

**COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 5, 2004**

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

9:00 AM Executive Session

10:00 AM Bid Opening Date And Time For Liquid Asphalt, Hot Mix And Cold Mix Materials, And Two Men And A Paver (50 Channing Street)

10:30 AM Bid Opening Date And Time For Uniform Rental Services For Delaware County

7:30 PM Public Hearing For Consideration Of The Old Kingston Township Ditch Petition Filed By J. Walter Erdy And Stephen Sheets

RESOLUTION NO. 04-415

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 Mr. Ward to adjourn into Executive Session at 9:00AM.

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

RESOLUTION NO. 04-416

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn out of Executive Session at 10:30AM.

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

PUBLIC COMMENT-entire conversation available on Official CD minutes of Session

Clifton Destins spoke to the Commissioners about housing rehabilitation assistance through a program with the Economic Development Department. His house has been declared a "walk away" under the state of Ohio's Office of Housing and Community Partnership.

Dottie Brown from the Economic Development Department explained that there are State rules, guidelines and financial limits that equally apply to all applicants.

Commissioners agreed to have a second inspection of Mr. Destins property completed by a different but still State qualified inspector.

RESOLUTION NO. 04-417

7:30 PM - PUBLIC HEARING FOR CONSIDERATION OF THE OLD KINGSTON TOWNSHIP DITCH PETITION FILED BY J. WALTER ERDY AND STEPHEN SHEETS:

It was moved by Mr. Ward, seconded by Mr. Jordan to open the hearing at 7:35PM.

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

RESOLUTION NO. 04-418

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE OLD KINGSTON TOWNSHIP DITCH PETITION FILED BY J. WALTER ERDY AND STEPHEN SHEETS:

It was moved by Mr. Ward, seconded by Mr. Jordan to close the hearing at 8:00PM.

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

RESOLUTION NO. 04-419

IN THE MATTER OF DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE OLD KINGSTON TOWNSHIP DITCH PETITION FILED BY J. WALTER ERDY AND STEPHEN SHEETS:

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

Whereas, on December 4, 2003, a Ditch Petition to purposed Old Kingston Township Ditch was filed with the Delaware County Commissioners, and

Whereas, the Board of Commissioners of Delaware County on April 5, 2004, 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 Old Kingston Township 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 Old Kingston Township 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 Mr. Ward Aye Mr. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 04-420

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 31, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the resolutions and records of the proceedings from regular meeting held March 31, 2004 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. 04-421

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR042:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR042 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
BWC State Insurance Fund	2004 Workers Comp Premiums	75110902-5370	\$ 313,000.00
Increases			
Delaware JVS	Day Care	22411606-5348	\$ 3,000.00
Vouchers			
Columbus State	Client Tuition	22411603-5350	\$ 5,046.35
US Filter	Bioxide Chemical	65211919-5290	\$ 12,262.25
Delaware Health Dept.	Prof Service Wellness Program	22411601-5301	\$ 8,681.15
Delaware JVS	Client Training	22411603-5348	\$ 6,730.00

MEMO TRANSFERS:

FROM:	TO:	DESCRIPTION:	AMOUNT:
Dept Job Family Services 22511607-534834835	Family Children's First Council 70161605-4555	Boys Village	\$ 14,780.99

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

RESOLUTION NO. 04-422

IN THE MATTER OF ADOPTING RESOLUTION OF CONGRATULATIONS TO SCOTT LLOYD HAGERTY UPON EARNING HIS EAGLE SCOUT AWARD:

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

Whereas, Scott Lloyd Hagerty has been a member of Boy Scout Troop # 184, and

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Whereas, Scott Lloyd Hagerty has met all the requirements and been approved by the National Council of Boy Scouts to receive the Eagle Scout Award, and

Whereas, The Board of Commissioners of Delaware County wishes to express congratulations to, Scott Lloyd Hagerty on earning the Eagle Scout Award.

Now Be It Resolved, That the Board of County Commissioners of Delaware County hereby officially congratulates, Scott Lloyd Hagerty on attaining Scouting's highest rank - the Eagle Scout Award. Your diligence and hard work have earned you the distinction of being an Eagle Scout. You join company with a select group of individuals who are recognized as outstanding in all that Scouting represents, 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. 04-423

IN THE MATTER OF RECOGNIZING APRIL 5TH -11TH, 2004 AS PUBLIC HEALTH WEEK:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the following proclamation:

**Proclamation by the
Delaware County Board of Commissioners
Recognizing Public Health Week**

Whereas, the United States has achieved significant increases in life expectancy and reductions in the incidence of injury, disabilities and disease; and

Whereas, the public health approach is credited for improving our health status and giving Americans nearly 30 additional years of life expectancy over the last century; and

Whereas, public health succeeds by identifying and addressing patterns of disease, illness and injury in populations, and public health is about ensuring healthy living and working environments; and

Whereas, through population-based strategies for disease and injury prevention, public health has contributed to declines in unhealthy lifestyles, illnesses, and injuries, including heart disease and stroke, tobacco-related diseases, infectious diseases, and motor vehicle and workplace injuries; and

Whereas, Public Health Week provides the opportunity to learn about public health success stories including the elimination of polio, reductions in childhood blood lead levels, and declines in tooth decay due to fluoridated water. Public Health Week also is an opportunity to learn about primary and preventive measures vital to healthy communities, such, as immunizing populations against infectious disease, promoting nutrition and physical activity, and providing good prenatal care for everyone; and

Whereas, the Public Health Week theme -Eliminating Health Disparities: Communities Moving from Statistics to Solutions- seeks to educate Americans about disparities in health and highlight community programs that have eliminated or reduced health disparities; and

Whereas, April 5-11, 2004, is National Public Health Week.

Now, Therefore, the Delaware County Commissioners hereby join other communities across the nation in celebrating the accomplishments of public health and working to eliminate health disparities in our communities.

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

RESOLUTION NO. 04-424

IN THE MATTER OF DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE COUNTY:

It was moved by Mr. Ward, seconded by Mr. Jordan to declare the month of April as Child Abuse Prevention Month in Delaware County.

Resolution

Whereas, children are Ohio's most precious and valuable asset; and

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Whereas, each child has the right as a human being, to live and grow in a safe and supportive environment; and

Whereas, children who are loved and nurtured grow up to love and nurture others, giving back to their own family, their community and their state, the care that was bestowed upon them; and

Whereas, child abuse/neglect is a community problem, and finding a solution depends on involvement of people throughout Ohio; and

Whereas, child abuse/neglect prevention programs succeed because of partnerships among private and public sector agencies and the people of Ohio; and

Whereas, the theme for Ohio's prevention campaign is "You Are the Key To Preventing Child Abuse and Neglect".

Now, Therefore, We, the Commissioners of Delaware County, do hereby designate

April as Child Abuse and Neglect Prevention Month

Throughout the County of Delaware and urge all county residents to make a commitment to take action to prevent child abuse and neglect.

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

RESOLUTION NO. 04-425

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING THE SECOND WEEK OF APRIL 2004 AS THE NATIONAL TELECOMMUNICATORS WEEK IN THE COUNTY OF DELAWARE, OHIO:

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

WHEREAS; the Congress of the United States, and the President of the United States have, since 1992, established the second week of April as National Telecommunicators Week, and;

WHEREAS; emergencies can occur at anytime, and;

WHEREAS; telecommunicators daily serve the citizens of Delaware County by providing that first and most critical contact between our citizens and their need for a public safety response, and;

WHEREAS; telecommunicators are the single vital communications link for monitoring, dispatching, providing information and ensuring the safety of law enforcement, fire, Emergency Medical and Emergency Management responders, and;

WHEREAS; this board believes that the telecommunicators that serve the citizens of Delaware County are a highly trained and dedicated corps of personnel, and;

WHEREAS; the services of public safety telecommunicators is a "silent service" that is seldom observed by the public that deserves recognition, and;

THEREFORE be it resolved by the Board of County Commissioners, Delaware County, State of Ohio, that this resolution be passed, enthusiastically supporting recognition of all our professional telecommunicators by declaring the second week of April as the National Telecommunicators Week, and that all our citizens are invited to observe this event.

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

RESOLUTION NO. 04-426

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Prosecutor's Office is requesting that Marianne Hemmeter attend a Medical Records For Ohio Attorneys Seminar in Columbus, Ohio May 19, 2004, at the cost of \$288.60.

The Prosecutor's Office is requesting that Robert Vick attend an Ohio Prosecuting Attorneys Association 2004 Spring Training Seminar in Columbus, Ohio April 1, 2004, (Robert's name was left of the request approved on March 18, 2004) at the cost of \$125.00.

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The Prosecutor's Office is requesting that Christina Taneyhill attend a Victim's Services Workshop in Columbus, Ohio May 13 to 14, 2004, at the cost of \$78.60.

The Emergency Services Department is requesting that Larry Fisher attend a National Emergency Number Association Annual Conference and Trade Show in Tampa, Florida June 13 to 17, 2004, at the cost of \$2,028.00.

The Commissioners Office is requesting that Dave Cannon attend a Government Finance Officers Conference in Milwaukee, Wisconsin June 12 to 16, 2004, at the cost of \$1,350.00.

The Environmental Services Department is requesting that Sam Pollock attend a Certification Review Course on April 5 and 6, 2004 at the cost of \$345.00 instead of the request approved on March 1, 2004 to attend a Wastewater Mathematics Course in Columbus, Ohio April 8, 2004, at the cost of \$175.00.

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

RESOLUTION NO. 04-427

IN THE MATTER OF APPROVING THE CONTRACT ADDENDUM BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND THE DELAWARE AREA TRANSIT AGENCY:

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

**ADDENDUM
CONTRACT FOR TRANSPORTATION SERVICES
between
DELAWARE AREA TRANSIT AGENCY
and
DELAWARE COUNTY JOB AND FAMILY SERVICES**

This service addendum is entered into this 1st day of April 2004, between the Delaware County Transit Board (hereafter called DCTB) and The Delaware County Department of Job and Family Services (hereafter called DJFS) for the purpose of extending the current 2003 contract for providing transportation services to Individuals associated with DJFS.

WHEREAS, DCTB is currently revising the methods used to deliver transportation services, and

WHEREAS, DCTB and DJFS have not yet agreed upon acceptable services and compensation for the 2004 calendar year, and

WHEREAS, All requirements specified in the body of the main portion of the calendar year 2003 contract will remain in effect and apply to this addendum, and

WHEREAS, This addendum will remain in effect until a new agreement is reached between the parties for a new contract or May 31, 2004, whichever comes first.

TERMS OF ADDENDUM AND COMPENSATION

The scope of services shall continue for DCTB to provide transportation services based upon authorization provided by DJFS.

DJFS will compensate DCTB as outlined in the calendar year 2003 contract.

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

RESOLUTION NO. 04-428

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR JUVENILE COURT:

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

Transfer of Appropriation	To	AMOUNT
From		
10026321-5350	10026321-5001	\$4,000.00
JSO Program/Human Services	JSO/Program/Compensation	

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10026321-5350	10026321-5101	\$220.00				
JSO Program/Human Services	JSO Program/Hospital Insurance					
10026321-5350	10026321-5102	\$40.00				
JSO Program/Human Services	JSO Program/Workes Comp					
10026321-5350	10026321-5120	\$542.00				
JSO Program/Human Services	JSO Program/PERS					
10026321-5350	10026321-5131	\$58.00				
JSO Program/Human Services	JSO Program/Medicare					
Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Aye	Mrs. Martin	Aye

RESOLUTION NO. 04-429

IN THE MATTER OF APPOINTING THE PRESIDENT OF THE BOARD OF DELAWARE COUNTY COMMISSIONERS (DEBORAH MARTIN) AS THE VOTING MEMBER, VICE-PRESIDENT OF THE BOARD OF DELAWARE COUNTY COMMISSIONERS (KRIS JORDAN) AS THE ALTERNATE VOTING MEMBER, AND NOMINATING KEVIN WILLIAMS FOR THE BOARD OF DIRECTORS FOR THE COUNTY EMPLOYEE BENEFITS CONSORTIUM OF OHIO:

It was moved by Mr. Ward, seconded by Mr. Jordan to appoint The President Of The Board Of Delaware County Commissioners (Deborah Martin) as the voting member, Vice-President Of The Board Of Delaware County Commissioners (Kris Jordan) as the alternate voting member, and nominating Kevin Williams for The Board Of Directors For The County Employee Benefits Consortium Of Ohio.

Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Aye	Mrs. Martin	Aye
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RESOLUTION NO. 04-430

RESOLUTION DETERMINING THE SUFFICIENCY OF THE APPLICATION TO ADD PROPERTY TO THE LIBERTY COMMUNITY INFRASTRUCTURE FINANCING DISTRICT AND TO AMEND THE PETITION FOR THE ESTABLISHMENT OF THE LIBERTY COMMUNITY INFRASTRUCTURE FINANCING AUTHORITY AS A NEW COMMUNITY AUTHORITY AND SETTING A DATE FOR A PUBLIC HEARING UNDER CHAPTER 349 OF THE OHIO REVISED CODE:

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

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code, this Board, acting as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Ohio Revised Code, has heretofore adopted (a) Resolution No. 00-748 on September 11, 2000 approving a petition (the "Original Petition") providing for the establishment of the Liberty Community Infrastructure Financing Authority (the "Authority") which petition was filed by the developer of the Authority (the "Developer") and (b) Resolution No. 02-1463 on November 18, 2002 approving an amendment to the Original Petition (the "Amended Petition", together with the Original Petition, the "Petition"), which Petition collectively identifies the boundaries of the Authority (such real property included within those boundaries being referred to as the "District"); and

WHEREAS, on March 29, 2004, the Developer filed an application (the "Application") with the Board requesting that certain land be added to the District which Application was signed by the cities of Columbus, Ohio and Delaware, Ohio as the "proximate cities" pursuant to Chapter 349 of the Ohio Revised Code; and

WHEREAS, the Application further provided that the addition of such land will be conducive to the public health, safety, convenience and welfare, will be consistent with the development of the District, will not jeopardize the plan of development of the District and that such land to be added to the District is owned by, or under the control through leases of at least seventy-five years duration, options or contracts to purchase, of the Developer; and

WHEREAS, pursuant to Section 349.03(A) of the Ohio Revised Code, the Board has reviewed the Application to determine whether the Application complies with the requirements of Section 349.03 of the Ohio Revised Code as to form and substance; and

WHEREAS, the Board has further determined to fix a time and place of a public hearing on the Application which public hearing shall be held not less than thirty (30) days nor more than forty-five (45) days from the date of the filing of the Application and that notice of the public hearing shall be given by the Clerk of this Board, all as required by Section 349.03(A) of the Ohio Revised Code;

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BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, DELAWARE COUNTY, OHIO, THAT:

1. The Board finds and determines that the Application complies with the requirements of Section 349.03 of the Ohio Revised Code as to form and substance.
2. A public hearing on the Application shall be held on Thursday, April 29, 2004 at 9:45 a.m. at the offices of the Board, 101 North Sandusky Street, Delaware, Ohio.
3. The Clerk of this Board is directed to promptly give notice of the public hearing on the Application by publication once each week for three consecutive weeks in *The Delaware Gazette*; provided that each such publication shall appear in *The Delaware Gazette* prior to the public hearing described in Section 2.
4. This Board finds and determines that all formal actions of the Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
5. This Resolution shall be in full force and effect immediately upon its adoption.

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

RESOLUTION NO. 04-431

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR "SELF-INSURANCE PROGRAM":

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

WHEREAS, Delaware County received only two bids on April 1, 2004 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 Self-Insurance Program.

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

RESOLUTION NO. 04-432

SETTING BID OPENING DATE AND TIME FOR PROPERTY & CASUALTY SELF-INSURANCE PROGRAM TO COVER ALL LINES OF RISK FOR DELAWARE COUNTY'S PROPERTY AND LIABILITY:

It was moved by Mr. Jordan, seconded by Mr. Ward 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 **10:15 AM on Tuesday, April 20, 2004**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for reinsurance, pooling services, and/or administrative services for the self-insurance program for property and casualty insurance for Delaware County.

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 \$1,000 made payable to the Delaware County, Ohio. Bid specifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., 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 informality in any or all bids, to accept the bid or part it deems most favorable to the County after the bids have been examined and checked, and subject to the approval of the County Commissioners. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Self-Insurance Program." 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

There being no further business the meeting adjourned.

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Kristopher W. Jordan

Deborah B. Martin

James D. Ward

Letha George, Clerk to the Commissioners