

Barrett Brothers T1710854EA

Commissioners Journal # 88 Page 125

May 7, 2018

Subject: Bills – Approved – Madison County

After reviewing each of the purchase orders, then and nows, and vouchers listed above, Mr. Hunter moved to approve all purchase orders and allow payment of all then and nows and vouchers.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Appropriation – Approved – Sheriff

Mr. Hunter moved per the request of Jim Sabin, Sheriff, to approve the appropriation per unappropriated funds for the following:

Appropriate: 9-1-1 Equipment (2042-S100-5-0070) in the amount of \$150,000.00.



Madison County Sheriff

James P. Sabin
Post Office Box 558
London, Ohio 43140

Emergency 911 Non-Emergency 740-452-1212 Business 740-442-4392 FAX 740-442-2115

May 7, 2018
Madison County Commissioners

I am requesting an increase in the 9-1-1 equipment line, from available funds. This is due to the unanticipated replacement of the primary system.

Increase:
2042-S100-50670 9-1-1 Equipment \$ 150,000.00

Please contact me with any questions.

Respectfully Submitted,

Sheriff James P. Sabin

Approved:
David Dhume

Mark Forrest

David Hunter

Dated: May 7, 2018

MADISON COUNTY
COMMISSIONERS
2018 MAY -7 AM 8:35

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Appropriation – Approved – Water Treatment Plant & Wellfield

Mr. Hunter moved to approve the appropriation per unappropriated funds for the following:

Appropriate: Water Treatment Plant & Wellfield (2054-P300-5-0046) in the amount of \$107,361.75.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Increase PO Funding – Approved – Water Treatment Plant & Wellfield

Mr. Hunter moved to increase the PO funding for the following:

Increase: Water Treatment Plant & Wellfield (2054-P300-5-0046) PO #1647 in the amount of \$107,361.75.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Decrease PO Funding – Approved – Commissioners Other

Mr. Hunter moved to approve the decrease of PO funding for the following:

Decrease: Commissioners Other (1000-A01A-5-0046) PO # 1549 in the amount of \$20,000.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Budget Revision – Approved – CIO Other

Mr. Hunter moved to approve the budget revision for the following:

Decrease: Commissioners Other (1000-A01A-5-0046) in the amount of \$725.00.

Increase: CIO Other (1000-A06G-5-0046) in the amount of \$725.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Budget Revision – Approved – Commissioners Advertising

Mr. Hunter moved to approve the budget revision for the following:

Decrease: Commissioners Other (1000-A01A-5-0046) in the amount of \$178.00.

Increase: Commissioners Advertising (1000-A01A-5-0041) in the amount of \$178.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Barrett Brantner 11710846A

Subject: Budget Revision – Approved – Sublease & Rentals

Mr. Hunter moved to approve the budget revision for the following:

Decrease: Commissioners Other (1000-A01A-5-0046) in the amount of \$1,510.00.

Increase: Sublease & Rentals (1000-A15A-5-0512) in the amount of \$1,510.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Increase PO Funding – Approved – Sublease & Rentals

Mr. Hunter moved to approve the increase of PO funding for the following:

Increase: Sublease & Rentals (1000-A15A-5-0512) PO # 1589 in the amount of \$1,031.48.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Transfer – Approved – Park Board

Mr. Hunter moved to approve the transfer for the following:

Transfer from: Commissioners Other (1000-A01A-5-0046) in the amount of \$750.00.

Transfer to: Park Board Other Receipts (7125-000-4-0300) in the amount of \$750.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Appropriation – Approved – Park District Other

Mr. Hunter moved to approve the appropriation per unappropriated funds for the following:

Appropriate: Park Board Other (7125-T892-5-0046) in the amount of \$750.00.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Proposal – Approved – Qwest Associates

Mr. Hunter moved to approve the proposal from Qwest Associates, in the amount of \$26,110.00.

MADISON COUNTY
COMMISSIONERS
Qwest Associates MAY - 7 AM 9:48

January 31, 2018 PROPOSAL #08691

Rob Slone
Madison Engineers Office
825 US 42 NB
London, Ohio 43140
Ph: 614-334-8457
rslone@qwestassociates.com

RE: Madison County Court House (ADA Hand Rail)

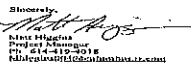
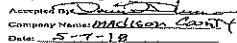
We appreciate the opportunity to provide this proposal for the construction services at the referenced project, in accordance with the scope of work outlined below.

SCOPE OF WORK:

- Material and labor to fabricate, paint and install 278 linear feet of 1.992-line pipe hand rail with 3/8 mounting plates with 4 spread anchors each post. 120. Single line rail mounted to wall on inside ramps.
- Equipment, truck hire, cleanup and trash removal.

We will have included the services listed above for the total amount of Twenty-six thousand one hundred ten dollars 00/100 (\$26,110.00)

Deduct \$5,073.00 for NO guardrail on east ramp / building side

Sincerely,  Accepted by 
Rob Slone
Project Manager
Ph: 614-334-8457
rslone@qwestassociates.com

Company Name: Madison County
Date: 5-7-18

2575 US RT 42 S.W LONDON, OHIO 43140

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Statement of Cash from Revenue and Expense

Fund	Description	Beginning Balance	From: 1/1/2018 to 4/30/2018		Unexpended Balance	Encumbrance YTD	Ending Balance	Message
			Net Revenue YTD	Net Expense YTD				
7305	AGENCY APPLICATION FEE	\$5,280.85	\$3,663.79	\$2,108.29	\$7,022.35	\$0.00	\$7,022.35	
7310	AGENCY AD. ELEC. COMM	\$0.00	\$180.00	\$0.00	\$180.00	\$0.00	\$180.00	
7315	AGENCY UNCL. MONEY	\$22,347.28	\$8,691.19	\$425.00	\$24,053.47	\$0.00	\$24,053.47	
7320	AGENCY AUTO REGISTRATION	\$12,162.29	\$72,349.14	\$78,663.65	\$5,847.88	\$0.00	\$5,847.88	
7321	AGENCY CORP. INV. PERMISSIVE TX	\$4,683.83	\$31,249.22	\$34,657.27	\$1,091.78	\$0.00	\$1,091.78	
7325	AGENCY GENERAL TAX	\$2,511,492.68	\$28,282,891.39	\$28,905,128.13	\$99,058.24	\$0.00	\$99,058.24	
7326	AGENCY ESTATE TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
7327	AGENCY OHIO HOUSING TRUST FUND	\$53,111.85	\$19,436.40	\$80,655.40	\$21,692.85	\$99,853.13	(\$78,260.78)	
7328	AGENCY PERS. PROPERTY	\$1,850.83	\$228.12	\$228.12	\$1,850.83	\$0.00	\$1,850.83	
7329	AGENCY MOBILE HOME TAX	\$12,342.87	\$66,668.42	\$65,355.60	\$13,513.69	\$0.00	\$13,513.69	
7330	AGENCY CIGARETTE TAX	\$70.84	\$760.00	\$0.00	\$830.84	\$0.00	\$830.84	
7331	AGENCY LOCAL GOVT.	\$65,347.01	\$658,082.19	\$665,037.37	\$68,391.83	\$0.00	\$68,391.83	
7332	AGENCY TWP. GAS CENTRAL	\$0.00	\$396,891.32	\$396,891.32	\$0.00	\$0.00	\$0.00	
7333	AGENCY L. GOVT. REVENUE ASST	\$16,550.35	\$0.00	\$0.00	\$16,550.35	\$0.00	\$16,550.35	
7334	AGENCY LAW LIBRARY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
7340	CLERK OF COURTS COLLECTIONS	\$0.00	\$25.00	\$25.00	\$0.00	\$0.00	\$0.00	
8000	AGENCY PROJECT PASS GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
8005	FED. CHAPTER FLOW THRU GRANTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
PR00	AGENCY PAYROLL CLEARING	\$492,840.32	\$16,504.16	\$51,892.87	\$428,815.51	\$0.00	\$428,815.51	
Grand Total:		\$25,869,881.11	\$47,045,263.19	\$46,515,883.32	\$27,199,260.98	\$10,582,249.57	\$16,617,011.41	

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Bureau Number: 177108064

Subject: Contract - Approved - Engineer

Mr. Forrest moved per the request of Bryan Dhume, Engineer, to approve the contract between Darby Creek Excavating and Madison County Commissioners to provide work, labor, and materials, according with the contract below.

CONTRACT

MADISON COUNTY COMMISSIONERS

THE MADISON COUNTY OFF-PAYING PROGRAM #1-7 15 9-30

WORK, LABOR, AND MATERIALS

THIS AGREEMENT, made and entered into this 7th day of May, 2018, by and between the Board of Madison County Commissioners of Madison County, Ohio hereinafter designated as "First Party" and Darby Creek Excavating, Inc., 1514 London Road, Coshocton, Ohio 43801, hereinafter designated as "Second Party".

WITNESSETH, THAT SAID "Second Party", for and in consideration of the sum of One Hundred Sixty Thousand, Two hundred and sixteen Dollars and Zero Cents (\$160,000.00) to be paid to hereinafter specified, hereby agrees to furnish and install "First Party" all the necessary materials, and for all the work and labor required for the erecting of various needs at Madison Lake by Madison Township with lot and explicit consent to execute with the execution of the proposed, plans, drawings, and specifications are hereby declared to be a part of this contract. All prices will be charged and paid as required in the final bill for it.

SAID "Second Party" further agrees to furnish and install and to do the said work and labor generally, in a good substantial and workmanlike manner, under the direction of the Madison County Engineer in charge, without hindrance or delay in any particular, in case of work or soil improvement, and to work in harmony with and to render such assistance in other branches of work as their connection therewith and the program of the improvement may require. The work to be completed to the satisfaction and acceptance of said "First Party" on or before the 1st day of August, 2018.

AND SAID "First Party", for and in consideration of the true and lawful purchase of said work and labor and furnishings of said materials as aforesaid, hereby agrees to pay unto the said "Second Party" the sum of One Hundred Sixty Thousand, Two hundred and sixteen Dollars and Zero Cents (\$160,000.00) upon the certificate of acceptance of the Madison County Engineer and as provided by law.

IN WITNESS WHEREOF, the parties hereto have signed their hands and seals at London, Ohio this 7th day of May, 2018.

Signed in the presence of
Katie Wagoner
Katie Wagoner

BOARD OF MADISON COUNTY COMMISSIONERS
 "First Party"

Bryan Dhume
OSD
MH Hunter

APPROVED
Bryan Dhume
 Madison County Engineer

Signed in the presence of

DARBY CREEK EXCAVATING INC.
 "Second Party"

William J. Per
 BY KEVIN SPURDUE PRESIDENT

AUDITOR'S CERTIFICATE

I, Jennifer S. Hunter, the duly elected, qualified and acting Auditor of Madison County, Ohio, do hereby certify that the amount of money required to perform the above contract in the current fiscal year has been lawfully appropriated for such purpose and is in the treasury of this County or in the process of collection to the credit of the appropriate fund and free from any previous encumbrance.

Date: _____ County Auditor

CERTIFICATION OF LEGALITY

I, Stephen L. Probst, the duly elected, qualified and acting Prosecuting Attorney of Madison County, Ohio, do hereby approve this Agreement as to form.

Date: _____ County Prosecutor

Following a second from Mr. Hunter the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Resolution – Approved – Transportation Improvement District (TID)

Mr. Forrest moved, pursuant to ORC 5540, to approve the TID resolution for Madison County.

Pursuant to Ohio Revised Code §5540. The Board of County Commissioners of Madison County hereby creates the Madison County Transportation Improvement District which is authorized by Ohio Revised Code §5540 to finance, construct, maintain, repair and operate street, highway and other transportation projects. This district shall include all of Madison County, Ohio. Further, the Board of County Commissioners of Madison County, hereby resolves that the Transportation Improvement District shall be governed by a board as enumerated in ORC §5540.02(c)(2)

Following a second from Mr. Hunter the result of the roll call was: Mrs. Donna Landis, yes, Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Resolution – Approved – Executive Session

Mr. Forrest moved to enter into executive session at 8:47 a.m. to discuss legal matters.

Following a second from Mr. Hunter the result of the roll call was: Mrs. Donna Landis, yes, Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Resolution – Approved – Executive Session

Mr. Forrest moved to exit out of executive session at 9:06 a.m. No action was taken.

Following a second from Mr. Hunter the result of the roll call was: Mrs. Donna Landis, yes, Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Banner Booklet T171034EA

Subject: Annexation – Approved – Village of West Jefferson

Mr. Hunter moved to approve the expedited Type II petition for annexation (Section 709.23) to the Village of West Jefferson of 498.70 acres, more or less from Deer Creek Township.

Petition

*EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023) 12
TO THE VILLAGE OF WEST JEFFERSON OF 498.70 ACRES, MORE OR LESS, MAY 9-16
FROM DEER CREEK TOWNSHIP*

MADISON COUNTY COMMISSIONERS

TO THE BOARD OF COUNTY COMMISSIONERS
OF MADISON COUNTY, OHIO

The undersigned, petitioners in the premises, and being THE SOLE OWNERS OF REAL ESTATE in the territory described, consisting of 498.70 acres, more or less, with a total perimeter boundary of 29,170 feet, more or less, in the Township of Deer Creek, which area is contiguous along 8,104 feet, or 28% is contiguous to the Village of West Jefferson, do hereby pray that said territory be annexed to the Village of West Jefferson, according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioners state that there are within the territory so prayed to be annexed two (2) OWNERS OF REAL ESTATE.

Thomas L. Hart, whose address is Isaac Wiles Burtholder & Teator LLC, Two Miranova Place, Ste. 700, Columbus, Ohio 43215, is hereby appointed agent for the undersigned Petitioner, as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Madison County Engineer in his examination of an amended plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
<i>Linda R. Schaefer, Trustee</i> Linda R. Schaefer, Trustee of the Paul J. Flucke Trust	2079 Huffman Rd. Centerburg, OH 43011	<u>3/27/18</u>

Clara B. Flucke Trustee 2879 Huffman Rd. 3/27/18
Clara B. Flucke, Trustee of the Centerburg, OH 43011
Clara B. Flucke Trust

EXHIBITS

- Exhibit A= Legal Description
- Exhibit B= Plat Map
- Exhibit C= Adjacent Parcel Owner List

430476 1: 1021 0001

Barnet Brothers T171084EA

Legal Description

LEGAL DESCRIPTION

Containing 498.70 ACRES +/- TO BE ANNEXED FROM DEER CREEK TOWNSHIP TO THE VILLAGE OF WEST JEFFERSON

Situated in the State of Ohio, County of Madison, Township of Deer Creek, being in Virginia, Military Survey Numbers 6447, 7829, 8524, 9490, 11052, 12492, 12142, 12153, 12384, 12386, and 12387 and being all of that 189.073 acre tract, PID Number 05-00592.002 and 244.392 acre tract, PID Number 05-00126.000 as conveyed to Linda R. Schaefer, Trustee of record in Official Record 319, pg. 1974 and all of that 20.969 acre tract, PID Number 05-00502.033 and 34.357 acre tract, PID 05-00502.000 as conveyed to Clara B. J. Packer of record in Official Record 233 page 2141 (all deed references refer to the records of the Recorder's office, Madison County Ohio) and described as follows:

Beginning at the Northeastly corner of said 244.392 acre tract, at the Northwestly corner of that 297.398 acre tract, PID Number 16-00926.000, as conveyed to Linda R. Schaefer Trustee, in the Southeastly United access right of way line of Interstate 70 and an angle point in the existing Village of West Jefferson Corporation line of record in Official Record 323, page 870;

Thence, with said existing Village of West Jefferson Corporation line the following courses:

S 5°-08'-20" E with the Westsly line of said 297.398 acre tract, a distance of 3878.72 feet to a corner thereof;

S 85°-29'-58" E, with the Southsly line of said 297.398 acre tract, a distance of 3659.78 feet to the corner thereof, in the centerline Byrd Road and the existing Village of West Jefferson Corporation line of record, in Official record 241 page 2880;

Thence, S 22°-02'-40" W, with said centerline and said Village of West Jefferson Corporation line, a distance of 555.87 feet to the Northly corner of that 1.01 acre tract, as conveyed to Theresa A. Bushanna, PID Number 05-0166.000;

Thence, N 70°-16'-18" W, partially with the Northly line of said 1.01 acre tract, and partially with the Northly line of that 4.37 acre tract, as conveyed to Rickle E. North, PID Number 05-00231.001, and partially with the Northly line of that 29.97 acre tract of land, as conveyed to Certified Real Estate, PID Number 05-00063.000, a distance of 1522.37 feet to a corner of said 29.97 acre tract;

Thence, S 87°-42'-15" W, continuing with the Northly line of said 29.97 acre tract, a distance of 191.63 feet to a corner thereof;

Thence, S 60°-43'-24" W, with the Westsly line of said 29.97 acre tract, a distance of 1486.37 feet, to a point in the centerline of US Route 40;

Thence, S 60°-23'-00" W, with said centerline, a distance of 5357.41, to the Southeastly corner of that 40.81 acre tract, as conveyed to Robert M. Higgins, PID Number 05-00252.000;

Thence, N 14°-33'-37" W, with the Easterly line of said 40.81 acre tract, a distance of 1462.15 feet to the Southeastly corner of a 4.774 acre tract, as conveyed to Robert W. Higgins, PID Number 05-00252.004;

Thence, N 14°-05'-51" W, partially with the Easterly line of said 4.774 acre tract and partially with the Easterly line of that 4.993 acre tract, as conveyed to Robert M. Higgins, PID Number 05-00252.002, a distance of 968.84 feet to Southwestly corner of a 0.843 acre tract, as conveyed to Hew PAR, PID Number 05-00501.000;

Thence, with the perimeter of said 0.843 acre tract the following courses:

N 43°-27'-35" E, a distance of 199.76 feet to a corner thereof;

N 14°-04'-15" W, a distance of 226.62 feet to a point in the centerline of US Route 42;

Thence N 42°-52'-12" E, with said centerline a distance of 3851.53 feet to the Northeastly corner of that 3.280 acre tract, as conveyed to EAC, LLC, PID Number 05-00502.001;



169206 Deer Creek Township - Village of West Jefferson Legal
deso.docx
2/19/2018



These, with the perimeter of said 3.369 acre tract the following courses:

S 47° 41' 43" E, a distance of 339.61 feet to a corner thereof;

N 41° 51' 33" E, a distance of 659.74 feet to a point in the Southerly line of a 4.310 acre tract, and conveyed to Total Quality Inc., PFD Number 05-00463.000;

N 74° 52' 42" E, a distance of 472.50 feet to a point in the Westerly line of a 32.600 acre tract, as conveyed to the Board of Madison County Cemetery Trustees, PFD Number 05-00337.000;

These, partially with the perimeter of said 32.600 acre tract and partially with the perimeter of a 2.075 acre tract, as conveyed to the Board of Madison County Cemetery Trustees, PFD Number 05-00307.001 the following courses:

S 15° 05' 28" E, a distance of 492.77 feet to a corner thereof;

S 14° 59' 42" E, a distance of 618.54 feet to a corner thereof;

N 71° 50' 42" E, a distance of 877.13 to a corner thereof;

N 82° 58' 50" E, a distance of 232.16 to a corner thereof;

N 14° 50' 54" W, a distance of 1338.74 to a point in the Southerly line of a 13.54 acre tract, as conveyed to Franziska Busch Interstate Co. McDonald's Youngs MSMT, PFD Number 05-00158.000;

These, with the perimeter of said 13.54 acre tract, the following courses:

N 75° 05' 13" E, a distance of 107.94 feet to a corner thereof;

N 16° 30' 52" W, a distance of 927.55 feet to a point in said existing Southwesterly Easement access right of way line;


These, with said Southwesterly existing Easement access, right of way, the following courses:

N 85° 17' 02" E, a distance of 153.53 feet to a point;

N 79° 41' 04" E, a distance of 229.19 feet to a point, the true point of beginning and containing 418.70 acres of land, more or less.

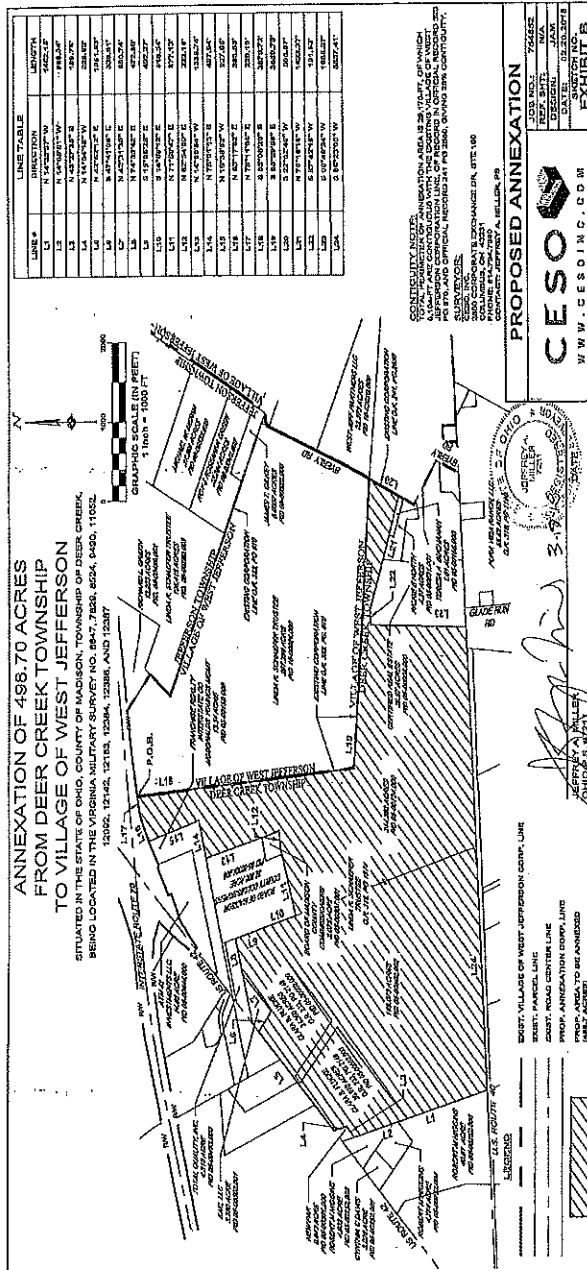
This acreage description is a general description of the location of the property to be assessed, prepared from records only and is not a boundary survey as defined in O.A.C. Chapter 4733.34, and is not for deed transfer purposes.

The above acreage description contains a total perimeter of 28,110 feet, of which 8,104 feet is contiguous with the existing Village of West Jefferson Corporation Line, creating 20% overlap.


 CESO, Inc.
 JEFFREY A. FALLEN
 7211
 Register of Deeds
 3-19-18
 Date: 06/06/2018
 3-19

Barnett Brothers T171084EA

Plat Map



Property Owners

EXHIBIT C - ADJACENT PARCEL OWNERS

(Annexation of 498.70 acres)

- 1. Parcel No. 05-00307.000
825 US 42
Board of Madison County Commissioners
1 N. Main St.
London, OH 43140
- 2. Parcel No. 05-00444.000
935 US 42
ATM 42 Investments LLC
P O Box 1474
Pataskala, OH 43062
- 3. Parcel No. 05-00483.000
819 US 42
Total Quality Inc.
P O Box 39
Grove City, OH 43123
- 4. Parcel No. 05-00502.001
776 US 42
E A C L LLC
114 Dorchester Sq.
Westerville, OH 43081
- 5. Parcel No. 05-00252.002
US 42
Robert M. & Lisa A. Higgins
8420 Van Wagner Rd.
Mt. Sterling, OH 43143
- 6. Parcel No. 05-00501.000
501 US 42
New Par DBA Air Touch Cellular
c/o Verizon Wireless Network
Real Estate Dept.
180 Washington Valley Rd.
Bedminster, NJ 07921-7028

Barnett Brothers T170862EA

7. Parcel No. 05-00252.001
Cynthia C. Davis
383 US Rte. 43 NE
London, OH 43140
8. Parcel No. 05-00252.004
Parcel No. 05-00252.000
US 42
Robert M. & Lisa L. Higgins
8420 Van Wagner Rd.
Mt. Sterling, OH 43143
9. Parcel No. 05-00166.000
Teresa A. Buchanan, Trustee
200 Byerly Road
London, OH 43140
10. Parcel No. 05-00231.001
Rickie E. North
160 Byerly Road
London, OH 43140
11. Parcel No. 05-00008.000
3880 US 40
Certified Real Estate Inc.
949 King Ave.
Columbus, OH 43212
12. Parcel No. 10-02020.009
Walker Way
West Jeff Partners LLC
Two Miranova Place, Ste. 700
Columbus, OH 43215
13. Parcel No. 05-00312.002
US 40
Pura Vida Ranch LLC
2079 Huffman Road
Centerburg, OH 43011
14. Parcel No. 05-00150.000
915 US 42
Franchise Realty Interstate Co.

McDonalds Youngs Mngt
034-0346
P O Box 182571
Columbus, OH 43218

15. Parcel No. 05-00312.001
15 Glade Run SE Rd
Resaca Land Holdings LLC
8331 Vogelsburg Rd
Plain City, OH 43064

16. Parcel No. 05-00325.000
3915 U.S. 40
Marty L. Hivick, Trustee
4213 N. Bank Road
Millersport, OH 43046

17. Parcel No. 05-00124.001
Parcel No. 05-00123.000
2701 US 40
Floyd Farms LLC
1374 Round Hill Drive
Hamilton, OH 45013

18. Parcel No. 05-00057.000
3185 US 40
William E. & Nancy Robinson
80 Garfield Avenue
London, OH 43140

Burner Brothers T171004EA

Village of West Jefferson's Resolution

RECORD OF RESOLUTIONS

MADISON COUNTY COMMISSIONERS

RESOLUTIONS - DAYTON, OHIO

Form 881

Resolution No. 18-031 Passed APR 30 PM 2:43 4/27/18 2018

I certify that this is a true and exact copy of the original document. On 4/27/18 By [Signature] Clerk of Council

RESOLUTION 18-031, SETTING FORTH A STATEMENT OF MUNICIPAL SERVICES THE VILLAGE OF WEST JEFFERSON WILL PROVIDE TO THE 498.70 +/- ACRES OF LAND, LOCATED IN DEER CREEK TOWNSHIP, AND PROPOSED TO BE ANNEXED TO THE VILLAGE OF WEST JEFFERSON VIA AN EXPEDITED TYPE-II ANNEXATION PURSUANT TO R.C. 709.023; AND THE BUFFER REQUIREMENTS THE VILLAGE OF WEST JEFFERSON WILL ENFORCE AS PROVIDED BY R.C. 709.023(C)

Whereas, on April 12, 2018 a petition was filed with the Board of County Commissioners of Madison County, Ohio, for the annexation of 498.70 +/- acres of territory in Deer Creek Township to the Village of West Jefferson, which petition was signed by 100% of the property owners of the territory sought to be annexed; and

Whereas, said territory is adjacent to the Village of West Jefferson, and no street or highway will be divided or segmented by the boundary line between Deer Creek Township and the Village of West Jefferson, if the territory is so annexed; and

Whereas, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, adopt a statement of services setting forth what services it will provide the territory upon its annexation and an approximate date by which it will provide such services, which ordinance or resolution must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

Whereas, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, require buffers separating any new uses in the annexed territory that the Village Council determines are clearly incompatible with the uses permitted under current township or county zoning regulations in the adjacent land remaining within the township from which the territory was annexed; and

Whereas, the Village of West Jefferson supports the proposed annexation and will provide the services set forth in this Resolution to the territory proposed for annexation, upon its annexation to the Village.

Now Therefore, be It Resolved by the Council of the Village of West Jefferson, County of Madison, State of Ohio, With a Majority of Duty Elected Members Therefore Concurring as Follows:

SECTION 1: The following services will be available and provided by the Village of West Jefferson to the territory proposed for annexation once the Village's resolution or ordinance accepting the annexation becomes final as provided by law; provided, the owners and/or their designee(s) are responsible, at their sole expense, for any and all connection(s) to the Village's water main and/or sanitary sewer main, as set forth below. Said services will be provided by the Village of West Jefferson on the terms and conditions, and shall be subject to the rates, rules and regulations, established by Village ordinances, to the same extent as such are provided to other territory and properties located within the Village of West Jefferson:

- a. Sanitary Sewer Service and Potable Water Service: to the annexed territory, provided the Village is not obligated to and shall not construct or cause to be constructed any extensions and/or connections to the existing public sanitary sewer main and/or public water lines, or any hydrants within the annexed territory. All such extensions/connections, etc. shall be installed pursuant to plans and specifications approved by the Village Engineer in accordance with the Village's usual and customary requirements.

Burrell Brothers TTY: 684-6464

Subject: Annexation – Approved – Village of West Jefferson

Mr. Hunter moved to approve the expedited Type II petition for annexation (Section 709.23) to the Village of West Jefferson of 28.912 acres, more or less from Jefferson Township.

Petition

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE VILLAGE OF WEST JEFFERSON OF 28.912 ACRES, MORE OR LESS
FROM JEFFERSON TOWNSHIP

MADISON COUNTY COMMISSIONERS
MAY 7 2018 AM 9:45

TO THE BOARD OF COUNTY COMMISSIONERS
OF MADISON COUNTY, OHIO

The undersigned, petitioner in the premises, and being THE SOLE OWNER OF REAL ESTATE in the territory described, consisting of 28.912 acres, more or less, with a total perimeter boundary of 8269 feet, more or less, in the Township of Jefferson, which area is contiguous along 2540 feet, or 31% is contiguous to the Village of West Jefferson, do hereby pray that said territory be annexed to the Village of West Jefferson, according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioner states that there is within the territory so prayed to be annexed ONE (1) OWNER OF REAL ESTATE.

Thomas L. Hart, whose address is Isaac Wiles Burkholder & Teetor LLC, Two Miranova Place, Ste. 700, Columbus, Ohio 43215, is hereby appointed agent for the undersigned Petitioner, as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Madison County Engineer in his examination of an amended plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
Linda R. Schaefer, Trustee Linda R. Schaefer, Trustee of the Paul J. Flucke Trust	2879 Huffman Rd. Centerburg, OH 43011	3/27/18

EXHIBITS

Exhibit A= Legal Description

Exhibit B= Plat Map

Exhibit C= Adjacent Parcel Owner List

4-01711-1001 0201

Barrett Boehm T171084EA

Legal Description

LEGAL DESCRIPTION

Containing 28.912 ACRES 4/- TO BE ANNEXED FROM JEFFERSON TOWNSHIP TO THE VILLAGE OF WEST JEFFERSON

Situated in the State of Ohio, County of Madison Township of Jefferson Village, Military Survey number 6912 and 10369 and being all of that 27.415 acre tract as conveyed to Linda R. Scheffer Trustee Parcel Identification Number (PIN) 08-00616.00 of record in OR 219 Pg. 158 (and being a portion of that 147,793 acre tract as conveyed to Target Corporation Parcel Identification Number (PIN) 08-00178.001 of record in OR 147 Pg. 1463. All dead references refer to the record of the Recorder's office Madison County Ohio, and described as follows:

Beginning at the northwest corner of said 27.415 acre tract, the southeast corner of a 106.415 acre tract as conveyed to Linda R. Scheffer Trustee Parcel Identification Number 08-00220.009, to the center line of Byady Road;

Thence South 26° 28' 11" West, with said centerline a distance of 218.51 feet, to the southeast corner of the 0.768 acre tract as conveyed to the Village of West Jefferson Parcel Identification Number 10-00070.006, the northwest corner of said Target Corporation tract;

Thence South 62° 52' 41" East with the southerly line of said 0.768 acre tract a distance of 50.00 feet to a point in the westerly right of way line of said Byady Road and the existing Village of West Jefferson Corporation line of record in OR 122 Pg. 149;

Thence with said westerly right of way line and said existing corporation line the following courses:

South 26° 28' 11" West a distance of 1914.63 feet to angle point in said line;

North 64° 35' 26" West a distance of 143.24 feet to an angle point in said line;

South 19° 42' 40" West a distance of 113.30 feet to a point in the southerly line of said 147,793 acre tract and the southerly existing Village of West Jefferson Corporation line of record in OR 241 Pg. 2850;

Thence North 63° 25' 11" West with said southerly line and said existing Village of West Jefferson Corporation line a distance of 30.22 feet to the northwest corner of said 147,793 acre tract at a point in the centerline of said Byady Road also being the existing Village of West Jefferson Corporation line of record in OR 223 Pg. 8702;

Thence with the centerline of said Byady Road the following courses:

North 19° 42' 40" East with the westerly line of said 147,793 acre tract and said corporation line a distance of 162.80 feet to a point in the southerly line of that 5.097 acre tract as conveyed to James T. Bixby Parcel Identification Number 08-00322.000;

South 64° 35' 26" East leaving said corporation line, with said southerly line and said centerline a distance of 145.90 feet to the southeast corner of said 5.097 acre tract;

North 26° 28' 11" East a distance of 1406.79 feet to the northeast corner of that 27,360 acre tract as conveyed to Michael W. Mena Parcel Identification Number 08-00383.000;

Thence, North 64° 35' 26" West with the northerly line of said 27,360 Acrea tract, a distance of 1706.42 feet, to the southwest corner of said Mena tract, in the easterly line of said 106.415 acre tract;

Thence, with the perimeter of said 106.415 acre tract, the following courses;

North 25° 28' 40" East, a distance of 697.41 feet to a corner thereof;

South 64° 35' 26" East, a distance of 1718.23 feet to the point of beginning and containing 28.912 acres of land, more or less.

This annexation description is a general description of the location of the property to be annexed, prepared from records only and is not a boundary survey as defined in O.A.C. Chapter 4733.34, and is not for deed transfer purposes. The above annexation description contains a total perimeter of 8,269 feet of which, 2,540 feet is contiguous with the existing Village of West Jefferson Corporation line creating 31% continuity.



CESO Inc. Jeffrey A. Miller 3-16-18 03/06/2018 Jefferson, Madison County, Ohio Registered Survey No. 7211



100205 Legal Desc 28.912 decr.docx 3/6/2018

Property Owners

EXHIBIT C – ADJACENT PARCEL OWNERS

(Annexation of 28.912 acres)

1. Parcel No. 08-00533.000
770 Byerly Road
Michael W. Merna
150 Byerly Road
London, OH 43140
2. Parcel No. 08-00343.000
720 Byerly Road
Roy L. Green & Roseanna Dell Green, Trustees
935 Olmstead Road
West Jefferson, OH 43162
3. Parcel No. 10-02020.003
US 40
Unlock Ohio Inc.
12560 Sheets Road
Rittman, OH 44270
4. Parcel No. 10-02020.006
Walker Way
Village of West Jefferson Ohio
28 E. Main Street
West Jefferson, OH 43162
5. Parcel No. 10-02020.001
One Walker Way
Target Corp
P O Box 9456 JT-3804
Minneapolis, MN 55440
6. Parcel No. 08-00322.000
James T. Gilkey
670 Byerly Road
London, OH 43140

4194321.1 | 10021 00001

Village of West Jefferson's Resolution

RECORD OF RESOLUTIONS

MADISON COUNTY COMMISSIONERS

MARKET STREET, DAYTON, OHIO

Page 1231

Resolution No. 18-030 Passed APR 30 PM 2:43 2018

I certify that this is a true and exact copy of the original document. On 5/30/18 By [Signature] Clerk of Council

RESOLUTION 18-030, SETTING FORTH A STATEMENT OF MUNICIPAL SERVICES THE VILLAGE OF WEST JEFFERSON WILL PROVIDE TO THE 28.912 +/- ACRES OF LAND, LOCATED IN JEFFERSON TOWNSHIP, AND PROPOSED TO BE ANNEXED TO THE VILLAGE OF WEST JEFFERSON VIA AN EXPEDITED TYPE-II ANNEXATION PURSUANT TO R.C. 709.023; AND THE BUFFER REQUIREMENTS THE VILLAGE OF WEST JEFFERSON WILL ENFORCE AS PROVIDED BY R.C. 709.023(C)

WHEREAS, on April 12, 2018 a petition was filed with the Board of County Commissioners of Madison County, Ohio, for the annexation of 28.912 +/- acres of territory in Jefferson Township to the Village of West Jefferson, which petition was signed by 100% of the property owners of the territory sought to be annexed; and

WHEREAS, said territory is adjacent to the Village of West Jefferson, and no street or highway will be divided or segmented by the boundary line between Jefferson Township and the Village of West Jefferson, if the territory is so annexed; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, adopt a statement of services setting forth what services it will provide the territory upon its annexation and an approximate date by which it will provide such services, which ordinance or resolution must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation, by ordinance or resolution, require buffers separating any new uses in the annexed territory that the Village Council determines are clearly incompatible with the uses permitted under current township or county zoning regulations in the adjacent land remaining within the township from which the territory was annexed; and

WHEREAS, the Village of West Jefferson supports the proposed annexation and will provide the services set forth in this Resolution to the territory proposed for annexation, upon its annexation to the Village.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WEST JEFFERSON, COUNTY OF MADISON, STATE OF OHIO, WITH A MAJORITY OF DULY ELECTED MEMBERS THEREFORE CONCURRING AS FOLLOWS:

SECTION I: The following services will be available and provided by the Village of West Jefferson to the territory proposed for annexation once the Village's resolution or ordinance accepting the annexation becomes final as provided by law; provided, the owners and/or their designee(s) are responsible, at their sole expense, for any and all connection(s) to the Village's water main and/or sanitary sewer main, as set forth below. Said services will be provided by the Village of West Jefferson on the terms and conditions, and shall be subject to the rates, rules and regulations, established by Village ordinances, to the same extent as such are provided to other territory and properties located within the Village of West Jefferson:

- a. Sanitary Sewer Service and Potable Water Services to the annexed, provided the Village is not obligated to and shall not construct or cause to be constructed any extensions and/or connections to the existing public sanitary sewer main and/or public water lines, or any hydrants within the annexed territory. All such extensions/connections, etc, shall be installed pursuant to plans and specifications approved by the Village Engineer in accordance with the Village's usual and customary requirements.

Barcode Barcode T17108464

RECORD OF RESOLUTIONS.

MADISON COUNTY - DAYTON, OHIO Form 453

Resolution No. 18-030 Passed 4-16, 2018

approved by the Village Engineer in accordance with the Village's usual and customary requirements.

- b. Police Services
- c. Road/Street Maintenance; Ice and Snow Removal: for publicly dedicated streets and roadways within the village.
- d. Storm Water Utility Maintenance
- e. Zoning
- f. All other public services and utilities, to the same extent and under the same conditions as such services and/or utilities are provided to all other citizens and properties within the Village

SECTION II: If the territory is annexed and becomes subject to the Village of West Jefferson zoning, and the Village's zoning permits uses in the annexed territory that the Village determines are clearly incompatible with the uses permitted under Madison County and/or Jefferson Township zoning regulations, in effect at the time of the filing of the petition, in the adjacent land remaining within Jefferson Township, the Village Council will require, in the zoning ordinance permitting the incompatible uses, that the owner(s) of the annexed territory provide a buffer separating the use of the annexed territory and the adjacent land remaining within Jefferson Township. "Buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, and bicycle and pedestrian paths and sidewalks.

SECTION III: The Clerk of the Village Council of West Jefferson is hereby directed to immediately forward and file a certified copy of this Resolution to the Board of County Commissioners of Madison County, Ohio (and in no manner later than May 4, 2018).

SECTION IV: This resolution shall take effect at the earliest period of time allowed by law.

Passed this 16th day of April, 2018

Signature of Steven Johnston, President of Council

Date received by Mayor 4-16-18 Date Approved by Mayor 4-16-18

ATTEST: Signature of Jack R. Hentel, Clerk of Council

Signature of Ray A. Martin, Mayor

Sections Vetted:

Approved as to Form:

J. Michael Murray Director of Law Date Ray A. Martin, Mayor Date Vetted

Following a second from Mr. Dhume the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, was not present for the vote.

Subject: W.E. Roberts Ditch # 117B Continuation of First Hearing

The continuation of the W.E. Roberts Ditch # 117B first hearing took place on Monday May 7, 2018 at 11:00 a.m.

Those Present

MADISON COUNTY COMMISSIONERS
W.E. Roberts Ditch # 117B
Continuation of First Hearing
May 7, 2018 - 11:00 a.m.

- 1. Jeffrey A. Kennedy
- 2. Bob Scott
- 3. Kim HARBSE
- 4. Tom Costello
- 5. Ken Koppa
- 6. Bryan Dhume
- 7. Rob Stone
- 8. Phil Hunt
- 9. James Dume
- 10. D.B. St
- 11. Steve Reme
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____
- 21. _____
- 22. _____
- 23. _____

Subject: W.E. Roberts Ditch # 117B Assessment Phase – Approved – Engineer

Mr. Hunter moved per the request of Bryan Dhume, Engineer, to approve the assessment phase for the W.E. Roberts Ditch #117B in accordance with information that will be provided from The Ohio Department of Transportation (ODOT).

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: W.E. Roberts Ditch # 117B Final Hearing Scheduled – Approved – Engineer

Mr. Hunter moved to approve the final hearing for the W.E. Roberts Ditch # 117 B. is scheduled for Tuesday August 7, 2018.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Publication – Approved – Engineer

Mr. Hunter moved per the request of Bryan Dhume, Engineer, to approve the publication for the notice of public hearing concerning a levy of an annual license tax upon the operation of motor vehicles on the public roads and highways of Madison County. These public hearings are scheduled to take place on Tuesday May 29, 2018 and Tuesday June 5, 2018.

NOTICE OF PUBLIC HEARINGS CONCERNING TO ALLOW A LEVY OF AN ANNUAL
LICENSE TAX UPON THE OPERATION OF MOTOR VEHICLES ON THE PUBLIC ROADS
AND HIGHWAYS IN MADISON COUNTY
O.R.C. 4504.24

The Board of Commissioners of Madison County hereby gives notice that it shall conduct two public hearings concerning whether or not the Board shall adopt a levy for an annual license tax upon the operation of motor vehicles on the public roads and highways in Madison county. The tax is at the rate of five dollars per motor vehicle registered in the County.

The date of the first public hearing is Tuesday May 29, 2018 at 11:00 a.m. and the date of the second public hearing is Tuesday June 5, 2018 at 11:00 a.m. The location of both hearings shall be at the Madison County Commissioners Office, 1 North Main Street, London, Ohio.

Following a second from Mr. Forrest the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

Subject: Floor Plan - Approved - Courthouse

Mr. Forrest moved to approve the floor plan for the Courthouse basement.

MADISON COUNTY COMMISSIONERS
2018 MAY -7 AM 9:54

DESIGN NETWORK
Discover, Design, Deliver
www.designnetwork.com
10000 W. Main Street, Suite 100, Columbus, OH 43240
614.444.4444

REVISIONS
DATE
DESIGNER
PROJECT MANAGER

FLOOR PLAN

Following a second from Mr. Hunter the result of the roll call was: Mr. Dhume, yes, Mr. Hunter, yes, and Mr. Forrest, yes.

David Dhume
David Dhume

David Hunter
David Hunter

Mark Forrest
Mark Forrest

ATTEST: *Katie Anderson*