

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 6, 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

10:00 AM Bid Opening Date And Time For The 2003 Road Marking Project (50 Channing Street)

7:30 PM Public Hearing #1 For Consideration Of The Sackett Ditch Petition Filed By Robert Ford And Others

PUBLIC COMMENT

RESOLUTION NO. 03-1293

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 2, 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 October 2, 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. 03-1294

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR103:

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR103 and Purchase Orders and Vouchers as listed below:

PO's

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Defense Technology Corp.	Fire 2 PPE	21511310-5260	\$ 37,232.80
Rapid Assistance	Equipment For Instructors	21511317-5208	\$ 5,003.64
Verizon	911 Remodeling	21411306-5450	\$ 50,000.00
Sellers Electric	911 Remodeling	21411306-5410	\$ 13,000.00
Cincinnati Floors	911 Remodeling	21411306-5410	\$ 24,910.00

Increases

Kindercare Neverland	Child care	22411606-5348	\$ 15,000.00
Petroleum Traders Corp.	Fuel/County vehicles	10011106-522822801	\$ 10,000.00
US Filter	Bioxide Chemical	65211905-5290	\$ 6,000.00
US Filter	Bioxide Chemical	65211919-5290	\$ 7,000.00

Vouchers

Synagro	Land Application of Biosolids	65211905-5301	\$ 4,304.00
	Land Application of Biosolids	65211919-5301	\$ 25,000.00
US Filter	Bioxide Chemical	65211919-5290	\$ 11,065.25
Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$ 15,440.00
Tyevoco	DCHIP-Rehab Basham	23111711-5365	\$ 7,302.52
Delaware Area Career Center	Adult Education	22411603-5348	\$ 11,122.58

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

RESOLUTION NO. 03 -1295

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Engineer's Office is requesting that Brett Bergefurd attend a 2003 Ohio Storm Water Management Conference in Columbus, Ohio October 8 to 9, 2003, at the cost of \$65.00.

Juvenile Court is requesting that Bryon Brown, Teresa Tackett and Laurie Scholz attend an Ohio Department of Alcohol and Drug Addiction Services meeting October 22, 2003, at the cost of \$80.00.

Juvenile Court is requesting that Maryann Holevas attend Court Investigators Training in Columbus, Ohio

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October 26, 2003, at the cost of \$145.00.

The Treasurer's Office is requesting that Dale Wilgus attend the Fall Treasurer's Conference in Dublin, Ohio November 18 to 20, 2003, at the cost of \$211.00.

The Economic Development Department is requesting that Tim Boland attend a 2003 Office of Housing Community Partnerships Summit in Huron, Ohio November 18 to 21, 2003, at the cost of \$462.90.

The Economic Development Department is requesting that Dottie Brown attend a 2003 Office of Housing Community Partnerships Summit in Huron, Ohio November 18 to 21, 2003, at the cost of \$428.90.

The Department of Job and Family Services is requesting that Mona Reilly attend an Ohio Option Seminar in Union County, Ohio October 10, 2003, at no cost.

The Department of Job and Family Services is requesting that Larry Hager and Pam Pruettt attend a Covered Family and Children Medicaid Meeting in Champaign County, Ohio November 6, 2003, at the cost of \$20.00

The Department of Job and Family Services is requesting that Mona Reilly and Angela Thomas attend an Ohio Job and Family Services Director's Association Seminar in Worthington, Ohio October 6, 2003, at the cost of \$150.00.

The Department of Job and Family Services is requesting that Keith Matlack attend a Transitions Counseling Training in Delaware, Ohio October 17, 2003, at the cost of \$25.00.

The Department of Job and Family Services is requesting that Marcy Dowing attend a Relationship Based Interventions Training in Worthington, Ohio November 21, 2003, at the cost of \$85.00.

The Department of Job and Family Services is requesting that Chad Richardson attend a WIA Youth Case Manager Training in Worthington, Ohio November 5 to 6, 2003, at no cost.

The Department of Job and Family Services is requesting that Chad Richardson and Rhonda Leasure attend a WIA Youth Contracting for Performance Training in Worthington, Ohio November 12, 2003, at no cost.

The Department of Job and Family Services is requesting that Sharon Lloyd attend a WIA Adult Dislocated Worker Training in Worthington, Ohio November 6 to 7, 2003, at no cost.

The Department of Job and Family Services is requesting that Sharon Lloyd attend a WIA SCOTI User Training (Software) in Worthington, Ohio October 22 to 23, 2003, at no cost.

The Environmental Services Department is requesting that Paul Sandstrom attend a Biosolids Specialty Workshop in Newark, Ohio October 28, 2003, at the cost of \$100.00.

The Environmental Services Department is requesting that Matt Kiss attend a Biosolids Specialty Workshop in Newark, Ohio October 28, 2003, at the cost of \$100.00.

The Environmental Services Department is requesting that James Carey attend a Joint Section Lab Analyst Meeting in Hocking County, Ohio October 21, 2003, at the cost of \$20.00.

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

RESOLUTION NO. 03-1296

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 10.912 ACRES OF LAND IN ORANGE TOWNSHIP TO THE CITY OF COLUMBUS:

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

Whereas on September 2, 2003, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Richard C. Brahm, agent for the petitioners, of 10.912 Acres, more or less, in Orange Township to the City of Columbus.

Whereas, ORC Section 709.023-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Columbus or the Township of Orange.

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Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 10.912 Acres, more or less, in Orange Township to the City of Columbus.

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

RESOLUTION NO. 03-1297

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

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

TRANSFER OF APPROPRIATION						
FROM		TO		AMOUNT		
10021201-5320		10021201-5201				
Common Pleas Whitney/Data Processing		Common Pleas Whitney/Office Supplies		\$	3,000.00	

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

RESOLUTION NO. 03-1298

IN THE MATTER OF APPROVING PLAT FOR EAGLE TRACE SECTION 3, PHASE A:

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

Eagle Trace Section 3, Phase A

Situated In The State Of Ohio, County Of Delaware, Township Of Genoa And In Farm Lot 3, Quarter Township 4, Township 3, Range 17, United States Military Lands, Containing 13.538 Acres Of Land, More Or Less, Said 13.538 Acres Being All Of That Tract Of Land Conveyed To Centex Homes, LLC, By Deed Of Record In Deed Book 374, Page 159, Recorder's Office, Delaware County, Ohio. Cost \$105.00.

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

RESOLUTION NO. 03-1299

IN THE MATTER OF ACCEPTING MAINTENANCE BONDS FOR VILLAGES OF OAK CREEK SECTION1, PHASE 11, PART B AND GENOA FARMS SECTION 3, PHASE A:

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

Villages of Oak Creek Section1, Phase 11, Part B

The roadway construction has been completed for the referenced subdivision and, as the results of the Engineer's recent field review, he has determined that minor remedial work will be required during the 2004 construction season.

In accordance with the Subdivider's Agreement, The Engineer recommends that the maintenance bond be set at **\$19,854** for the duration of the one year maintenance period. A Letter of Credit in that amount is available. He also request approval to return the Letter of Credit being held as construction surety to the developer, Homewood Corporation.

Genoa Farms Section 3, Phase A

The roadway construction has been completed for the referenced subdivision and, as the results of the Engineer's recent field review, he has determined that minor remedial work will be required during the 2004 construction season.

In accordance with the Subdivider's Agreement, The Engineer recommends that the maintenance bond be set at **\$6,755** for the duration of the one year maintenance period. A Bond in that amount is available. He also request approval to return the Bond being held as construction surety to the developer, Dominion Homes.

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

RESOLUTION NO. 03-1300

IN THE MATTER OF ACCEPTING PERFORMANCE CONSTRUCTION BONDS FOR EAGLE TRACE SECTION 3, PHASE A:

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

Eagle Trace Section 3, Phase A

The construction of the above referenced project was started without bonding, thereby not allowing the developer to file the plat. They are now at a point where they would like to file the plat. The Engineer has, therefore, estimated the remaining construction costs to be \$63,651 and two Bonds totaling that amount are available to cover the bonding of this project.

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

RESOLUTION NO. 03-1301

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
Blanket	Columbia Gas	Blanket permit for various roads	Provide single customer service
U03147	Verizon	N. Section Line Road	Place telephone cable
U03149	Verizon	Liberty Road	Bore under road
U03150	Consolidated Electric	N. 3B's & K	Set new pole

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

RESOLUTION NO. 03-1302

IN THE MATTER OF AWARDING THE BID TO EMERGENCY MEDICAL PRODUCTS FOR DELAWARE COUNTY EMERGENCY MEDICAL SERVICES:

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

WHEREAS, Delaware County Emergency Medical Services (EMS) requires medical supplies and materials on a continuing basis throughout the year, and

WHEREAS, these materials and supplies are necessary for the continued operation of the County EMS as well as other interested political subdivisions, and

WHEREAS, five bids were received on 25 August to supply this material and were subsequently evaluated as to pricing, item availability, quantity and quality, etc.;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approves a recommendation to award a Bid to Emergency Medical Products to supply emergency medical supplies and materials for the Delaware County EMS and other political subdivisions for a period of one year.

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. Jordan Aye Mrs. Martin Aye Mr. Ward Aye

RESOLUTION NO. 03-1303

IN THE MATTER OF ADOPTING A RESOLUTION APPROVING THE DELAWARE COUNTY HAZARDOUS MATERIALS PLAN AS RECOMMENDED BY THE LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) AND DELAWARE COUNTY EMERGENCY MANAGEMENT AGENCY UNDER THE AUTHORITY OF ORC 3750.04:

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

WHEREAS, the Delaware County Local Emergency Planning committee has completed the required documentation for Delaware County's SARA Title III Chemical Emergency Preparedness Plan in accordance with NRT-1 and other pertinent guidance; and,

WHEREAS, the state Emergency Response Commission has directed the various County Local Emergency Planning Committees to forward the County's plan directly to the Ohio Emergency Management Agency for all reviews; and,

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WHEREAS, the LEPC and EMA have recommended approval of the updated Delaware County Hazardous Materials Plan for the protection of our citizens;

NOW THEREFORE, BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby resolve to forward the Delaware County Chemical Emergency Preparedness Plan for annual review to the State Emergency Response Commission and to the Ohio Emergency Management Agency, and

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. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 03-1304

SETTING THE RE- BID OPENING DATE AND TIME FOR THE DELAWARE COUNTY'S HOUSING IMPROVEMENT PROGRAM (DCHIP):

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

WHEREAS, the Delaware County Board of Commissioners approved an Invitation to Bid with a bid opening date of September 24, 2003, for Private Rehabilitation, located at 19 Vine Street, Ashley, Ohio, and

WHEREAS, the bids that were received were over the 10% of the Housing Rehab Specialist estimate for the unit, and

WHEREAS, the State requires us to re-bid the project with the Housing Rehab Specialist reevaluating his estimate to reflect the current market pricing.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approves the re-bid opening date to **October 7, 2003, at 10:30 a.m. (EST)**. This bid opening will be held at the Commissioners Hearing Room located at 101 N. Sandusky St., Delaware, Ohio

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

RESOLUTION NO. 03-1305

SETTING THE RE- BID OPENING DATE AND TIME FOR THE DELAWARE COUNTY'S HOUSING IMPROVEMENT PROGRAM (DCHIP):

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

WHEREAS, the Delaware County Board of Commissioners approved an Invitation to Bid with a bid opening date of September 24, 2003, for Private Rehabilitation, located at 25 Columbus St., Sunbury, Ohio, and

WHEREAS, the bids that were received were over the 10% of the Housing Rehab Specialist estimate for the unit, and

WHEREAS, the State requires us to re-bid the project with the Housing Rehab Specialist reevaluating his estimate to reflect the current market pricing.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approves the re-bid opening date to **October 7, 2003, at 10:35 a.m. (EST)**. This bid opening will be held at the Commissioners Hearing Room located at 101 N. Sandusky St., Delaware, Ohio

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

RESOLUTION NO. 03-1306

SETTING THE RE- BID OPENING DATE AND TIME FOR FY'02 SHAWNEE HILLS ROADWAY IMPROVEMENTS:

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve the re-bid opening date and time for **Tuesday, October 21, 2003, at 1:00 pm**. This bid opening will be held at Shawnee Hills 40 W. Reindeer Dr., Shawnee Hills, Ohio. The previous bid opening dated September 29, 2003, all bids received were over the 10% of Engineer estimate.

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

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RESOLUTION NO. 03-1307

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR GLEN OAK SECTION 2 AND WILLOW BEND SECTION 2:

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

Glen Oak Section 2		3,679 feet of 8inch sewer		17 manholes	
Willow Bend Section 2		1,795 feet of 8inch sewer		7 manholes	
Vote on Motion	Mrs. Martin	Aye	Mr. Jordan	Aye	Mr. Ward Aye

RESOLUTION NO. 03-1308

IN THE MATTER OF APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND THE VILLAGE OF ASHLEY IN ORDER FOR THE DELAWARE COUNTY CODE COMPLIANCE DEPARTMENT TO PERFORM COMMERCIAL PLANS EXAMINATION, PERMITTING AND INSPECTION SERVICES FOR THE VILLAGE OF ASHLEY:

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

Contract

This contact, entered into by and between the Village of Ashley of Delaware County, Ohio (hereafter referred to as the "Village"), and the Delaware County Board of Commissioners (hereafter referred to as the "Board") is as follows;

Whereas, the Village is desirous of having the Delaware County Code Compliance Department (hereafter referred to as "Department" perform plan review, permitting, and inspection duties relative to all construction that does not pertain to detached one, two and three family dwellings and their accessory structures, that does not pertain to plumbing, and that is addressed by the Building Code of Delaware County which follows the Ohio Building Code (hereafter referred to as the "Code") in the Village in accordance with the appropriate codes as adopted by the Board of Commissioners;

Whereas, the Board of Commissioners is willing and able to perform such services for the Village;

Now therefore, be it agreed by and between the parties hereto as follows:

1. The personnel of Department shall perform for the Village all necessary plan review, permitting, and inspections as required by the code for all construction that does not involve one, two and three family dwellings and their accessory structures or plumbing.
2. Department shall assess and collect all fees for permits required by the Code issued in the Village. No part of said fees shall be remitted back to the Village, but shall be retained by Department for, and as, full payment for its services.
3. No permit will be issued by Department within the Village until a zoning certificate has been issued by the Village.
4. This agreement may be revoked by either party hereto upon thirty (30) days written notice to the other party of an intent to make such revocation.
5. This agreement shall become effective on October 6, 2003 and shall remain in effect until revoked by either party or by mutual consent of the parties.

Vote on Motion	Mr. Jordan	Aye	Mrs. Martin	Aye	Mr. Ward	Aye
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RESOLUTION NO. 03-1309

7:30 PM PUBLIC HEARING #1 FOR CONSIDERATION OF THE SACKETT DITCH PETITION FILED BY ROBERT FORD AND OTHERS:

It was moved by Mr. Jordan, seconded by Mrs. Martin to open the hearing at 7:30PM.

Vote on Motion	Mr. Jordan	Aye	Mrs. Martin	Aye	Mr. Ward	Aye
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RESOLUTION NO. 03-1310

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE SACKETT DITCH PETITION FILED BY ROBERT FORD AND OTHERS:

It was moved by Mrs. Martin, seconded by Mr. Jordan to close the hearing at 7:50PM.

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

RESOLUTION NO. 03-1311

IN THE MATTER OF DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE SACKETT DITCH PETITION FILED BY ROBERT FORD AND OTHERS:

It was moved by Mr. Jordan, seconded by Mrs. Martin to go forward with the project.

Whereas, on June 17, 2003, a Ditch Petition to purposed Sackett Ditch was filed with the Delaware County Commissioners, and

Whereas the Board of Commissioners of Delaware County on October 6, 2003, held a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the purposed Sackett Ditch, and

Whereas, after hearing testimony from property owners and the preliminary report of County Engineer, Chris Bauserman, the Board of Commissioners find the action is necessary, conducive to the public welfare, and the benefits exceed the estimated cost.

Therefore, Be It Resolved, The Delaware County Commissioners directs the Delaware County Engineer to proceed with the preparation of plans, reports and schedules as presented for the purposed Sackett Ditch. Said information to be presented to the Commissioners at the end of this process.

Further be it Resolved, upon receipt of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

Vote on Motion Mrs. Martin Aye Mr. Jordan 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