

**COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 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

8:45 AM Investment Committee

PUBLIC COMMENT

PRESENTATION-JOBS FOR OHIO GRADUATES

**Ed Bischoff
Tish Jenkins
Pat Foor**

RESOLUTION NO. 04-1219

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 7, 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 October 7, 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. 04-1220

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR108:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR108, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Emergitech Inc.	Master Name Dater Conversion Project	21411306-5450	\$ 6,500.00
Vouchers			
Finley Fire Equipment	SCBA And Spare Bottles	21511319-5238	\$ 7,352.50
Build Mor Inc.	Diesel Pump for Alum Creek	65211919-5410	\$ 5,538.00
Jobs for Ohio Grads	Training Sept-May 04	22311611-5348	\$ 35,000.00
Council for Older Adults	4th Quarter 04 Protective Services Grant	22411606-5348	\$ 12,066.75
Boys Village Inc.	Residential Treatment	22511607-5342	\$ 19,246.86
Boys Village Inc.	Residential Treatment	22511608-5342	\$ 6,738.16
Medtronic Physio Control	NIBP option field service upgrade	10011303-5260	\$ 19,800.00
BP Products N. America	Gasoline/Service Center/Walker Woods Bulk Plant	10011106-522822801	\$ 5,169.00
Synagro	Conveyance and Land Application	65211919-5301	\$ 16,398.36
AEP	Service	65211919-533833802	\$ 38,889.01
Pitney Bowes	Workstand/Station Folder	65111904-5450	\$ 8,965.00
Memo Transfer Vouchers			
From	To		
JFS 22411605-5331	Facilities Management 10011105-5331	Postage	\$ 5,684.05

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

RESOLUTION NO. 04-1221

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 19.507 ACRES OF LAND IN SCIOTO TOWNSHIP TO THE VILLAGE OF OSTRANDER:

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

Whereas, on September 8, 2004, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Richard K. Moxley, agent for the petitioners, of 19.507 Acres, more or less, in Scioto Township to the Village of Ostrander.

**COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 2004**

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 Village of Ostrander or the Township of Scioto.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 19.507 Acres, more or less, in Scioto Township to the Village of Ostrander.

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

RESOLUTION NO. 04-1222

SETTING DATE, TIME AND PLACE FOR THE FINAL HEARING BY THE COMMISSIONERS FOR THE HIGHLAND LAKES EAST SECTION 4 PARTS 2, 3, 4, & 5 SUBDIVISION DITCH PROJECT (LAKE FOREST WAY RESIDENTS ASSOCIATION):

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

Whereas, the Board of Commissioners of Delaware County on January 5, 2004, held a public hearing and determined the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the Highland Lakes East Section 4 Parts 2, 3, 4, & 5 subdivision to be placed on maintenance, and

Whereas, at that time the Delaware County Commissioners directed the Delaware County Engineer to proceed with the preparation of assessments for the completion of the ditch project, and

Whereas on October 5, 2004, the Delaware County Engineer notified the Commissioners that the assessments, for the Highland Lakes East Section 4 Parts 2, 3, 4, & 5 subdivision to be placed on maintenance, are ready for their review and consideration.

Therefore be it Resolved, the Board of County Commissioners of the County of Delaware have fixed the **6th day of December, 2004, at 7:30PM** at the Commissioners Hearing Room 101 North Sandusky as the time and place of the final hearing by the Commissioners on the report of the County Engineer.

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

RESOLUTION NO. 04-1223

SETTING DATE, TIME AND PLACE FOR THE FINAL HEARING BY THE COMMISSIONERS FOR THE ORCHARD LAKES PHASES 1-2-3 SUBDIVISION DITCH PROJECT:

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

Whereas, the Board of Commissioners of Delaware County on February 2, 2004, held a public hearing and determined the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the Orchard Lakes Phases 1-2-3 subdivision to be placed on maintenance, and

Whereas, at that time the Delaware County Commissioners directed the Delaware County Engineer to proceed with the preparation of assessments for the completion of the ditch project, and

Whereas, on October 5, 2004, the Delaware County Engineer notified the Commissioners that the assessments, for the Orchard Lakes Phases 1-2-3 subdivision to be placed on maintenance, are ready for their review and consideration.

Therefore be it Resolved, the Board of County Commissioners of the County of Delaware have fixed the **6th day of December, 2004, at 7:45PM** at the Commissioners Hearing Room 101 North Sandusky as the time and place of the final hearing by the Commissioners on the report of the County Engineer.

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

RESOLUTION NO. 04-1224

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

**COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 2004**

The EMS Department is requesting that 30 Paramedics attend a Pediatric Advanced Life Support Refresher Course at the Delaware County Hayes Building October 21, 2004, at the cost of \$1,570.00.

Juvenile Court and the Sheriff's Office are requesting that Chad VanSickle and Kathy Sturman attend an Interviewing the Sexual Deviant Training in Reynoldsburg, Ohio October 19 to 21, 2004, at the cost of \$550.00.

The Sheriff's Office is requesting that Douglas Cross and Ryan Gunderson attend a Training Academy in Huron County October 4 to 27, 2004, at the cost of \$1,890.00.

The Auditor's Office is requesting that Patrick Brandt attend a Windows 2003 Server Training with Global Knowledge January 24 to 28, 2005, at the cost of \$2,795.00.

The Department of Job and Family Services is requesting that Shelly Douce attend a CORE Training in Columbus, Ohio September 8 and 10, 2004, at the cost of \$56.70.

The Environmental Services Department is requesting that Matthew Ice attend an Operator Expo and Training in Columbus, Ohio October 26 and 27, 2004, at the cost of \$214.00.

The Environmental Services Department is requesting registration reimbursement for Ron Reid's Electrical Safety Inspector Training in the amount of \$200.00.

The Commissioners Office is requesting that Letha George attend a CAFO Workshop In Reynoldsburg, Ohio October 13, 2004, at the cost of \$35.00.

The CSEA Department is requesting that Susan Brown, Christine Dobrovich, Matt Smith, Sandee Pennick, Adeana Gray, Pat Church, Kelly Mills and Wendy Shannon attend an OFSA/OCDA Fall Conference in Dublin, Ohio October 17 to 20, 2004, at the cost of \$1,200.00.

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

RESOLUTION NO. 04-1225

IN THE MATTER OF APPROVING PLATS FOR NORTHPOINT MEADOWS SECTION 2 AND OLDEFIELD ESTATES AND DITCH MAINTENANCE PETITION FOR NORTHPOINTE SECTION 2:

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

Northpointe Section 2

Situated In The State Of Ohio, County Of Delaware, Township Of Orange, Village Of Orange Station, Being A Part Of Farm Lot 20 And 23, Section 3, Township 3, Range 18, United States Military Lands, Being 19.278 Acres Of The Land Conveyed To Maronda Homes, Inc. Of Ohio As Recorded In Official Record 209, Page 1106 Recorder's Office, Delaware County, Ohio, Of Which 3.472 Acres Are In Farm Lot No. 20 And 15.806 Acres Are In Farm Lot No. 23. Cost \$123.00.

Oldefield Estates

Situated In The State Of Ohio, County Of Delaware, Township Of Berlin And In Farm Lots 14 (17.837 Acres) And 15 (33.215 Acres), Quarter Township 3, Township 4, Range 18, United States Military Lands, Containing 51.052 Acres Of Land, More Or Less, Said 51.052 Acres Being Part Of Those Tracts Of Land Conveyed To M/I Homes Of Central Ohio, Llc. By Deeds Of Record In Official Record 469, Page 1690 And Official Record 469, Page 1694, Recorder's Office, Delaware County, Ohio. Cost \$237.00.

Ditch Maintenance Petition- Northpointe Section 2

We the undersigned owners of 19.3 acres in Orange Township, Delaware County, Ohio propose to create a subdivision known as **Northpointe 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 **Northpointe Section 2** Subdivision.

**COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 2004**

The cost of the drainage improvements is \$47,412.00 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. Forty-one (41) 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, \$1,156.39 per lot. An annual maintenance fee equal to 2% of this basis \$23.13 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 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 Mr. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 04-1226

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
U04143	The Fishel Company	Green Meadows Drive	Place conduit & fiber cable
U04147	Columbia Gas	Gooding Boulevard	Install gas main
U04149	Verizon	Liberty Road	Place telephone cable
U04150	Turnkey Network Solutions	Orangepoint	Directional bore
U04151	Columbia Gas	Manning Parkway	Install gas mains

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

RESOLUTION NO. 04-1227

IN THE MATTER OF APPROVING THE RELEASE OF THE MAINTENANCE BONDS FROM ONE POLARIS COMPANY, LLC, FOR CANDLELITE LANE AND SOUTH OLD STATE ROAD:

It was moved by Mr. Ward, seconded by Mr. Jordan to release the maintenance bonds from One Polaris Company, LLC, for the following:

In August, 2001, your Board entered into an Agreement with One Polaris Company, LLC, the developer for right-of-way improvements for Candlelite Lane. As these improvements have been completed, The Engineer request approval to return the bond being held as surety for this project to the developer.

Also, in August, 2001, your Board entered into an Agreement with the developer for improvements to South Old State Road. At that time, One Polaris posted a bond for this work. Since that time, an addendum to the Agreement has been made due to future plans the County has for Old State Road. This addendum stipulates that One Polaris will deposit funds toward the County's work to be performed on South Old State Road. A new letter of credit was posted to assure the payment to be made. Therefore, The Engineer request approval to return the original letter of credit posted for this work.

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

RESOLUTION NO. 04-1228

IN THE MATTER OF ACCEPTING AND AWARDING THE BID AND APPROVING THE CONTRACT WITH SHELLY & SANDS, INC. FOR THE PROJECT KNOWN AS THE SECTION LINE ROAD INTERSECTION IMPROVEMENTS PROJECT:

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

**Section Line Road Intersection Improvements
Bid Opening of October 4, 2004**

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

CONTRACT

AGREEMENT, made and entered into this 11th day of October 2004, by and between the **DELAWARE COUNTY COMMISSIONERS**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and

COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 2004

SHELLY & SANDS, INC., hereinafter designated as **SECOND PARTY**.

WITNESSETH, that said **SECOND PARTY**, for and in consideration of the sum of **FOUR HUNDRED THIRTEEN THOUSAND SEVEN HUNDRED NINE DOLLARS AND TWENTY-FIVE CENTS** (\$413,709.25), 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 **SECTION LINE ROAD INTERSECTION IMPROVEMENTS PROJECT**, 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 **November 2, 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. Ward Aye Mr. Jordan Aye Mrs. Martin Aye

RESOLUTION NO. 04-1229

IN THE MATTER OF ACCEPTING AND AWARDING THE BIDS FROM BEEM'S BP DISTRIBUTING, INC., ENGLEFIELD OIL COMPANY, MCWHERTER PETROLEUM, LTD., AND PETROLEUM TRADERS CORPORATION FOR BULK GASOLINE AND DIESEL FUELS FOR DELAWARE COUNTY:

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

Whereas, Delaware County received four bids for bulk gasoline and diesel fuels on October 4, 2004, and;

Whereas, Delaware County wishes to enter into multiple award contracts to assure that lowest market pricing is received throughout the term of the contract by contacting each contractor at the time that each order, and;

Whereas, after carefully reviewing all the bids received, the bids submitted by Beem's BP Distributing, Inc., Englefield Oil Company, McWherter Petroleum, LTD., and Petroleum Traders Corporation are complete and meet all bid specifications.

Therefore be it resolved, that the Board of Commissioners of Delaware County, State of Ohio, approve and accept the bids submitted by Beem's BP Distributing, Inc., Englefield Oil Company, McWherter Petroleum, LTD., and Petroleum Traders Corporation for bulk gasoline and diesel fuels for Delaware County.

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

RESOLUTION NO. 04-1230

IN THE MATTER OF APPROVING THE QUARTERLY REPORT OF THE RECYCLE OHIO GRANT:

It was moved by Mr. Ward, seconded by Mr. Jordan, to approve the quarterly Report of the Recycle Ohio Grant.

(A copy of the grant report is available for review at the Commissioner's Office until no longer of administrative value).

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

RESOLUTION NO. 04-1231

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR NORTH ORANGE SECTION 1, PHASE 2, PART C-LINE X AND WALNUT GROVE ESTATES SECTION 1:

