowners to pay their assessments upfront passes and the total remaining construction cost to be borrowed is less than \$10,000.00 then the County will up front the remaining cost of the Construction and Commissioners will no longer borrow the money.

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

RESOLUTIONS FOR WOODTOWN NORTH LATERAL CONTINGENT ON APPROVAL OF MAIN

RESOLUTION NO. 08-1321

IN THE MATTER OF COMMISSIONERS FINDING AFFIRMING ORDER FOR THE WOODTOWN NORTH LATERAL OF THE BROOKVIEW WATERSHED DITCH PETITION PROJECT:

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

Whereas, on July 9, 2004, a Ditch Petition For The Brookview Watershed Ditch Petition Project was filed with the Board of Commissioners of Delaware County (the "Board"); and

Whereas, the Board on November 1, 2004 with Resolution 04-1353 directed The Delaware County Engineer To Proceed With Preparation Of Plans, Reports, And Schedules For The Brookview Watershed Ditch Petition Project, and

Whereas, the Board on Monday the 3rd day of November 2008, held a final public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Woodtown North Lateral Of The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners; considering the schedules, plans, and reports filed by the County Engineer; and-considering the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, the Board is prepared to issue its findings on the proposed improvements.

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

The Board hereby finds that the proposed improvement is necessary and that it will be conducive to the public welfare. The Board also finds that it is reasonably certain that the cost of the proposed improvement will be less than the benefits. Accordingly, the Board hereby grants the prayer of the petition and approves the maps, profiles, plans, schedules and reports prepared by the Delaware County Engineer, and

This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

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

RESOLUTION NO. 08-1322

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**IN THE MATTER OF COMMISSIONERS CONFIRMING THE ASSESSMENTS; APPROVING THE
PAYMENT SCHEDULE AND ORDERING THE LETTING OF THE CONTRACTS FOR THE WOODTOWN
NORTH LATERAL OF THE BROOKVIEW WATERSHED DITCH PETITION PROJECT:**

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

Whereas, the Board on Monday the 3RD day of November 2008, held a final public hearing and with resolution NO. 08-1321 found affirming order for The Woodtown North Lateral Of The Brookview Watershed Ditch Petition Project; and

Whereas, after hearing testimony from property owners on the assessments for the improvement, the Board is prepared to issue its findings on the assessments.

Therefore, Be It Resolved, by the Board of Commis sioners of Delaware County, Ohio as follows:

The Board hereby approves The Woodtown North Lateral of The Brookview Watershed Ditch Petition Project assessments prepared by the Delaware County Engineer, and

FURTHER BE IT RESOLVED, That once the water shed is confirmed, the Delaware County Engineer’s estimated assessments are hereby approved and confirmed, and the Engineer is ordered to receive bids for the construction of the improvement, and

FURTHER BE IT RESOLVED, The County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; and

FURTHER BE IT RESOLVED, That the County Engineer be and he is hereby directed to give at least two weeks public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, and

FURTHER BE IT RESOLVED, That the Board fixes the 15th day of January, 2009 as the date and time for the County Engineer to receive bids for the construction of the improvement , and all bids shall be received at the office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio, and

FURTHER BE IT RESOLVED, That county borrow funds to pay for the improvement, and that eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement, and that interest shall be charged on the installments at the same rate charged to the Commissioners for the borrowing of the money, if after the deadline for the landowners to pay their assessments upfront passes and the total remaining construction cost to be borrowed is less than \$10,000.00 then the County will up front the remaining cost of the Construction and Commissioners will no longer borrow the money.

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

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

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Letha George, Clerk to the Commissioners