

**COMMISSIONERS JOURNAL NO. 45 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 26, 2004**

7THE 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
Mrs. Martin had to leave session after the vote on Resolution 04-905

8:30 AM Executive Session

5:00 PM Request For Proposals/Request For Qualifications For A Qualified Firm To Administer A Countywide Prescription Drug Benefits Program

RESOLUTION NO. 04-892

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 8:30AM.

Vote on Motion	Mr. Jordan	Aye	Mrs. Martin	Aye	Mr. Ward	Aye
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RESOLUTION NO. 04-893

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 8:55AM.

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

RESOLUTION NO. 04-894

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 22, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held July 22, 2004 as contained in the county's official electronic recordings of the proceedings.

Vote on Motion	Mrs. Martin	Aye	Mr. Jordan	Aye	Mr. Ward	Aye
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RESOLUTION NO. 04-895

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0723 AND MEMO TRANSFERS IN MTAPR0723:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0723, Memo Transfers In MTAPR0723 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Increases			
T & J Junior Academy	Day Care	22411606-5348	\$ 1,070.00
Don A Del	Day Care	22411606-5348	\$ 4,869.00
Toddler Inn	Day Care	22411606-5348	\$ 12,294.90
BP Products	Fuel/Vehicles & Equipment	65211905-522822801	\$ 5,000.00
BP Products	Fuel/Vehicles & Equipment	65211919-522822801	\$ 5,000.00
Scott, Scriven & Wahoff	Legal Services	75110902-5301	\$ 15,000.00
Vouchers			
Child Care Unlimited	Day Care	22411606-5348	\$ 5,835.00
Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$ 20,660.00
Turning Point	Domestic Violence	24911311-5301	\$ 13,051.17
ODJFS	Reimbursement	10011108-537037070	\$ 5,590.95
Motorola Inc.	Installation/Countywide Radio System	41111421-5450	\$ 1,168,403.80
Liberty Twp. Fire	Runs for June 2004	10011303-5345	\$ 5,240.50
AEP	June Service	65211905-533833802	\$ 34,535.56

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AEP	June Service	65211919-533833802	\$	50,354.39
Quality Control Inspection	Inspection Service-Sanitary	65111904-5301	\$	25,480.00
Presbyterian Child Welfare	Residential Treatment	22511608-5342	\$	9,150.00
Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$	19,200.00

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

RESOLUTION NO. 04-896**IN THE MATTER OF WITHDRAWING A TRAVEL REQUEST FROM THE PRESENTED LIST OF APPROVED TRAVEL EXPENSE REQUEST:**

It was moved by Mr. Jordan, seconded by Mr. Ward to withdraw (*deny*) The Administrative Services Department request that Christine Shaw attend an OnBase Training and Technology Conference in Orlando, Florida August 29 to September 3, 2004, at the cost of \$1,135.00.

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

RESOLUTION NO. 04-897**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The Emergency Services Department is requesting that Larry Fisher and Bob Lavender attend a 2004 Ohio Spill Prevention and Emergency Response Conference at the Kings Island Conference Center September 27 to 29, 2004, at the cost of \$730.00.

The Engineer's Office is requesting that Doug Riedel and Jessica Piatt attend an Ohio Bridge Conference and Trade Show in Columbus, Ohio August 11 and 12, 2004, at the cost of \$218.00.

The Environmental Services Department is requesting that Fred Fowler attend a Statewide Conference on Floodplain Management in Ohio in Columbus, Ohio August 25 to 26, 2004, at the cost of \$130.00.

The Environmental Services Department is requesting that Janet Fawcett attend a Management Skills For Women in Columbus, Ohio October 21, 2004, at the cost of \$59.00.

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

RESOLUTION NO. 04-898**IN THE MATTER OF APPROVING THE PLAT FOR SHERMAN LAKES SECTION ONE PHASES A & B:**

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

Sherman Lakes Section One Phases A & B

Situated In The State Of Ohio, County Of Delaware, Township Of Berlin, Being Part Of Farm Lot 31, Section 1, Township 4, Range 18, United States Military Lands, Being 18.523 Acres Of The Land Conveyed To T & R Land Development Company. As Recorded In ORV385, Page 571 Recorder's Office, Delaware County, Ohio, Of Which 18.523 Acres Are In Farm Lot No31. Cost \$105.00.

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

RESOLUTION NO. 04-899**IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR ORANGE POINTE COMMERCE CENTER-SECTION 1, PHASE 4 AND HARBOR POINTE SECTION 3, PHASE B:**

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

Orange Pointe Commerce Center-Section 1, Phase 4

The roadway to be accepted is as follows:

- **Commerce Court**, to be known as **Township Road Number 1396**

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

Harbor Pointe Section 3, Phase B

The roadways to be accepted are as follows:

- An addition of 0.15 mile to **Township Road Number 1232, Bayridge Drive**
- An addition of 0.03 mile to **Township Road Number 1370, Pointewood Loop**

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

RESOLUTION NO. 04-900

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR ORANGE POINTE COMMERCE CENTER-SECTION 1, PHASE 4 AND HARBOR POINTE SECTION 3, PHASE B:

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

Stop Conditions – Orange Point Commerce Center-Section 1, Phase 4

- On Township Road Number 1396, Commerce Court, at its intersection with Township Road Number 809, Orange point Drive

Stop Conditions – Harbor Pointe Section 3, Phase B

- On Township Road Number 1370, Pointewood Loop, at its intersection with Township Road Number 1232, Bayside Ridge Drive

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

RESOLUTION NO. 04-901

IN THE MATTER OF ACCEPTING MAINTENANCE BONDS FOR WILLOW SPRINGS NORTH SECTION 2 AND MCCAMMON CHASE SECTION 3:

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

Willow Springs North Section 2

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 **\$82,434** for the duration of the one year maintenance period. A Bond in that amount is available. The Engineer also request approval to return the Bond being held as construction surety to the developer, M/I Schottenstein Homes, Inc. A letter authorizing release of the Bond is available for your approval.

McCammon Chase Section 3

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 **\$19,800** for the duration of the one year maintenance period. An Escrow Agreement in the amount of \$57,000 is currently in place as construction surety for this project. The Engineer also request your approval to reduce this Agreement to \$19,800 for the maintenance period.

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

RESOLUTION NO. 04-902

IN THE MATTER OF ACCEPTING PERFORMANCE CONSTRUCTION BONDS FOR SHERMAN LAKES SECTION 1, PHASE A AND SHERMAN LAKES SECTION 1, PHASE B:

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

Sherman Lakes Section 1, 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 \$42,600, and two Letters of Credit totaling that amount are available to cover the bonding of this project.

Sherman Lakes Section 1, Phase B

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 \$68,700, and two Letters of Credit totaling that amount are available to cover the bonding of this project.

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

RESOLUTION NO. 04-903

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

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

Permit #	Applicant	Location	Type of Work
U04111	Del-Co Water	Columbia Street	Bury waterline
U04112	Verizon	Rutherford Road	Place aerial cable on existing pole
U04113	Verizon	Buttermilk Hill Road	Place cable
U04114	Columbia Gas	Maxtown/Sunbury Roads	Directional bore with gas line
U04115	Columbia Gas	Maxtown/Tussic Street Roads	Open cut with gas line

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

RESOLUTION NO. 04-904

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE ENGINEER'S OFFICE MAP DEPARTMENT:

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

Supplemental Appropriations	Amount
10040401-5001 Map Room/Compensation	\$ 545.00
10040401-5102 Map Room/Workers Comp	\$ 6.00
10040401-5120 Map Room/PERS	\$ 74.00
10040401-5131 Map Room/Medicare	\$ 8.00

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

RESOLUTION NO. 04-905

IN THE MATTER OF APPROVING THE PURCHASE OF EQUIPMENT FOR USE BY PUBLIC SAFETY AGENCIES THROUGHOUT DELAWARE COUNTY AS PART OF THE HOMELAND SECURITY FY03 GRANT:

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

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management received the State Homeland Security Grant FY03 Part II that allows for the purchase of Personal Protection, Response and Recovery equipment to support all Delaware County public safety agencies in their effort to respond to the threat of Chemical, Biological, Radiological, Nuclear or Explosive (CBRNE) and Terrorist incidents; and WHEREAS, the Threat, Risk and Needs (TRN) Committee appointed by the Board of Commissioners recommends the purchase of various equipment following discussion and input from Fire, Law, EMS, Health and Public Works services personnel, and;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approve the use of the FY03 Part II Grant funding for the purchase of personal protection, medical supplies, decontamination equipment, terrorism incident prevention and CBRNE logistical equipment as recommended

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by the TRN and approved by the appropriate Federal and State level agencies in the amount of \$266,100.00.

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

RESOLUTION NO. 04-906

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND THE OLENTANGY LOCAL SCHOOL DISTRICT BOARD OF EDUCATION:

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

AGREEMENT

This Agreement made and concluded this 26th day of July, 2004 by and between the Delaware County Board of Commissioners, 101 North Sandusky Street, Delaware County, Ohio, hereafter "County" and the Olentangy Local School District Board of Education, 814 Shanahan Road, Lewis Center, Delaware County, Ohio, hereafter "School Board".

WHEREAS, the County is constructing a Countywide 800 MHz Radio system and the Township Law Enforcement and Fire Departments are part of that system; and

WHEREAS, both parties agree that it would be mutually beneficial to work together to ensure adequate radio coverage for public safety forces within all areas of Delaware County; and

WHEREAS, the School Board has offered to provide a 50'X50' space for a 190' (foot) tripod radio tower necessary for this new system at the School Board's existing property located at 1256 Westwood Drive, Lewis Center, Ohio 43065.

NOW, THEREFORE, for and in cooperation between the County and the School Board, the parties agree to the following:

1. The County will provide the 190' Tripod tower, equipment shelter, and safety fencing at the above location at no cost to the School Board.
2. The County will exercise full administrative and operational control regarding access to the tower site at all times.
3. The County agrees that no commercial users will be allowed to place antennas on the tower.
4. The School Board agrees to provide the space for this tower for the life of the Countywide 800 MHz system at a cost of \$1.00 annually to be billed by invoice in January of each year to the Delaware County 9-1-1 Center at 10 Court Street, Delaware, OH 43015
5. This Agreement shall take effect at the earliest period allowed by law.
6. This Agreement shall continue in effect for 30 years, or until such time as either Party renders in writing with at least 365 days notice to the other Party of a date that such Agreement shall be terminated.
7. Each party agrees to the following procedures for dispute resolution. Procedures are specifically designed to deal with any alleged disputes under this Agreement or as a result of any operational procedures that adversely impact either party. Disputes will be submitted in writing and forwarded in each Party's chain of command, to either the Delaware County 9-1-1 Manager or the President of the School Board as appropriate. The Party receiving a dispute has 10 days to respond in writing to the other party. The response should include any findings or recommended solutions to the dispute. If the dispute cannot be resolved through this process, the Emergency Services Director or designated representative will meet with the School Board President or designated representative to arrive at a resolution. If the dispute cannot be resolved, it will be brought before the respective Boards for final resolution.
8. In the event that the County and the School Board have no further use for the tower facility, Delaware County will bear the cost associated with dismantling the tower and all associated equipment.

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

RESOLUTION NO. 04-907

IN THE MATTER OF RECOMMENDING MADDOX NBD TO FACILITATE THE DESIGN OF A NEW MEDIC STATION:

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

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WHEREAS, Delaware County received six Statements of Qualifications from firms for the study and design of a new Medic Station, and;

WHEREAS, after carefully reviewing the proposals received and interviewing four of the firms, the proposal submitted by Maddox NBD has been determined to be the most qualified.

NOW THEREFORE BE IT RESOLVED, That the Board of Commissioners of Delaware County, State of Ohio, accept the recommendation to name Maddox NBD to facilitate the study and design of a new Medic Station.

FURTHER BE IT RESOLVED, That the Director of Emergency Services and Facility Manager, along with the County Administrator, negotiate the final scope and price to perform the study and design.

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

RESOLUTION NO. 04-908

IN THE MATTER OF AMENDING RESOLUTION NO. 04-064 AUTHORIZING THE PURCHASE OF MEALS FOR LEPC MEETINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to adopt the following Amendment to Resolution No. 04-064:

WHEREAS, the Delaware County Board of Commissioners approved the purchase of meals and refreshments for the Local Emergency Planning Committee meeting through Patti O's, and

WHEREAS, Patti O's is no longer an existing establishment;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County amend the original resolution to reflect approval to purchase meals and refreshments for LEPC meetings from various other vendors, in place of Patti O's.

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

RESOLUTION NO. 04-909

IN THE MATTER OF APPROVING THE QUARTERLY REPORT OF THE BYRNE GRANT FOR INTENSIVE SUPERVISION:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the quarterly Report of the Byrne Grant #25822305.

(Copy of report available in the Commissioners office until no longer of Administrative Value).

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

RESOLUTION NO. 04-910

IN THE MATTER OF APPROVING BID SPECIFICATIONS AND SETTING BID OPENING DATE AND TIME FOR VILLAGE OF OSTRANDER FORMULA FY'03 STORM DRAINAGE IMPROVEMENTS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve specifications and set bid opening date and time for **Tuesday, August 17, 2004, at 12:00 noon**. This bid opening will be held at 19 S. Main St., Ostrander, Ohio.

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

RESOLUTION NO. 04-911

IN THE MATTER OF APPROVING BID SPECIFICATIONS AND SETTING BID OPENING DATE AND TIME FOR VILLAGE OF GALENA FORMULA FY'03 STORM DRAINAGE IMPROVEMENTS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve specifications and set bid opening date and time for **Wednesday, August 11, 2004, at 9:30 a.m.** This bid opening will be held at 9 W. Columbus St., Galena, Ohio.

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

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RESOLUTION NO. 04-912**IN THE MATTER OF APPROVING THE SANITARY SUBDIVIDER'S AGREEMENT FOR LIBERTY VILLAGE SECTION 1:**

It was moved by Mr. Ward, seconded by Mr. Jordan to accept the following Sanitary Subdivider's Agreement:

**SUBDIVIDER'S AGREEMENT
DELAWARE COUNTY SANITARY ENGINEER**

THIS AGREEMENT executed on this 26th day of July 2004, by and between MIDSTATE DEVELOPMENT SUBDIVIDER, as evidenced by the LIBERTY VILLAGE SECTION 1 Subdivision Plat filed with the Delaware County Recorder, Delaware County, Ohio and the BOARD OF COUNTY COMMISSIONERS of Delaware County, Ohio is governed by the following considerations and conditions, 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 is to execute Bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction (\$136,464.00) 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 said improvements. The bond, certified check, irrevocable letter of credit, or other approved financial warranty shall remain in effect until released by the COUNTY at the completion of construction.

The SUBDIVIDER shall indemnify and save harmless the County, Townships and/or Villages and all of their officials, employees and 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 action, or omissions of any contractor or sub-contractor or from any material, method or explosive 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 (1) year from the date of the approval of said SUBDIVIDER by the COUNTY COMMISSIONERS, but 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 the plans and specifications and shall have 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.

The SUBDIVIDER further agrees that any violations of or noncompliance 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 and act against the performance surety for the purpose of proper completion of the public improvements within this Subdivision.

SANITARY SEWER CONSTRUCTION

It is further agreed that upon execution of this AGREEMENT, the SUBDIVIDER shall deposit, with the DELAWARE COUNTY SANITARY ENGINEER the sum of \$10,900.00, estimated to be necessary to pay the cost of inspection by the DELAWARE COUNTY SANITARY ENGINEER. The DELAWARE COUNTY SANITARY ENGINEER shall in his sole discretion inspect, as necessary, the IMPROVEMENTS being installed or constructed by the SUBDIVIDER and shall keep accurate records of the time spent by his employees and agents in such inspections for which the SANITARY ENGINEER shall be reimbursed from charges against said deposit. At such time as said fund, as a result of charges against the same at the rate of:

INSPECTOR \$60.00
CAMERA TRUCK \$150.00

per hour for time spent by said SANITARY ENGINEER or his staff has been depleted, the SUBDIVIDER shall make an additional deposits to said fund. On completion of all IMPROVEMENTS provided herein and acceptance of same by the COUNTY, any unused portions of the inspection fund shall be repaid to the SUBDIVIDER less an amount equal to \$0.75 per foot of sewer which will be deducted to cover a re-inspection.

The SUBDIVIDER, for a period of five (5) years after acceptance of the IMPROVEMENTS by the COUNTY, shall be responsible for defective materials and/or workmanship. All warranties for equipment installed as a part of the IMPROVEMENTS shall be the same as new equipment warranties and shall be assigned to the COUNTY upon acceptance of the IMPROVEMENTS.

The SUBDIVIDER shall provide to the COUNTY all necessary easements or rights-of-way required to complete the IMPROVEMENTS, all of which shall be obtained at the expense of the SUBDIVIDER.

The COUNTY shall, upon certification in writing from the DELAWARE COUNTY SANITARY ENGINEER that all construction is complete according to the plans and specifications, by Resolution accept the IMPROVEMENTS described herein and accept and assume operations and maintenance of the same.

ALL CONSTRUCTION UNDER COUNTY JURISDICTION:

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The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to DELAWARE COUNTY as required:

- (1) "as built" drawings on the IMPROVEMENTS which plans shall become the property of the COUNTY and shall remain in the office of the DELAWARE COUNTY SANITARY ENGINEER and DELAWARE COUNTY ENGINEER. The drawings shall be on reproducible MYLAR and 3.5" or 5.25" Diskettes in either Autocad DWG files or DXF files.
- (2) an itemized statement showing the cost of IMPROVEMENTS
- (3) a waiver of lien from all Contractors associated with the project 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 materials incident to said construction of the IMPROVEMENTS.

The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to the DELAWARE COUNTY SANITARY ENGINEER a five (5) year maintenance Bond, or other approved financial warranties, equal to ten percent (10%) of the construction cost.

The SUBDIVIDER shall during the 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 said IMPROVEMENTS AND FOR THEIR CONTINUED OPERATION. The SUBDIVIDER shall be responsible for all utility charges and installation costs. The 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 DELAWARE COUNTY BOARD OF COMMISSIONERS hereby grants the SUBDIVIDER or his agent the right and privilege to make the IMPROVEMENTS stipulated herein and as shown on the approved plans.

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

RESOLUTION NO. 04-913

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND VARIOUS CHILD CARE PROVIDERS:

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

Child Care		Basic Rates Full Time (25 Hrs. or More)	Part Time Rates	Adjustment to Basic Rates
Delaware Joint Vocational School Child Care 1610 St. Rt. 521 Delaware, Ohio 43015	Infant Toddler	\$100.00 \$100.00	\$ 67.00 \$ 67.00	Registration Fee \$25.00
Kinder Care Learning Center 6036 Tara Hill Drive Dublin, Ohio 43017	Infant Toddler Preschool School Age Before & After School Before or After School	\$152.00 \$131.00 \$114.00 \$103.00 \$ 95.00 \$ 91.00	\$102.00 \$ 88.00 \$ 76.00 \$ 69.00 \$ 69.00 \$ 69.00	\$25.00 Registration Fee
The Learning Center of Worthington 7878 Worthington –Galena Road Worthington, Ohio 43085	Infant Toddler Preschool School Age Before & After School	\$152.00 \$131.00 \$114.00 \$103.00 \$ 97.00	\$102.00 \$ 88.00 \$ 76.00 \$ 69.00 \$ 69.00	\$25.00 Registration Fee
Letha Delelles 158 Lofton Circle Delaware, Ohio 43015	Infant Toddler Preschool Schoolage	\$2.75 \$2.75 \$2.50 \$2.50		None
La Petite Academy 909 Polaris Parkway	Infant Toddler	\$138.00 \$123.00	\$ 93.00 \$ 82.00	\$25.00 Registration

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Columbus, Ohio 43240	Preschool Schoolage Before & After School Before or After School	\$108.00 \$100.00 \$ 93.00 \$ 80.00	\$ 72.00 \$ 67.00 \$ 67.00 \$ 67.00	Fee
Today's Learning Child 47 Lexington, Blvd. Delaware, Ohio 43015	Infant Toddler Preschool Schoolage Kindergarten AM/PM Kindergarten PM Before & After School Before School Only After School Only	\$138.00 \$123.00 \$108.00 \$100.00 \$ 88.00 \$ 80.00 \$ 75.00 \$ 42.00 \$ 62.00	\$ 93.00 \$ 82.00 \$ 72.00 \$ 67.00 \$ 67.00 \$ 67.00 \$ 67.00 \$ 42.00 \$ 67.00	\$25.00 Registration Fee
Chris Greenawalt 302 Water Street Cardington, Ohio 43315	Infant Toddler Preschool Schoolage	\$2.50 \$2.50 \$2.50 \$2.50		None
Buckeye Valley SACC	<u>Kindergarten-5th Grade</u> 6:30am-9:15am 3:40pm-6:00pm 6:30am-9:15am and 3:40pm-6:00pm <u>Kindergarten Only</u> 6:30am-6:00pm 6:30am-3:40pm 9:15am-6:00pm 9:15am-1:00pm 11:45am-3:40pm	\$30.00 \$30.00 \$60.00 \$70.00 \$60.00 \$60.00 \$50.00 \$50.00		\$15.00 Registration Fee
La Petite Academy 1325 E. Walnut Street Westerville, Ohio 43081	Infant Toddler Preschool Schoolage	\$152.00 \$131.00 \$114.00 \$103.00	\$102.00 \$ 88.00 \$ 76.00 \$ 67.00	\$25.00 Registration Fee
North Early Childhood Services 1125 College Avenue Columbus, Ohio 43029	Infant Toddler Preschool Schoolage	\$159.60 \$137.55 \$119.70 \$108.15	\$107.10 \$ 92.40 \$ 79.80 \$ 72.45	\$25.00 Registration Fee
Buckeye Valley SACC	Schoolage	\$95.00	\$63.65	\$25.00 Registration Fee
La Petite Academy 130 Polaris Parkway Westerville, Ohio 43082	Infant Toddler Preschool Schoolage	\$152.00 \$131.00 \$114.00 \$103.00	\$102.00 \$ 88.00 \$ 76.00 \$ 69.00	\$25.00 Registration Fee
Toddler Inn 715 W. William Street Delaware, Ohio 43015	Infant Toddler Preschool Schoolage Kindergarten AM/PM Before & After School Before School Only After School Only	\$130.00 \$120.00 \$108.00 \$100.00 \$ 80.00 \$ 75.00 \$ 50.00 \$ 60.00	\$ 87.10 \$ 80.40 \$ 72.00 \$ 67.00 \$ 67.00 \$ 67.00 \$ 50.00 \$ 60.00	\$25.00 Registration Fee
Child Care Unlimited 100 W. Cherry Street Sunbury, Ohio 43074	Infant Toddler Preschool Schoolage Before School Only After School Only Before & After School	\$138.00 \$123.00 \$108.00 \$100.00 \$ 30.00 \$ 40.00 \$ 65.00	\$ 93.00 \$ 82.00 \$ 72.00 \$ 67.00 \$ 30.00 \$ 40.00 \$ 65.00	\$25.00 Registration Fee
La Petite Academy	Infant	\$138.00	\$ 93.00	\$25.00

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2069 Summitview Road Powell, Ohio 43065	Toddler	\$123.00	\$ 82.00	Registration Fee
	Preschool	\$108.00	\$ 72.00	
	Schoolage	\$100.00	\$ 67.00	
	Before or After School	\$ 77.00	\$ 67.00	
	Before & After School	\$ 89.00	\$ 67.00	
Noah's Ark 110 Tippett Court Sunbury, Ohio 43074	Infant	\$138.00	\$ 93.00	\$25.00 Registration Fee
	Toddler	\$123.00	\$ 82.00	
	Preschool	\$108.00	\$ 72.00	
	Schoolage	\$100.00	\$ 67.00	
Delaware Christian Academy 2280 Marysville Road Delaware, Ohio 43015	Toddler	\$125.00	\$ 84.00	\$25.00 Registration Fee
	Preschool	\$113.00	\$ 76.00	
Liberty Community Center 207 London Road Delaware, Ohio 43015	Infant	\$138.00	\$ 93.00	\$25.00 Registration Fee
	Toddler	\$123.00	\$ 82.00	
	Preschool	\$108.00	\$ 72.00	
	Schoolage	\$100.00	\$ 67.00	
	Before & After School	\$ 75.00	\$ 67.00	
	Before Or After School	\$ 50.00	\$ 50.00	
The Learning Center of Westerville 149 Charring Cross Drive South Westerville, Ohio 43081	Infant	\$152.00	\$102.00	\$25.00 Registration Fee
	Toddler	\$131.00	\$ 88.00	
	Preschool	\$114.00	\$ 76.00	
	School Age	\$103.00	\$ 69.00	
	Before & After School	\$ 85.00	\$ 69.00	
Don-A-Del 2221 Braumiller Rd. Delaware, Ohio 43015	Toddler	\$123.00	\$ 82.00	\$25.00 Registration Fee
	Preschool	\$108.00	\$ 72.00	
	Schoolage	\$100.00	\$ 67.00	
T & J Junior Academy 129 Orangewick Road Lewis Center, Ohio 43035	Infant	\$138.00	\$ 93.00	\$25.00 Registration Fee
	Toddler	\$123.00	\$ 82.00	
	Preschool	\$108.00	\$ 72.00	
	Schoolage	\$100.00	\$ 67.00	
	After School	\$ 39.90	\$ 39.90	
	Before & After School	\$ 67.00	\$ 67.00	

(A Copy of each of these contacts is available in the Commissioners' Office until no longer of Administrative Value).

Further Be It Resolved, that the Commissioners approve the Following Purchase Order Request:

Child Care Purchase Orders			
ORG	OBJ	Vendor	Amt
22411610	5348	Child Care Unlimited	\$45,000
22411610	5348	Delaware Christian	\$13,000
22411610	5348	Don A Del West	\$32,000
22411610	5348	Kindercare, Tara Hill	\$6,000
22411610	5348	La Petite Academy, 909 Polaris	\$25,000
22411610	5348	La Petite Academy, 1325 E Walnut St	\$35,000
22411610	5348	La Petite Academy, 130 Polaris Pkwy	\$7,000
22411610	5348	La Petite Academy, 2069 Summittview	\$6,000
22411610	5348	Liberty Community Center	\$102,000
22411610	5348	T & J Junior Academy	\$11,000
22411610	5348	Learning Center Worthington	\$14,000
22411610	5348	Today's Learning Child	\$35,000
22411610	5348	Buckeye Valley (Summer)	\$3,000
22411610	5348	Buckeye Valley (School Yr)	\$3,000
22411610	5348	Learning Center, Charring Cross	\$7,000
22411610	5348	Delaware JVS	\$3,000
22411610	5348	Delelles, Letha	\$13,000
22511607	5348	Toddler Inn	\$4,000
22411610	5348	Toddler Inn	\$105,000

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22511607	5348	Noah's Ark	\$3,000
22411610	5348	Noah's Ark	\$32,000
22411610	5348	North Early Childhood	\$5,000
22511607	5348	Greenwalt, Christine	\$2,000

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

RESOLUTION NO. 04-914

IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY HUMAN RESOURCES EMPLOYEE RELATIONS FUNDS TO ASSIST IN FUNDING THE PURCHASE OF FRUIT, PUNCH AND OTHER AMENITIES FOR THE ANNUAL DELAWARE COUNTY EMPLOYEE HEALTH AND SAFETY FAIR:

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

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue Expenditure Of Public Funds For Proper "Public Purpose", and

WHEREAS, The October 20, 2003, State Auditor's ruling on payment of Expenditures Of Public Funds For Proper "Public Purpose" states that for persons who are employees or non-employees of the County, the Commissioners must pre-approve expenditures for the purchase of coffee, meals, refreshments and other amenities.

WHEREAS, Human Resources Department has offered the Employee Health and Safety Fair for the past six years. Grady Memorial is there each year to do blood-work. In order for this procedure to give an accurate reading, participants must fast for 12 hours. The purchase of food and drinks is necessary for the well being of employees who are having blood drawn or giving blood that day.

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

Section 1. That the Delaware County Board of Commissioners hereby authorizes the use of Human Resources Employee Relations funds in an amount not to exceed \$125.00, to assist in funding the purchase of fruit, refreshments and other amenities for The Delaware County Employee Health and Safety Fair.

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

RESOLUTION NO. 04-915

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Marsha Coleman with the Department Of Job And Family Services has been moved to the Executive pay level effective July 19, 2004.

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

RESOLUTION NO. 04-916

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR DOG AND KENNEL:

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

Transfer of Appropriation		Amount
From	To	
20411305-5450	20411305-5260	\$ 671.00
Dog & Kennel/Capital Outlays	Dog & Kennel/Inventoried Tools	
20411305-5450	20411305-5325	\$ 350.00
Dog & Kennel/Capital Outlays	Dog & Kennel/Maintenance Contract	
20411305-5450	20411305-5265	\$ 1,922.00
Dog & Kennel/Capital Outlays	Dog & Kennel/Inventoried Office Furniture	

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

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RESOLUTION NO. 04-917

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE JAIL EXPANSION PROJECT:

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

Supplemental Appropriations		AMOUNT
40411414-5410	Jail Expansion/Building & Improvements	\$2,500,000.00
40411414-5312	Jail Expansion/Advertising & Legal Notices	\$ 6,000.00
Vote on Motion	Mrs. Martin Absent Mr. Jordan Aye Mr. Ward	Aye

PRESENTATION REGIONAL GROWTH STRATEGY –BILL HABIG

There being no further business the meeting adjourned.

Kristopher W. Jordan

Deborah B. Martin

James D. Ward

Letha George, Clerk to the Commissioners