

COMMISSIONERS JOURNAL NO. 43- DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 24, 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

10:00 AM Bid Opening Date And Time For The Lawrence Road Project (50 Channing Street)

PUBLIC COMMENT

RESOLUTION NO. 02-812

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBER CMAPR0621:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve payment of warrants in batch number CMAPR0621 and Purchase Orders and Vouchers as listed below:

PO's

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Office City	Minor Tools and Equipment	22411603-5250	\$ 6,000.00
INCREASES			
Ameritemps, Inc.	Increase	10011108-530130105	\$ 7,000.00
VOUCHERS			
Del County Economic Development	Admin Funds/Water & Sewer Grant/1999	23011701-536536501	\$ 10,000.59
Tyevco	Private Rehab/K. Cole/CHIP 99	23111709-536536515	\$ 13,704.50
The Healthy Edge LLC	Employee Assistance Program	60211902-534234201	\$ 9,561.60
U.S. Postal Service	Postage	10011105-5331	\$ 20,000.00

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

RESOLUTION NO. 02 -813

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Administrative Services Department is requesting that Kevin Williams attend a Bargaining 2002 Negotiating Tips Seminar in Columbus, Ohio July 11, 2002, at the cost of \$169.00.

The Department of Job and Family Services is requesting that Perry Harper attend a Working with Businesses as Customers and Partners Training Course in Columbus, Ohio August 6 and 7, 2002, at the cost of \$345.00.

The Facilities Department is requesting that 3 Mechanics from the Service Center and 3 Mechanics from the Engineer's Office attend Automotive Training Courses in Johnstown, Ohio at various times in the Evenings throughout the Summer of 2002, at the cost of \$1,199.00.

The Engineer Department is requesting that Ryan Mraz and Rob Riley attend a Bridge Program and Evaluation Information Session in Columbus, Ohio July 2, 2002, at the cost of \$100.00.

The Engineer Department is requesting that Scott Pike attend a NACO Annual Conference in New Orleans, Louisiana July 11-14, 2002, at the cost of \$940.00.

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

RESOLUTION NO. 02-814

IN THE MATTER OF APPROVING TUITION ASSISTANCE REQUEST:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve the Tuition Assistance requests as follows:

Rose Powers Licensed Social Worker Training \$ 3,000.00

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

RESOLUTION NO. 02-815

IN THE MATTER OF APPROVING PETITION FROM CITY OF DUBLIN TO CHANGE BOUNDARY LINES OF CONCORD TOWNSHIP TO MAKE THE BOUNDARIES OF LAND

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ANNEXED TO CITY OF DUBLIN (WASHINGTON TOWNSHIP) (42.387 ACRES) RESOLUTION 01-1423 COTERMINOUS WITH THE CORPORATE BOUNDARIES OF THE CITY OF DUBLIN:

It was moved by Mr. Ward, seconded by Mrs. Martin that pursuant to a petition from the City of Dublin, Ohio and in conformity with the mandate of the Ohio Revised Code that the boundaries Concord Township annexed to the City of Dublin (Washington Township) by their Ordinance 10-02 be hereby changed to be coterminous with the corporate boundaries of the City of Dublin.

Further, the Clerk shall transmit copies of this Resolution to the County Auditor, County Recorder and County Engineer’s Map Department along with description and map.

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

RESOLUTION NO. 02-816

IN THE MATTER OF APPROVING PLAT FOR GOLF VILLAGE SECTION 9-2 AND DITCH MAINTENANCE PETITION FOR GOLF VILLAGE SECTION 9-2:

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

Golf Village Section 9-2

Situated In The State Of Ohio, County Of Delaware, Township Of Liberty, Being In Farm Lot 6 And Farm Lot 3 In Section 2, Township 3, Range 19, United States Military Lands, Containing 17.064 Acres Of Land, More Or Less, Said 17.064 Acres Being Out Of That 28.305 Acre Tract Of Land Referred To As Parcel II And As Described In The Deed To M/I Schottenstein Homes, Inc., Of Record In Official Record 150, Page 0001, Recorder’s Office, Delaware County, Ohio. Cost \$111.00.

Ditch Maintenance Petition- Golf Village Section 9-2

We the undersigned owners of 17.06 acres in Liberty Township, Delaware County, Ohio propose to create a subdivision known as **Golf Village Section 9-2** as evidenced by the attached subdivision plat (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 **Golf Village Section 9-2** Subdivision.

The cost of the drainage improvements is \$ 89,813.00 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. Thirty-eight (38) 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, \$2,363.50 per lot. An annual maintenance fee equal to 2% of this basis \$ 47.27 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 \$ 1,796.26 has been paid to Delaware County.

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

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

RESOLUTION NO. 02-817

IN THE MATTER OF APPROVING SUBDIVIDER’S AGREEMENT FOR OLD 3C HIGHWAY ROAD WIDENING AT GENOA FARMS SUBDIVISION:

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

Old 3c Highway Road Widening At Genoa Farms Subdivision

SUBDIVIDER’S AGREEMENT

THIS AGREEMENT made and entered into this 24th day of June 2002, by and between the COUNTY

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OF DELAWARE (acting by and through its **BOARD OF COUNTY COMMISSIONERS**), hereinafter called the **COUNTY**, and **DOMINION HOMES, INC.**, hereinafter called the **SUBDIVIDER**, as evidenced by the Engineering and Construction Plan entitled “**OLD 3C HIGHWAY ROAD WIDENING AT GENOA FARMS SUBDIVISION**” which was approved by the County Engineer, hereinafter called the **PLAN**, is governed by the following considerations, to wit:

1. The **SUBDIVIDER** is to construct, install or otherwise make all of the improvements as shown and set forth to be performed and completed on the **PLAN**, which is a part of this **AGREEMENT**.
2. The **SUBDIVIDER** shall pay the entire cost and expenses of said improvements.
3. The **SUBDIVIDER** is to provide an irrevocable letter of credit or other approved financial warranties in the amount of **ONE HUNDRED FORTY-THREE THOUSAND THREE HUNDRED DOLLARS** payable to the **BOARD OF COUNTY COMMISSIONERS** to insure the faithful performance of this **AGREEMENT** and the completion of all of the said improvements in accordance with the current “**Delaware County Engineering and Surveying Standards for Subdivision Development**” and the current “**Subdivision Regulations of Delaware County, Ohio**”.
4. The **SUBDIVIDER** shall deposit **EIGHT THOUSAND SIX HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the **SUBDIVIDER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the **SUBDIVIDER**.
5. The **SUBDIVIDER** is to complete all construction to the satisfaction of the **COUNTY** as evidenced by an approval letter from the **Delaware County Engineer**.
6. The **SUBDIVIDER** shall hold the **COUNTY** free and harmless from any and all claims for damages of every nature arising or growing out of the construction of the said improvements.
7. The **SUBDIVIDER** shall perform and complete all said improvements prior to MAY, 2003.
8. The **SUBDIVIDER** will at all times during the construction of said improvements maintain through traffic on the public roadway and keep the same free of unreasonable hazards to the public. Said roadway shall not be closed to traffic except as approved by the **Delaware County Engineer**. Construction signs, barricades and lights shall be placed as needed on the job site in accordance with the **Ohio Department of Transportation “Uniform Traffic Control Devices”** and “**Traffic Control for Construction and Maintenance**”.
9. The **SUBDIVIDER** further agrees that any violation of or noncompliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract, and the **Delaware County Engineer** shall have the right to stop work forthwith and use the surety for the completion of the improvement.
10. If the **SUBDIVIDER** should 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**.
11. Upon approval and acceptance of the improvements, the original copy of the **PLAN** shall become the property of the **COUNTY** and shall be filed in the office of the **Delaware County Engineer**.

In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants to the **SUBDIVIDER** or his agent the right and privilege to make the said improvements stipulated herein.

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

RESOLUTION NO. 02-818

IN THE MATTER OF ACCEPTING ROADS IN RATTLESNAKE RIDGE:

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

Rattlesnake Ridge

The roadways to be accepted are as follows:

- **Rattlesnake Drive**, to be known as **Township Road Number 1256**

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

RESOLUTION N0. 02-819

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR RATTLESNAKE RIDGE:

It was moved by Mr. Ward, seconded by Mrs. Martin to establish stop conditions:

Stop Conditions -Rattlesnake Ridge

It is hereby requested that a stop condition be established at the following roads within the above referenced subdivision:

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- On Township Road Number 1256, Rattlesnake Drive, at its intersection with County Road Number 605.

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

RESOLUTION NO. 02-820

IN THE MATTER OF ACCEPTING MAINTENANCE BOND FOR MALABAR SUBDIVISION:

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

Malabar Subdivision

The roadway construction has been completed for the referenced subdivision and, as the results of the Engineer’s recent field review, he has determined that minor remedial work will be required during the 2002 construction season.

In accordance with the Subdivider’s Agreement, the Engineer recommends that the maintenance bond be set at **\$14,000** for the duration of the one year maintenance period. A Bond in that amount is attached. He also request approval to return the Performance Bond being held as construction surety to the developer, TelDel, Ltd.

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

RESOLUTION NO. 02 -821

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

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

Permit #	Applicant	Location	Type of Work
U02093	Suburban Natural Gas	Cheshire Cove Section II	Lay gas main
U02094	Del-Co Water	Ross Road	Install waterline

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

RESOLUTION NO. 02-822

IN THE MATTER OF AUTHORIZING A REQUEST THAT ODOT ENACT A SPEED LIMIT
REVISION ON CONCORD ROAD (TWP #129):

It was moved by Mrs. Martin, seconded by Mr. Ward to authorize speed limit revision as follows:

Concord Road (TWP #129) Speed Limit Revision

The Dublin City School District is in support of a speed limit reduction on Concord Road. This request for a reduction from the current **55 mph to 35 mph** will affect the area between Glick Road to the south and Harriott Road to the north. The Delaware County Engineer’s office has conducted various studies through this segment and determined that the reduction is warranted to only **45 mph**. It is our thought that with the construction of the new school and the resolutions from the school district, the Ohio Department of Transportation District 6 may take these factors into account during their review of this request. However, before this speed limit revision can be enacted, a resolution by your Board must be submitted to the Director of the Ohio Department of Transportation for review and concurrence in accordance with Ohio Revised Code Section 4511.21(I).

Therefore, The Delaware County Engineer is recommending that a resolution be passed by your Board to request the Director of the Ohio Department of Transportation to determine and declare a reasonable and safe prima-facie speed limit for **Concord Road (Twp #129)** from **Glick Road to Harriott Road** as described above. Upon receipt of your Resolution, the Department will send the engineering study and the Resolution to the Ohio Department of Transportation for their action.

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

RESOLUTION NO. 02-823

IN THE MATTER OF APPROVING ESTIMATE AND PLAN FOR THE AFRICA ROAD BRIDGE
REPLACEMENT PROJECT:

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

Project Description- Africa Road Bridge Replacement Project

This project includes the replacement of a narrow and structurally deficient steel beam bridge with precast

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reinforced concrete arch sections on Africa Road over an unknown named ditch. Project has minor approach work, including pavement replacement near the structure, minor shoulder and ditch work and installation of Guardrail. The total project length is 100 feet (0.02 miles).

The engineer’s estimate for the project is \$113,600.00

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

RESOLUTION NO. 02-824

IN THE MATTER OF APPROVING ESTIMATE AND PLAN FOR THE OSTRANDER ROAD OVER SMART DITCH PROJECT:

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

Project Description- Ostrander Road Over Smart Ditch Project

This project includes the replacement of a narrow and structurally deficient concrete slab bridge on Ostrander Road Over Smart Ditch, project has minor approach work, including pavement replacement within 30 feet of structure, minor shoulder and ditch work and installation of guardrail. The total project length is 50 feet (0.01) miles.

The engineer’s estimate for the project is \$ 82,400.00.

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

RESOLUTION NO. 02-825

IN THE MATTER OF APPROVING AN AMENDMENT TO THE CONTRACT BETWEEN THE DELAWARE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND COMMON PLEAS COURT 1:

It was moved by Mr. Ward, seconded by Mrs. Martin to approve an amendment to the Contract previously approved on January 1, 2002 between the Child Support Enforcement Agency and Common Pleas Court 1:

APPENDIX 1-11

AMENDMENT TO IV-D CONTRACT

COMMON PLEAS COURT 1

This Amendment effective May 1, 2002, is to amend the IV-D contract between the Delaware County Child Support Enforcement Agency “CSEA” and Delaware County Common Pleas Court 1 entered into on the 1st day of January, 2002 and numbers 2102043.

- I. Contract Period- Same
- II. Article 4, Availability of Funds: Changes the total contract value as follows:

	Amount	Source
Local Matching Funds	\$ 5,620.93	Delaware 34%
Federal Matching Funds	\$10,911.23	Federal 66%
Total	\$16,532.16	Combined

- III. Article 5, Cost and Delivery of Purchased Services:
 - (A) Adjust the per unit rate from \$59.82 to \$43.51, as reflected in revised budget.
 - (B) Adjust the maximum number of units purchased from 160 to 380.
- IV. Provides for changes of language in the Articles/Exhibits listed in this amendment.
- V. All Articles and Exhibits not specifically changed by this or earlier amendments remain in full force and effect as originally executed.

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

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RESOLUTION NO. 02-826

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDER LAPETITE ACADEMY:

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

Child Care		Basic Rates Full Time (25 Hrs. or More)	Part Time Rates	Adjustment to Basic Rates
LaPetite Academy	Infant Toddler Preschool Schoolage Before or After School Before & After School	\$138.00 \$123.00 \$108.00 \$100.00 \$ 66.00 \$ 80.00	\$ 93.00 \$ 82.00 \$ 72.00 \$ 67.00 \$ 66.00 \$ 67.00	\$25.00 Registration Fee

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

RESOLUTION NO. 02-827

IN THE MATTER OF AUTHORIZING EXECUTION OF VACATION OF EASEMENT:

It was moved by Mrs. Martin, seconded by Mr. Ward that the county of Delaware, Ohio, hereby vacates the following permanent easement as conveyed to Delaware County by the Nationwide Development Company of record in Volume 415, page 109 of the Delaware County recorder’s Office, for the purpose of installing and maintaining a sanitary sewer. (Said sanitary sewer easement to be vacated is described below.)

RELEASE OF EASEMENT
0.321 ACRES

Situated In The State Of Ohio, County Of Delaware, Township Of Orange, Farm Lot 5, Section 3, Township 3, Range 18, And Being A 20 Foot Strip Across That 12.567 Acre Tract Conveyed To Mondo One, LLC Of Record Official Record 19, Page 607 (All References Refer To The Records Of The Recorder’s Office, Delaware County, Ohio) And Described As Follows:

Beginning, For Reference, At The Centerline Intersection Of Meadow Park Avenue With The Original Centerline Of Columbus Pike;

Thence South 06° 28’04” East, With Said Original Centerline Of Columbus Pike, A Distance Of 409.59 Feet To The True Point Of Beginning;

Thence Leaving Said Original Centerline And Across Grantor’s Tract, The Following Courses And Distances:

South 85° 40’14” East, A Distance Of 701.37 Feet To A Point;

South 04° 21’ 04” East, A Distance Of 20.00 Feet To A Point; And

North 85° 40’ 14” West, A Distance Of 697.55 Feet To A Point In Said Original Centerline;

Thence North 06° 28’04” West, With Said Original Centerline, A Distance Of 20.36 Feet To The True Point Of Beginning, And Containing 03.21 Acre, More Or Less.

Subject, However To All Legal Rights-Of-Way And/Or Easements, If Any, Of Previous Record.

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

RESOLUTION NO. 02-828

IN THE MATTER OF APPROVING CERTIFICATES OF COMPLETION FOR THE COMPLETE GENERAL CONSTRUCTION COMPANY FOR THE WORK DESCRIBED AS THE WESTERVILLE EFFLUENT LINE AND THE WORK DESCRIBED AS POWELL ROAD EFFLUENT AND FORCE MAINS:

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

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Contract No.	Contractor	Project
S-99-2R	Complete General Construction Company	Alum Creek Water Reclamation Facility Effluent Line, Westerville Park Segment:
S99-4	Complete General Construction Company	Powell Road Segment, South West Street Segment (Westerville), And Part A (Worthington Road And Powell Road Widening Improvements 2000)

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

RESOLUTION NO. 02-829

IN THE MATTER OF APPROVING CHANGE ORDERS WITH KOKOSING CONSTRUCTION ,
JESS HOWARD ELECTRIC AND COMPLETE GENERAL:

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

Alum Creek Pump Station And Central Maintenance Facility-General Construction

-Kokosing Construction – Change Order #6 – S99-1A

Bid Proposal	\$	7,488,000.00
Previous Chang Orders	\$	248,604.72
Decrease CO # 6	(\$	40,618.12)
Total Contract to Date	\$	7,695,986.60

Alum Creek Water Reclamation Facility-General Construction

-Kokosing Construction – Change Order #7 – S98-1B

Bid Proposal	\$	36,414,320.00
Previous Chang Orders	\$	164,749.26
Decrease CO # 7	(\$	23,936.11)
Total Contract to Date	\$	36,555,133.15

Alum Creek Water Reclamation Facility-Electrical Work

-Jess Howard Electric Company – Change Order #6 – S98-1C

Bid Proposal	\$	6,438,000.00
Previous Chang Orders	\$	198,677.62
Increase CO # 6	\$	5,487.18
Total Contract to Date	\$	6,642,164.80

Alum Creek Water Reclamation Facility-Electrical Work

-Jess Howard Electric Company – Change Order #7 – S98-1C

Bid Proposal	\$	6,438,000.00
Previous Chang Orders	\$	204,164.80
Increase CO # 7	\$	8,170.64
Total Contract to Date	\$	6,650,335.44

Alum Creek Effluent Line And Force Mains- Powell Road Segment

-Complete General Construction Company-Change Order # 6 -S99-4

Bid Proposal	\$	4,161,888.00
Previous Chang Orders	\$	116,850.61
Increase CO # 6	\$	870.32
Total Contract to Date	\$	4,279,608.93

Alum Creek Water Reclamation Facility Effluent Line- Westerville Segment

-Complete General Construction Company-Change Order # 2 –S99-2R

Bid Proposal	\$	1,079,460.00
Previous Chang Orders	\$	68,609.00

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Change Order #2 Time Extension
Total Contract to Date \$ 1,010,851.00

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

RESOLUTION NO. 02-830

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR
ENVIRONMENTAL SERVICES:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
68011916 - 530	Transfer Station - Srvs & Chrgs	\$ 10,000.00

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