

COMMISSIONERS JOURNAL NO. 43- DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 14, 2002

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

Present: Donald Wuertz (Absent), Deborah Martin, James D. Ward

8:00 AM Duncan Whitney-Prosecutor

PUBLIC COMMENT

RESOLUTION NO. 02-1296

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBER CMAPR1011:

It was moved by Mr. Ward, seconded by Mrs. Martin to approve payment of warrants in batch number CMAPR1011 and Purchase Orders and Vouchers as listed below:

Po's	Vendor	Description	Account Number	Amount		
Del Co Fam Svc Reg Co of Gov	Client Training		22411601-5349	\$ 6,000.00		
Polaris Mall LLC	Public Road Improvements		40411411-5420	\$ 1,000,000.00		
Increases						
Villa Angela Care Center	Cluster/Residential Treatment		22511608-534234215	\$ 20,000.00		
Buckeye Boys Ranch	Cluster/Residential Treatment		22511608-534234215	\$ 28,500.00		
Liberty Community Cen.	Child Care		22411606-5348	\$ 9,000.00		
Vouchers						
Air Experts	HVAC		40411412-541041002	\$ 47,023.04		
Air Experts	HVAC		40411412-541041002	\$ 34,099.52		
Kirk Williams	Plumbing/Hayes Bldg		40411412-541041002	\$ 17,988.13		
ACP of Ohio	Plumbing/Hayes Bldg		40411412-541041002	\$ 68,814.43		
Spring Electrical Construction Inc.	Electrical/Harlem EMS Station		40211407-541041002	\$ 18,166.38		
INCA Enterprises Inc.	General Trades/Harlem EMS		40211407-541041002	\$ 47,237.73		
AEP	Electric Service		65211905-533833802	\$ 30,827.34		
Romanoff Mechanical	Plumbing/Harlem EMS		40211407-541041002	\$ 10,213.40		
Mid-State Electrical Construction	Electric/Scioto EMS		40211406-541041002	\$ 11,642.41		
Gateway	Wirless Network		40211408-545045010	\$ 104,454.00		
Delaware County Health Dept.	Professional Services		22411601-530130102	\$ 14,350.37		
Polaris Mall LLC	Public Road Improvements		40411411-5420	\$ 1,000,000.00		
AEP	Electric Service		65211905-533833802	\$ 12,214.23		
AEP	Electric Service		65211905-533833802	\$ 31,479.52		
Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Absent	Mr. Ward	Aye

RESOLUTION NO. 02 -1297

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Environmental Services Department is requesting that Barry Bryant attend a Public-Sector Investigations Seminar in Columbus, Ohio October 29, 2002, at the cost of \$160.00.

Juvenile Court is requesting that Terrie Clinger, Steve Hanson, Margaret McCoy, Mary Kay Rogers; Bryon Brown and Laurie Scholz attend Rethinking Court Responses To Client Behavior: Incentives And Sanctions in Chicago, Illinois November 1 & 2, 2002, at the cost of \$1,525.00.

The Emergency Services Department is requesting that 10 Personnel attend a Radiological terrorism Seminar at the OSU Harding Hospital October 22 and 23, 2002, at the cost of \$200.00.

Juvenile Court is requesting that Bobby Massie attend a Seminar on Parental Aid in Columbus, Ohio October 25, 2002, at the cost of \$77.00.

The Engineer's Office is requesting that Chris McGrew, Kevin Kramer and Ron Ford attend a 2002 Superintendent's and Mechanic's Conference and Trade Show in Mt. Sterling, Ohio October 30 and 31, 2002, at

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the cost of \$520.00.

The Engineer’s Office is requesting that Rob Riley, Ryan Mraz and Doug Riedel attend an Ohio Transportation Engineering Conference in Columbus, Ohio October 22 and 23, 2002, at the cost of \$465.00.

The Engineer’s Office is requesting that Chris Bauserman, Scott Pike, Ryan Mraz, Tiffany Brinkmoeller and Michelle Strohi attend the CCAO/CEAO Annual Winter Conference in Columbus, Ohio December 1-4, 2002, at the cost of \$1,411.00.

The Commissioners Office is requesting that Dave Cannon attend a GFOA Economic Development Conference in Columbus, Ohio November 14, 2002, at the cost of \$45.00.

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

RESOLUTION NO. 02-1298

IN THE MATTER OF APPROVING SUBDIVIDER’S AGREEMENT FOR ANNEHURST  
VETERINARY CLINIC:

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

SUBDIVIDER’S AGREEMENT  
FOR  
DRAINAGE IMPROVEMENTS

Annehurst Veterinary Clinic

**THIS AGREEMENT** made and entered into this 14<sup>th</sup> day of October 2002, by and between the **COUNTY OF DELAWARE** (acting by and through its **BOARD OF COUNTY COMMISSIONERS**), hereinafter called the **COUNTY**, and **ANNEHURST VETERINARY CLINIC**, hereinafter called the **SUBDIVIDER**, as evidenced by the Engineering and Construction Plan entitled “**Big Walnut Animal Care Center**“ 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 should the Ohio Department of Transportation fail to perform said improvement**, which is a part of this **AGREEMENT**.
2. The **SUBDIVIDER** shall pay the entire cost and expenses of said improvements should the improvements not be made by the Ohio Department of Transportation.
3. The **SUBDIVIDER** is to provide an irrevocable letter of credit or other approved financial warranties in the amount of **THIRTEEN THOUSAND TWO HUNDRED FIFTY DOLLARS (\$13,250)** 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**”.
4. If the **SUBDIVIDER** subsequently is required to perform the work, **SUBDIVIDER** shall deposit **Inspection Fees at the rate current at that time**, 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 **SEPTEMBER 30, 2004..**
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**.
12. In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE**

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COUNTY, OHIO hereby grants to the SUBDIVIDER or his agent the right and privilege to make the said improvements stipulated herein.

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

RESOLUTION NO. 02-1299

IN THE MATTER OF ACCEPTING ROADS IN VILLAGE AT ALUM CREEK SECTION 5:

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

Village at Alum Creek Section 5

- An addition of 0.22 mile to Township Road Number 955, Alum Village Drive
- Cheyenne Creek Drive, to be known as Township Road Number 1285
- Sotherby Springs Drive, to be known as Township Road Number 1286

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

RESOLUTION NO. 02-1300

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR VILLAGE AT ALUM CREEK SECTION 5:

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

Stop Conditions –Village At Alum Creek Section 5

- On Township Road Number 955, Alum Village Drive, at its intersection with Township Road Number 1285, Cheyenne Creek Drive
- On Township Road Number 1285, Cheyenne Creek Drive, at its intersection with Township Road Number 955, Alum Village Drive
- On Township Road Number 1286, Sotherby Springs Drive, at its intersection with Township Road Number 1285, Cheyenne Creek Drive

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

RESOLUTION NO. 02 -1301

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
U02165	Verizon	Rutherford Road	Place aerial & buried cable
U02166	Verizon	Carriage Road	Place aerial & buried cable
U02167	Insight Communication	Africa Road	Directional bore road
U02168	Suburban Natural Gas	Curve Road/Winding Creek Lane	Lay gas main
U02170	Del-Co Water	Rosecrans Road	Install bore
U02172	Verizon	Worthington Road	Place buried cable
U02173	Del-Co Water	Old 3C Highway	Install bore
U02174	Del-Co Water	Old 3C Highway	Install bore

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

RESOLUTION NO. 02-1302

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS JEFF FINCHUM AND EVVA CROTHERS:

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

Child Care		Basic Rates Full Time (25 Hrs. or More)	Adjustment to Basic Rates
Jeff Finchum	Infant	\$ 2.05	None

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7260 Marion Twp Rd 243 Findlay, Ohio 45840	Toddler Preschool Schoolage	\$ 2.05 \$ 1.90 \$ 1.90	
Evva Crothers 279 Richards Circle Delaware, Ohio 43015	Infant Toddler Preschool Schoolage	\$ 2.75 \$ 2.75 \$ 2.50 \$ 2.50	None

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

RESOLUTION NO. 02-1303

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS IN NORTH ORANGE  
SECTION 1 PHASE 1; NORTH ORANGE SECTION 2 PHASE 1 AND NORTH ORANGE SECTION 3  
PHASE 1:

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:

North Orange Section 1 Phase 1	1,976 feet of 8 inch sewer 1,990 feet of 10 inch sewer	17 manholes
North Orange Section 2 Phase 1	235 feet of 8inch sewer	1 manholes
North Orange Section 3 Phase 1	3,347 feet of 8inch sewer	15 manholes

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

RESOLUTION NO. 02-1304

IN THE MATTER OF APPROVING CHANGE ORDER WITH JESS HOWARD ELECTRIC FOR  
THE ALUM CREEK WATER RECLAMATION FACILITY:

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

Jess Howard Electric Company –S98-1C-System Allowances	
Original Contract	\$ 435,000.00
Change Order 1 (Decrease)	(\$ 751.79)
Total Contract to Date	\$ 434,248.21

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

RESOLUTION NO. 02-1305

IN THE MATTER OF APPROVING BUDGET REVISION FOR THE RECYCLE OHIO GRANT:

It was moved by Mr. Ward, seconded by Mrs. Martin, to approve the revision for the Recycle Ohio Grant.

(Copy of report available in the Commissioners office until no longer of Administrative Value).

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

RESOLUTION NO. 02-1306

IN THE MATTER OF ACCEPTING THE RENEWAL OF GRANT FUNDS FOR VICTIM’S  
SERVICES:

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

Victims of Crime Act Grant Renewal  
(#21-445)  
Dates: 10/1/02-9/30/03

Funds:	\$21,664.00
	<u>\$15,140.00</u> (Local Match)
Total	\$36,804.00

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

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RESOLUTION NO. 02-1307

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR VICTIM’S SERVICES:

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

SUPPLEMENTAL APPROPRIATIONS

FUND NUMBER:		FUND NAME:		AMOUNT:		
23612302-500		VOCA Grant - Salaries		\$	5,500.00	
23612302-510		VOCA Grant - Benefits		\$	3,550.00	
Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Absent	Mr. Ward	Aye

RESOLUTION NO. 02-1308

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Larry Ramey has resigned his position as a Paramedic with the Emergency Services Department; effective date October 3, 2002.

Karin Eldredge has resigned her position as Records Clerk with the Records Center; effective date October 25, 2002.

Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Absent	Mr. Ward	Aye
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RESOLUTION NO. 02-1309

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

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

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

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

WHEREAS, the County conducted a review of the five submitted bid packages and an on-site review of three vehicles considered the best bids, and

WHEREAS, in accordance with the Ohio Revised Code, Delaware county has determined that the Horton bid proposal is the lowest and best bid at a cost of \$105,535.00 per unit and;

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

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

Vote on Motion	Mrs. Martin	Aye	Mr. Wuertz	Absent	Mr. Ward	Aye
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RESOLUTION NO. 02-1310

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION FOR EMERGENCY MEDICAL SERVICE MEDIC STATION 9 CONSTRUCTION:

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

WHEREAS, the Delaware County Board of Commissioners approved Change Order 3 for Medic Station 9 (Harlem) to add safety and security features during construction at a cost of \$5,642.49.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approve a supplemental appropriation of \$5,642.49 from the General Fund into EMS Medic 9 Construction fund, Account 40211407.

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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                      Absent                      Mrs. Martin                      Aye

RESOLUTION NO. 02-1311

IN THE MATTER OF APPROVING TRANSFER APPROPRIATIONS FOR THE COURT OF COMMON PLEAS:

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

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT:
10022201-540 General Fund/Judge Krueger - Equip	10022201-520 General Fund/Judge Krueger - Mat & Sup	\$ 4,600.00

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

RESOLUTION NO. 02-1312

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 22 (DALMATIAN FIRE) FOR THE RUTHERFORD B. HAYES SERVICES BUILDING:

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

DALMATIAN FIRE	\$8,920.00
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Vote on Motion                      Mr. Ward                      Aye                      Mr. Wuertz                      Absent                      Mrs. Martin                      Aye

RESOLUTION NO. 02-1313

8:30 AM ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYEE DISCIPLINE:

It was moved by Mr. Ward, seconded by Mrs. Martin to adjourn into executive Session at 9:30AM.

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

RESOLUTION NO. 02-1314

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mrs. Martin to adjourn out of Executive Session at 9:40AM.

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

There being no further business the meeting adjourned.

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Deborah B. Martin

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James D. Ward

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Donald E. Wuertz

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Letha George, Clerk to the Commissioners