

COMMISSIONERS JOURNAL NO. 42 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 17, 2002

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

Present: Donald Wuertz, Deborah Martin, James Ward

7:00 PM Public Hearing of Annexation Petition for 308.858 Acres from Berlin Township to the City of Delaware
7:15 PM Public Hearing of Annexation Petition for 170.5 Acres from Trenton and Berkshire Townships to the Village of Sunbury
7:30 PM Public Hearing of Annexation Petition for 80.211 (99.76) Acres from Oxford Township to the Village of Ashley
7:45 PM Public Hearing of Annexation Petition for 101.535 (113.017) Acres from Oxford Township (Delaware County) And Westfield Township (Morrow County) to the Village of Ashley
8:00 PM Public Hearing of Annexation Petition for 3.914 Acres from Oxford Township to the Village of Ashley

PUBLIC COMMENT - None

RESOLUTION NO. 02-86

IN THE MATTER OF APPROVING RESOLUTIONS AND MINUTES FROM REGULAR MEETING HELD JANUARY 3, 2002:

It was moved by Mrs. Martin, seconded by Mr. Ward to dispense with the reading of the minutes and resolutions of the regular meeting held January 3, 2002 and to approve resolutions and minutes as submitted.

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

RESOLUTION NO. 02-87

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS NUMBERED 326846 THROUGH 327248:

It was moved by Mr. Ward, seconded by Mrs. Martin to approve for payment warrants numbered 326846 through 327247 and Purchase Orders and Vouchers as listed below:

<u>PO Number</u>	<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
2B11670	Delaware City Fire Dept	EMS Serv provided by City Fire Dept0260-2047	0260-2047	\$ 97,628.24
2B12605	Chris Pappert	Housing Rehab Fees	0079-2003	\$ 8,844.16
2B12547	Various Vendors	Public Defender Services	0240-2002	\$ 100,000.00
<u>Vouchers</u>				
2B12599	Tyevco	Private Rehab/Charlotte Jenkins	0079-2005	\$ 8,373.50
1B42992	Kindercare, Neverland	Childcare Services	4580-2080	\$ 14,161.34
1B42992	Toddler Inn	Childcare Services	4580-2080	\$ 12,541.75
1B42992	Liberty Community Center	Childcare Services	4580-2080	\$ 13,367.15
2B09256	Verizon North	Telephone Services	0130-2202	\$ 5,727.91

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

RESOLUTION NO. 02-88

IN THE MATTER OF APPOINTING CAROLE KROUSE AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE TO THE DELAWARE COUNTY RURAL ZONING COMMISSION:

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

Whereas, The Board of Commissioners of Delaware County is responsible to make appointments from the public to various boards, councils and committees, and

Whereas, the Board of Commissioners of Delaware County shall apppoint an individual to the Delaware County Rural Zoning Commission for a five year term beginning January 17, 2002, and ending December 31, 2006, and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint Carole Krouse to the Delaware County Rural Zoning Commission.

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

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RESOLUTION NO. 02-89

IN THE MATTER OF APPOINTING FRED WINTHER AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS’ REPRESENTATIVE TO THE DELAWARE COUNTY BOARD BUILDING APPEALS:

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

Whereas, The Board of Commissioners of Delaware County is responsible to make appointments from the public to various boards, councils and committees, and

Whereas, the Board of Commissioners of Delaware County shall appoint an individual to the Delaware County Board of Building Appeals for a two year term beginning January 17, 2002, and ending December 31, 2003, and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint Fred Winther to the Delaware County Board of Building Appeals.

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

RESOLUTION NO. 02-90

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

SUPPLEMENTAL APPROPRIATIONS		
FUND NUMBER:	FUND NAME:	AMOUNT:
032-3590-040	Alum Creek Construction - Equip	\$ (950,066.58)
037-3520-040	Package Plants/Scioto Hills - Equip	\$ (17,000.00)
037-3540-040	Package Plants/Shawnee Square – Equip	\$ (40,000.00)

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

RESOLUTION NO. 02-91

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

SUPPLEMENTAL APPROPRIATIONS		
FUND NUMBER:	FUND NAME:	AMOUNT:
071-2730-020	Probate Court Data Funds - Srvs & Chrgs	\$ (325.00)
106-1060-020	Juv Court Special Projects - Srvs & Chrgs	\$ (18,250.00)

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

Discussion-EMS Driving Policy

RESOLUTION NO. 02-92

IN THE MATTER OF ADOPTING THE NEW EMERGENCY RESPONSE DRIVING PROCEDURES AND DRIVING PROCEDURES POLICIES:

It was moved by Mrs. Martin, seconded by Mr. Ward to adopted the Emergency Response Driving Procedures and Driving Procedures Policies with an immediate effective date.

Delaware County
Emergency Medical Service

Subject Emergency Response Driving Procedures	Effective January 17, 2002	Supercedes	This Sheet 1	Total 2
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When responding on an emergency call, the driver, with the help of the crewmembers, will respond by using the quickest and safest route. It is the responsibility of the driver to know the general location and potential hazards of the run area before leaving the building. If further directions are needed, it is the responsibility of the navigator to find the actual location per the map book or through the County dispatch Center. Drivers will not operate the radio, lights, siren, etc. when another crewmember can assume this responsibility.

When responding on an emergency run, the driver will follow the posted speed limit. The only exception is when traveling on I-71. At that time, the driver may exceed the posted speed limit for trucks (55 MPH) by 10 mph (maximum of 65 MPH) to avoid a congested traffic pattern. The driver must exercise extreme caution when exceeding the posted speed limit! (Any driver found exceeding the speed limit at any other time will be disciplined accordingly). Emergency lights and sirens only request the right of way. NEVER ASSUME THAT ALL MOTORISTS HEAR YOUR SIGNAL! Emergency lights and sirens are required on all emergency responses and when requesting the right of way. Failure to use lights and sirens while on an emergency run will result in disciplinary action, up to and including possible termination.

"The driver shall operate the vehicle with caution and in due regard for the safety of others operating on the highway but at no time exceed the speed restrictions as set forth above.

Be prepared for the erratic maneuvers of other drivers. No document can outline procedures that will address all possible situations a driver will face, but the following points should be kept in mind:

- The speed of any emergency response vehicle will vary depending on existing conditions, for example road condition, traffic, visibility.
- Excessive speed increases the probability of a collision. Speed increases stopping distance and so reduces the chance of avoiding a hazardous situation.
- When driving left of center, against right of ways, or through intersections, additional caution must be exercised.
- When approaching an intersection be alert to sudden moves by other drivers. Do not go through an intersection before coming to a near stop to assure safety in proceeding.
- When going through a school zone you must obey the speed limit and be alert to sudden movements by children and adults.
- At all times the driver must drive in a manner that maintains control of the vehicle and assures the safety of his/her crew and those sharing the roadway.

When arriving on the scene the driver will park at least 100 feet from vehicle wreckage and on the same level and upwind to avoid any escaping hazardous liquids or fumes. Park in front of the wreckage if you are the first emergency vehicle on the scene so that your warning lights can warn approaching motorists.

Delaware County
Emergency Medical Service

Subject	Effective	Supercedes	This Sheet	Total
Emergency Response Driving Procedures	January 17, 2002		2	2

When backing the vehicle into any area or building there will be a designated spotter behind the vehicle to ensure the safety of bystanders and to ensure the vehicle is not damaged or causes damage to another structure. Exceptions will be rare, but may be made when placing a member outside the vehicle exposes them to personal injury from traffic or other hazards. If a driver backs a vehicle without a backer, HE/SHE WILL BE HELD RESPONSIBLE FOR ANY RESULTING ACCIDENT OR DAMAGES!

FOR QUALIFICATIONS FOR DRIVING ON COUNTY BUSINESS REFER TO THE SELF INSURANCE SECTION OF THE DELAWARE COUNTY STANDARD OPERATING PROCEDURES:

FOR DIRECTIONS ON SAFE DRIVING PRACTICES REFER TO THE DELAWARE COUNTY SAFETY OPERATIONS MANUAL.

Delaware County
Emergency Medical Service

Subject	Effective	Supercedes	This Sheet	Total
Driving Procedures	January 17, 2002	January 24, 2000 August 3,2001	1	1

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Before operating any emergency vehicle, Delaware County EMS employees must complete a County approved Emergency Vehicle Driving Course provided by the County. This training will be provided within the first six months of employment. Employees will successfully attend refresher training annually. Any employee who does not pass the driving course at an acceptable level will receive remedial training within a 1 month period. If after remedial training they still do not pass the course they will not be permitted to drive and will therefore be unable to fulfill the necessary job requirements for employment.

The driver and passenger in the front compartment of an EMS Vehicle shall wear seatbelts at all times. The rear passengers shall also wear seatbelts when a patient is not on-board.

Whenever the ambulance is on the road, day or night, the headlights will be on. This increases the visibility of the vehicle to other drivers.

All employees are required to maintain knowledge of Delaware County roads and possible hazards. It is imperative they know their areas and to improve this knowledge they are to complete daily road orientation training.

The driver will obey all traffic laws while operating vehicles owned or leased by Delaware County.

When backing the vehicle into any area or building there will be a designated spotter behind the vehicle to ensure the safety of bystanders and to ensure the vehicle is not damaged or causes damage to another structure.

Any driver involved in an accident will be subject to disciplinary proceedings per the County Handbook. All accidents will be considered based on circumstances involved. The first at fault accident will result in a write-up to be place in the employees' file, depending on the severity of the circumstances. Further at faults incidents will result in disciplinary proceedings per the Delaware County Employee Handbooks. As in any driving situation, at fault incidents could subject the driver to possible criminal charges.

FOR QUALIFICATIONS FOR DRIVING ON COUNTY BUSINESS REFER TO THE SELF INSURANCE SECTION OF THE DELAWARE COUNTY STANDARD OPERATING PROCEDURES:

FOR DIRECTIONS ON SAFE DRIVING PRACTICES REFER TO THE DELAWARE COUNTY SAFETY OPERATIONS MANUAL.

FOR DISCIPLINARY PROCEEDINGS REFER TO THE DELAWARE COUNTY EMPLOYEE HANDBOOK.

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

RESOLUTION NO. 02-93

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PERSONNEL MATTERS:

It was moved by Mr. Ward, seconded by Mrs. Martin to adjourn into Executive Session at 10:05AM.

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

RESOLUTION NO. 02-94

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mrs. Martin, seconded by Mr. Ward to adjourn out of Executive Session at 10:30AM.

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

RESOLUTION NO. 02- 95

7:00 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 308.858 ACRES BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 7:00PM:

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

RESOLUTION NO. 02-96

IN THE MATTER OF CONTINUING THE PUBLIC HEARING FOR 308.858 ACRES FROM BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

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It was moved by Mr. Ward, seconded by Mrs. Martin to continue the Hearing to June 10, 2002, at 7:30PM with the understanding that a public notice of the hearing be advertised, one time, between 20 and 30 days before said hearing.

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

RESOLUTION NO. 02-97

7:15 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 170.5 ACRES FROM TRENTON AND BERKSHIRE TOWNSHIPS TO THE VILLAGE OF SUNBURY:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 7:15PM:

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

RESOLUTION NO. 02-98

IN THE MATTER OF CONTINUING THE PUBLIC HEARING FOR 170.5 ACRES FROM TRENTON AND BERKSHIRE TOWNSHIPS TO THE VILLAGE OF SUNBURY:

It was moved by Mrs. Martin, seconded by Mr. Ward to continue the Hearing to April 29, 2002, at 7:30PM with the understanding that a public notice of the hearing be advertised, one time, between 20 and 30 days before said hearing.

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

RESOLUTION NO. 02- 99

7:30 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 80.211 (99.76) ACRES FROM OXFORD TOWNSHIP TO THE VILLAGE OF ASHLEY:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 7:30PM:

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

RESOLUTION NO. 02-100

IN THE MATTER OF CONTINUING THE PUBLIC HEARING FOR 80.211(99.76) ACRES FROM OXFORD TOWNSHIP TO THE VILLAGE OF ASHLEY:

It was moved by Mr. Ward, seconded by Mrs. Martin to continue the Hearing to May 6, 2002, at 7:30PM with the understanding that a public notice of the hearing be advertised, one time, between 20 and 30 days before said hearing.

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

RESOLUTION NO. 02-101

7:45 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 102.819 (101.535) (113.017) ACRES FROM OXFORD (DELAWARE COUNTY) AND WESTFIELD (MORROW COUNTY) TOWNSHIPS TO THE VILLAGE OF ASHLEY:

It was moved by Mr. Ward, seconded by Mrs. Martin to open the Hearing at 7:45PM:

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

RESOLUTION NO. 02-102

IN THE MATTER OF CONTINUING THE PUBLIC HEARING FOR 102.819 (101.535) (113.017) ACRES FROM OXFORD (DELAWARE COUNTY) AND WESTFIELD (MORROW COUNTY) TOWNSHIPS TO THE VILLAGE OF ASHLEY:

It was moved by Mr. Ward, seconded by Mrs. Martin to continue the Hearing to May 6, 2002, at 7:45PM with the understanding that a public notice of the hearing be advertised, one time, between 20 and 30 days before said hearing.

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

RESOLUTION NO. 02-103

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8:00 PM PUBLIC HEARING OF ANNEXATION PETITION FOR 3.914 ACRES FROM OXFORD TOWNSHIP TO THE VILLAGE OF ASHLEY:

It was moved by Mrs. Martin, seconded by Mr. Ward to open the Hearing at 8:00PM:

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

RESOLUTION NO. 02-104

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR 3.914 ACRES FROM OXFORD TOWNSHIP TO THE VILLAGE OF ASHLEY:

It was moved by Mrs. Martin, seconded by Mr. Ward to close the Hearing at 8:10PM:

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

RESOLUTION NO. 02-105

ORDER OF COMMISSIONERS FOR ANNEXATION OF 3.914 ACRES FROM OXFORD TOWNSHIP TO THE VILLAGE OF ASHLEY:

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

The Commissioners of Delaware County, Ohio having on the 17th day of January 2002, heard the petition of the majority of landowners in the area described to obtain Annexation of territory described in the petition to the **Village of Ashley**, and having in open meeting heard all the persons desiring to be heard for or against the granting of said petition had having considered any affidavits presented with reference thereto and being fully advised in the premises do find that:

- 1. The petition contains all matters required by Sections 709.02 of the Ohio Revised Code;
- 2. Notice has been published as required by the Ohio Revised Code Section 709.03 and 709.031 and Ordinance has been adopted by and submitted by the **Village of Ashley** as required by Section 709.031(B) of the Revised Code;
- 3. The persons whose names are subscribed to the petition are the real owners of real estate in the territory described in the petition and as of the time the petition was filed with this Board of County Commissioners the number of valid signatures on the petition constitute a majority of the owners of real estate in the territory proposed to be annexed.
- 4. The territory included in the annexation petition is not unreasonably large;
- 5. The plat of the territory to be annexed is accurate, and
- 6. The general good of the territory sought to be annexed will be served if the annexation petition is granted, and

It is hereby ordered that the prayer of said petition be granted and that the territory described in said petition be annexed, signed by a majority in accordance with law, and that a certified transcript, signed by a majority of this Board, of all orders and proceedings of said Board relative to said petition and the hearing thereon, together with said petition and the maps attached hereto, and all papers on file relating to said matter, be delivered to the **Clerk of the Village of Ashley**, Ohio.

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

There being no further business; the meeting adjourned.

Deborah B. Martin

James D. Ward

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Donald E. Wuertz

Letha George, Clerk to the Commissioners