

COMMISSIONERS JOURNAL NO. 43 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JULY 25, 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 D. Ward

PUBLIC COMMENT

RESOLUTION NO. 02-958

IN THE MATTER OF APPROVING RESOLUTIONS AND MINUTES FROM REGULAR MEETINGS HELD JUNE 24 AND 27, 2002:

It was moved by Mrs. Martin, seconded by Mr. Ward to dispense with the reading of the minutes and resolutions of the regular meetings held June 24 and 27, 2002 and to approve resolutions and minutes as submitted.

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

RESOLUTION NO. 02-959

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBER CMAPR0724:

It was moved by Mr. Ward, seconded by Mrs. Martin to approve payment of warrants in Batch number CMAPR0724 and Purchase Orders and Vouchers as listed below:

PO's

| <u>Vendor</u>                 | <u>Description</u>        | <u>Account Number</u> | <u>Amount</u> |
|-------------------------------|---------------------------|-----------------------|---------------|
| Marjorie Clark                | Child Care                | 22411606-5348         | \$ 20,000.00  |
| Lapetite Academy              | Child Care                | 22411606-5348         | \$ 20,000.00  |
| Connie Leichner               | Child Care                | 22411606-5348         | \$ 20,000.00  |
| Sungard Bi Tech               | Software & Training       | 40411413-5450         | \$ 147,380.90 |
| Treasurer, State Of Ohio      | Crippled Children BCMH    | 10011102-5319         | \$ 107,605.11 |
| DMG Maximus Inc.              | Cost Allocation Plan      | 10011102-5301         | \$ 9,800.00   |
| Architectural Floors          | Interior Carpet - Hayes   | 40411412-5410         | \$ 46,363.80  |
| Ardit Company                 | Flooring- Hayes           | 40411412-5410         | \$ 6,393.44   |
| Chemcote Inc                  | HVAC-Hayes                | 40411412-5410         | \$ 69,684.68  |
| Concrete Technology           | Precast Concrete- Hayes   | 40411412-5410         | \$ 14,071.00  |
| Countryside Construction      | Site Utilities- Hayes     | 40411412-5410         | \$ 16,527.84  |
| Dalmation Fire Inc.           | Fire Protection-Hayes     | 40411412-5410         | \$ 26,157.00  |
| Designcrete Inc.              | Curbs, Gutter, Pavers     | 40411412-5410         | \$ 43,067.88  |
| Thomas Glass                  | Windows-Hayes             | 40411412-5410         | \$ 22,382.04  |
| George J Igel and Co. INC     | Excavation -Hayes         | 40411412-5410         | \$ 38,265.20  |
| Ferguson Steel Co.            | Steel-Hayes               | 40411412-5410         | \$ 10,775.64  |
| Gleeson Construction          | Interior Woodwork-Hayes   | 40411412-5410         | \$ 84,191.00  |
| Gleeson Construction          | Finish Carpentry-Hayes    | 40411412-5410         | \$ 25,599.00  |
| Kastra Painting               | Painting-Hayes            | 40411412-5410         | \$ 11,083.06  |
| Otis Elevator Co              | Elevator-Hayes            | 40411412-5410         | \$ 31,085.43  |
| Painting Co.                  | Painting-Hayes            | 40411412-5410         | \$ 11,845.16  |
| Sellers Electric              | Electrical-Hayes          | 40411412-5410         | \$ 117,182.94 |
| Superior Electrical           | Interior Electrical-Hayes | 40411412-5410         | \$ 97,980.76  |
| Tuttle Construction           | Masonry Walls-Hayes       | 40411412-5410         | \$ 30,512.00  |
| Wanner Metal Worx Inc.        | Metals & Stairs-Hayes     | 40411412-5410         | \$ 23,918.76  |
| Delaware County Eco. Develop. | Repayment of Funds        | 21011115-5365         | \$ 10,335.84  |
| Delaware County Engineer      | Del. County Share         | 40811415-5319         | \$ 13,919.71  |

INCREASES

|                              |                       |               |              |
|------------------------------|-----------------------|---------------|--------------|
| Jobs For Ohio Graduates      | Client Training       | 22411603-5348 | \$ 10,000.00 |
| Delaware JVS Adult Education | Continuing Education  | 22411603-5303 | \$ 20,000.00 |
| Children's World             | Child Care            | 22411606-5348 | \$ 9,000.00  |
| Precision Alignment          | Vehicle Repairs       | 22411602-5328 | \$ 6,000.00  |
| House of New Hope, Inc.      | Residential Treatment | 22511607-5342 | \$ 15,000.00 |

VOUCHERS

|                        |                |               |              |
|------------------------|----------------|---------------|--------------|
| Today's Learning Child | Child Care     | 22411606-5348 | \$ 7,222.45  |
| OH Dept. of Dev.       |                | 21011115-     |              |
|                        | APC Remittance | 536536540     | \$ 10,430.00 |

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

RESOLUTION NO. 02-960

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 137.8 ACRES OF LAND IN  
LIBERTY TOWNSHIP TO THE CITY OF POWELL:

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

Whereas on June 28, 2002, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Harrison W. Smith Jr., agent for the petitioners, of 137.8 Acres, more or less, in Liberty Township to the City of Powell.

Whereas, ORC Section 709.23-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Powell or the Township of Liberty.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 137.8 Acres, more or less, in Liberty Township to the City of Powell.

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

RESOLUTION NO. 02-961

IN THE MATTER OF APPROVING THE AMENDED RESOLUTION (see Resolution 02-962) FOR  
APPROVAL OF SUPPLEMENTAL APPROPRIATIONS FOR THE AUDITOR’S OFFICE  
CONTINGENT UPON THE UNDERSTANDING THAT THE AUDITOR’S OFFICE WILL JOIN THE  
COUNTY PAY PLAN JANUARY 1, 2003:

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

| SUPPLEMENTAL APPROPRIATIONS |  |              |
|-----------------------------|--|--------------|
| FUND NUMBER:                | FUND NAME:                             | AMOUNT:      |
| 10010101 – 500              | General Fund/Auditor - Salaries        | \$ 35,656.21 |
| 10010101 – 510              | General Fund/Auditor - Fringe Benefits | \$ 5,348.43  |
| 10010101 – 520              | General Fund/Auditor - Mat & Sup       | \$ 1,700.00  |

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

RESOLUTION NO. 02-962

IN THE MATTER OF AMENDING RESOLUTION (02-961) REQUESTING SUPPLEMENTAL  
APPROPRIATIONS FOR THE AUDITOR’S OFFICE- TO INCLUDE THE UNDERSTANDING  
THAT THE AUDITOR’S OFFICE WILL JOIN THE COUNTY PAY PLAN JANUARY 1, 2003:

It was moved by Mrs. Martin, seconded by Mr. Wuertz to approve the Amendment.

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

RESOLUTION NO. 02 -963

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

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

| Permit # | Applicant    | Location                             | Type of Work     |
|----------|--------------|--------------------------------------|------------------|
| U02099   | Columbia Gas | Home Road                            | Install gas main |
| U02100   | Columbia Gas | Genoa Farms 2-1                      | Install gas main |
| U02103   | Columbia Gas | Golf Village 7,1                     | Install gas main |
| U02110   | Columbia Gas | Waynebrown Drive/Laurel Valley Drive | Install gas main |
| U02111   | Columbia Gas | Glen Lakes Drive /Clear Water Ct.    | Install gas main |
| U02114   | Columbia Gas | Rutherford Road                      | Install gas main |
| U02115   | Columbia Gas | Dornoch Estate #4                    | Install gas main |
| U02116   | Columbia Gas | Sherbrook #10                        | Install gas main |

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

RESOLUTION NO. 02-964

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Yvette Hatten has accepted the promotion to TAC officer for LEADS with the EMS Department; effective date July 6, 2002.

Robert Oser has accepted the position of Mechanic with the Facilities Department; Effective date July 29, 2002.

Marlene Laslo will be acting as supervisor for Ernest Bogan with the Maintenance Department; effective date July 25, 2002.

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

RESOLUTION NO. 02-965

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

| SUPPLEMENTAL APPROPRIATIONS |                            |             |
|-----------------------------|----------------------------|-------------|
| FUND NUMBER:                | FUND NAME:                 | AMOUNT:     |
| 10011102 – 560              | General Fund/Comm - Grants | \$ 6,500.00 |

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

RESOLUTION NO. 02-966

IN THE MATTER OF APPROVING CONTRACT, PURCHASE ORDER AND VOUCHER FOR  
PURCHASE OF REAL ESTATE AT 174 NORTH UNION STREET:

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

CONTRACT FOR THE SALE OF REAL ESTATE  
174 North Union Street

Jeanatte A. Clements, a single woman, (hereinafter referred to as “Seller”), grants to the Delaware County Commissioners, 101 North Sandusky Street, Delaware, Ohio 43015, (hereinafter called “Purchaser”), the sole and exclusive right to purchase certain real property situated at 174 North Union Street in the City of Delaware, Delaware County, Ohio and more particularly shown and/or described on the attached Exhibit “A” and made a part hereof. Said real estate hereinafter referred to as “the Premises.”

Sellers and Purchaser hereby agree as follows:

1. The Sellers agree to sell and the Purchaser agrees to purchase the Premises.
2. The purchase price shall be ninety-eight thousand, five hundred dollars. (\$98,500.00). Five hundred dollars (\$500.00) shall be payable at the time of the signing of this Agreement with balance paid at closing.
3. The Duration of this offer shall be thirty (30) days and shall extend until 12:00 o’clock p.m. on the 26<sup>th</sup> day of July 2002.
4. The date for delivery of the Deed and the Closing of this transaction (“Closing”) Shall be as agreed upon by the parties.
5. At closing and upon the receipt of said purchase price, the Seller shall do the following:
  - (a) Convey the marketable title to the premises to the Purchasers by General Warranty Deed, in fee simple, free and clear of encumbrances except easements, conditions and restrictions of record as of the date this Contract is executed. All rights of dower shall be released.
  - (b) Pay any and all real estate taxes presently due.
  - (c) Pro-rate real estate taxes due based upon the latest available Auditor’s Duplicate.

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6.

Seller shall deliver possession and occupancy of the premises to the Purchaser on or before 12:00 P.M. on the 2<sup>nd</sup> day of September 2002. Sellers shall hold Purchasers harmless for any injuries sustained by Seller and/or her family members of agents sustained after the date of closing.
7.

Risk of loss to the Premises from fire or other casualty shall be borne by the Sellers until the closing
8.

Time is expressly declared to be of the essence in this Contract, unless the parties otherwise agree in writing.
9.

All notices, elections or other communications authorized, required or permitted hereunder shall be made in writing, and shall be deemed given when personally delivered or when deposited, U.S. certified mail, postage prepaid, returned receipt requested and addressed as follows:

To the Purchaser:

Delaware County Commissioners  
101 North Sandusky Street  
Delaware, Ohio 43015

To the Seller:

Mrs. Jeanette A. Clements  
174 North Union Street  
Delaware, Ohio 43015
10.

Parties herein warrant to each other that they have full capacity, power and authority to enter into and perform this Contract according to its terms.
11.

Parties agree that this Contract shall survive the delivery of the Deed.

FURTHER BE IT RESOLVED, THAT THE COMMISSIONERS APPROVE THE PURCHASE ORDER AND VOUCHER:

| PO             |              |                    |             |
|----------------|--------------|--------------------|-------------|
| Vendor         | Description  | Account Number     | Amount      |
| Ohio Bar Title | 174 N. Union | 40411412-540140101 | \$98,698.90 |
| VOUCHER        |              |                    |             |
| Ohio Bar Title | 174 N. Union | 40411412-540140101 | \$98,698.90 |

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

Donald E. Wuertz

Letha George, Clerk to the Commissioners