

COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JANUARY 24, 2005

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present: Glenn A. Evans, James D. Ward  
Absent: Kristopher W. Jordan was absent until Resolution 05-84

PUBLIC COMMENT

RESOLUTION NO. 05-75

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 20, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the resolutions and records of the proceedings from regular meeting held January 20, 2005 as contained in the county’s official electronic recordings of the proceedings.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Absent                      Mr. Ward                      Aye

RESOLUTION NO. 05-76

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0121:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0121, and Purchase Orders and Vouchers as listed below:

PO's				
	<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
	B & C Communications	Maintenance & Repair of Equip.	10011304-5328	\$ 2,500.00
	B & C Communications	Maintenance & Repair of Equip.	21411306-5328	\$ 2,500.00
	Scott, Scriven & Wahoff LLP	Professional Legal Services	10011304-5201	\$ 2,500.00
	Scott, Scriven & Wahoff LLP	Professional Legal Services	21411306-5201	\$ 2,500.00
	Verizon	Telephone Service	10011304-5330	\$ 3,500.00
	Verizon	Telephone Service	21411306-5330	\$ 3,500.00
	Liberty Twp. Fire Dept.	EMS Runs	10011303-5345	\$ 160,000.00
	City of Delaware/Finance Dept	Remaining 4th Quarter 2004 Runs	10011303-5345	\$ 11,387.60
	Delaware Cab	Client Travel	22411607-5355	\$ 37,500.00
	Boys Village	Residential Treatment	22511608-5342	\$ 40,000.00
	Boys Village	Residential Treatment	22511607-5342	\$ 50,000.00
	Buckeye Ranch	Residential Treatment	22511608-5342	\$ 15,000.00
	Cornell Abraxas	Residential Treatment	22511607-5342	\$ 16,000.00
	House of New Hope	Residential Treatment	22511607-5342	\$ 20,000.00
	Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$ 75,000.00
	Presbyterian Child Welfare	Residential Treatment	22511608-5342	\$ 25,000.00
	Safe Landings	Residential Treatment	22511607-5342	\$ 16,000.00
	Villa Angela Care	Residential Treatment	22511608-5342	\$ 30,000.00
	Starr Commonwealth	Residential Treatment	22511607-5342	\$ 12,000.00
	City of Delaware	40% Share of Municipal Court	10029203-5319	\$ 129,893.00
	Del Metropolitan Housing	CHIP Tenant Based Rental	23011714-5365	\$ 45,000.00
	Squire, Sanders & Dempsey	Professional Legal Services	21011113-5301	\$ 9,000.00
<b>Increases</b>				
	Jess Howard	Jail Expansion	40411414-5410	\$ 22,326.86
<b>Vouchers</b>				
	House of New Hope Inc.	Residential Treatment	22511607-5342	\$ 9,311.13
	Prudential Group Life/Disability	January 2005 Premium	60211902-5370	\$ 5,178.37
	CEBCO	February 2005 Claims & Premiums	60211902-5370	\$ 679,575.41
	Genoa Township	Rental Agreement for 2004	10011303-5335	\$ 8,000.00
	R.U.P.E.	Ballistic Vests	21511315-5238	\$ 8,880.00
	MORPC	Membership	10011102-5308	\$ 37,816.00
	CCAO	Membership	10011102-5308	\$ 8,227.00
	CCAO SC	Natural Gas Supply	10011105-5338	\$ 10,015.24
	Juvenile Court	IV-D Contract	23711630-5360	\$ 15,174.52
	Govconnection	Replacement Routers	60111901-5370	\$ 7,401.70
	Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$ 17,980.00
	Presbyterian Child Welfare	Residential Treatment	22511607-5342	\$ 20,274.00
	Liberty Community Center	Day Care	22411610-5348	\$ 15,890.00
<b>Memo Transfer Vouchers</b>				

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From	To					
Del Co. DJFS 22511608-4536	DCBDD/ISA Dept 29519000-4724	State Cluster	\$	28,657.43		
Del Co. Commissioners 10011102-5308	Regional Planning 72070701-4204	Membership	\$	122,551.00		
Del Co Commissioners 10011102-5308	EMA 21511307-4204	Apportionment	\$	25,793.00		
Vote on Motion	Mr. Jordan	Absent	Mr. Evans	Aye	Mr. Ward	Aye

RESOLUTION NO. 05 -77

IN THE MATTER OF WITHDRAWING A TRAVEL EXPENSE REQUESTS FROM THE PRESENTED LIST:

It was moved by Mr. Ward, seconded by Mr. Evans to withdraw the following travel request:

The EMS Department is requesting that Rachael Hager and Tim Davis attend an EMS Today Conference in Philadelphia, Pennsylvania March 17-23, 2005, at the cost of \$3,579.40.

Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Absent	Mr. Evans	Aye
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RESOLUTION NO. 05 -78

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Prosecutor’s Office is requesting that David A. Yost attend a Workshop on the Seven Habits of Highly Effective Managers February 17, 2005 in Columbus, Ohio at the cost of \$331.21.

The Facilities Department is requesting that Jon Melvin attend a Prevailing Wage Law in Ohio Seminar in Columbus, Ohio March 22, 2005, at the cost of \$299.00.

The Court of Common Pleas is requesting that Kara Clark participate in an Effective Correctional Interventions Seminar on-line thru the University of Cincinnati February 1-15, 2005, at the cost of \$420.00.

The EMS Department is requesting a \$276.00 increase to a previously approved travel request for Larry Fisher and John Tracy to attend a Technology Workshop in Las Vegas, Nevada.

The Engineer’s Office is requesting that Barnaby Vollborn and Craig James attend Managing Asphalt Pavement Course in Orlando, Florida March 7-10, 2005, at the cost of \$4,520.00.

The Environmental Services Department is requesting that Matthew Kiss, Marshall Yarnell and Rich Felton attend a Wastewater Workshop in Columbus, Ohio February 8-9, 2005, at the cost of \$675.00.

Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Absent	Mr. Evans	Aye
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RESOLUTION NO. 05-79

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE SHERIFF’S OFFICE:

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

Transfer of Appropriation						
Fund Number	Fund Name				Amount	
28831313-5450	28831313-5260				\$3,400.00	
Road & Bridge/Machinery & Equip	Road & Bridges/Inventoried Equipment					
28831313-5450	28831313-5228				\$4,200.00	
Road & Bridges/Machinery & Equip	Road & Bridges/Vehicle Maintenance					
Vote on Motion	Mr. Evans	Aye	Mr. Jordan	Absent	Mr. Ward	Aye

RESOLUTION NO. 05-80

IN THE MATTER OF APPROVING THE TECHNICAL SERVICE SUPPORT AGREEMENT BETWEEN  
MEDTRONIC PHYSIO-CONTROL CORPORATION AND THE DELAWARE COUNTY SHERIFF’S  
OFFICE:

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

TECHNICAL SERVICE SUPPORT AGREEMENT

Contract Number:

End User # 12669801	Bill to # 12669801
DELAWARE CO SHERIFF OFFICE	DELAWARE CO SHERIFF OFFICE
844 US 42 NORTH	844 US 42 NORTH
DELAWARE, OH 43015	DELAWARE, OH 43015

This Technical Service Support Agreement begins on 2/1/05 and expires on 1/31/07.

The designated Covered Equipment and/or Software is listed on Schedule A. This Technical Service Agreement is subject to the Terms and Conditions of this document and any Schedule B, if attached. If any Data Management Support and Upgrade Service is included on Schedule A then this Technical Service Support Agreement is also subject to Medtronic Physio-Control Corp.'s Data Management Support and Upgrade Service Terms and Conditions, rev 7/99-1.

Price of coverage specified on Schedule A is \$8,500.00 per term, payable in Annual installments.

Special Terms: 15% Discount on all Electrodes

MEDTRONIC PHYSIO-CONTROL CORP.  
TECHNICAL SERVICE SUPPORT AGREEMENT  
SCHEDULE A

Contract Number:

Servicing Rep:	GARY PAYNE, EALL59
District:	GREAT LAKES
Phone:	800-442-1142 X2397
FAX:	800-772-3340
Equipment Location:	DELAWARE CO SHERIFF OFFICE, 12669801 844 US 42 North Delaware, Ohio 43015
Scope of Service:	LP500 1 on site inspection per year with 1lithium battery

Model	Part Number	Serial Number	Ref Line	Effective Date	Exp. Date	Total Inspections
LIFEPAK&500	3005400-009	8528024	1	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528022	2	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528021	3	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528020	4	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528018	5	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528017	6	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528015	7	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	8528014	8	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	348195	9	2/1/2005	1/31/2007	2
LIFEPAK&500	3005400-009	2374613	10	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000113	13999465	11	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000113	13999466	12	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000113	13999467	13	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000113	13999468	14	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000113	13999469	15	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-000114	13502536	16	2/1/2005	1/31/2007	2
LIFEPAK&500	3011790-001129	32285229	17	2/1/2005	1/31/2007	2

\*\*Denotes an inventory line that has changed since the last contract revision or addendum.

(A copy of the Medtronic Physio-Control Corp. Service Order Terms And Conditions is available in the Commissioners Office until no longer of Administrative value).

Vote on Motion	Mr. Jordan	Absent	Mr. Evans	Aye	Mr. Ward	Aye
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**RESOLUTION NO. 05-81**

**IN THE MATTER OF APPROVING SUBDIVIDER'S AGREEMENT FOR CROSS CREEK SECTION 3, PHASE B:**

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

**Cross Creek Section 3, Phase B**

**SUBDIVIDER'S AGREEMENT**

**THIS AGREEMENT** executed on this 24th, day of January, 2005 between **HOMEWOOD CORPORATION** as evidenced by the **CROSS CREEK SECTION 3, PHASE B** Subdivision Plat to be 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 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 as shown in the Engineer's Estimate approved 3/4/04, 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 **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or 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 actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method 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 year from the date on which this **AGREEMENT** is executed 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 plans and specifications and shall have the 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.

**ROADWAY AND STORM DRAINAGE**

It is further agreed that upon execution of the **AGREEMENT**, the **SUBDIVIDER** shall deposit **FIFTEEN THOUSAND TWO HUNDRED SEVENTY DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer** and, if deemed necessary by the **Delaware County Engineer**, testing by an independent testing laboratory. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the **SUBDIVIDER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the **SUBDIVIDER**, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

**Upon the completion of construction**, the **SUBDIVIDER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workman-ship for a period of **one year**. Said **SUBDIVIDER'S** bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the **County Engineer** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance to the **Ohio Department of Transportation Specifications**.

**Acceptance of the roads and drainage structures** in said subdivision into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **SUBDIVIDER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

**Any snow or ice removal or other safety requirements deemed necessary by the County Engineer** during the period of construction or maintenance shall be the responsibility of the **SUBDIVIDER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

**CONSTRUCTION**

The **SUBDIVIDER** shall, within thirty (30) days following the completion of construction and prior to final acceptance, furnish to **Delaware County**, as required, "as built" drawings of the improvements, which plans shall become the property of the **County** and remain in the office of the **Delaware County Engineer**.

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The **SUBDIVIDER** shall, within thirty (30) days of completion of construction, furnish to the **County** an itemized statement showing the cost of improvements and an affidavit 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 material incident to said construction of improvements.

The **SUBDIVIDER** shall obtain all other necessary utility services incident to the construction of the 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 **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO**, hereby grants the **SUBDIVIDER** or his agent, the right and privileges to make the improvements stipulated herein.

Vote on Motion                      Mr. Jordan                      Absent    Mr. Evans                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05 -82**

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

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

Permit #	Applicant	Location	Type of Work
U05012	American Electric Power	Hughes Road	Push bore conduit
U05013	M&B Gas Services	Merchant Road	Install gas lines
U05014	Verizon	Hollenback Road	Place buried cable
U05015	SBC	Red Bank Road	Trench buried cable
U05016	American Electric Power	Stockwell Road	Relocate overhead facilities

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Absent    Mr. Evans                      Aye

**RESOLUTION NO. 05-83**

**IN THE MATTER OF APPROVING SPECIFICATIONS, ESTIMATE, PLAN AND SETTING BID OPENING DATE AND TIME FOR THE SAWMILL PARKWAY/BREWSTER LANE INTERSECTION SIGNAL PROJECT:**

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

**INVITATION TO BID**

Sealed proposals will be received at the **Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00 a.m. local time on Wednesday, February 16, 2005**, for furnishing all labor, materials and equipment necessary to complete the project known as **Sawmill Parkway/Brewster Lane Intersection Signal Project**, and, at said time and place, bids will be opened and read aloud. Contract documents, bid sheets, plans and specifications can be **picked up** at the **Office of the Delaware County Engineer**. **Bidder must make arrangements to obtain bid packet; they will not be mailed.**

Each bidder is required to furnish with its proposal a Bid Guaranty and Contract Bond in accordance with **Section 153.54 of the Ohio Revised Code**. Bid security furnished in Bond form shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested herein. Each bidder must submit evidence of its experiences on projects of similar size and complexity, and a complete listing of all subcontractors to be used. **The owner intends that this project be finished no later than July 31, 2005.**

Bidders must comply with the **Prevailing Wage Rates on Public Improvements in Delaware County** as determined by the Ohio Department of Industrial Relations.

Bids shall be placed in a sealed envelope marked **“SEALED BID FOR SAWMILL PARKWAY/BREWSTER LANE INTERSECTION SIGNAL PROJECT”**.

The Delaware County Commissioners reserve the right to waive irregularities and to reject any and/ or all bids.

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SCOPE OF WORK

This project consists of the installation of a complete signal system in Delaware County. The project is located at the intersection of Sawmill Parkway and Brewster Lane. The project is designed to improve the safety of the emergency vehicles entering Sawmill Parkway from Liberty Township Station #2. The owner of the project is the Delaware County Commissioners. The project will be administered by the Delaware County Engineer’s Office.

Estimate:

Sub-Total for Sawmill/Brewster	\$ 123,927.75
10% Contingency	\$ 12,392.78
Total Project Estimate:	\$136,320.53

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Absent                      Mr. Evans                      Aye

RESOLUTION NO. 05-84

IN THE MATTER OF APPROVING A CONTRACT WITH HENDERSON TRUCKING FOR STOCKPILE HAULING, ASPHALT HAULING AND STONE HAULING FOR THE DELAWARE COUNTY ENGINEER FOR 2005:

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

CONTRACT

**AGREEMENT**, made and entered into this 24<sup>th</sup> day of January, 2005 by and between the **DELAWARE COUNTY COMMISSIONERS**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and **HENDERSON TRUCKING**, hereinafter designated as **SECOND PARTY**.

**WITNESSETH**, that said **SECOND PARTY**, for and in consideration of the sum as stated in Bidder’s **Bid Blank**, to be paid as hereinafter specified, hereby agrees to furnish unto said **FIRST PARTY** all the necessary labor and equipment required to complete the project known as **STOCKPILE HAULING, ASPHALT HAULING AND STONE HAULING FOR THE DELAWARE COUNTY ENGINEER FOR 2005**, General Specification and Invitation to Bid for same hereto attached, which General Specifications and Invitation to Bid are hereby declared a part of this **Contract**.

**SAID SECOND PARTY** further agrees to furnish said equipment and to do the work and labor promptly, in a good, substantial and workmanship manner, under the direction of the **County Engineer**.

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

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Absent                      Mr. Ward                      Aye

RESOLUTION NO. 05-85

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR OLENTANGY CROSSING:

It was moved by Mr. Evans, seconded by Mr. Ward to approve sanitary sewer plan for Olentangy Crossing for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Absent                      Mr. Ward                      Aye

RESOLUTION NO. 05-86

IN THE MATTER OF APPROVING CHANGE ORDER 7, 8, 9 AND 10 FOR JG CONTRACTING FOR TOWER SITE CONSTRUCTION OF THE NEW COUNTYWIDE RADIO SYSTEM:

It was moved by Mr. Evans, seconded by Mr. Ward to approve change orders:

WHEREAS, surface and subsurface investigation reports for eight of the proposed 800 MHz tower sites revealed that surface soils were inadequate for normal tower foundations, and;

WHEREAS, conditions reflected a need for extensive additional excavation, JG Contracting has recommended in Change Order 7 that the foundation design for these towers be changed to a caisson foundation at an

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additional cost of \$129,350.00, and;

WHEREAS, it has been determined that the County will be constructing the Prime Site Tower, JG Contracting is recommending approval of Change Order 8 at a cost of \$116,770.00, that also reflects a reduction of \$89,665.00 due to locating the Orange Township tower with Columbus City on Lazelle Road, and;

WHEREAS, the County desires to provide space on the Sunbury (Medic 2) tower to allow Cingular Wireless access, additional tower height is required and JG Contracting is recommending approval of Change Order 9 at a cost of \$36,785.00, and;

WHEREAS, it has been determined that the system specified generators can be purchased directly by the County, JG Contracting is recommending approval of Change Order 10 that will result in a savings to the County of \$130,045.00,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approves Change Orders 7, 8, 9, and 10 for JG Construction as follows:

Original Contract	\$1,989,000.00
Previous Changes	\$ 307,140.00
Change Order 7	\$ 129,350.00
Change Order 8	\$ 116,770.00
Change Order 9	\$ 36,785.00
Change Order 10	\$ (130,045.00)
Revised Contract Amount	\$2,449,000.00

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Aye                      Mr. Evans                      Aye

RESOLUTION NO. 05-87

IN THE MATTER OF APPROVING CHANGE ORDERS 2 AND 3 FOR HARRIS CORPORATION, MCD, FOR THE CONSTRUCTION OF THE MICROWAVE SYSTEM THAT SUPPORTS THE COUNTYWIDE RADIO SYSTEM:

It was moved by Mr. Evans, seconded by Mr. Ward to approve change orders:

WHEREAS, the County desires to add additional data lines at each microwave tower that will provide enhanced throughput for computer-aided-dispatch information to remote Emergency Medical Service stations, and better position the County to provide mobile data terminal information through the 800 MHz radio system, and;

WHEREAS, Harris Corporation, MCD, has recommended approval of Change Order 2 to provide this enhanced capability at a cost of \$7,073.00, and;

WHEREAS, the County desires to ensure that the Prime Site has a automated switch to backup the primary fiber link between the site and the Center, and;

WHEREAS, Harris Corporation, MCD, has recommended approval of Change Order 3 to provide this capability at a cost of \$72,262.00,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County approve Change Orders 2 and 3 for Harris Corporation, MCD as follows:

Original Contract	\$1,423,991.00
Previous Changes	\$ 18,159.00
Change Order 2	\$ 7,073.00
Change Order 3	\$ 72,262.00
Revised Contract Amount	\$1,521,485.00

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Aye                      Mr. Ward                      Aye

RESOLUTION NO. 05-88

IN THE MATTER OF APPROVING THE STATE EMERGENCY RESPONSE COMMISSION (SERC) CHEMICAL EMERGENCY PLANNING AND RIGHT-TO-KNOW FUND GRANT APPLICATION:

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

WHEREAS, the Delaware County Local Emergency Planning Committee (LEPC) approved the 2005 Chemical Emergency Planning and Right-to-Know fund grant application for forwarding to the Board of Commissioners,

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and

WHEREAS, this grant assists with the training and operations of the Emergency Management Agency and LEPC within Delaware County;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approve the forwarding of this grant application to the SERC.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Aye                      Mr. Ward                      Aye

RESOLUTION NO. 05-89

IN THE MATTER OF APPROVING THE EXTENSION OF DELAWARE COUNTY REVOLVING LOAN FUNDS (RLF) TO ASSIST IN FUNDING THE VILLAGE OF ASHLEY WATER SYSTEM IMPROVEMENTS PROJECT:

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

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

WHEREAS, Delaware County has established a Revolving loan Fund (RLF) capitalized with the payback from CDBG loans to local businesses; and

WHEREAS, the CDBG/RLF funds may be utilized to assist various projects designed to meet the needs of the community’s low and moderate-income households and the National Objectives established for the CDBG Program, and

WHEREAS, the Ohio Environmental Protection Agency (OEPA) has directed the Village of Ashley to either make substantial improvements to its existing water system, or to disconnect from this system and connect to an OEPA approved system in order to serve the future water needs of the Village; and

WHEREAS, after analyzing the costs of these two options, the Village of Ashley has chosen to disconnect from its existing water system and connect to the existing DELCO Water System because of the relative cost effectiveness of this option, and

WHEREAS, the Village of Ashley has now connected to DELCO Water System, the treatment plant still needs to be demolish, and

WHEREAS, the demolition of the Water Treatment Plant has been delayed because of weather and permits, an extension is necessary to complete the project.

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

**Section 1.** The Delaware County Board of Commissioners hereby approves to extend the time to complete the Village of Ashley Water Treatment Decommission Project from December 31, 2004, to June 30, 2005. The total cost of the project is estimated to be \$116,000 with funding from Delaware County’s Revolving Loan Fund in the amount up to \$101,790, and the Village of Ashley is committing \$14,210.

**Section 2.** The Village of Ashley shall provide Delaware County with a listing of all required Environmental permits and copies of said permits to complete the Ashley Water System Improvement Project prior to commencement of demolition of the treatment plant.

**Section 3.** That **June 30, 2005**, shall hereby be established, as the date by which all activities associated with the Ashley Water System Improvement Project must be completed. All requests for payment must be submitted by the Village of Ashley to the Delaware County Department of Economic Development by **July 8, 2005**. All payment processing associated with this Project shall be completed and all grant funds shall be expended by **July 31, 2005**.

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Aye                      Mr. Evans                      Aye

RESOLUTION NO. 05-90

IN THE MATTER OF APPROVING BID SPECIFICATIONS AND SETTING BID OPENING DATE AND TIME FOR VILLAGE OF ASHLEY WATER PLANT DECOMMISSION PROJECT:

It was moved by Mr. Ward, seconded by Mr. Evans to approve specifications and set bid opening date and



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time for **Thursday, February 10, 2005, at 1:00 PM.** This bid opening will be held at 101 East High Street, Ashley, Ohio.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05-91**

**SETTING DATE AND TIME FOR DELAWARE COUNTY’S FY 2005 CDBG AND RLF PROGRAMS PUBLIC HEARING # 1:**

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

Whereas, a public hearing will be held on **Monday, February 7, at 7:45PM** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is needed to consider the application for the FY 2005 CDBG Program.

Vote on Motion                      Mr. Jordan                      Aye                      Mr. Evans                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05-92**

**IN THE MATTER OF RE-APPOINTING NAN METZ AS THE GOVERNMENTAL MEMBER AND THOMAS JEDLINSKY, RICHARD WOOD, ROBERT PALISENO AND PHILIP WHITAKER AS THE CITIZEN MEMBERS TO THE LIBERTY COMMUNITY INFRASTRUCTURE FINANCING AUTHORITY:**

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

Whereas, The Board of Commissioners of Delaware County is responsible to make appointments from the public to various boards, councils and committees, and

Whereas, the Board of Commissioners of Delaware County shall appoint individuals to the Liberty Community Infrastructure Financing Authority. Nan Metz shall be appointed as the local government representative member, term beginning December 3, 2004 and ending December 3, 2006. Appointing citizen members Thomas Jedlinsky and Robert Polisenos, terms beginning October 16, 2003 and ending December 15, 2005, and Richard Wood, term beginning January 1, 2005 and ending December 31, 2006. Due to the election Philip Whitaker on December 7, 2004, Mr. Whitaker will replace Mr. Polisenos and serve the remainder Robert Polisenos’s term beginning January 1, 2005 and ending October 15, 2005, and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, have re-appointed Nan Metz as the local government representative member, and Thomas Jedlinsky, Robert Polisenos and Richard Wood and as the citizen members to the Liberty Community Infrastructure Financing Authority.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05-93**

**IN THE MATTER OF RE-APPOINTING DONELL GRUBBS, GEORGE KANNAPEL, GARY SCHAEFFER AS THE CITIZEN MEMBERS AND NAN METZ AS GOVERNMENT MEMBER TO THE POWELL COMMUNITY INFRASTRUCTURE FINANCING AUTHORITY:**

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

Whereas, The Board of Commissioners of Delaware County is responsible to make appointments from the public to various boards, councils and committees, and

Whereas, the Board of Commissioners of Delaware County shall appoint individuals to the Powell Community Infrastructure Financing Authority. Donell Grubbs, George Kannapel will be re-appointed as citizen members to a two (2) year term beginning August 7, 2004 and ending August 8, 2006. Gary Schaeffer will be re-appointed as a citizen member for a (2) year term beginning August 3, 2003 and ending August 2, 2005, and Nan Metz will be serving as a government member, beginning August 3, 2003 and ending August 2, 2005.

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, re-appoint Donell Grubbs, George Kannapel, Gary Schaeffer and Nan Metz to the Powell Community Infrastructure Financing Authority.

Vote on Motion                      Mr. Jordan                      Aye                      Mr. Evans                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05-94**

**RESOLUTION ESTABLISHING DATE AND TIME FOR PUBLIC HEARING REGARDING THE ISSUANCE**

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**OF HEALTH CARE FACILITIES REVENUE BONDS (WILLOW BROOK CHRISTIAN VILLAGE AT DELAWARE RUN PROJECT) BY THE COUNTY OF FRANKLIN, OHIO:**

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

WHEREAS, Willow Brook Christian Village at Delaware Run (the "Corporation"), an Ohio nonprofit corporation, plans to undertake the financing of the acquisition, construction and equipping of "Hospital Facilities" (as that term is defined in Section 140.01, Ohio Revised Code), including without limitation, the acquisition, construction, installation and equipping of a retirement and health care community consisting of 87 independent living units, 52 twin-single homes, an assisted living center and skilled nursing facility all located on a 49 acre site located to the north of the intersection of State Route 36 and Applegate Lane (collectively, the "Project") located within the County of Delaware, Ohio (the "County"), and has represented to the County and Franklin County that it would be more economical and efficient to have Franklin County issue revenue bonds for the Project; and

WHEREAS, Section 140.03, Ohio Revised Code, provides a procedure by which the County and Franklin County may enter into an agreement pursuant to which Franklin County may issue its bonds for projects which constitute Hospital Facilities located in the County; and

WHEREAS, Franklin County proposes to issue its Health Care Facilities Revenue Bonds (Willow Brook Christian Village at Delaware Run Project) (the "Bonds"), in one or more series in an aggregate principal amount estimated not to exceed \$12,000,000 to (a) acquire, construct, install and equip the Project and (b) reimburse the Corporation for capital expenditures it has made with respect to the Project on behalf of the County and Franklin County, and the County and Franklin County plan to enter into such an Agreement (the "Public Hospital Agencies Agreement") in connection with the issuance of the Bonds; and

WHEREAS, the Corporation has requested that a public hearing be held by the County in order to comply with federal tax requirements;

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

SECTION 1. That a public hearing shall be held by the Board of County Commissioners of the County at its meeting on **Monday, February 7, 2005 at 7:30 p.m.**, and the Corporation is hereby permitted to publish a notice of such public hearing in a newspaper of general circulation in the County.

SECTION 2. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board any of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Aye                      Mr. Evans                      Aye

**RESOLUTION NO. 05-95**

**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. Evans to adjourn into Executive Session at 9:44 AM.

Vote on Motion                      Mr. Evans                      Aye                      Mr. Jordan                      Aye                      Mr. Ward                      Aye

**RESOLUTION NO. 05-96**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

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

Vote on Motion                      Mr. Ward                      Aye                      Mr. Jordan                      Aye                      Mr. Evans                      Aye

There being no further business the meeting adjourned.

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Glenn A. Evans

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Kristopher W. Jordan

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James D. Ward

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Letha George, Clerk to the Commissioners