

COMMISSIONERS JOURNAL NO. 43- DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 12, 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. 02-1415

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR118:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR118 and Purchase Orders and Vouchers as listed below:

PO's

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Planet Ford	Replacement of Car/Totaled of 9-05-02	60111901-5370	\$ 20,040.77
Barefoot and Case Inc.	Repair Non-Potable Pumps/Alum Creek	65211905-5328	\$ 8,500.00
Columbia Gas of OH	Gas Service/Alum Creek Pump Station	65211905-5338	\$ 17,563.17
City of Del/Finance Dept	9-1-1 Levy Proceeds/2002	21411306-5380	\$ 124,824.69
Franklin Imaging	Scanner/Plotter	20110106-5450	\$ 25,000.00
	Scanner/Plotter/Perm Improv.	40111402-5450	\$ 10,000.00
	Scanner/Plotter/Engineer	29240402-5450	\$ 9,250.00
	Maintenance Support/REA/GIS	20110106-5328	\$ 6,500.00
	Maintenance Support/Engineer	29240402-5328	\$ 1,900.00

Increases

Meijer Properties	Gas & Diesel Fuel	10011106-522822801	\$ 8,000.00
U.S. Filter	Bioxide for Pump Stations	65211905-5290	\$ 4,000.00
U.S.Filter	Bioxide for Pump Stations	65211905-5290	\$ 7,000.00

Vouchers

MKC Associates	Architecture-Sheriff	40411418-541041004	\$ 102,163.91
Bovis	Construction Manager- Sheriff	4011418-5410	\$ 7,601.58
Bovis	Construction Manager-Hayes	40411412-541041002	\$ 23,433.44
U.S. Filter	Bioxide for Pump Stations	65211905-5290	\$ 6,994.75
AEP	Service	65211905-533833802	\$ 29,074.24
Burgess and Niple LTD.	Professional Services	67111915-5410	\$ 36,391.19
Villa Angela Care Center	Cluster/Choi	22511608-534234215	\$ 5,022.00

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

RESOLUTION NO. 02-1416

IN THE MATTER OF APPROVING THE TREASURER'S REPORT:

It was moved by Mr. Ward, seconded by Mrs. Martin to approve the Treasurer's Report.

(Copy available for review at the Commissioner's office until no longer of administrative use.)

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

RESOLUTION NO. 02 -1417

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that Darlene Miller, Kris Steele and Kathy Sturman attend a Conference on Sexually Aggressive Students in Columbus, Ohio December 6, 2002, at the cost of \$ 310.00.

Juvenile Court is requesting that Thomas E. Louden attend an OAJCJ (Juvenile Court Judges) Winter Meeting in Dayton, Ohio December 5 and 6, 2002, at the cost of \$204.00.

The Auditor' s Office is requesting that David Yost attend a Property Tax Law Seminar in Columbus, Ohio December 12, 2002, at the cost of \$290.00.

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The Environmental Services Department is requesting that Rick Varner attend a Biosolids Conference in Newark, Ohio December 5, 2002, at the cost of \$100.00.

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

RESOLUTION NO. 02-1418

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE SHERIFF’S OFFICE:

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

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT:
10031301 - 500 General Fund/Sheriff - Salaries	10031301-540 General Fund/Sheriff - Equip	\$ 5,000.00
10031303 - 500 General Fund/Jail - Salaries	10031303-540 General Fund/Jail - Equip	\$ 20,000.00

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

RESOLUTION NO. 02-1419

IN THE MATTER OF APPROVING PLATS FOR HARBOR POINTE SECTION 3, PHASE A AND HARBOR POINTE SECTION 3, PHASE B:

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

Harbor Pointe Section 3, Phase A

Situated In The State Of Ohio, County Of Delaware, Township Of Berlin And In Farm Lot 5, Quarter Township 4, Township 4, Range 18, United States Military Lands, Containing 21.505 Acres Of Land, More Or Less, Said 21.505 Acres Being Part Of That Tract Of Land Conveyed To M/I Schottenstein Homes Inc. By Deed Of Record In Official Record 12, Page 1461, Recorder’s Office, Delaware County, Ohio. Cost \$ 105.00.

Harbor Pointe Section 3, Phase B

Situated In The State Of Ohio, County Of Delaware, Township Of Berlin And In Farm Lot 5, Quarter Township 4, Township 4, Range 18, United States Military Lands, Containing 6.393 Acres Of Land, More Or Less, Said 6.393 Acres Being Part Of That Tract Of Land Conveyed To M/I Schottenstein Homes Inc. By Deed Of Record In Official Record 12, Page 1461, Recorder’s Office, Delaware County, Ohio. Cost \$ 42.00.

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

RESOLUTION NO. 02-1420

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR EAGLE TRACE SECTION 2, PHASE B; OAKS AT HIGHLAND LAKES PHASE 1; SHELLBARK RIDGE PHASE 2; SHERBROOK PHASE 9; RIVER’S EDGE AT ALUM CREEK PHASE 1; SCIOTO RESERVE SECTION 1, PHASE 4; SCIOTO RESERVE SECTION 2, PHASE 3; SCIOTO RESERVE SECTION 3, PHASE 3; SCIOTO RESERVE SECTION 3, PHASE 4 AND SLANE RIDGE SUBDIVISION:

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

Eagle Trace Section 2, Phase B

The roadways to be accepted are as follows:

- An addition of 0.12 mile to **Township Road Number 971, Eagle Trace Drive**
- An addition of 0.12 mile to **Township Road Number 972, Danbridge Way**
- **Beringer Drive**, to be known as **Township Road Number 1317**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

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Oaks at Highland Lakes Phase 1

The roadways to be accepted are as follows:

- **Alpine Drive**, to be known as **Township Road Number 1311**
- **Alston Drive**, to be known as **Township Road Number 1312**
- **Shiloh Spring Drive**, to be known as **Township Road Number 1313**
- **Thornwood Drive**, to be known as **Township Road Number 1314**
- **Sierra Drive**, to be known as **Township Road Number 1315**
- **Cali Glen Drive**, to be known as **Township Road Number 1316**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Shellbark Ridge Phase 2

The roadways to be accepted are as follows:

- An addition of 0.37 mile to **Township Road Number 827, Hawksbeard Drive**
- **Nightshade Drive**, to be known as **Township Road Number 1299**
- **Wallpepper Court**, to be known as **Township Road Number 1300**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Sherbrook Phase 9

The roadways to be accepted are as follows:

- An addition of 0.11 mile to **Township Road Number 1259, Grisham Street**
- An addition of 0.19 mile to **Township Road Number 1299, Nightshade Drive**
- **Pueblo Court**, to be known as **Township Road Number 1302**
- **Saddlewood Drive**, to be known as **Township Road Number 1303**
- **Maisa Court**, to be known as **Township Road Number 1304**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

River's Edge at Alum Creek Phase 1

The roadways to be accepted are as follows:

- **River's Run Drive**, to be known as **Township Road Number 1309**
- **River's Edge Drive**, to be known as **Township Road Number 1310**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Scioto Reserve Section 1, Phase 4

The roadways to be accepted are as follows:

- An addition of 0.25 mile to **Township Road Number 1223, Tree Lake Boulevard**
- **Maple Run Lane**, to be known as **Township Road Number 1297**
- **Stone View Court**, to be known as **Township Road Number 1298**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Scioto Reserve Section 2, Phase 3

The roadways to be accepted are as follows:

- An addition of 0.06 mile to **Township Road Number 967, Glenmore Drive**
- An addition of 0.17 mile to **Township Road Number 969, Willow Valley Way**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Scioto Reserve Section 3, Phase 3

The roadways to be accepted are as follows:

- An addition of 0.20 mile to **Township Road Number 1226, Scioto Parkway**
- **St. Laurent Drive**, to be known as **Township Road Number 1305**

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- **Regional Place**, to be known as **Township Road Number 1306**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Scioto Reserve Section 3, Phase 4

The roadways to be accepted are as follows:

- An addition of 0.17 mile to **Township Road Number 1226, Scioto Parkway**
- **Shadow Woods Court**, to be known as **Township Road Number 1307**
- **Eventrail Drive**, to be known as **Township Road Number 1308**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

Slane Ridge Subdivision

The roadway to be accepted is as follows:

- **Slane Ridge Drive**, to be known as **Township Road Number 1301**

Engineer recommends that 25 mile per hour speed limits be established throughout the project.

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

RESOLUTION NO. 02-1421

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR EAGLE TRACE SECTION 2, PHASE B; OAKS AT HIGHLAND LAKES PHASE 1; SHELLBARK RIDGE PHASE 2; SHERBROOK PHASE 9; RIVER’S EDGE AT ALUM CREEK PHASE 1; SCIOTO RESERVE SECTION 1, PHASE 4; SCIOTO RESERVE SECTION 2, PHASE 3; SCIOTO RESERVE SECTION 3, PHASE 3; SCIOTO RESERVE SECTION 3, PHASE 4; SLANE RIDGE SUBDIVISION:

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

Stop Conditions – Eagle Trace Section 2, Phase B

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

- On Township Road Number 971, Eagle Trace Drive, at its intersection with Township Road Number 972, Danbridge Way
- On Township Road Number 1317, Beringer Drive, at its intersection with Township Road Number 972, Danbridge Way

Stop Conditions – Oaks at Highland Lakes Phase 1

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

- On Township Road Number 1311, Alpine Drive, at its intersection with County Road Number 13, Worthington Road
- On Township Road Number 1311, Alpine Drive, at its intersection with Township Road Number 1312, Alston Drive
- On Township Road Number 1313, Shiloh Spring Drive, at its intersection with Township Road Number 1312, Alston Drive
- On Township Road Number 1313, Shiloh Spring Drive, at its intersection with Township Road Number 1315, Sierra Drive.
- On Township Road Number 1314, Thornwood Drive, at its intersection with Township Road Number 1313, Shiloh Spring Drive
- On Township Road Number 1315, Sierra Drive, at its intersection with Township Road Number 1312, Alston Drive
- On Township Road Number 1316, Cali Glen Drive, at its intersection with Township Road Number 1315, Sierra Drive

Stop Conditions – Shellbark Ridge Phase 2

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

- On Township Road Number 827, Hawksbeard Drive, at its intersection with County Road Number 108,

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Tussic Street Road

- On Township Road Number 1299, Nightshade Drive, at its intersection with Township Road Number 827, Hawksbeard Drive
- On Township Road number 1300, Wallpepper Court, at its intersection with Township Road Number 827, Hawksbeard Drive

Stop Conditions – Sherbrook Phase 9

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

- On Township Road Number 1259, Grisham Street, at its intersection with Township Road Number 1299, Nightshade Drive
- On Township Road Number 1302, Pueblo Court, at its intersection with Township Road Number 1259, Grisham Street
- On Township Road number 1303, Saddlewood Drive, at its intersection with Township Road Number 1299, Nightshade Drive
- On Township Road Number 1304, Maisa Court, at its intersection with Township Road Number 1303, Saddlewood Drive

Stop Conditions – River’s Edge at Alum Creek Phase 1

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

- On Township Road Number 1309, River’s Run Drive, at its intersection with Township Road Number 107, Bale Kenyon Road
- On Township Road Number 1309, River’s Run Drive, at its intersection with Township Road Number 1310,

Stop Conditions – Scioto Reserve Section 1, Phase 4

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

- On Township Road Number 1297, Maple Run Lane, at its south intersection with Township Road Number 1223, Tree Lake Boulevard
- On Township Road Number 1298, Stone View Court, at its intersection with Township Road Number 1223, Tree Lake Boulevard

Stop Conditions –Scioto Reserve Section 2, Phase 3

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

- On Township Road Number 969, Willow Valley Way, at its east intersection with Township Road Number 967, Glenmore Drive

Stop Conditions – Scioto Reserve Section 3, Phase 3

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

- On Township Road Number 1305, St. Laurent Drive, at its intersection with Township Road Number 1226, Scioto Parkway
- On Township Road Number 1306, Regional Place, at its intersection with Township Road Number 1226, Scioto Parkway

Stop Conditions – Scioto Reserve Section 3, Phase 4

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

- On Township Road Number 1307, Shadow Woods Court, at its intersection with Township Road Number 1226, Scioto Parkway
- On Township Road Number 1308, Eventrail Drive, at its intersection with Township Road Number 1226, Scioto Parkway

Stop Conditions – Slane Ridge Subdivision

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

- On Township Road Number 1301, Slane Ridge Drive, at its intersection with County Road Number 108, Tussic Street Road

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

RESOLUTION NO. 02 -1422

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
U02148	Columbia Gas	Hickory Woods Subdivision	Install gas main
U02182	Columbus Southern Power	Longshore Road	Bore road
U02185	Columbia Gas	Eagle Trace 3B	Install gas main
U02186	Columbia Gas	Covington Meadows 3	Install gas main

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

RESOLUTION NO. 02-1423

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE ENGINEER’S OFFICE:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
29240402 - 520	M&G - Mat & Sup	\$ 995.00

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

RESOLUTION NO. 02-1424

IN THE MATTER OF APPROVING CHANGE ORDERS FOR MEDIC STATION 9 (HARLEM):

It was moved by Mr. Ward, seconded by Mrs. Martin to approve change orders:

WHEREAS, various construction changes at Medic Station 9 (Harlem) have been required to enhance the efficiency of the station and improve the safety and comfort of Emergency Medical Service personnel, and

WHEREAS, these changes affected all the prime contractors, and

WHEREAS, some of the changes resulted in additional costs to the County,

Robertson Construction	Chg Order 1	\$ 0.00
	Chg Order 2	\$ 212.00
	Chg Order 3	\$ 199.30
	Chg Order 4	\$ 0.00
	Sub-total:	\$ 411.00
Holdridge Mechanical	Chg Order 1	\$ 0.00
	Chg Order 2	\$ 2,170.00
	Chg Order 3	\$ -778.00
	Chg Order 4	\$ 0.00
	Chg Order 5	\$ -1,863.20
	Sub-total:	\$ -471.00
Comfort Express	Chg Order 1	\$ 0.00
	Chg Order 2	\$ 1,043.20
	Chg Order 3	\$ 0.00
	Sub-total:	\$ 1,043.20
Mid-State Electrical	Chg Order 1	\$ 0.00
	Chg Order 2	\$ 0.00

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Chg Order 3	\$ 671.09
Chg Order 4	\$ 0.00
Chg Order 5	\$ 2,344.90
Sub-total:	\$ 3,015.99

TOTAL FUNDS TO BE APPROPRIATED: \$4,000.00

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approves these Change Orders.

BE IT FURTHER RESOLVED: That the Board of County Commissioners approve the appropriation of funds for this change order into Account 40211407-540.

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 Mr. Wuertz Aye Mrs. Martin Aye

RESOLUTION NO. 02-1425

RESOLUTION AUTHORIZING THE ASSIGNMENT OF AN ENTERPRISE ZONE AGREEMENT FROM DIGITAL STORAGE, INC. (DSI #1), DIGITAL STORAGE LLC, AND FREM II, LTD. TO DAISYTEK INTERNATIONAL, DIGITAL STORAGE, INC. (DSI #2), AND 7611 GREEN MEADOWS DRIVE, LTD.:

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

WHEREAS, Orange Township and Delaware County have encouraged the development of real estate and the investment in personal property within a certain area of the township via the establishment of an Enterprise Zone Area; and

WHEREAS, on September 30, 1996, the Orange Township Board of Trustees passed Resolution 96-138, and on September 9, 1996 the Delaware County Board of Commissioners passed Resolution 96-727, authorizing the execution of an Enterprise Zone agreement with Digital Storage, Inc. (DSI#1), Distribution and Logistics Services, Inc., and FREM II Ltd. (FREM); and

WHEREAS, the Delaware County Board of Commissioners, Orange Township, and DSI #1, Distribution and Logistics Services, Inc., and FREM did enter into an Enterprise Zone Agreement dated September 30, 1996, in conjunction with a PROJECT to be undertaken for the purpose of constructing a new 60,000 square foot corporate office and distribution center facility, and to make certain investment in new tangible personal property at a site in Orange Township located at 7611 Green Meadows Drive, Lewis Center, Ohio (PROJECT site); and

WHEREAS, pursuant to said Enterprise Zone Agreement, DSI #1, Distribution and Logistics Services, Inc., and FREM were to receive certain tax incentives as the presumed owners and investors in real property improvements and personal property and creators of new full-time equivalent (FTE) job opportunities and annual payroll, and retainer of existing full-time equivalent jobs at the PROJECT site; and

WHEREAS, on February 22, 2000, the Orange Township Board of Trustees passed Resolution 2000-26, and on February 22, 2000, the Delaware County Board of Commissioners passed Resolution 00-174, authorizing the execution of an amendment of the Enterprise Zone agreement, dated February 23, 2000, with DSI #1, and FREM, recognizing that Distribution and Logistics Services, Inc. (known as "SubmitOrd PROJECT site, and that DSI #1 would be the tenant at the PROJECT site responsible for all job & payroll creation and investment levels as required in the Agreement dated September 30, 1996; and

WHEREAS, on July 2, 2001 the Orange Township Board of Trustees passed Resolution 01-170, and on July 9, 2001, the Delaware County Board of Commissioners passed Resolution 01-722, authorizing the execution of an amendment of the Enterprise Zone agreement, dated July 1, 2001, with DSI #1, Digital Storage LLC (DSLCC), and FREM, recognizing the addition of DSLCC as an additional PROJECT participant; and

WHEREAS, it is now understood by all parties of the original Enterprise Zone Agreement, and as amended, that DSI #1 has sold the assets of DSLCC to Daisytek International Corporation (DIC), and that a new corporation known as Digital Storage, Inc. (DSI #2) has been formed from these purchased assets, and that DSI #2 has taken over the operations of the former DSLCC at the PROJECT site, and that FREM has sold the land and building known as the PROJECT site to 7611 Green Meadows Drive, Ltd. (7611 GMD); and

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Delaware County Board of Commissioners, County of Delaware, State of Ohio, as follows:

- 1. The remaining duties, benefits, obligations, liabilities and commitments provided for DSI #1 and DSLCC as stated in the Enterprise Zone Agreement dated September 30, 1996 and as amended on February 22,

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2000 and July 9, 2001, are hereby assigned to and assumed by DSI #2 and DIC as additional PROJECT participants, and the remaining duties, benefits, obligations, liabilities and commitments provided for FREM as stated in the Enterprise Zone Agreement, dated September 30, 1996 and as amended on February 22, 2000 and July 9, 2001, are hereby assigned to and assumed by 7611 GMD as an additional PROJECT participant. DSI #2, DIC, and 7611 GMD are hereafter entitled to all such remaining benefits and do hereby agree to assume and perform all such remaining duties, obligations, liabilities and commitments previously provided for DSI #1, DSLLC and FREM. DSI #1, DSLLC and FREM shall remain jointly and severally liable for their obligations and commitments under the Enterprise Zone Agreement dated September 30, 1996, and as amended on February 22, 2000 and July 9, 2001.

2. DSI #2 and DIC shall hereafter be responsible for the remaining duties, benefits, obligations, liabilities and commitments provided for DSI #1 and DSLLC as stated in the Enterprise Zone Agreement dated September 30, 1996, and as amended on February 22, 2000 and July 9, 2001. 7611 GMD shall hereafter be responsible for the remaining duties, benefits, obligations, liabilities and commitments provided for FREM as stated in the Enterprise Zone Agreement dated September 30, 1996, and as amended on February 22, 2000 and July 9, 2001. If DSI #2, DIC, or 7611 GMD materially fail to fulfill their duties, obligations, and commitments under this Agreement, or if Delaware County determines that the certification as to delinquent taxes required by this Agreement is fraudulent, Delaware County and Orange Township may terminate or modify the exemptions from taxation granted all parties under this Agreement, and may require the repayment, from DSI #2, DIC, 7611 GMD, DSI #1, DSLLC or FREM of the amount of taxes that would have been payable had the property not been exempted from taxation under this Agreement.

3. Delaware County shall grant the real property tax exemption called for under the Agreement for the referenced PROJECT in recognition of this assignment and the terms and conditions established therein.

4. The Delaware County Director of Economic Development is directed to formally notify the Olentangy Local School District, the Delaware Joint Vocational School, the Delaware County Auditor, the Ohio Department of Development, and the Ohio Department of Taxation in writing of this amendment.

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

RESOLUTION NO. 02-1426

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS ALDENA TAYLOR AND LA'BELLA LEARNING 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
Aldena Taylor 8378 Smokey Rd. Radnor, Ohio 43066	Infant Toddler Preschool Schoolage	\$ 2.75 \$ 2.75 \$ 2.50 \$ 2.50		None
La'Bella Learning Academy 398 Demascus Road Marysville, Ohio 43040	Infant Toddler Preschool	\$152.00 \$131.00 \$114.00	\$102.00 \$ 88.00 \$ 76.00	\$25.00 Registration Fee

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

RESOLUTION NO. 02-1427

IN THE MATTER OF APPROVING THE AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND LITERACY COALITION OF DELAWARE COUNTY:

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

Agreement

This Agreement is entered into by and between the Delaware County Department of Job and Family Services (hereafter, "Department"), the Delaware County Board of Commissioners (hereafter "County:"), and the Literacy Coalition of Delaware County (hereafter "Literacy Coalition").

Whereas the County has accepted State funds and needs to provide services or, contract out for services, and the Literacy Coalition is willing to provide those services at an agreed-upon price, the Parties mutually agree that:

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- A. The Literacy Coalition will provide services for TANF-eligible participants. Services will include:
- Arranging and conducting focus groups to be held in Ashley and Dooley’s Orchard to address community needs.
 - Sponsoring two parent events.
 - Develop a parent resource library.
 - Create literacy activity boxes.
- B. The cost of the Literacy Coalition services shall not exceed \$15,805.
- C. The time period for this contract is from November 4, 2002 through June 30, 2003.
- D. The Literacy Coalition shall submit a monthly invoice and project report to the Department. The Department agrees to review the invoices and make payment within 30 days of the receipt of the invoice, subject to appropriate modifications/corrections.
- E. The Literacy Coalition understands and agrees that payment for all services provided in accordance with the provisions of this Agreement depends upon the availability of county, state and federal funds.
- F. This agreement cannot be modified except when reduced to writing and signed by all Parties.
- G. Notwithstanding section (F), in the event that state and/or federal reimbursement is no longer available to the Department, therefore requiring changes or termination of this Agreement, such changes or termination will be effective on the date that state and/or federal reimbursement is no longer available or later, as otherwise stipulated by the Department.
- H. The Literacy Coalition agrees that the use or disclosure of any information concerning participants for any purpose not directly connected to the delivery of purchased services is prohibits.
- I. The Parties understand and agree that this written Agreement encompasses the entire understanding between the Parties, and supercedes all oral or prior agreements.
- J. The Literacy Coalition agrees to hold harmless the Department, the County, and the Ohio Department of Job and Family Services from all liability, loss, damage, and/or related expenses incurred through the provision of services under this Agreement.
- K. The Literacy Coalition agrees to maintain compliance with the state, federal, and local regulations which govern the provision of these services.
- L. The Department and the Literacy Coalition agree that in the performance of this Agreement, there shall be no discrimination against any client or any employee because of race, color, sex, religion, national origin, or handicapped condition as specified in the Civil Rights Act of 1964 and subsequent amendments. It is further agreed that the Literacy Coalition will fully comply with all appropriate federal and state laws regarding such discrimination, and the right to and method of appeal will be made available to all persons serviced under this Agreement.
- M. This Agreement may be terminated by The Literacy Coalition or the Department upon seven days written notice. Failure to honor the terms of this Agreement and/or the related state, federal, or local regulations shall result in immediate termination of this Agreement. If any of the terms of this Agreement change, the Literacy Coalition of Delaware County must notify the Department immediately.

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

RESOLUTION NO. 02-1428

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR COVINGTON
MEADOWS SECTION 3; VILLAGE AT ALUM CREEK SECTION 6 AND GOLF VILLAGE
SECTION 4, PHASES A & B:

It was moved by Mr. Ward, seconded by Mrs. Martin to accept the sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Covington Meadows Section 3	1,505 feet of 8 inch sewer	9 manholes
Village At Alum Creek Section 6	3,657 feet of 8 inch sewer	17 manholes
Golf Village Section 4, Phase A & B	4,191 feet of 8 inch sewer	18 manholes

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

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RESOLUTION NO. 02-1429

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR GLEN OAK SECTION 2:

It was moved by Mrs. Martin, seconded by Mr. Ward to approve sanitary sewer plan for Glen Oak Section 2 for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 02-1430

IN THE MATTER OF AWARDING QUALITY CONTROL INSPECTION, INC. THE CONTRACT FOR INSPECTION SERVICES FOR SANITARY SEWERS:

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

Inspection Services for Sanitary Sewers Bid-Recommendation for Award

The following is a tabulation of the bids received for inspection services for sanitary sewers on August 22, 2002.

Company	Bid (\$/hour)
Quality Control Inspection (QCI)	\$32.00
ME Companies	\$32.24
BBC&M Engineering	\$33.75
Resource International	\$36.00

Quality Control Inspection, Inc. was the low bidder at \$32.00 per hour. All required documentation was provided by QCI and was in accordance with the Delaware County Sanitary Engineer’s bid specifications.

It is recommended that Quality Control Inspection, Inc. be awarded the contract for inspection services for sanitary sewers.

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

RESOLUTION NO. 02-1431

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS AND SUPPLEMENTAL APPROPRIATIONS FOR THE RECYCLE OHIO GRANT BUDGET:

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

SUPPLEMENTAL
APPROPRIATIONS

FUND NUMBER:	FUND NAME:	AMOUNT:
22111502-530	Litter Grant - Srvs & Chrgs	\$ 1,000.00

TRANSFER OF
APPROPRIATION

FROM:	TO:	AMOUNT:
22111502-500	22111502-520	\$ 1,000.00
Litter Grant - Salaries	Litter Grant - Mat & Sup	
22111502-510	22111502-520	\$ 2,017.00
Litter Grant - Benefits	Litter Grant - Mat & Sup	
22111502-540	22111502-520	\$ 1,000.00
Litter Grant - Equip	Litter Grant - Mat & Sup	

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

RESOLUTION NO. 02-1432

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION FOR CODE COMPLIANCE:

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

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TRANSFER OF APPROPRIATIONS

10011301-520	10011301-530	\$	2,500.00
General Fund/Code Compliance - Mat & Sup	General Fund/Code Compliance - Srvs & Chrgs		

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

RESOLUTION NO. 02-1433 WAS NOT UTILIZED

RESOLUTION NO. 02-1434

IN THE MATTER OF AUTHORIZING THE PERFORMANCE OF A COST ANALYSIS STUDY TO DETERMINE THE COSTS OF THE DELAWARE COUNTY DOG SHELTER OF PROVIDING THE SERVICES REQUIRED UNDER OHIO REVISED CODE SECTIONS 955.12, 955.15, AND 955.16 AS PERMITTED BY OHIO REVISED CODE SECTION 955.17:

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

- Whereas, Ohio Revised Code Section 955.17 provides that a Board of County Commissioners may authorize the performance of a cost analysis study to determine the costs to the county of performing the services required under Ohio Revised Code Sections 955.12, 955.15, and 955.16; and
- Whereas, Ohio Revised Code Section 955.17 provides that the scope of the study be defined and the costs to be analyzed are itemized and shall include the direct costs to the county of performing the services required under Ohio Revised Code Sections 955.12, 955.15, and 955.16; and
- Whereas, Ohio Revised Code Section 955.17 provides that, if the Board of Commissioners so desires, the study may include any reasonable indirect costs determined by the Board to be incurred by other county offices in helping in the performance of the duties under those sections;

Now, therefore, be it resolved, by the Board of Commissioners of Delaware County, State of Ohio, that the Director of Administrative Services directs the performance of a cost analysis study to determine the costs of providing the Delaware County Dog Shelter services required under Ohio Revised Code Sections 955.12, 955.15, and 955.16. The scope of the study shall include direct and indirect costs. The review of service costs of the Delaware County Dog Shelter will be used to establish user fees for 2003.

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

RESOLUTION NO. 02-1435

IN THE MATTER OF ACCEPTING WARRANTIES, AS-BUILT DRAWINGS, O&M MANUALS, CONTRACTOR AFFIDAVIT, PREVAILING WAGE AFFIDAVIT, PUNCHLIST CERTIFICATION AND PAYING RETAINAGE FOR BID PACKAGE 27 (ARCHITECTURAL FLOORS) FOR THE RUTHERFORD B. HAYES SERVICES BUILDING:

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

ARCHITECTURAL FLOORS	\$15,784.95
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Vote on Motion Mrs. Martin Aye Mr. Wuertz Aye Mr. Ward Aye

RESOLUTION NO. 02-1436

IN THE MATTER OF APPROVING AN ADDENDUM TO THE RE-BID OF BID PACKAGE 6 (PLUMBING) FOR ALTERATIONS TO 109 NORTH SANDUSKY STREET DELAWARE COUNTY, OHIO:

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

Description	Base Bid Estimate
Addendum -Bid Package 6 – Plumbing	\$29,700.00

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

DISCUSSION OF SHERIFF’S PROJECT

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RESOLUTION NO. 02-1437

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF EMPLOYEES OR PUBLIC OFFICIALS AND CONSIDERATION OF EMPLOYEE DISCIPLINE:

It was moved by Mr. Ward, seconded by Mrs. Martin to adjourn into Executive Session at 10:37AM.

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

RESOLUTION NO. 02-1438

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 10:55AM.

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

RESOLUTION NO. 02-1439

IN THE MATTER OF EXTENDING THE PROBATIONARY PERIOD OF AN EMPLOYEE:

It was moved by Mr. Ward, seconded by Mrs. Martin to extend the probationary period for Brian Smith, an EMS Department employee, for 90 days.

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