

**COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 4, 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

**10:00 AM Executive Session**

**RESOLUTION NO. 04-1196**

**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 AND LAND ACQUISITION:**

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 10:00AM.

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

**RESOLUTION NO. 04-1197**

**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 11:00AM.

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

**RESOLUTION NO. 04-1198**

**IN THE MATTER OF HONORING THE PERKINS FAMILY FOR BEING CHOSEN AS 'FOSTER/ADOPTIVE FAMILY OF THE YEAR':**

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

Whereas, Scott and Karen Perkins have been named Foster/Adoptive Family of the Year by the Public Children Services Association of Ohio, and

Whereas, Scott and Karen Perkins have been a licensed foster home since 1997, and have chosen to increase their family and minister to children through foster care and adoption.

Whereas, the Perkins family includes four birth children and four adopted children, and

Whereas, Scott and Karen embrace the Family Centered Neighborhood Based philosophy of caring for children while maintaining contact with and mentoring the birth parents of the foster children, and

Whereas, Scott and Karen open their home to the relatives of the sibling group of their adopted children which includes not only immediate family but also grandparents, aunts, uncles and cousins for birthdays and holidays.

Whereas, Scott and Karen teach their children to "give instead of take" also teaching them to look at people's hearts not the exterior, and

Whereas, the entire family goes to a nursing home monthly to take part in activities with the patients as well as entertaining them with their singing ability

Now Therefore be it Resolved, the Delaware County Commissioners congratulate the Perkins Family for being named the Foster/Adoptive Family of the Year and thank them for the extraordinary contribution they are making to our community.

Further Be It Resolved, the Clerk of the Board of Commissions shall cause this resolution to be spread upon the Board's Official Journal.

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

**PUBLIC COMMENT**

**RESOLUTION NO. 04-1199**

**IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 30, 2004 AS CONTAINED IN THE COUNTY'S OFFICIAL**

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**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 September 30, 2004 as contained in the county's official electronic recordings of the proceedings.

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

**RESOLUTION NO. 04-1200****IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR101:**

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR 101, memo transfers

**Increases**

Kindercare/Sawbury	Day Care	22411610-5348	\$	1,500.00
Buckeye Valley SACC	Day Care	22411606-5348	\$	2,781.65

**Vouchers**

US Filter	Bioxide Chemicals	65211905-5290	\$	14,049.00
Buckeye Valley LSD	Day Care	22411606-5348	\$	5,321.75
US Filter	Chemicals for Pump Stations	65211919-5290	\$	13,972.00

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

**RESOLUTION NO. 04 -1201****IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

Administrative Services is requesting that Gina Fasone and Dawn Huston attend a OHPELRA Seminar at Reynoldsburg, Ohio on October 7, 2004, at a cost of \$260.50

Intensive Supervision requests that Lorrie Richards attend a Stalking and Domestic Violence Training at the University of Findlay on October 18, 2004, at a cost of \$10.00.

Probate Court is requesting that Sue Katherman attend the Probate Clerk's Training at Columbus, on October 18, 2004 at a cost of \$75.00

Intensive Probation is requesting that Erin Cook, Melinda Bettac, Jeff Vandeborne and Mark Taglione attend Probation Officers Training at Dublin, Ohio on November 4 & 5 at a cost of \$780.00.

Juvenile Court is requesting that Patty Cram and Julie Bleak attend an ODADAS Fall Director's Meeting at Columbus, on October 12, 2004 at a cost of \$100.00.

Juvenile Court is requesting that Rosemary Halterman, Maryann Holevas attend the Court Investigations workshop in Columbus on October 4, 2004 at a cost of \$300.00.

Juvenile Court is requesting that Mark Travis, Sandi Forti, and Crystal Alexander attend a Conference on Child Sexual Abuse in Wisconsin on October 19-21 at a cost of \$2,600.00.

The Prosecutor is requesting that Frank Darr attend a Seminar – Ohio Felony Sentencing Law at Columbus, on December 1, 2004 at a cost of \$261.25.

911 is requesting that Michele Treadoway attend a Helping Battered Women & Children Seminar at Columbus on December 2, 2004 at a cost of \$60.00.

Environmental Services is requesting that Barry Bryant attend a Wetland Workshop at Columbus on October 15, 2004 at a cost of \$25.00.

Environmental Services is requesting that Jason Watts attend an OWEA Workshop at Newark, Ohio on October 12, 2004 at a cost of \$15.00.

Veterans Services is requesting that Valerie Crane attend the Tri-Care Training (Military Retirees Health Insurance) in South Carolina on October 5-7 at a cost of \$ 1069.00

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

**RESOLUTION NO. 04-1202**

**IN THE MATTER OF APPROVING PLAT FOR WALNUT GROVE ESTATE, SECTION 1 AND DITCH MAINTENANCE PETITIONS FOR OLDE STATE FARMS SECTION 2:**

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

**Walnut Grove Estates, Section 1**

Situated in the Township of Genoa, County of Delaware, State of Ohio and being part of Farm Lot 13, Section 2, township 3, Range 17, United States Military lands, and being 36.354 Acres out of the 51.296 acre tract, (51.154 acres deed), as conveyed to Walnut Grove estates, Inc. as described in Deed Book 403, Page 6 County Recorder's Office, Delaware, Ohio. Fee of \$114.00.

**Ditch Maintenance Petition-Olde State Farms, Section 2**

We the undersigned owners of 27.344 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as Olde State Farms, Section 2 as evidenced by the attached subdivision plat (Exhibit "A" which is available at the County Engineer's Office). This plat has been approved and signed by the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider's agreement Exhibit "B" available at the County Engineer's Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit "C" (available at the County Engineer's Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement.

We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Olde State Farms, Section 2 Subdivision.

The cost of the drainage improvements is \$ 105,645.50 and a detailed cost estimate is available at the County Engineer's office in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. 30 lots are created in this plat and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$ 3,521.52 per lot. An annual maintenance fee equal to 2% of this basis \$ 70.43 will be collected for each lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$ 2,112.90 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

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

**RESOLUTION NO. 04-1203**

**IN THE MATTER OF RELEASING LETTERS OF CREDIT ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR SCIOTO RESERVE SECTION 4, PHASE 10 AND HIGHLAND LAKES EAST SECTION 15:**

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

**Scioto Reserve Section 4, Phase 10**

The roadways to be accepted are as follows:

- An addition of 0.22 mile to **Township Road Number 1226, Scioto Parkway**
- **Greyson Drive**, to be known as **Township Road Number 1400**
- **Letterman Drive**, to be known as **Township Road Number 1401**

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

The Engineer requests approval to return the Letter of Credit being held as maintenance surety to the

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developer, Homewood Corporation.

**Highland Lakes East Section 15**

The roadway to be accepted is as follows:

- **Bretton Place**, to be known as **Township Road Number 1402**

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

The Engineer requests approval to return the Letter of Credit being held as maintenance surety to the developer, Dominion Homes.

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

**RESOLUTION NO. 04-1204**

**IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR SCIOTO RESERVE SECTION 4, PHASE 10 AND HIGHLAND LAKES EAST SECTION 15:**

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

**Scioto Reserve Section 4, Phase 10**

- On Township Road Number 1400, Greyson Drive, at its intersection with Township Road Number 1226, Scioto Parkway
- On Township Road Number 1401, Letterman Drive, at its intersection with Township Road Number 1400, Greyson Drive

**Highland Lakes East Section 15**

- On Township Road Number 1402, Bretton Place, at its intersection with Township Road Number 453, Highland Lakes Avenue

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

**RESOLUTION NO. 04-1205**

**IN THE MATTER OF ACCEPTING PERFORMANCE CONSTRUCTION BONDS FOR WALNUT GROVE ESTATES SECTION 1:**

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

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, therefore, estimates the remaining construction costs to be **\$91,874**, and a Letter of Credit in that amount is currently in place to cover the bonding of this project.

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

**RESOLUTION NO. 04-1206**

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

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

Permit #	Applicant	Location	Type of Work
U04117	Columbia Gas	Woodland Glen Section 2	Install gas mains
U04144	Del-Co Water	Miller Road	Install bore
U04145	Del-Co Water	Boston Road	Install bore
U04146	Verizon	Cook Road	Place telephone cable

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

**RESOLUTION NO. 04-1207**

**IN THE MATTER OF APPOINTING AN "OLD JAIL" FACILITY COMMITTEE**

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

WHEREAS, The building located at 20 West Central Avenue, commonly referred to as the “Old Jail” is in need of major maintenance and repair, and

WHEREAS, it has been speculated that the cost of refurbishing of the “Old Jail” appear to exceeded the benefits, and

WHEREAS, The Board of County Commissioners would like to give the community an opportunity to develop ideas and suggestions how to utilize the “Old Jail”

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section I. That the Delaware County Board of Commissioners appoints Jim Newton to Chair an “Old Jail” Facility Committee.

Section II. Jim Newton will organize a group of citizens composed of the following classifications to evaluate options and alternatives for uses of the “Old Jail”.

- Two members from the local area
- Three members from business entities located in the County (one member must be from the downtown and one must be an architect or engineer)
- One member of the Delaware Historical Society
- Two county employees (To be named by the Board of Commissioners)

Mr. Newton is to bring back the names of the candidates for approval by the Board of County Commissioners

Section III. The “Old Jail” Facilities Committee will prepare a report to the Board of County Commissioners with proposed uses, costs and benefits for use of the “Old Jail”

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

**RESOLUTION NO. 04-1208**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

Mark Schlauder has submitted his letter of resignation as a crew chief/paramedic with Delaware County EMS effective September 24, 2004.

Chris Sherbourne has exhausted his FMLA and will be on unpaid leave status until his return to work on or about October 6, 2004.

Katherine Langley’s employment with the Child Enforcement Agency has been terminated as of September 30, 2004.

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

**RESOLUTION NO. 04-1209**

**IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR LIFT STATION RELOCATION AT SUMMERWOOD:**

It was moved by Mr. Ward, seconded by Mr. Jordan to approve sanitary sewer plan for Lift Station Relocation for Summerwood for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

**RESOLUTION NO. 04-1210**

**IN THE MATTER OF AUTHORIZING THE ACCEPTANCE AND AWARDED OF THE BID AND APPROVING THE CONTRACT SUBMITTED BY TYEVCO, INC. FOR CDBG FY’03 ASHLEY VILLA ADA RENOVATION:**

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

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WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program to Delaware County; and

WHEREAS, funding, in the amount up to \$13,400 has been provided to Delaware County through the FY03 CDBG Formula Program, and

WHEREAS, the project was bid out and bids were received September 1, 2004; and

WHEREAS, Ashley Villa has reviewed the bids received, and the bid submitted by Tyeveco, Inc., in the amount of \$17,777 has been determined to be the lowest and best bid.

WHEREAS, Ashley Villa, is responsible for the cost that exceeds the \$13,400 approved by the Delaware County Commissioners

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 Board of Commissioners authorizes Delaware County to enter into, and authorizes the Delaware County Economic Development Director to execute this agreement between Delaware County and Tyeveco Inc., in the amount of \$17,777.

Section 3. That this resolution shall take effect and be in force immediately after its passage.

**AGREEMENT FORMS**

**CONTRACT**

THIS AGREEMENT made this 4<sup>th</sup> day of October, 2004, by and between, Tyeveco, Inc. hereinafter called the "Contractor" and Delaware County, hereinafter called the "Owner".

WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

**ARTICLE 1.**      **Statement of Work.**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the construction of the Improvements embraced in the project; namely Ashley Villa, ADA Renovation Improvements,

**ARTICLE 2.**      **The Contract Price.**

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum Seventeen Thousand Seven Hundred Seventy-Seven (Dollars) subject to additions and deductions as provided in Section 109 hereof.

1 Choose term most applicable: a corporation organized and existing under the laws of the State of Ohio: a partnership consisting of none: and individual trading as Tyeveco, Inc..

2 Supply principal items of Contract such as Grading, Paving, Water Mains, Sewers, etc.

**ARTICLE 3.**      **Contract.**

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. Instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Parts I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the

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parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

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

**RESOLUTION NO. 04-1211**

**IN THE MATTER OF APPROVING NEW ORG KEYS:**

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

<b>Org Key</b>	<b>Title</b>
26712601	Care & Custody Admin (Child)
26712602	Diversion (Child)
26712603	Wraparound (Child)
26712604	Substance Abuse (Child)
26712605	Sex Offender (Child)
26712651	Youth Service Admin (Child)
26712652	Placement (Child)
26712653	Transportation (Child)
26712654	Family Preservation (Child)
26712655	Community Service (Child)
23011713	CHIP 2004 CDBG Funds
23011714	CHIP 2004 Home Funds
23011715	Formula 2004
29214017	Motor & Gas Utility

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

There being no further business the meeting adjourned.

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 Kristopher W. Jordan

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 Deborah B. Martin

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 James D. Ward

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 Letha George, Clerk to the Commissioners