

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 21, 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- Delaware County Health District talked about Playground Safety

RESOLUTION NO. 03-503

IN THE MATTER OF RECOGNIZING APRIL 21st TO APRIL 25th, 2003 NATIONAL PLAYGROUND SAFETY WEEK:

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

Proclamation

WHEREAS, The safety and well-being of children is a priority to Delaware County; and

WHEREAS, more than 200,000 children are injured on playgrounds in the United States each year, averaging one playground-related emergency room visit every two-and-one-half minutes; and

WHEREAS, the National Program for Playground Safety was created to help inform the nation about playground injuries and possible ways to reduce the number of injuries; and

WHEREAS, the National Program for Playground Safety has identified key areas that could help substantially reduce the number of playground injuries and keep our children SAFE—providing: proper Supervision, Age appropriate equipment, materials to soften Falls, and Equipment maintenance; and

WHEREAS, spring is the time when children head to the playground, with a large percentage of playground injuries occur from April through June; and

WHEREAS, Delaware General Health District staff members trained in playground safety strive for the day no child is injured on playground equipment; and

WHEREAS, April 21 to April 25, 2003 has been designated as National Playground Safety Week;

THEREFORE, the Delaware County Commissioners join child safety advocates and do hereby proclaim

APRIL 21st to April 25th, 2003

As

Playground Safety Week

in Delaware County, and urge everyone to be aware of playground safety issues.

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

RESOLUTION NO. 03-504

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 17, 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 17, 2003 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 03-505

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0418:

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0418 and Purchase Orders and Vouchers as listed below:

PO's

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
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BWC State Insurance Fund	Premium Payment	75110902-5370	\$ 151,067.73
Synergy Mechanical Contractors	Liability Insurance claims	60111901-537037030	\$ 9,976.93
General Maint & Eng Co Inc	Roof Restoration	40111402-5410	\$ 6,093.00
Key Blue Printing	DTM 350 Total station/Perry Taggart	65511918-5450	\$ 6,400.00
Excavating Unlimited Inc.	Repair Force Main Under E. Powell Rd	65211905-5328	\$ 10,150.50
The Isaac Group LLC	Refund Portion/Inspection Deposit	6511904-5319	\$ 5,049.50

Increases

Scott, Scriven & Wahoff	EMS 2002 Negotiations	10011303-530130107	\$ 10,730.00
Nancy Schuler	Bldg/Land Rental/Back Taxes	10011105-533533502	\$ 8,339.66
CCAO SC	Gas Utilities	10011105-533833810	\$ 20,000.00
AEP	Electric Current	10011105-533833802	\$ 20,000.00

Vouchers

Synergy Mechanical	Annual Service Agreement	10011105-532832830	\$ 7,670.00
Scott, Scriven & Wahoff	EMS 2002 Negotiations	10011303-530130107	\$ 6,965.00
Nancy Schuler	Bldg/Land Rental/Back Taxes 5 yr/137 N. Sandusky	10011105-533533502	\$ 8,339.66
AEP	Electric /ACWRF Pump Station	65211919-533833802	\$ 46,737.24
Bovis	Construction Manage. 109 N Sandusky	40411418-5410	\$ 69,412.72

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

RESOLUTION NO. 03-506

IN THE MATTER OF CANCELING THE APRIL 24, 2003 COMMISSIONERS' SESSION:

It was moved by Mr. Jordan, seconded by Mrs. Martin to cancel the April 24, 2003 Commissioners' Session.

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

RESOLUTION NO. 03 -507

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Engineer's Office is requesting that Scott Pike attend a Project Technical Risk Management Seminar in Atlanta, Georgia August 21 22, 2003, at the cost of \$2,699.00.

The Court of Common Pleas is requesting that Doug Missman and Scott Ritter attend a Pre-trial Services training in Dublin, Ohio May 15, 2003, at the cost of \$100.00.

The Court of Common Pleas is requesting that Mark Taglione and Jeff Vandeborne attend a Drug Court Training in Columbus, Ohio may 8 to 9, 2003, at the cost of \$350.00.

The Administrative Services Department is requesting that Kevin Williams attend a Workplace Violence Seminar in Findlay, Ohio June 19, 2003, at the cost of \$335.50.

Juvenile Court is requesting that Colin Fowler attend a Conference on Specialized Services to Sexually Abusive Youth in Toronto, Ontario May 7 to May 9, 2003, at the cost of \$848.50.

The Auditor's Office is requesting that Seij Kille attend a Sungaurd Bi-tech User's Conference in Portsmouth, Virginia May 7 to May 9, 2003, at the cost of \$1,235.00.

The Auditor's Office is requesting that Roxanne Wharton attend an Ohio County Tax Mapping Conference in Columbus, Ohio May 6 to 7, 2003, at the cost of \$60.00.

The Auditor's Office is requesting a \$25.00 increase of to a previously approved travel request for Paul Howard to attend the Weights and Measures Conference.

The Auditor's Office is requesting a \$75.00 increase to a previously approved travel request for Merrill Sheets to attend the Weights and Measures Conference.

The Department of Job and Family Services is requesting that Rhonda Leasure and Sharon Lloyd attend a SCOTI (a state tracking program) meeting in Columbus, Ohio may 9, 2003, at no cost.

The Department of Job and Family Services is requesting that Rhonda Leasure attend a WIA Counties Workshop

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in London, Ohio May 2, 2003, at the cost of \$10.00.

Juvenile Court is requesting that Kathy Storman, Bobbie Massie, Byron Brown, Stacy Blair, Dave Andrews, Mary Cagnina, Coco Kneisly and Mary Kay Rogers attend a "Standing Strong" Seminar at the Hayes Building April 22, 2003, at the cost of \$120.00.

Juvenile Court is requesting that Colin Fowler, Dr. Sandi Forti, Brad Hedges, Craig Hill, Jim Little, Mark Travis, Thomas Clark, Suzanne Pingry, Tracy Bowen, Kathy Sturman, Alison Skinner, Patrick Brandt and Don Worley attend a Sex Offender Grant Technical Assistance Workshop in Washington D.C. May 28 to 30, 2003, at the cost of \$7,404.50.

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

Jail Feasibility Study Discussion

RESOLUTION NO. 03-508

IN THE MATTER OF APPROVING SUBDIVIDER'S AGREEMENT FOR WINDING CREEK ESTATES 4:

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

Winding Creek Estates 4

SUBDIVIDER'S AGREEMENT

THIS AGREEMENT executed on this 21st day of April 2003, between **MICHAEL FOX**, as evidenced by the **WINDING CREEK ESTATES 4** Construction plans filed with the **Delaware County Engineer**, Delaware County, Ohio and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** is governed by the following considerations, to wit:

Said **SUBDIVIDER** is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this **AGREEMENT**, said **SUBDIVIDER** shall, at the time of plat approval, execute bond, certified check, irrevocable letter of credit or other approved financial warranties equal to the cost of any remaining construction as shown in the Engineer's Estimate approved 3/18/03, which is acceptable to the **COUNTY COMMISSIONERS** to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Subdivision Regulations** of Delaware County, Ohio. The **SUBDIVIDER** shall pay the entire cost and expense of all improvements.

The **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one year from the date of the approval of said subdivision by the **COUNTY COMMISSIONERS**. But an extension of time may be granted if approved by the **COUNTY COMMISSIONERS**.

The **SUBDIVIDER** shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading plans and specifications and shall have the authority to execute the plans and specifications and alterations required by the **COUNTY**. The representative shall be replaced by the **SUBDIVIDER** when, in the opinion of the **COUNTY**, his performance is deemed inadequate.

If no bonding or performance surety has been filed, then no subdivision plat will be approved until a performance bond has been approved or until all public improvements have been made. In either case, the **SUBDIVIDER** further agrees that any violations or non-compliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract and the **COUNTY** shall have the right to stop work forthwith.

If a subdivision plat has been approved with the necessary bonding, then the **COUNTY** shall have the right to act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

ROADWAY AND STORM DRAINAGE

It is further agreed that upon execution of the **AGREEMENT**, the **SUBDIVIDER** shall deposit **EIGHT THOUSAND FIVE HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer** and, if deemed necessary by the **Delaware County Engineer**, testing by an independent laboratory. 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**, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

The **County** reserves the right during construction and thereafter to permit connection of adjoining properties within the original drainage basin to the storm sewer system.

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Upon completion of construction, the **SUBDIVIDER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workmanship for a period of one year. Said **SUBDIVIDER'S** bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the **County Engineer** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance to the **Ohio Department of Transportation Specifications**.

Acceptance of the roads and drainage structures in said subdivision into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **SUBDIVIDER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

Any snow and ice removal or other safety requirements deemed necessary by the **County Engineer** during the period of construction or maintenance shall be the responsibility of the **SUBDIVIDER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

CONSTRUCTION

The **SUBDIVIDER** shall, within thirty (30) days following the completion of construction and prior to final acceptance, furnish to **Delaware County**, as required, "as-built" drawings of the improvements, which plans shall become the property of the **County** and remain in the office of the **Delaware County Engineer**.

The **SUBDIVIDER** shall, within thirty (30) days of completion of construction, furnish to the **County** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **SUBDIVIDER** shall indemnify and hold harmless the **County** from expenses or claims for labor or material incident to said construction of improvements.

The **SUBDIVIDER** shall, during construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the **County** regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The **SUBDIVIDER** shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The **SUBDIVIDER** shall be responsible for all utility charges and installation costs. Utility user charges shall be paid by the **SUBDIVIDER** and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the **County**.

Should the **SUBDIVIDER** 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**.

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

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

RESOLUTION NO. 03-509

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR TARTAN FIELDS PHASE 9 AND TARTAN FIELDS PHASE 16:

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

Tartan Fields Phase 9

The roadways to be accepted are as follows:

- An addition of 0.18 mile to **Township Road Number 938, Morris Drive**
- **Grant Drive**, to be known as **Township Road Number 1344**
- **Flynn Lane**, to be known as **Township Road Number 1345**

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

Tartan Fields Phase 16

The roadways to be accepted are as follows:

- An addition of 0.06 mile to **Township Road Number 948, Rob Roy Drive**
- An addition of 0.25 mile to **Township Road Number 992, Archer Lane**
- **Robertson Court**, to be known as **Township Road Number 1346**

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

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

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RESOLUTION NO. 03-510

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR TARTAN FIELDS PHASE 9 AND TARTAN FIELDS PHASE 16:

It was moved by Mrs. Martin, seconded by Mr. Jordan to establish stop conditions for the following:

Stop Conditions – Tartan Fields Phase 9

- On Township Road Number 1344, Grant Drive, at its intersection with Township Road Number 938, Morris Drive
- On Township Road Number 1345, Flynn Lane, at its intersection with Township Road Number 938, Morris Drive

Stop Conditions – Tartan Fields Phase 16

- On Township Road Number 992, Archer Lane, at its intersection with Township Road Number 948, Rob Roy Drive
- On Township Road Number 1346, Robertson Court, at its intersection with Township Road Number 992, Archer Lane

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

RESOLUTION NO. 03-511

IN THE MATTER OF APPROVING THE RELEASE OF THE CASH BOND FROM HILDRETH AND HOOPER FOR THE DITCH SET BACK ON BLUE CHURCH ROAD:

It was moved by Mr. Jordan, seconded by Mrs. Martin to release the cash bond for the ditch set back on Blue Church Road.

In December 2002, your Board entered into agreement with Larry Hildreth and Joy Hooper for the performance of a ditch setback on Blue Church Road. The work for this project has been completed to this office’s satisfaction and the Engineer is, therefore, requesting approval to return the cash bond in the amount of \$17,000 posted as construction surety for this project to the developers.

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

RESOLUTION NO. 03-512

IN THE MATTER OF APPROVING THAT ACTION BE TAKEN AGAINST THE BOND OF THERESA EVANS FOR A DITCH SETBACK ON BLUE CHURCH AND WILSON ROADS:

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve taking action against the bond of Theresa Evans.

T. Evans Ditch Setback- Blue Church and Wilson Roads

In October 2000, the Engineer’s Office accepted a cash bond in the amount of \$7,713 for a ditch setback to be performed by Theresa Evans on Blue Church and Wilson Roads. This bond was accepted so that she was able to record the plat to transfer lots. In August 2001, a registered letter was sent to Ms. Evans advising her that the work still needed to be completed. The Engineer has tried to be lenient in giving her adequate time to perform this work but, as of this date, the Engineer still has received no response from Ms. Evans. Therefore, the Engineer is requesting approval to take action against the bond to have this work completed.

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

RESOLUTION NO. 03 -513

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

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

Permit #	Applicant	Location	Type of Work
U03047	Consolidated Electric	Monkey Hollow Road	Bore road

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

RESOLUTION NO. 03-514

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IN THE MATTER OF RE-APPOINTMENT OF CHRIS BAUSERMAN TO THE DISTRICT 17 INTEGRATING COMMITTEE AND APPOINTING RYAN MRAZ AS AN ALTERNATE:

It was moved by Mrs. Martin, seconded by Mr. Jordan to re-appoint Chris Bauserman, Engineer, to the District 17 Integrating Committee and Ryan Mraz as an alternate, effective May 31, 2003, for a three year term.

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

RESOLUTION NO. 03-515

IN THE MATTER OF DISPOSING OF PROPERTY NO LONGER ADEQUATE FOR THE USE FOR WHICH IT WAS PURCHASED:

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

The Delaware County Engineer’s Office currently has a 1990 Komatsu Road Grader, Serial Number 60003, that is not equipped to meet the Engineer’s Office current needs. The Office has located a grader from Southeastern Equipment Company that is equipped as needed. Southeastern has agreed to give us \$20,000 for the trade-in of this grader towards the new grader. Therefore, the Engineer is requesting approval to dispose of the 1990 Komatsu Road Grader by trading it in on the new grader.

Resolution

WHEREAS: The Delaware County Engineer has a 1990 Komatsu Road Grader purchased by the County that is no longer adequate to meet the needs of the County Highway Department; and

WHEREAS: In accordance to the Ohio Revised Code, Section 307.12(E), the Board may sell the vehicle to a person or firm from which it proposes to purchase other equipment or machinery, the Board may offer to sell the equipment or machinery to that person or firm, and to have the selling price credited to the person or firm against the purchase price of other equipment or machinery.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Delaware County, State of Ohio, that the Board authorizes the sale of the 1990 Komatsu Road Grader.

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

RESOLUTION NO. 03-516

IN THE MATTER OF ESTABLISHING THAT ANY CLAIMS, FOR FARMING DELAY DAMAGES, FILED BY ADJACENT PROPERTY OWNERS OF THE DELAWARE RUN DITCH IMPROVEMENT PROJECT BE CHARGED TO OURS EXCAVATING:

It was moved by Mrs. Martin, seconded by Mr. Jordan to establishing that any claims, for farming delay damages, filed by adjacent property owners of the Delaware Run Ditch Improvement Project be charged to Ours Excavating.

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

RESOLUTION NO. 03-517

IN THE MATTER OF GRANTING AN EXTENSION TO THE DATE OF COMPLETION TO OURS EXCAVATING, WITH THE APPROVED AMENDMENT IN RESOLUTION 03-516, FOR THE DELAWARE RUN DITCH IMPROVEMENT PROJECT:

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

Delaware Run Ditch Improvement

The Engineer has received a request from Ours Excavating, the Contractor for the above referenced project, requesting an extension of the Contract from the original completion date of April 18, 2003 until May 16, 2003. The reasons for this request are weather related delays as well as employee health related issues. The Engineer is, therefore, recommending that an extension of 30 days for the completion of this project be extended to Ours Excavating.

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

RESOLUTION NO. 03-518

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IN THE MATTER OF APPROVING TRANSFER OF FUNDS, APPROPRIATIONS, AND SUPPLEMENTAL APPROPRIATIONS FOR DATA SUPPORT:

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

TRANSFER OF APPROPRIATION

FROM:	TO:	AMOUNT
10011102-5901 General Fund-Contingency	10015102-5801 General Fund/Data Support/Transfers	\$ 3,784.00

TRANSFER OF FUNDS

FROM:	TO:	AMOUNT:
10015102-5801 General Fund/Data Support/Transfers	20315101-4601 Data Support-Revenue	\$ 3,784.00

SUPPLEMENTAL APPROPRIATION

20315101-5260 Data Support/Equipment>\$500, <\$4,999	\$ 3,784.00
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Vote on Motion Mrs. Martin Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 03-519

IN THE MATTER OF SETTING DATE AND TIME FOR COUNTY'S FY 2003 CDBG PROGRAM PUBLIC HEARING # 2:

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

Whereas, a public hearing will be held on **Monday, July 7, 2003, at 7:30 pm** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is needed to consider the application for the FY 2003 CDBG Program.

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

RESOLUTION NO. 03-520

IN THE MATTER OF CERTIFYING THAT DELAWARE METROPOLITAN HOUSING AUTHORITY CONSOLIDATED PLAN IS CONSISTENT WITH DELAWARE COUNTY COMMUNITY HOUSING IMPROVEMENT STRATEGY (CHIS):

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

Whereas, Delaware Metropolitan Housing Authority has submitted it's Consolidation Plan for review by Delaware County, and

Whereas, upon review, the Delaware County Economic Development Department has determine that the Consolidation Plan is consistent with CHIS.

Whereas, Delaware Metropolitan Housing Authority submitted an annual plan for year 2002, and was certified to be consistent with Delaware CHIS in May 2002, resolution 02-611.

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

SECTION I. That the Delaware County Board of Commissioners determine that Delaware Metropolitan Housing Authority is consistent with Delaware County Community Housing Improvement Strategy (CHIS).

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

RESOLUTION NO. 03-521

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE BOARD OF HEALTH OF THE DELAWARE GENERAL HEALTH DISTRICT AND THE DELAWARE COUNTY ADULT PROBATION OFFICE:

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

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This contract made and concluded at Delaware, Ohio, by and between the Board of Health of the Delaware General Health District, hereinafter referred to as the Board, and the Delaware County Adult Probation Office, hereinafter referred to as the Contractor.

WHEREAS, the Board is in need of a supervised adult litter collection crew to provide seasonal litter collection on county and township roadways in the Delaware General Health District, and

WHEREAS, the Contractor is qualified and willing to provide such services as may be needed by the Board,

NOW THEREFORE, it is hereby mutually understood and agreed as follows:

(1) The Contractor hereby agrees to provide a supervised adult probation referral litter collection activity within the health district upon request, either by the Board or its duly appointed representative. Such services shall be rendered only in Delaware General Health District, with action taken in accordance with state or local laws.

(2) The Contractor hereby agrees to provide such services under the general direction of the Board or its duly authorized representative.

(3) The Contractor shall conform to good labor supervision practices and promises to exercise reasonable care in supervising individuals assigned to the project during active involvement in the project.

(4) The Contractor shall provide for the safe transportation of the litter collection crew. The Contractor shall require minimum age of 21 years old, a current Ohio driver's license, a safe driving record verified by a driver's license check, and proof of motor vehicle insurance as conditions of employment for the crew supervisor. The Contractor shall also conduct a background police investigation of applicants for the crew supervisor's position.

(5) The Board shall be released of any liability for injury sustained by the contractor while performing services under this contract.

(6) In addition to the provision of implementation and supervision services, the Contractor shall, when requested by the Board or its authorized representative, participate with other litter personnel employed by the Board in staff meetings and discussions for the purpose of planning and evaluating the progress of the litter collection program. Said plan(s) shall be in accordance with state and local litter rules/laws.

(7) The Contractor shall prepare all required records, as provided by the Board, and shall forward all reports to the representative of the Board so that they may be incorporated into the litter records by the 1st day of the reporting months of April, July, October, and January.

(8) The Board shall advance payment to the Contractor to be administered through the Adult Probation Office for direct services, for the supervision of the litter collection crew activity not to exceed a total of \$2,500. Payment shall be \$1,500 on or before the 1st day of May 2003, and one subsequent payment of \$1,000 during the balance of the contract period.

(9) The Contractor shall provide supervision/implementation services to equal a total of 128 hours to operate over the duration of the contract. The collection activity will be performed by a crew staffed by one supervisor, operating between the 1st day of April 2003 and the 31st day of October, 2003.

(10) Litter collection bags will be provided by the Board to the Contractor for the collection activity, as long as said expenses are obligated in accordance with the fiscal procedures of the Board. Other equipment such as safety equipment, vehicle, and related expenses will be provided by the Contractor.

(11) Acceptance of this contract/agreement or authorization is evidence of the Contractor's intent to comply with Titles VI and VII of the Civil Rights Act of 1964 which prohibits discrimination because of race, sex, religion, national origin, age, color, or handicap in any facet of the Contractor's operation.

(12) This contract shall become effective on the 1st day of April 2003 and shall remain in full force and effect through October 31, 2002.

(13) This contract constitutes the entire agreement between the parties with respect to the subject matter hereof and may not be modified, changed, or amended except in writing signed by each of the parties.

14) This Contract may be canceled by either party without cause upon 30 days written notice.

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

RESOLUTION NO. 03-522

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR LANDSCAPE MAINTENANCE SERVICES FOR THE DELAWARE COUNTY RUTHERFORD B. HAYES BUILDING:

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

WHEREAS, Delaware County received only two bids on April 2, 2003. And;

WHEREAS, Delaware County reserves the right to reject all bids, in whole or in part.

NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, reject all bids received for landscape maintenance services for the Delaware County Rutherford B. Hayes Building.

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

RESOLUTION NO. 03-523

SETTING BID OPENING DATE AND TIME FOR LANDSCAPE MAINTENANCE SERVICES FOR THE DELAWARE COUNTY RUTHERFORD B. HAYES SERVICES BUILDING:

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

**PUBLIC NOTICE
INVITATION TO BID**

Sealed bids will be received by the Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 at **10:00 AM on Monday, May 5, 2003**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for landscape maintenance services for the Delaware County Rutherford B. Hayes Services Building.

Each bid must contain the full name of every person or company interested in same, and be accompanied by an acceptable bid bond or certified check in the amount of \$250 made payable to the Delaware County, Ohio. Bid specifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., or Delaware County Facilities Management Office, 1405 US 23 North, Delaware, Ohio during normal business hours.

The County reserves the right to reject any and all bids, in whole or in part, to waive any defect in any or all bids, to accept the bid or part it deems to be the lowest and best. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Landscape Services." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

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

RESOLUTION NO. 03-524

SETTING BID OPENING DATE AND TIME FOR LAWN CARE SERVICES FOR THE DELAWARE COUNTY EMERGENCY MEDICAL SERVICE STATIONS:

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

**PUBLIC NOTICE
INVITATION TO BID**

Sealed bids will be received by the Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 at **10:00 AM on Monday, May 12, 2003**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for lawn care services for the Delaware County Emergency Medical Service Stations.

Each bid must contain the full name of every person or company interested in same, and be accompanied by an acceptable bid bond or certified check in the amount of \$150 made payable to the Delaware County, Ohio. Bid specifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., or Delaware County Facilities Management Office, 1405 US 23 North, Delaware, Ohio during normal business hours.

The County reserves the right to reject any and all bids, in whole or in part, to waive any defect in any or all bids, to accept the bid or part it deems to be the lowest and best. Bids shall be submitted in a sealed envelope marked "Sealed Bid for EMS Lawn Care Services." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

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

RESOLUTION NO. 03-525

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 21, 2003**

IN THE MATTER OF APPROVING A GRANT REQUEST FOR THE CITIZENS EMERGENCY RESPONSE TEAM:

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

WHEREAS, the Citizen Corps Council desires to initiate and implement a Citizens Emergency Response Team (CERT) program within Delaware County; and

WHEREAS, this initiative has the support of first responders and the Delaware County Emergency Management Agency; and

WHEREAS, a CERT program would be instrumental in providing an avenue for volunteers within Delaware County to train and assist first responders during both emergency and non-emergency incidents; and

WHEREAS, the Delaware County Board of Commissioners desire to foster the spirit of, and provide an avenue for citizens to volunteer their time to serve their community,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approves a request for grant funds to support a Citizens Emergency Response Team program.

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

RESOLUTION NO. 03-526

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR SELDOM SEEN ACRES:

It was moved by Mr. Jordan, seconded by Mrs. Martin to approve sanitary sewer plan for Seldom Seen Acres for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 03-527

IN THE MATTER OF ACCEPTING AND AWARDED THE BID FOR CONVEYANCE OF WASTEWATER:

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

Whereas, Delaware County went out to bid and bids were taken on April 16, 2003, and

Whereas, one bid was received and reviewed,

Now Therefore Be It Resolved, the Board of Commissioners, Delaware County, State of Ohio, approve and accept the bid as listed below:

Conveyance Of Waste Water For The Delaware County Regional Sewer District- \$00.05 per gallon of waste water loaded and hauled to the Olentangy Environmental Control Center located at 10333 Olentangy River Road Powell, Ohio.

The Sanitary Engineer recommends that an exclusive bid award be made to E.C. Babbert.

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

RESOLUTION NO. 03-528

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Steven Ward has accepted the Custodian Position with the Maintenance Department; Effective date April 21, 2003.

Edwin Parsons has accepted the Custodian Position with the Maintenance Department; Effective date April 21, 2003.

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

RESOLUTION NO. 03 -529

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD APRIL 21, 2003

IN THE MATTER OF ACCEPTING THE BID FOR THE G35 AUDIO VISUAL SYSTEM FOR DELAWARE COUNTY:

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

WHEREAS, Delaware County received one bid for the purchase of an audio visual system for conference room G 35 in the Delaware County, Rutherford B. Hayes Services Building on March 10, 2003. And;

WHEREAS, after carefully reviewing the bid submitted by Newcome Electronic Systems, it has been determined to meet the bid specifications and to be the lowest and best bid.

NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, accept and award the bid submitted Newcome Electronic with the alternates, as listed, 2, 3, 5, 6, and 7 for a total of \$20,000.64.

Base Bid	Sound System/Projector/Controller	\$ 18,075.95	Recommended \$18,075.95
Alt 1	Rear Projector And Screen	\$ 6,920.55	
Alt 2	Remote Volume Control	\$ 341.58	\$ 341.58
Alt 3	Upgrade Wireless Mic	\$ 632.16	\$ 632.16
Alt 4	Upgrade Gooseneck Mic	\$ 1,110.26	
Alt 5	Upgrade To Automatic Mic Mixer	\$ 1,047.84	\$ 1,047.84
Alt 6	Deduct 1 Wall Jack	(\$ 357.75)	(\$ 357.75)
Alt 7	Storage Drawer In Rack	\$ 260.86	\$ 260.86
		\$ 28,031.45	\$ 20,000.64

FURTHER BE IT RESOLVED that in accordance with the bid specifications, there will be no payment made to the contractor until the audiovisual system meets Delaware County requirements

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

There being no further business the meeting adjourned.

 Kristopher W. Jordan

 Deborah B. Martin

 James D. Ward

 Letha George, Clerk to the Commissioners