

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 17, 2003

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

Present: Kristopher W. Jordan, Deborah B. Martin, James D. Ward

**PUBLIC COMMENT**

**RESOLUTION NO. 03-493**

**IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 14, 2003 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:**

It was moved by Mr. Jordan, seconded by Mrs. Martin to approve the resolutions and records of the proceedings from regular meeting held April 14, 2003 as contained in the county's official electronic recordings of the proceedings.

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

**RESOLUTION NO. 03-494**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0416:**

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve payment of warrants in Batch numbers CMAPR0416 and Purchase Orders and Vouchers as listed below:

**PO's**

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Allmax Professional Solutions	Management Software	65211919-5450	\$ 2,954.00
	Operator 10 Maintenance Data	65211905-5450	\$ 2,954.00
O. Ross Long, Attorney	Adoption Expenses	22511607-5350	\$ 7,000.00

**Increases**

Nancy E. Schuler	Bldg/Land Rental	10011105-533533502	\$ 5,071.00
Streamline Properties	Bldg/Land Rental	10011105-533533502	\$ 24,522.00

**Vouchers**

Williams Insurance Agency	Boiler & Machinery Policy Renewal	60111901-537037030	\$ 13,734.00
Delaware JVS	Continuing Education	22411603-5350	\$ 6,600.00
State of OH Treasurer	State Audit	10011102-530130101	\$ 10,132.00
Architectural Floors, Inc.	Flooring for 109	40111402-541041003	\$ 6,532.00
Clarence Jones	Demolition/174 N. Union St.	40111402-5410	\$ 9,500.00
Boys Village Inc.	Residential Treatment	22511607-5342	\$ 9,348.00
Presbyterian Child Welfare Agency	Residential Treatment	22511607-5342	\$ 20,880.00
Ben Bro Enterprises Inc.	Bldg/Land Rental	10011105-533533502	\$ 14,625.00
Lepi Enterprises, Inc.	Removal/Disposal Asbestos/ 174 N. Union	40411412-5410	\$ 5,128.00
Ameritas Insurance Corp	Dental Statement	75010903-530130102	\$ 9,485.59

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

**RESOLUTION NO. 03-495**

**IN THE MATTER OF THE DELAWARE COUNTY COMMISSIONERS SUPPORTING THE BICENTENNIAL LEGACY TREE PROJECT:**

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

WHEREAS, the Delaware County Bicentennial Committee has planned numerous activities and projects in honor of Ohio's Bicentennial;

WHEREAS, THE BICENTENNIAL LEGACY TREE PROJECT, is one of several important ways for Delaware County to celebrate its heritage and to make a tangible investment in the future;

WHEREAS, BICENTENNIAL LEGACY TREES have been generously donated for each township in Delaware County and for the Hayes Administration Building;

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 17, 2003**

WHEREAS, the Delaware County Commissioners do hereby recognize that the official Bicentennial Legacy Tree for Delaware County will be planted at the Hayes Administration Building on April 25<sup>th</sup>, which is National Arbor Day;

WHEREAS, each township in Delaware County is encouraged to plant their Bicentennial Legacy Tree between April 25<sup>th</sup> to May 6<sup>th</sup>, 2003;

NOW, THEREFORE, the Delaware County Commissioners do hereby express our appreciation and support for the Bicentennial Legacy Tree Project and we encourage each township to participate in this worthwhile project.

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

**RESOLUTION NO. 03-496**

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

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

**TRANSFER OF APPROPRIATION**

FROM:	TO:	AMOUNT
10011102-5901	10021201-5260	
General Fund-Contingency	Gen Fund/Common Pleas/Equipment >\$500, <\$4,999	\$ 1,800.00

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

**RESOLUTION NO. 03-497**

**IN THE MATTER OF RESCINDING RESOLUTION NO. 03-490 AND APPROVING THE FOLLOWING TRANSFER APPROPRIATIONS, AND SUPPLEMENTAL APPROPRIATIONS FOR THE BYRNE GRANT AND THE COMMUNITY CORRECTIONS GRANT:**

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

**TRANSFER OF APPROPRIATION**

FROM:	TO:	AMOUNT
25822305-5101	25822305-5201	
ByrneGrant/Health Insurance	ByrneGrant/Office Supplies	\$ 1,000.00
25822305-5101	25822305-5208	
ByrneGrant/Health Insurance	ByrneGrant/Operating Supplies	\$ 300.00
25822305-5101	25822305-5246	
ByrneGrant/Health Insurance	ByrneGrant/Lab Materials & Supplies	\$ 506.00
25822305-5101	25822305-5305	
ByrneGrant/Health Insurance	ByrneGrant/Training & Staff Dev.	\$ 34.00
25822305-5250	25822305-5260	
ByrneGrant/Minor Tools	ByrneGrant/Inventories Tools & Equipment	\$ 1,150.00
25822305-5250	25822305-5305	
ByrneGrant/Minor Tools	ByrneGrant/Training & Staff Development	\$ 100.00
25822305-5310	25822305-5305	
ByrneGrant/Travel Out of County	ByrneGrant/Training & Staff Development	\$ 741.00

**SUPPLEMENTAL APPROPRIATION**

25422301-5001		
Comm. Corrections Grant/Salaries	\$	42.91
25422301-5101		
Comm. Corrections Grant/Hospital Insurance	\$	3,105.00
25422301-5102		
Comm Corrections Grant/Workers Comp	\$	732.74
25422301-5120		
Comm. Corrections Grant/PERS	\$	5.74
25422301-5131		
Comm. Corrections Grant/Medicare	\$	1.12

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 17, 2003

25422301-5243						
Comm Corrections Grant/Drugs & Pharmaceuticals				\$		1,668.00
25422301-5250						
Comm Corrections Grant/Minor Tools & Equip				\$		500.00
25422301-5328						
Comm. Corrections Grant/Maint & Repair				-\$		100.00
25422301-5330						
Comm. Corrections Grant/Telephone				-\$		226.92
25422301-5331						
Comm. Corrections Grant /Postal Services				\$		88.89
25422301-5342						
Comm. Corrections Grant /Med. & Health Serv.				-\$		1,204.35
Vote on Motion	Mrs. Martin	Aye	Mr. Jordan	Aye	Mr. Ward	Aye

**RESOLUTION NO. 03-498**

**IN THE MATTER OF APPROVING THE ADDENDUM TO THE SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN SUNGARD BI-TECH INC., AND THE COUNTY OF DELAWARE TO ADD TWENTY (20) ADDITIONAL USERS TO THE CUSTOMERS ORIGINAL CONTRACT:**

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

**I. Customer**

This Addendum to the Software License and Support Agreement dated March 27, 2003 is by and between SunGard Bi-Tech Inc., hereinafter referred to as SunGard and the County of Delaware, hereinafter referred to as Customer.

**The Customer is hereby granted the right to use the Software according to the Terms and Conditions as stated in the Software License and Support Agreement, between SunGard and County of Delaware.**

**II. License**

SunGard agrees to add twenty (20) additional users to the Customers Original Contract, bringing the total number of Concurrent Users to forty (40). Customer is also licensing additional third party software for Oracle and Openlink.

The term of the license granted by this Addendum shall continue in perpetuity, however; SunGard’s obligation with respect to warranties and indemnities shall cease to apply if Annual Support is terminated. SunGard shall have no liability with respect to Customer’s use of the Software or services after Annual Support is terminated. Customer agrees that the Terms and Conditions stated in the original Agreement are applicable to the Software licensed in this Addendum. If any terms of this Addendum conflict with terms of the original Agreement, the terms herein shall take precedence. No title to or ownership of the Software or any of its parts is hereby transferred to the Customer and the Customer’s right to use the Software shall at all times be subject to the restrictions set forth in the above mentioned Agreement and this Addendum. The license granted hereby does not include licensing for any third party product unless expressly stated herein.

**III. License Fees and Annual Support:**

The service charge(s) are as follows:

<b>Additional IFAS User Upgrade</b>	
<b>Number of Users</b>	<b>20</b>
<b>Additional IFAS Licenses</b>	<b>35,000</b>
<b>IFAS First Year Support</b>	<b>6,300</b>
<b>Total IFAS Cost</b>	<b>\$41,300</b>
<b>Third Party Software</b>	
<b>Oracle v8 Standard Edition</b>	<b>6,000</b>
<b>Oracle First Year Support</b>	<b>1,320</b>
<b>Openlink - ODBC Driver - Concurrent Users</b>	<b>5,000</b>
<b>Openlink First Year Support</b>	<b>900</b>
<b>Total Third Party Cost</b>	<b>\$13,220</b>
<b>Total Software Upgrade Costs</b>	<b>\$54,520</b>

If services beyond those included above are needed, they shall be offered at SunGard's then current service rates. Any associated Travel, Meals, and Lodging will be billed as incurred. The \$6,300 first year support fee listed above is the

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 17, 2003**

Annual Support fee associated to the 20 added users licensed herein from execution hereof until one year thereafter. At the first opportunity this added Annual Support fee will be prorated to run concurrently with the existing Annual Support fee schedule. For future years, Annual Support is optional. Increases in annual support from year to year are as per the original Software License Agreement.

**IV. Payment**

Payment shall be as follows:

<b>Due Upon Execution of Addendum:</b>	
Software Licence Fees	\$35,000
Software Annual Support	6,300
Third Party License & Support Fees	<u>13,220</u>
Total	<b>\$54,520</b>

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

**RESOLUTION NO. 03-499**

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF DATA PROCESSING EQUIPMENT FOR THE BOARD OF ELECTIONS:**

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

Purchase of a Printer for the Board of Elections \$1,800.00.

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

**RESOLUTION NO. 03-500**

**IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND HAMBURG FIREWORKS DISPLAY INC. FOR DELAWARE COUNTY'S BI-CENTENNIAL FIRE WORKS DISPLAY:**

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

**Contract**

Contact entered in to this 17<sup>th</sup> day of April A.D. 2003 at 9:30am by and between Hamburg Fireworks Display Inc., of Lancaster in the county of Fairfield and State of Ohio party of the first part and Delaware County in the city of Delaware In the State of Ohio party of the second party, witness to:

The said party of the first part in consideration of the promises and agreements of said party of the second part herein set fourth hereby covenants and agrees to furnish one fireworks display on the agreed date: 05/17/03 and time: 9:45PM. (Sheet available in the Commissioners Office describes the items in the display show and presents the total cost of the display including insurance.) A rain date will be agreeable with both parties. Rain date: 05/18/03. In the event of inclement weather, the display will be rescheduled to a mutually agreed date; the party of the second part will secure the extension of the permit from the local authorities. Postponement fees are ten (10%) of the contract price. Should the party of the second part elect to cancel the display there is a cancellation fee of twenty (20%) percent of the contract price. The party of the second part agrees to procure and furnish a suitable place to display the said fireworks in accordance with the current National Fire Protection Association codes 1123,1124, and 1126. The party of the second part must also furnish police, fire, and crowd security persons in securing adequate crowd control, auto parking and proper supervision of the danger zone, as secured by its agents until Hamburg Fireworks Display Inc., reserve the right to terminate the display in the event that persons enter the secured danger zone and security in unable or unwilling to enforce the safety regulations.

In consideration where of said party of the second part hereby promises and aggress to pay the sum of \$25,000.00, for the display show. Upon acceptance of this agreement a sum of \$12,500.00, will be due. A late fee of two (2%) percent will be charged after 10 days of display date.

Hamburg Fireworks Display Inc., reserves the right to substitute shells of equal or greater value in the event a substitution is necessary.

**Further Be It Resolved**, that the Commissioners approve a Purchase Order Request to Hamburg Fireworks in the amount of \$25,000.00.

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

**RESOLUTION NO. 03-501**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF**

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 17, 2003

---

**APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR  
COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:**

It was moved by Mr. Jordan, seconded by Mrs. Martin to adjourn into Executive Session at 9:55AM.

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

**RESOLUTION NO. 03-502**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

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

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

There being no further business the meeting adjourned.

\_\_\_\_\_  
Kristopher W. Jordan

\_\_\_\_\_  
Deborah B. Martin

\_\_\_\_\_  
James D. Ward

\_\_\_\_\_  
Letha George, Clerk to the Commissioners