

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 4, 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. 03-1163

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 2, 2003 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mrs. Martin, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held September 2, 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. 03-1164

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR093:

It was moved by Mr. Jordan, seconded by Mrs. Martin to approve payment of warrants in Batch numbers CMAPR093 and Purchase Orders and Vouchers as listed below:

PO's

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
Increase			
Petroleum Traders Corp.	Gasoline	10011106-522822801	\$ 10,800.00
Vouchers			
Villa Angela Care Center	Cluster	22511608-5342	\$ 10,075.00
Boy's Village Inc.	Cluster	22511608-5342	\$ 5,610.00

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

RESOLUTION NO. 03-1165(A)

IN THE MATTER OF AMENDING THE FIGURES PRESENTED FOR SUPPLEMENTAL APPROPRIATIONS FOR THE COURT OF COMMON PLEAS:

It was moved by Mrs. Martin, seconded by Mr. Jordan to amend the figures (no increases to pay at this time).

Vote on amendment to Resolution No. 03-1165

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

RESOLUTION NO. 03-1165

IN THE MATTER OF APPROVING THE AMENDED SUPPLEMENTAL APPROPRIATIONS FOR THE COURT OF COMMON PLEAS:

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

SUPPLEMENTAL APPROPRIATIONS

<u>FUND NUMBER:</u>	<u>FUND NAME:</u>	<u>AMOUNT:</u>
10021201-5001	General Fund/Judge Whitney - Regular Comp	\$ 47,000.00
10021201-5120	General Fund/Judge Whitney - PERS	\$ 6,500.00
10021201-5131	General Fund/Judge Whitney - Medicare	\$ 500.00

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

RESOLUTION NO. 03-1166

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE PROSECUTORS OFFICE:

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 4, 2003**

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

SUPPLEMENTAL APPROPRIATIONS

10012101-5001	General Fund /Prosecutor/Compensation	\$	15,738.92
10012101-5101	General Fund /Prosecutor/Hospital Insurance	\$	2,586.66
10012101-5120	General Fund /Prosecutor /PERS	\$	2,132.62
10012101-5131	General Fund /Prosecutor /Medicare	\$	228.21

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

RESOLUTION NO. 03-1167

IN THE MATTER OF ACCEPTING AND AWARDING THE BID AND APPROVING THE CONTRACT WITH SHELLY & SANDS, INC. FOR THE SOUTH OLD STATE/POWELL ROAD INTERSECTION AND SOUTH OLD STATE/ORANGE ROAD INTERSECTION RECONSTRUCTION PROJECT:

It was moved by Mrs. Martin, seconded by Mr. Jordan to accept the following Bid and approving the following contract:

**South Old State/Powell Road
South Old State/Orange Road
Intersection Improvements
Bid Opening of August 25, 2003**

As a result of the referenced bid opening, The Engineer recommends that an award be made to Shelly & Sands, Inc. of Columbus, the low bidder for this project. A bid tabulation is available for your information.

CONTRACT

AGREEMENT, made and entered into this 4th day of September 2003, by and between the **DELAWARE COUNTY COMMISSIONERS**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and **SHELLY & SANDS, INC.**, hereinafter designated as **SECOND PARTY**.

WITNESSETH, that said **SECOND PARTY**, for and in consideration of the sum of **TWO MILLION EIGHT HUNDRED FORTY THOUSAND TWO HUNDRED TWENTY DOLLARS AND FIFTY-FIVE CENTS** (\$2,840,220.55), based on unit prices on the attached **Bid Blank**, to be paid as hereinafter specified, hereby agrees to furnish unto said **FIRST PARTY**, all the necessary material, labor and equipment required to complete the project known as **SOUTH OLD STATE/POWELL ROAD INTERSECTION AND SOUTH OLD STATE/ORANGE ROAD INTERSECTION RECONSTRUCTION**, in accordance with plans, **drawings**, general specifications, Invitation to Bid for same hereto attached; which plans, drawings, general specifications and Invitation to Bid are hereby declared to be a part of this **Contract**.

SAID SECOND PARTY further agrees to furnish said materials and to do the said work and labor promptly, in a good, substantial and workmanship manner, under the direction of the **Delaware County Engineer**. Work is to be completed on or before **August 1, 2004**.

THE SECOND PARTY hereby agrees to hold the **County** free and harmless from any and all claims for damages, costs, expenses, judgments or decrees, resulting from any operations of said **SECOND PARTY**, his sub-contractors, agents or employees.

SECOND PARTY further agrees to pay the **Prevailing Wage Rate** in accordance with **Section 4115 of the Ohio Revised Code** and to furnish the **Delaware County Engineer** a certified copy of the Contractor's payroll. Contractor is also responsible providing any changes in the Prevailing Wage rates as furnished by the Delaware County Engineer during the course of this project to any and all Subcontractors employed by the Contractor.

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

RESOLUTION NO. 03-1168

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR BID PACKAGE 1 GENERAL TRADES FOR OFFICE RENOVATIONS AT 149 NORTH SANDUSKY STREET, DELAWARE, OHIO:

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

WHEREAS, Delaware County received bids on August 27, 2003. And;

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

**COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 4, 2003**

NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, reject all bids received bid package 1 General Trades for Office Renovations at 149 North Sandusky Street, Delaware, Ohio.

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

RESOLUTION NO. 03-1169

IN THE MATTER OF SETTING RE-BID OPENING DATE AND TIME FOR OFFICE RENOVATIONS OF 149 NORTH SANDUSKY STREET:

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

OFFICE RENOVATIONS
149 NORTH SANDUSKY STREET
DELAWARE COUNTY, OHIO

Sealed Bids with Alternates Accepted until **10:00 AM September 23, 2003**

Unit Prices will be received for:

Description	Base Bid Estimate	Estimate of Alternates
Bid Package 1 General Trades	\$174,419	\$16,000

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

RESOLUTION NO. 03-1170

IN THE MATTER OF ADOPTING A RESOLUTION TO REDUCE THE MILLAGE AT WHICH PROPERTY TAXES WILL BE COLLECTED IN DELAWARE COUNTY IN TAX YEAR 2003:

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

WHEREAS, the Board of County Commissioners of Delaware County, Ohio has determined that it is appropriate to reduce the rate of property tax that the County presently levies for current expenses within the ten-mill limitation; and

WHEREAS, the Board of County Commissioners of Delaware County, Ohio desires to ensure that a property tax reduction for the citizens of Delaware County is not nullified by any other taxing unit levying the portion of the rate that the County does not levy; and

WHEREAS, the Board of County Commissioners of Delaware County, Ohio is authorized to reduce the rate at which property taxes are collected by the provisions of Ohio Revised Code §5705.313(A)(2); and

WHEREAS, the present millage rate for current expenses of the county is 1.8 mills and the number of mills not currently levied is 1.0 mill, as established by Resolution 98-598 of the Board of County Commissioners of Delaware County, Ohio, duly passed on July 27, 1998, approved at general election by the electors of Delaware County, Ohio on November 3, 1998 by a vote of 22,922 in favor and 12,004 against, and effective January 1, 1999; and

WHEREAS, the 1.0 mill reduction in the rate of property tax collected in Delaware County, Ohio, pursuant to Resolution 98-598 of the Board of County Commissioners of Delaware County, Ohio, is effective for a period of ten years from January 1, 1999; and

WHEREAS, the sales and use taxes implemented by Resolution 98-598 of the Board of County Commissioners of Delaware County, Ohio will generate revenue in excess of any reduction in the collection rate of the inside property tax millage authorized by this resolution and Resolution 98-598;

NOW THEREFORE BE IT RESOLVED: by the Board of County Commissioners of Delaware County:

1. That the present 1.8 mill property tax levy for current expenses of the General Fund within the 10 mill limitation shall be reduced to 1.0 mills for the tax year 2003 in accordance with Ohio Revised Code §5705.313(A)(2).
2. That the 0.8 mill reduction in the collection rate of the inside property tax millage implemented by this resolution shall be effective in the year 2004 only.

COMMISSIONERS JOURNAL NO. 44 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 4, 2003

3. That the Board of County Commissioners of Delaware County, Ohio direct the County Administrator of Delaware County, Ohio to prepare a budget projection in year 2004 in order to determine the tax revenue for Delaware County.

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

RESOLUTION NO. 03-1171

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF 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 10:10AM.

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

RESOLUTION NO. 03-1172

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Jordan to adjourn out of Executive Session at 10:45AM.

Vote on Motion Mrs. Martin Absent 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