

COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
 MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000

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

Present: James Ward, Deborah Martin, Donald Wuertz

8:00 AM – Duncan Whitney, County Prosecutor

10:30 AM – Tour of Treatment Plant-Cancelled

1:30 PM – Viewing of Chadwick Ditch -Heston

**RESOLUTION NO. 00-933**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PERSONNEL MATTERS AND LAND ACQUISITIONS AT 8:30:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to adjourn into Executive Session.

Vote on Motion            Mr. Ward            Aye    Mrs. Martin            Aye    Mr. Wuertz            Aye

**RESOLUTION NO. 00-934**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION AT 8:52 AM:**

It was moved by Mr. Wuertz, seconded by Mr. Ward to adjourn out of Executive Session:

Vote on Motion            Mrs. Martin            Aye    Mr. Wuertz            Aye    Mr. Ward            Aye

**RESOLUTION NO. 00-935**

**IN THE MATTER OF APPROVING RESOLUTIONS AND MINUTES FROM REGULAR MEETINGS HELD NOVEMBER 6, 2000:**

It was moved by Mr. Wuertz, seconded by Mr. Ward to dispense with the reading of the minutes and resolutions of the regular meeting held November 6, 2000, and to approve resolutions and minutes as submitted.

Vote on Motion            Mr. Wuertz            Aye    Mr. Ward            Aye    Mrs. Martin            Aye

**PUBLIC COMMENT - None**

**Presentation – Jayne Vandenburg, Schooley Caldwell – Furniture Carnegie Library**

**RESOLUTION NO. 00-936**

**IN THE MATTER OF APPROVING FOR PAYMENT WARRANTS NUMBERED 287383 THROUGH 287750:**

It was moved by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve for payment warrants 287383 through 287750 on file in the office of the Delaware County Commissioners.

Vote on Motion            Mr. Ward            Aye    Mrs. Martin            Aye    Mr. Wuertz            Aye

**RESOLUTION NO. 00-937**

**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

Department of Job and Family Services are requesting that Elizabeth Tallent attend the Quarterly Fraud Control Meeting at Findlay, Ohio on November 30, 2000, in the amount of \$10.00.

Sanitary Engineer is requesting that Tom Compton attend the PLC Fundamentals and Troubleshooting Seminar at Columbus on December 12 through December 13, 2000, in the amount of \$649.00.

Auditor is requesting that Shari Baker and David Yost attend the Auditor Conference at Columbus on December 5 through December 7, 2000, in the amount of \$350.00.

Economic Development is requesting that Tim Boland attend the Center for Business and Industry Seminar at Wilmington, Ohio on November 28, 2000, at no cost.

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

County Engineer is requesting that Dick Burnett, Scott Pike and Clyde Seidle attend the Troubled Waters Conference at Columbus on November 29, 2000, in the amount of \$75.00.

Vote on Motion                Mrs. Martin            Aye        Mr. Wuertz            Aye        Mr. Ward            Aye

**RESOLUTION NO. 00-938**

**IN THE MATTER OF APPROVING THE TREASURER’S REPORT:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the Treasurer’s Report.

Vote on Motion                Mr. Wuertz            Aye        Mr. Ward            aye        Mrs. Martin            Aye

**RESOLUTION NO. 00-939**

**IN THE MATTER OF CONGRATULATING G. W. BURGER, RICHARD HIGGINS AND PHILLIP SCHULTZ UPON RECEIVING THE EAGLE SCOUT AWARD:**

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

- Whereas,                G. W. Burger, Richard Higgins and Phillip Schultz have been a member of Boy Scout Troop #85
  - Whereas,                G. W. Burger, Richard Higgins and Phillip Schultz have met all the requirements and been approved by the National Council of Boy Scouts to receive the Eagle Scout Award, and
  - Whereas,                The Board of Commissioners of Delaware County wishes to express congratulations to G. W. Burger, Richard Higgins and Phillip Schultz on earning the Eagle Scout Award.
- Now Be It Resolved, That the Board of County Commissioners of Delaware County hereby officially congratulates G. W. Burger, Richard Higgins and Phillip Schultz on attaining Scouting’s highest rank - the Eagle Scout Award. Your diligence and hard work have earned you the distinction of being an Eagle Scout. You join company with a select group of individuals who are recognized as outstanding in all that Scouting represents, and

Be It Further Resolved: That the Clerk of the Board of Commissioners shall cause this Resolution to be spread upon the Board’s Official Journal.

Vote on Motion                Mr. Ward            Aye        Mrs. Martin            Aye        Mr. Wuertz            Aye

**RESOLUTION NO. 00-940**

**IN THE MATTER OF DECLARING THE WEEK OF NOVEMBER 12 - 18 GEOGRAPHY AWARENESS WEEK AND NOVEMBER 15, 2000, NATIONAL GEOGRAPHIC INFORMATION SYSTEM DAY:**

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

- WHEREAS, Geography Awareness Week is November 12-18; and
  - WHEREAS, National Geographic Information System (GIS) Day is November 15, 2000; and
  - WHEREAS, Geography Awareness Week promotes geographic literacy in schools; and
  - WHEREAS, GIS is an important part of geography awareness; and
  - WHEREAS, the County of Delaware, Ohio is committed to expanding GIS to the schools and general public in order to showcase real-world applications with GIS.
- NOW, THEREFORE BE IT RESOLVED, The Delaware County Commissioners, State of Ohio do hereby proclaim November 15, 2000, as NATIONAL GIS DAY and urge all citizens to participate in GIS Day activities.
- FURTHER BE IT RESOLVED, the Clerk of the Board of Commissioners shall cause this Resolution to be spread upon the Board’s Official Journal.

Vote on Motion                Mrs. Martin            Aye        Mr. Wuertz            Aye        Mr. Ward            Aye

**RESOLUTION NO. 00-941**

**IN THE MATTER OF APPROVING TRANSFER OF FUNDS, APPROPRIATIONS, AND SUPPLEMENTAL APPROPRIATIONS:**

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

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

**SUPPLEMENTAL APPROPRIATIONS**

FUND NUMBER:	FUND NAME:	AMOUNT:
003-4550-040	JFS/Admin - Equipment	\$ 9,000.00

**TRANSFER OF APPROPRIATION**

FROM:	TO:	AMOUNT:
020-2010-047 MRDD – Transfers	020-2040-030 MRDD - Grants	\$ 15,000.00

Vote on Motion            Mr. Wuertz    Aye    Mr. Ward    Aye    Mrs. Martin    Aye

**RESOLUTION NO. 00-942**

**IN THE MATTER OF APPROVING THE DITCH MAINTENANCE PETITION AND PLAT FOR SCIOTO RESERVE, SECTION 1, PHASE 3 AND PLAN FOR HIGH PARK CENTER SUBDIVISION:**

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

**Scioto Reserve, Section 1, Phase 3 – Ditch Maintenance Petition**

We the undersigned owners of 5.754 acres in Concord Township, Delaware County, Ohio propose to create a subdivision known as Scioto Reserve, Section 1, Phase 3 as evidenced by the subdivision plant (Exhibit “A” which is available at the County Engineer’s Office). This plat has been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider’s agreement Exhibit “B” available at the County Engineer’s Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit “C” (available at the County Engineer’s Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement.

We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Scioto Reserve, Section 1, Phase 3 subdivision.

The cost of the drainage improvements is \$34,059.53 and a detailed cost estimate is available at the County Engineer’s office in Exhibit “D”. The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. Eleven lots are created in this plat and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$3,096.32 per lot. An annual maintenance fee equal to 2% of this basis \$61.93 will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$681.19 has been paid to Delaware County.

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

**Scioto Reserve, Section 1, Phase 3**

Situated in the State of Ohio, County of Delaware, Township of Concord, containing 1.313 Acres in Farm Lot 13 and 4.441 Acres in Farm Lot 14, being 5.754 Acres, More or Less, including 1.859 Acres of Right-Of-Way, out of the 29.215 Acre Tract conveyed to Rockford Homes, Inc. by deed of Record in Deed Volume 44, at Page 1438, Records of the Recorder’s Office, Delaware County, Ohio. Lot fee in the amount of \$39.00.

**High Park Center Subdivision**

Part of Farm Lot 13, Section 3, Township 3, Range 18, United States Military Lands, Orange Township, Delaware County, located at US 23/Columbus Pile and Powell Road (The Home Depot)

Vote on Motion            Mr. Ward    Aye    Mrs. Martin    Aye    Mr. Wuertz    Aye

**RESOLUTION NO. 00-943**

**IN THE MATTER OF ACCEPTING ROADS IN PIATT MEADOWS, SECTION 1, PHASE 2 AND**

COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000

**LIBERTY LAKES, SECTION 3:**

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

**Piatt Meadows, Section 1, Phase 2**

- An extension of 0.10 mile to **Township Road Number 904, Grathrine Court**
- **Wyse Court**, to be known as **Township Road Number 958**

We also request approval to return the Bond being held as maintenance surety to the developer, Dominion Homes.

**Liberty Lakes, Section 3**

- An extension of 0.10 mile to **Township Road Number 699, Manchester Drive**
- **Stoneham Drive**, to be known as **Township Road Number 959**
- **Waterbury Lane**, to be known as **Township Road Number 960**

We also request approval to return the Letter of Credit being held as maintenance surety to the developer, Boston Development Group.

Vote on Motion                      Mrs. Martin              Aye              Mr. Wuertz              Aye              Mr. Ward              Aye

**RESOLUTION NO. 00-944**

**IN THE MATTER OF AUTHORIZING STOP CONDITIONS IN PIATT MEADOWS, SECTION 1, PHASE 2 AND LIBERTY LAKES, SECTION 3:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to authorize the stop conditions:

**Piatt Meadows, Section 1, Phase 2**

- On Township Road Number 958, Wyse Court, at its intersection with Township Road Number 904, Grathrine Court

**Liberty Lakes, Section 3**

- On Township Road Number 959, Stoneham Drive, at its intersection with Township Road Number 699, Manchester Drive
- On township Road Number 959, Stoneham Drive, at its intersection with Township Road Number 960, Waterbury Lane

Vote on Motion                      Mr. Wuertz              Aye              Mr. Ward              Aye              Mrs. Martin              Aye

**RESOLUTION NO. 00-945**

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

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

<i>Permit #</i>	<i>Applicant</i>	<i>Location</i>	<i>Type of Work</i>
U000152	Columbia Gas	River Bend Avenue/Cave Creek Ct.	Install gas main
U000153	Columbia Gas	Scioto Reserve Section 1, Phase 3	Install gas main
U000154	Columbia Gas	Graphics Way	Install gas main
U000156	Columbus Southern Power	Kelly McMaster Road	Replace pole
U000157	Columbus Southern Power	Pittman Road	Replace pole
U000158	Columbus Southern Power	Walton Road	Reconductor existing pole line
U000159	General Telephone	Howard Road	Place telephone cable
U000160	General Telephone	N, 3B's & K Road	Place telephone cable
U000161	Columbus Southern Power	Short Cut Road	Replace rotten poles

Vote on Motion                      Mr. Ward              Aye              Mrs. Martin              Aye              Mr. Wuertz              Aye

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

**RESOLUTION NO. 00-946**

**IN THE MATTER OF APPROVING THE ESTIMATE AND PLANS FOR POLLOCK ROAD BRIDGE REPLACEMENT:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the following estimate and plans.

<b>Pollock Road Bridge Replacement</b>	Estimate	\$83,700.00				
Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Aye	Mr. Ward	Aye

**RESOLUTION 00-947**

**A THE MATTER OF AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH H&S CUSTOM RENOVATIONS & CONSTRUCTION FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE FY98 CDBG FORMULA PROGRAM OSTRANDER ADA PROJECT:**

It was moved by Mr. Wuertz, seconded by Mr. Ward to authorize the following:

WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program; and

WHEREAS, the removal of architectural barriers to facilitate access by handicapped individuals to public facilities is an eligible activity to be funded under the CDBG Formula Program; and

WHEREAS, funding, in the amount of Fifteen Thousand Dollars (\$15,000) has been provided to Delaware County through the FY98 CDBG Formula Program for the Ostrander ADA Project, which consists of upgrading the public restrooms and kitchen in the Ostrander Village Hall, located at 19 South Main Street in Ostrander, Ohio, and the construction of a handicap access ramp to facilitate access to said Hall, all in compliance with the requirements of the Americans with Disabilities Act (ADA); and

WHEREAS, H&S Custom Renovation & Construction, located at 113 East 10<sup>th</sup> Street, Marysville, Ohio has submitted the lowest and best bid for the construction of the Ostrander ADA Project, in the amount of \$13,500.00.

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. That the Delaware County Commissioners determine that on the basis of price and experience, that H&S Custom Renovation & Construction is the best entity to provide construction services for the Ostrander ADA Project.

Section 2. That the Board of Commissioners authorizes the President of the Board to execute an Agreement for Construction Services with H&S Custom Renovation & Construction for the FY98 CDBG Program in the amount of Thirteen Thousand Five Hundred Dollars (\$13,500).

Vote on Motion	Mr. Wuertz	Aye	Mr. Ward	Aye	Mrs. Martin	Aye
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**RESOLUTION NO. 00-948**

**IN THE MATTER OF APPROVING THE FY 2001 GENESIS CONTRACT FOR DELAWARE COUNTY AGENCIES:**

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

Whereas the Delaware County Department of Job and Family Services, and the Delaware County Juvenile Court, wish to purchase Genesis Foster Treatment services from the Central Ohio Mental Health Center, they enter into the following joint agreement.

**Service to be Provided**

The Genesis Network provides foster treatment services to youth from both Morrow and Delaware Counties.

**Delaware-Morrow Mental Health and Recovery Services Board Financial Support of the Genesis Program**

In FY '01 (July 1, 2000-June 30, 2001) the Delaware-Morrow Mental Health and Recovery Services Board will provide up to \$94,050 in funding to the Genesis Network in Delaware and Morrow Counties. The Center's contract with the Delaware-Morrow Mental Health and Recovery Services Board allows for payment of up to 4,380 client days during FY '01. The Delaware-Morrow Mental Health and Recovery Services Board's payment per youth per day shall be \$21.48.

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

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**Term of the Agreement**

This agreement shall be in effect from October 1, 2000 to June 30, 2001.

**Assignment of Costs and Method of Payment:**

The actual cost per youth per day to be charged for each youth in placement will be \$77.78 during the period between October 1, 2000 and June 30, 2001.

The Center will complete the needed documentation to determine a IV-E payment rate.

After the last day of each month, and prior to the 15<sup>th</sup> day of the following month, the Central Ohio Mental Health Center shall submit a statement to the party with financial responsibility (as outlined on the Genesis Fee Agreement form) detailing the cost of each youth in placement. This statement will reflect the cost/youth minus payment by the Delaware-Morrow Mental Health and Recovery Services Board (\$21.48/day). The net cost/day is \$56.30. If all Delaware-Morrow Mental Health and Recovery Services Board funds have been expended, the cost will be computed at the full rate (\$77.78/day). The Central Ohio Mental Health Center will notify the funding parties at least 30 days in advance of depletion of Delaware-Morrow Mental Health and Recovery Services Board funds. Upon receipt of this statement, the party with financial responsibility will pay the Central Ohio Mental Health Center within thirty (30) days.

**Computation of Placement Days**

Billing for each youth in placement shall reflect the first day of placement, but shall not include the last day of placement. Youths that are absent from their placement (e.g. hospitalized, absent without leave, in JDC, etc.) shall have their bed held for them for seven calendar days, six of which are billable days.

**Acceptance of Youth into Placement**

Before placement can be considered, the referring agency must complete required referral forms including the Genesis Fee Agreement (See Attachment A).

Only referrals which meet admission criteria will be considered for placement.

**Referring Agency Support Services**

Referring Agency agrees to:

- Provide pertinent medical, psychological, and behavioral information
- Communicate any concerns, unusual incidents, or behavioral problems in coordinating service,
- Provide a 24-hour emergency telephone number

Provide adequate clothing for placement by providing items included on the Clothing List

Authorize the Genesis Network to obtain necessary medical, dental, and optical care for the foster child (Advance approval will be required for any orthodontic work needed by the child)

**Discharge from Placement**

The Central Ohio Mental Health Center will notify the Referring Agency when the foster child no longer requires the level of care provided in the network or requires a higher level of care.

**Resolution of Disputes**

Be it understood that in the matter of policy difficulties, the Center and other parties will attempt to resolve disputes through negotiation. If this is unsuccessful, disputes shall be resolved through mediation.

Vote on Motion            Mr. Wuertz            Aye            Mr. Ward            Aye            Mrs. Martin            Aye

**RESOLUTION NO. 00-949**

**IN THE MATTER OF APPROVING CHANGE ORDERS WITH KOKOSING CONSTRUCTION COMPANY (S99-1A) FOR THE ALUM CREEK PUMP STATION AND CENTRAL MAINTENANCE FACILITY AND KIRK WILLIAMS COMPANY (S98-1D) ALUM CREEK WATER RECLAMATION FACILITY, PLUMBING WORK:**

It was moved by Mr. Wuertz, seconded by Mr. Ward to approve the Change Orders as follows:

**Kokosing Construction Company Inc.-Contract S99-1A**

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

Bid Proposal	\$ 7,488,000.00
Previous Increase	20,803.00
Increase	33,613.00
Decrease	4,466.00
Total Contract	\$ 7,537,950.00

**Kirk Williams Company – Contract S98-1D**

Bid Proposal	\$ 452,166.00
Increase	18,840.96
Decrease	517.00
Total Contract	\$ 470,489.96

Vote on Motion            Mr. Ward            Aye            Mrs. Martin            Aye            Mr. Wuertz            Aye

**RESOLUTION NO. 00-950**

**IN THE MATTER OF APPROVING THE SANITARY SEWER PLAN FOR GENOA TOWNSHIP FIRE DEPARTMENT PUMP STATION AND FORCE MAIN:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve sanitary sewer plan for Genoa Township Fire Department Pump Station and Force Main submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

Vote on Motion            Mrs. Martin            Aye            Mr. Wuertz            Aye            Mr. Ward            Aye

**RESOLUTION NO. 00-951**

**IN THE MATTER OF APPROVING SANITARY SUBDIVIDER’S AGREEMENT FOR ORANGE POINT COMMERCE PARK, ORANGE POINT DRIVE EXTENSION:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the following Sanitary Subdivider’s Agreement:

**Orange Point Commerce Park, Orange Point Drive Extension**

This agreement executed on this 30<sup>th</sup> day of November, 2000, by and between DUKE-WEEKS REALTY CORPORATION subdivider, as evidenced by the ORANGE POINT COMMERCE PARK, ORANGE POINT DRIVE EXTENSION and the BOARD OF COUNTY COMMISSIONERS of Delaware County, Ohio is governed by the following considerations and conditions, to wit:

Said SUBDIVIDER is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this AGREEMENT; said SUBDIVIDER is to execute Bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction (\$23,687.00) which is acceptable to the COUNTY COMMISSIONERS to insure faithful performance of this AGREEMENT and the completion of all improvements in accordance with the Subdivision Regulations of Delaware County, Ohio. The SUBDIVIDER shall pay the entire cost and expense of said improvements.

The SUBDIVIDER shall indemnify and save harmless the County, Townships and/or Villages and all of their officials, employees and agents for all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any action, or omissions of any contractor or sub-contractor or from any material, method or explosive used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one (1) year from the date of the approval of said SUBDIVIDER by THE COUNTY COMMISSIONERS but extension of time may be granted if approved by the COUNTY COMMISSIONERS.

The SUBDIVIDER shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading the plans and specifications and shall have authority to execute the plans and specifications and alterations required by the COUNTY. The representative shall be replaced by the Subdivider, when in the opinion of the COUNTY, his performance is deemed inadequate.

The SUBDIVIDER further agrees that any violations of or noncompliance with any of the provisions and stipulations of this AGREEMENT shall constitute a breach of contract, and the County shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the public improvements within this Subdivision.

SANITARY SEWER CONSTRUCTION

COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000

It is further agreed that upon execution of the Agreement, the SUBDIVIDER shall deposit, with the DELAWARE COUNTY SANITARY ENGINEER the sum of \$1,700.00 estimated to be necessary to pay the cost of inspection by the DELAWARE COUNTY SANITARY ENGINEER. The DELAWARE COUNTY SANITARY ENGINEER shall in his sole discretion inspect, as necessary, the IMPROVEMENTS being installed or constructed by the SUBDIVIDER and shall keep accurate records of the time spent by his employees and agents in such inspections for which the SANITARY ENGINEER shall be reimbursed from charges against said deposit. At such time as said fund, as result of charges against the same at the rate of:

INSPECTOR \$60.00  
CAMERA TRUCK \$150.00

per hour for time spent by said SANITARY ENGINEER or his staff has been depleted to a level of less than \$1,000.00, the SUBDIVIDER shall make an additional deposit of \$1,000.00 to said fund. On completion of all IMPROVEMENTS provided herein and acceptance of same by the COUNTY, any unused portions of the inspection fund shall be repaid to the SUBDIVIDER less an amount equal to \$0.50 per foot of sewer which will be deducted to cover the one year reinspection.

The SUBDIVIDER for a period of five (5) year after acceptance of the IMPROVEMENTS by the COUNTY, shall be responsible for defective materials and or workmanship. All warranties for equipment installed as part of the IMPROVEMENTS shall be the same as new equipment warranties and shall be assigned to the COUNTY upon acceptance of the IMPROVEMENTS.

The subdivider shall provide to the COUNTY all necessary easements or right of ways required to complete the IMPROVEMENTS all of which shall be obtained at the expense of the SUBDIVIDER.

The COUNTY shall upon certification in writing from the DELAWARE COUNTY SANITARY ENGINEER that all construction is complete according to the plans and specifications by Resolution accept the IMPROVEMENTS described herein and accept and assume operations and maintenance of the same.

ALL CONSTRUCTION UNDER COUNTY JURISDICTION

The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to DELAWARE COUNTY as required, as built drawings on the IMPROVEMENTS which plans shall become the property of the COUNTY and shall remain in the office of the DELAWARE COUNTY SANITARY ENGINEER and DELAWARE COUNTY ENGINEER. The drawings shall be on reproducible Mylar and 3.5@ or 5.25@ Diskettes in either Autocade DWG files or DXF files.

The SUBDIVIDER shall within thirty (30) days of completion of construction, furnish to the COUNTY an itemized statement showing the cost of IMPROVEMENTS and an affidavit that all material and labor costs have been paid. The SUBDIVIDER shall indemnify and hold harmless the COUNTY from expenses or claims for labor or materials incident to said construction of the IMPROVEMENTS.

The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to the DELAWARE COUNTY SANITARY ENGINEER a five (5) year maintenance Bond or other approved financial warranties, equal to ten percent (10%) of the construction cost.

The SUBDIVIDER shall during the construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the COUNTY regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The SUBDIVIDER shall obtain all other necessary utility services incident to the construction of said IMPROVEMENTS AND FOR THEIR CONTINUED OPERATION. The SUBDIVIDER shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the SUBDIVIDER and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the COUNTY.

Should the SUBDIVIDER become unable to carry out the provisions of this AGREEMENT, the SUBDIVIDER'S heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions, and requirements of this AGREEMENT.

IN CONSIDERATION WHEREOF, the DELAWARE COUNTY BOARD OF COMMISSIONERS hereby grants the SUBDIVIDER or his agent the right and privilege to make the IMPROVEMENTS stipulated herein and as shown on the approved plans.

Vote on Motion                      Mr. Wuertz              Aye              Mr. Ward              Aye              Mrs. Martin              Aye

**RESOLUTION NO. 00-952**

**IN THE MATTER OF APPROVING BID SPECIFICATIONS AND SETTING BID OPENING DATES AND TIMES FOR DIGITAL COPIERS AND THE SERVICES OF PAINTING VEHICLES:**

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

---

It was moved by Mr. Wuertz, seconded by Mr. Ward to approve specifications and set bid opening dates and times for **Monday, December 4, 2000, at 10:00 AM.** for the digital copiers and **Monday, December 4, 2000, 10:15 AM** for the services of painting vehicles when the County reassigns vehicles to other County Offices or Departments.

Vote on Motion            Mr. Ward            Aye    Mrs. Martin            Aye    Mr. Wuertz            Aye

**RESOLUTION NO. 00-953**

**IN THE MATTER OF SEEKING PROPOSALS FROM VENDORS TO PROVIDE VENDING MACHINE SERVICE FOR THE DELAWARE COUNTY OFFICES:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to receive proposals at the Delaware County Commissioners' Office, Attention: Mr. Jon Melvin, Facilities Supervisor, 101 North Sandusky Street, Delaware, Ohio 43015 until **12:00 noon on Monday, December 11, 2000.**

Vote on Motion            Mrs. Martin            Aye    Mr. Wuertz            Aye    Mr. Ward            Aye

**RESOLUTION 00-954**

**IN THE MATTER OF AWARDING A BID FOR THE PURCHASE OF TWO NEW MEDIC UNITS FOR THE EMERGENCY MEDICAL SERVICE FLEET:**

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

WHEREAS, the Board of County Commissioners desire to ensure continued emergency medical coverage for our citizens residing in Delaware County, and

WHEREAS, two additional Medical vehicles are required to ensure that a sufficient number of vehicles are maintained to provide eight active units daily, and

WHEREAS, the County conducted a review of the three submitted bid packages and of a representative vehicle from each of the bidders, and

WHEREAS, in accordance with the Ohio Revised Code, Delaware county has determined that the Braun bid proposal is the lowest and best bid at a cost of \$103,511.00 per unit and;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby awards the bid for two new Chief XL-III Ford E-450 Super Duty Medic vehicles to Braun Industries Inc.

BE IT FURTHER RESOLVED: That the Clerk of the Board of Commissioners shall cause this Resolution to be spread upon the Board's Official Journal.

Vote on Motion            Mr. Wuertz            Aye    Mr. Ward            Aye    Mrs. Martin            Aye

**RESOLUTION NO. 00-955**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

It was moved by Mr. Ward, seconded by Mr. Wuertz to approve the following:  
Sandy Maddox and Jefferson Moore have been promoted from Paramedic to Crew Chief; effective date is November 14, 2000.

April Melvin, Jason Jones and Jack Guyton have been promoted from part-time to full time Paramedics; effective date is November 15, 2000.

Mike Burnes, Stacey Montague, Joseph Farmer, Julie Shaner and Douglas Mohl have been hired as part-time Paramedics; effective date of hire is November 15, 2000.

Vote on Motion            Mr. Ward            Aye    Mrs. Martin            Aye    Mr. Wuertz            Aye

There being no further business, the meeting adjourned.

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Deborah Martin

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James D. Ward

**COMMISSIONERS JOURNAL NO. 41 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD NOVEMBER 13, 2000**

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Donald Wuertz

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Letha George, Clerk to the Commissioners