

COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013

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

Present:
Ken O'Brien, President
Dennis Stapleton, Vice President
Gary Merrell, Commissioner

10:00 AM Public Hearing For The Rezoning Of 1.193 Acres From The Current Farm Residential District (FR-1) To Planned Commercial And Office District (PC), For The Purpose Of Expanding The Current Operations Of Displaying And Selling Manufactured Barns And Sheds And Also The Displaying And Selling Of Lawn Furniture For Future Operations On A 5.001 Acre Tract Identified As 8153 US 23 North, Parcel 61920001059001, Marlboro Township, Delaware County, Owned By Green Earth Farm Llc.

RESOLUTION NO. 13-98

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 28, 2013:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on January 28, 2013; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.12 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

RESOLUTION NO. 13-99

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM WORK SESSION HELD JANUARY 28, 2013:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in work session on January 28, 2013; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.12 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous work session.

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 13-100

IN THE MATTER OF APPOINTING DAWN HUSTON TO THE NEWLY CREATED POSITION OF ASSISTANT COUNTY ADMINISTRATOR/DIRECTOR OF ADMINISTRATIVE SERVICES:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

Whereas, with Resolution No. 12-1207 on November 29, 2012, the Board of Commissioners approved a modified job description for the position of Director of Administrative Services to reflect a higher level of duties and responsibilities; all of which are outlined in Exhibit "A" which is attached hereto; and

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

Whereas, the new position title is Assistant County Administrator/ Director of Administrative Services and includes serving as the Acting County Administrator in his absence,
; and

Whereas, the Board of Commissioners wish to officially appoint Dawn Huston to this position based on her background, experience, and her willingness to accept these expanded responsibilities; and

Whereas, the County Administrator recommends this action.

Therefore Be It Resolved, that the Board of Commissioners officially appoint Dawn Huston to the position of Assistant County Administrator/ Director of Administrative Services; effective February 2, 2013.

**Exhibit "A"
From November 29, 2012:
RESOLUTION NO. 12-1207**

IN THE MATTER OF APPROVING THE JOB DESCRIPTION FOR THE ASSISTANT COUNTY ADMINISTRATOR/DIRECTOR OF ADMINISTRATIVE SERVICES FOR THE ADMINISTRATIVE SERVICES DEPARTMENT AND THE COMMISSIONERS' OFFICE:

It was moved by Mr. Thompson, seconded by Mr. Stapleton to approve the following:

Whereas, the County Administrator recommends approving the job description for the Assistant County Administrator/Director of Administrative Services;

Therefore Be it Resolved, the Board of Commissioners approve the job description for the Assistant County Administrator/Director of Administrative Services for the Administrative Services Department and The Commissioners' Office:

**DELAWARE COUNTY
Board of Commissioners
Administrative Services Division**

TITLE: Assistant County Administrator / Director of Administrative Services

JOB OBJECTIVES: Individual assists the County Administrator with overseeing and directing the general operations of offices under the jurisdiction of the Board of Commissioners. Individual directs and manages the departments of Human Resources, Records Center, Dog Shelter, Safety, and Insurance and Risk Management. Individual oversees activities to include personnel, safety program compliance, insurance, risk management and workers compensation. Individual reports to the County Administrator.

ESSENTIAL JOB FUNCTIONS

- *Demonstrates a comprehensive and professional knowledge of public administration, government structure and process, employee relations; office practices and procedures and public relations;
- *Assists the County Administrator in implementation of administrative decisions of the Board; recommends policies and measures for Board consideration; assists in the administration, enforcement and execution of Board policies and resolutions; and acts in the place of the County Administrator in the Administrator's absence;
- *Assists the County Administrator in the supervision and direction of the activities of the divisions of County government under the jurisdiction or control of the Board of Commissioners;
- *Continues proficiency in subject area through professional continuing education;
- *Consistently demonstrates the ability to apply progressive management principles to plan and implement department goals and objectives;
- *Accurately projects requirements and control expenditures within budgeting guidelines; to define and solve problems; to collect data, establish facts, and draw valid conclusions using practical judgment and analytical skills;
- *Works independently, under pressure, to achieve goals and to create a supportive work environment that encourages self-motivation and team work amongst subordinates;
- *Instructs and counsels staff and clients to ensure departmental organization and maintenance of information and documentation, and to effectively plan independently and in collaboration with other staff units and outside agencies; and
- *Performs other duties as assigned by the supervisor.

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

NON-ESSENTIAL JOB FUNCTIONS:

Performs related Essential/Non-Essential functions as required.

JOB REQUIREMENTS AND DIFFICULTY OF WORK

- I. Equipment:** Ability to operate a variety of office equipment such as computer, copier, typewriter, telephone, calculator, FAX machine, VCR, and other equipment necessary to perform duties.

Critical Skills/Expertise:

- Thorough knowledge of related governmental policies and procedures, to include federal, state, and local laws, rules and regulations, including but not limited to, the Ohio Revised Code, Ohio Administrative Code, Administrative Procedure Manual, and legal processes and remedies;
- Thorough knowledge of office management, labor relations, public relations, safety and workers compensation management and records maintenance;
- Ability to apply management principles and supervisory skills to work situations, to direct, motivate and manage subordinate personnel, to plan and implement department goals and objectives, to develop and implement programs and projects, to delegate duties, to develop collaborative relationships and to initiate and recommend corrective action;
- Ability to communicate effectively, both orally and in writing;
- Effective public speaking skills;
- Ability to deal with many variables, define and solve problems, collect, analyze and interpret data, establish facts and determine specific action, evaluate and improve process and/or program efficiency / effectiveness;
- Ability to forecast requirements and control expenditures within budgeting guidelines;
- Ability to organize and maintain large volumes of information and paperwork;
- Ability to work effectively with clients who may be upset, distraught, irate, emotionally or mentally or otherwise unable to function within reasonable range of constructive behaviors;
- Knowledge and ability to resolve complaints from citizens and address public inquiries;
- Thorough knowledge of and ability to apply program policies and procedures to assist staff in their job performance;
- Thorough knowledge of government structure, operations, functions, practices and procedures; and
- Knowledge of strategic and long term planning, program planning and development, financial/budgetary planning/management and personnel management.

Job Standards: Bachelor's degree in business administration or related field along with a minimum of five (5) years administrative/managerial experience to include responsibility in assisting in the development and implementation of policies, programs, laws, rules and / or regulations combined with a minimum of three (3) years managing and leading subordinate personnel. Must possess a valid Ohio driver's license and an acceptable driving record. Must meet and maintain qualifications for driving on County business at all times.

The Assistant County Administrator / Director of Administrative Services is required to direct highly complex activities that are broad in scope with a number of major program responsibilities. Function generally requires the resolution of involved or controversial problems and decision-making within the scope of his/her authority.

II. RESPONSIBILITY

Individual assists the County Administrator with overseeing and directing the general operations of offices under the jurisdiction of the Board of Commissioners' and acts as the County Administrator in their absence. The individual is responsible for the management of the County's Human Resources, Records Center, Dog Shelter, Safety and Insurance and Risk Divisions including objectively evaluating program effectiveness and making necessary changes to meet County goals. Decisions and activities of this position have a direct and significant impact on the public and the management of Delaware County Government. Errors in judgment, inaction, diminished proficiency in governmental administration issues and solutions, and inattentiveness to County interests could be devastating to the County and the public. Decisions are made based upon laws, regulations and policies of the Board of Commissioners. Authority, unless established by

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

statute, is delegated by the Board of County Commissioners through the County Administrator.

III. PERSONAL WORK RELATIONSHIPS

The Director has daily and frequent contact with co-workers, public officials, employees from other public and private sector organizations, and the general public. The purpose of these contacts is to guide and direct, review and assure progress of work assigned, coordinate services, manage job development and referrals, and handle questions about the department, programs and client concerns. Individual must assure that the Board of Commissioners through the County Administrator, is fully aware of all matters affecting the department, actions of the department, and issues that impact upon the Board of Commissioners' capacity to oversee the department.

IV. PHYSICAL EFFORT AND WORK ENVIRONMENT

Physical

Requirements: Individual performs sedentary work, which may require the lifting of up twenty-five (25) pounds.

Physical Activity: The physical activity of the position is manual dexterity, talking, hearing, reaching, and walking.

Visual Activity: Individual performs work where the seeing job is close to the eyes and at or within arm's reach and also at varying distances.

Job Location: The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

RESOLUTION NO. 13-101

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0130, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0130:

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0130, memo transfers in batch numbers MTAPR0130 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Line Account	Line Amount
EMERGENCY MEDICAL SERVICES - MATERIAL AND SUPPLIES				
R1302478	BOUND TREE MEDICAL LLC	EMS MEDICAL SUPPLIES	10011303 - 5243	15,000.00
JOBS AND FAMILY SERVICES - SERVICES AND CHARGES				
R1302511	DELAWARE AREA CAREER CENTER	ABLE	22411601 - 5348	21,510.00

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

RESOLUTION NO. 13-102

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

The EMS Department is requesting that Michael Schuiling attend Training on "How to Write Effective Polices and Procedures" in Columbus, Ohio March 19, 2013; at the cost of \$220.00 (fund number 10011303).

The EMS Department is requesting that Eric Burgess attend Incident Command System 300/400 Training at the Delaware County EMA February 26-28, 2013; at no cost.

The EMS Department is requesting that Tim Davis attend Incident Command System 300/400 Training at the Delaware County EMA February 26-28, 2013; at no cost.

The 911 Communications Department is requesting that 1 Delcomm Employee attend a Domestic Violence Intervention Power-Phone Training at the Twinsburg Police academy; February 7, 2013; at the cost of \$209.00 (fund number 21411306).

The 911 Communications Department is requesting that 1 Delcomm Employee attend an Active Shooting Response Power-Phone Training at the Sugarcreek Police academy; March 19, 2013; at the cost of \$209.00 (fund number 21411306).

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

The 911 Communications Department is requesting that 1 Delcomm Employee attend an Active Shooter Public Safety Group Training in Dublin, Ohio April 4, 2013; at the cost of \$169.00 (fund number 21411306).

The Commissioners' Office and Administrative Services Department is requesting that Teri Morgan attend one day of the Ohio Public Employees Labor Relations Association Conference in Newark, Ohio February 5, 2013; at the cost of \$160.00 (fund number 10011139).

Vote on Motion Mr. Merrell Aye Mr. O'Brien Aye Mr. Stapleton Aye

RESOLUTION NO. 13-104

IN THE MATTER OF TABLING PROPOSED RESOLUTION NO. 13-103 [ACCEPTING THE UPDATE OF THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) POLICY AND PROCEDURES MANUAL (PPM)] TO MONDAY FEBRUARY 4, 2013:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to Table proposed Resolution No. 13-103 [Accepting The Update Of The Community Housing Improvement Program (CHIP) Policy And Procedures Manual (PPM)] To Monday February 4, 2013.

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

RESOLUTION NO. 13-103

IN THE MATTER OF ACCEPTING THE UPDATE OF THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) POLICY AND PROCEDURES MANUAL (PPM):

It was moved by Mr. Stapleton, seconded by Mr. Merrell to authorize the application:

WHEREAS, Delaware County Board of Commissioners Resolution 12-985 authorized an agreement with the Ohio Regional Development Corporation (ORDC) to update the Delaware County CHIP PPM; and

WHEREAS, ORDC completed the PPM update; and

WHEREAS, in summary, the report, per federal and State of Ohio Development Services Agency (DSA) guidelines, provides policies and procedures for administration of federally funded housing programs under the jurisdiction of the Board of Commissioners in the following areas:

- I. Establishing Advisory Boards*
- II. Determining Income Eligibility*
- III. Contractor Selection and Construction*
- IV. Disbursement of Funds*
- V. Conflict Resolution*
- VI. Managing Program Income*
- VII. Land Acquisition and Relocation of Displaced Persons*
- VIII. Civil Rights*
- IX. Environmental Review*

WHEREAS, the Economic Development Director reviewed the update and recommends acceptance. The PPM will be submitted to DSA for review and compliance. Once approved by DSA, Delaware County can begin administering the Delaware Community Housing Improvement Program housing repair program funded by the CDBG Formula Allocation 2012 grant and Revolving Loan Fund; and

WHEREAS, a copy of the Delaware County Policy and Procedures Manual is on file in the Economic Development Department.

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 Delaware County Board of Commissioners approve the update of the Delaware County Community Housing Improvement Program Policy and Procedures Manual.

Section 2. That this Resolution shall take effect and be in force immediately.

Vote on Motion Mr. Stapleton Mr. O'Brien Mr. Merrell

RESOLUTION NO. 13-105

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

**IN THE MATTER OF RANKING PROFESSIONAL ARCHITECTURAL / ENGINEERING
CONSULTANT FIRMS FOR THE DELAWARE COUNTY FACILITIES NEEDS ASSESSMENT AND
PLAN:**

It was moved by Mr. O'Brien, seconded by Mr. Merrell to approve the following:

Whereas, the Delaware County Board of Commissioners received a total of seven Statements of Qualifications from professional design / engineering / consulting firms for the Delaware County facilities needs assessment study and ten year plan; and,

Whereas, a review committee short listed the top four firms they found to be the most qualified and conducted interviews with these firms; and,

Whereas, the Ohio Revised Code section 153.69 (A) requires the public authority to select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services; and,

Whereas, after conducting interviews the review committee recommends the top three most qualified firms be ranked 1 Management Partners/GBBN Architects, 2 Cannon Design, and 3 Schooley Caldwell Associates.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Delaware County hereby rank the following professional design firms for the Delaware County Delaware County facilities needs assessment study and ten year plan and per the Ohio Revised Code section 153.69 (B), enter into contract negotiations with the firm ranked most qualified to perform the required services:

- 1 Management Partners/GBBN Architects
- 2 Cannon Design
- 3 Schooley Caldwell Associates

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

RESOLUTION NO. 13-106

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

The Director of Administrative Services and the Dog Warden recommend hiring Brandon Lee Penny as an Assistant Dog Warden; effective February 4, 2013;

Therefore Be it Resolved, the Board of Commissioners approve hiring Brandon Lee Penny as an Assistant Dog Warden; effective February 4, 2013.

The Interim Director of 911 Communications recommends hiring Brandi Bernard as a Tele Communicator for 911 Communications; effective February 28, 2013;

Therefore Be It Resolved, that the Board of Commissioners approve hiring Brandi Bernard as a Tele Communicator for 911 Communications; effective February 28, 2013;

The Interim Director of 911 Communications recommends hiring Pamela Leone as a Tele Communicator for 911 Communications; effective February 28, 2013;

Therefore Be It Resolved, that the Board of Commissioners approve hiring Pamela Leone as a Tele Communicator for 911 Communications; effective February 28, 2013;

The Interim Director of 911 Communications recommends hiring Laura Russell as a Tele Communicator for 911 Communications; effective February 28, 2013;

Therefore Be It Resolved, that the Board of Commissioners approve hiring Laura Russell as a Tele Communicator for 911 Communications; effective February 28, 2013;

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

RESOLUTION NO. 13-107

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE EMPLOYEE
WELLNESS PROGRAM:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

Supplemental Appropriations

COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013

60211924-5215	Employee Wellness Program/Program Supplies	\$ 10,000.00
60211924-5342	Employee Wellness Program/Medical & Health Related Services	5,000.00

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Aye

RESOLUTION NO. 13-108

10:00AM PUBLIC HEARING FOR THE REZONING OF 1.193 ACRES FROM THE CURRENT FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED COMMERCIAL AND OFFICE DISTRICT (PC), FOR THE PURPOSE OF EXPANDING THE CURRENT OPERATIONS OF DISPLAYING AND SELLING MANUFACTURED BARNES AND SHEDS AND ALSO THE DISPLAYING AND SELLING OF LAWN FURNITURE FOR FUTURE OPERATIONS ON A 5.001 ACRE TRACT IDENTIFIED AS 8153 US 23 NORTH, PARCEL 61920001059001, MARLBORO TOWNSHIP, DELAWARE COUNTY, OWNED BY GREEN EARTH FARM LLC.:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to open the hearing at 10:05AM.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

RESOLUTION NO. 13-109

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. Stapleton, seconded by Mr. Merrell 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. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

RESOLUTION NO. 13-110

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR THE REZONING OF 1.193 ACRES FROM THE CURRENT FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED COMMERCIAL AND OFFICE DISTRICT (PC), FOR THE PURPOSE OF EXPANDING THE CURRENT OPERATIONS OF DISPLAYING AND SELLING MANUFACTURED BARNES AND SHEDS AND ALSO THE DISPLAYING AND SELLING OF LAWN FURNITURE FOR FUTURE OPERATIONS ON A 5.001 ACRE TRACT IDENTIFIED AS 8153 US 23 NORTH, PARCEL 61920001059001, MARLBORO TOWNSHIP, DELAWARE COUNTY, OWNED BY GREEN EARTH FARM LLC.:

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

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Aye

RESOLUTION NO. 13-111

IN THE MATTER OF GRANTING APPROVAL OF THE REZONING OF 1.193 ACRES FROM THE CURRENT FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED COMMERCIAL AND OFFICE DISTRICT (PC), FOR THE PURPOSE OF EXPANDING THE CURRENT OPERATIONS OF DISPLAYING AND SELLING MANUFACTURED BARNES AND SHEDS AND ALSO THE DISPLAYING AND SELLING OF LAWN FURNITURE FOR FUTURE OPERATIONS ON A 5.001 ACRE TRACT IDENTIFIED AS 8153 US 23 NORTH, PARCEL 61920001059001, MARLBORO TOWNSHIP, DELAWARE COUNTY, OWNED BY GREEN EARTH FARM LLC.:

It was moved by Mr. O'Brien, seconded by Mr. Merrell to adopt the following:

WHEREAS, the advertised hearing in this matter was held on January 31st, 2013, at 10:00am; and

WHEREAS, all parties were given an opportunity to express their views thereto; and

WHEREAS, the appropriate review, comment and recommendation by the Delaware County Regional Planning Commission was for approval; and

WHEREAS, the appropriate review, comment and recommendation by the Delaware County Rural Zoning Commission was for approval; and

WHEREAS, the following is a list of the exhibits for the zoning district file (available for review in the Delaware County Commissioners' Office until no longer of administrative value):

COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013

- ___A___ Notification Letter of Zoning Amendment
- ___B___ Procedure for a County Zoning District Change
- ___C___ Application
- ___D___ Development Plan
- ___E___ Aerial photograph(s)
- ___F___ Legal/Public Notice(s)
 - ___F.1___ Notice to surrounding property owners
 - ___F.2___ Published legal notices
- ___G___ Zoning District Map
- ___H___ Delaware County Regional Planning Commission Staff Recommendation and Meeting Minutes
- ___I___ Rural Zoning Commission Meeting Agenda(s)
- ___J___ Rural Zoning Commission Attendance Sheet(s)
- ___K___ Rural Zoning Commission Meeting Exhibits(s)
- ___L___ Rural Zoning Commission Meeting Minutes
- ___M___ Draft Resolution
- ___N___ Delaware County Board of Commissioners Meeting Agenda-setting date
- ___O___ Delaware County Board of Commissioners Meeting Minutes-setting date
- ___P___ Delaware County Board of Commissioners Resolution-setting date
- ___Q___ Published legal notice
- ___R___ Notice to applicant
- ___S___ Notice to township

EXHIBITS TO BE ADDED TO FILE FOLLOWING HEARING DECISION BY DELAWARE COUNTY BOARD OF COMMISSIONERS:

- ___T___ Delaware County Board of Commissioners Meeting Agenda(s)-hearing
- ___U___ Delaware County Board of Commissioners Attendance Sheet(s)
- ___V___ *Delaware County Board of Commissioners Resolution*
- ___W___ *Delaware County Board of Commissioners Meeting Minutes-hearing*

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

Section 1. The rezoning of 1.193 acres from the current Farm Residential District (FR-1) to Planned Commercial and Office District is hereby approved. This action results in 1.193 acres of the 5.001 acre tract, known as 8153 US Highway 23 North, Parcel No. 61920001059001, owned by Green Earth Farm, being zoned Planned Commercial and Office District (PC) to allow for the displaying and selling of manufactured barns and sheds and the displaying and selling of lawn furniture. This action, combined with the previous rezoning of 0.495 acres (2010), results in a total of 1.688 acres of the 5.001 acre tract, being zoned Planned Commercial and Office District (PC).

Section 2. This action is subject to referendum and shall become effective within thirty days after the date this Resolution is adopted, unless a valid zoning referendum petition is filed with this Board by that date.

Section 3. This action shall require a change to the official Marlboro Township zoning map in accordance with this Resolution. The Clerk shall send certified copies of this action to the Delaware County Regional Planning Commission and the Delaware County Code Compliance Office, and the Delaware County Zoning Inspector shall cause such changes to be made upon the effective date of this action.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013**

RESOLUTION NO. 13-112

IN THE MATTER OF DECLINING TO EXERCISE A RIGHT OF FIRST REFUSAL WITH RESPECT TO THE PROPERTY LOCATED AT 106 STOVER DRIVE:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

WHEREAS, on November 10, 2011, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 11-1311, granting the property located at 106 Stover Drive (the "Property") to the Delaware County Board of Developmental Disabilities ("DCBDD") and entering into a Transfer Agreement setting forth the terms and conditions of the transfer; and

WHEREAS, Article 5 of the Transfer Agreement grants to the Board a right of first refusal on any subsequent sale of the Property; and

WHEREAS, DCBDD has received an offer to purchase the Property from Michael Berichon (the "Offeror") and provided notice to the Board of the offer, in accordance with Article 5 of the Transfer Agreement; and

WHEREAS, pursuant to Article 5 of the Transfer Agreement, the Board may decline to exercise the right of refusal by affirmative rejection, whereby DCBDD may proceed with the sale;

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

Section 1. The Board hereby declines to exercise its right of first refusal on the sale of the Property with respect to the pending offer from the Offeror to DCBDD for which the Board has been provided notice. This affirmative rejection shall apply to the pending offer, as well as any counteroffers to purchase the Property made by the Offeror or made by DCBDD in response thereto.

Section 2. The Board hereby authorizes the President of the Board to execute an affidavit or other acknowledgment that may be recorded to memorialize the action taken in this Resolution.

Section 3. The Clerk of the Board is hereby directed to deliver a copy of this Resolution to the Superintendent of DCBDD.

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

-No Reports Today

Commissioner Stapleton

**-Will Be Attending MORPC Meetings And Serving On Ohio Council Of Elected Officials;
-CCAO Meeting;
-Legislative Bills For New General Assembly**

Commissioner O'Brien

-Regional Planning Meeting Tonight; Last Month No Quorum

RESOLUTION NO. 13-113

IN THE MATTER OF ADJOURNING INTO EXECUTIVE FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to adjourn into Executive Session at 10:25AM.

Vote on Motion Mr. Merrell Aye Mr. O'Brien Aye Mr. Stapleton Aye

RESOLUTION NO. 13-114

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to adjourn out of Executive Session at 11:25AM.

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

There being no further business, the meeting adjourned.

COMMISSIONERS JOURNAL NO. 58 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 31, 2013

Gary Merrell

Ken O'Brien

Dennis Stapleton

Jennifer Walraven, Clerk to the Commissioners