

COMMISSIONERS JOURNAL NO. 46 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JANUARY 27, 2005

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

Present: Glenn A. Evans, Kristopher W. Jordan, James D. Ward

PUBLIC COMMENT

RESOLUTION NO. 05-97

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 24, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held January 24, 2005 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 05-98

IN THE MATTER OF ADDING A VOUCHER REQUESTS TO THE LIST PRESENTED:

It was moved by Mr. Ward, seconded by Mr. Evans to add the following voucher request to the list presented:

| <u>Vendor</u>       | <u>Description</u>       | <u>Account Number</u> | <u>Amount</u> |
|---------------------|--------------------------|-----------------------|---------------|
| Vitioe Construction | Ostrander Storm Drainage | 23011704-5365         | \$ 13,851.00  |
| Vitioe Construction | Ostrander Storm Drainage | 23111709-5365         | \$ 6909.55    |
| Vitioe Construction | Ostrander Storm Drainage | 23111709-5365         | \$ 21090.45   |

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

RESOLUTION NO. 05-99

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0126 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0126:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0126, memo transfers in batch numbers MTAPR0126 and Purchase Orders and Vouchers as listed below:

| <u>Vendor</u>                 | <u>Description</u>                            | <u>Account Number</u> | <u>Amount</u> |
|-------------------------------|---|-----------------------|---------------|
| <b>PO's</b>                   |   |                       |               |
| Ohio Utilities Protection     | Location Bill                                 | 65211905-5301         | \$ 9,141.25   |
| Dalmation Fire Inc.           | Fire Protection/Jail Renovation               | 40411414-5410         | \$ 103,000.00 |
| The Altman Company Inc.       | Concrete/Jail Remodeling                      | 40411414-5410         | \$ 296,312.00 |
| Healthy Edge LLC              | Employee Assistance Program                   | 60211902-5301         | \$ 20,000.00  |
| <b>Vouchers</b>               |   |                       |               |
| Ben Bro Enterprises           | Bldg/Land Rental                              | 10011105-533533502    | \$ 14,625.00  |
| Rogers Lawn Care & Services   | Contracted Lawn Care Services                 | 10011303-5328         | \$ 10,230.00  |
| HP Thompson                   | Repair of Mixers at OECC                      | 65211905-5328         | \$ 9,337.40   |
| AEP                           | Monthly Service                               | 65211905-5338         | \$ 29,213.17  |
| Alert Technologies Corp.      | Incident Command & EOC Reporting System       | 21511319-5320         | \$ 15,188.00  |
| Trucco Construction Co., Inc. | Construction of Perry Taggart Project         | 65511918-5415         | \$ 231,126.72 |
| Boys Village Inc.             | Residential Treatment                         | 22511607-5342         | \$ 21,150.68  |
| Boys Village Inc.             | Residential Treatment                         | 22511608-5342         | \$ 1,408.56   |
| Vitioe Construction           | FY' 03 Formula Grant/Ostrander Storm Drainage | 23011704-5365         | \$ 23,148.06  |
| Village of Ashley             | Right of Way Streetscape                      | 23111709-5365         | \$ 14,916.29  |
| Bovis                         | Construction Management/Jail Renovation       | 40411414-5410         | \$ 38,840.53  |
| Kenny Huston                  | Masonry/Jail Renovation                       | 40411414-5410         | \$ 155,000.00 |
| Kenny Huston                  | Masonry/Jail Renovation                       | 40411414-5410         | \$ 19.00      |
| US Postal Service             | Postage Quarterly Billing/Sanitary            | 65211905-5331         | \$ 7,000.00   |
| US Filter Davis               | Bioxide chemicals                             | 65211905-5290         | \$ 15,835.75  |
| Camp Dresser & McKee          | Contract For Sewer                            | 65211919-5410         | \$ 12,165.81  |
| Camp Dresser & McKee          | Master Plan                                   | 65211905-5410         | \$ 12,165.81  |

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|                |                         |     |           |                    |          |           |
|----------------|-------------------------|-----|-----------|--------------------|----------|-----------|
| AEP            | Service to 140 N. Sand. |     |           | 10011105-533833802 | \$       | 15,767.20 |
| Vote on Motion | Mr. Jordan              | Aye | Mr. Evans | Aye                | Mr. Ward | Aye       |

RESOLUTION NO. 05-100

SETTING DATE, TIME AND PLACE FOR THE PUBLIC HEARING FOR A ZONING DISTRICT CHANGE FROM FARM RESIDENTIAL DISTRICT (FR-1) TO PLANNED INSTITUTIONAL DISTRICT (PINS) FOR A VACANT 48+-ACRE TRACT OWNED BY THE GRACE BAPTIST CHURCH IN RADNOR TOWNSHIP:

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

The Board of Commissioners of Delaware County, Ohio, will hold a public hearing on the zoning district change application of Corey R. Bane, Pastor of Grace Baptist Church (petitioner), of 3180 State Route 37 West, Radnor Township. Petitioner has submitted an application requesting a zoning district change classification from Farm Residence (FR-1) to Planned Institutional District (PINS) for a vacant 48 +- acre tract fronting on the north side of State Route 37 West, approximately one-half mile west of State Route 203. As part of the development plan, the property will be developed to include a new two story church building that will be used for church services, Sunday school, administration offices, recreation, weddings, funerals, meetings for addiction recovery groups and a Christian day school. The plan also includes the erection of a modular building for storage and future baseball, softball and soccer fields and in the long range plans a future Christian college facility

The hearing will be held **Monday, February 7, 2005 at 8:00PM**, in the Hearing Room of the County Commissioners, 101 North Sandusky Street, Delaware, Ohio. A copy of the application is available for review at the Office of the Zoning Inspector – 50 Channing Street, Delaware, Ohio. Interested persons may appear and voice opinion in respect to this proposed zoning amendment.

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

RESOLUTION NO. 05-101

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Daniel Lundy, a Paramedic with the EMS Department, is performing the supplemental assignment of Lieutenant for 12 hours of his regular shift; effective date January 30, 2005.

Kevin George, a Paramedic with the EMS Department, is performing the supplemental assignment of Lieutenant for 12 hours of his regular shift; effective date January 28, 2005.

Jody Fortney, a Paramedic with the EMS Department, is performing the supplemental assignment of Lieutenant for 12 hours of her regular shift; effective date January 29, 2005.

Rhonda Griffith is requesting 3.4 hours of Leave Without pay for January 21, 2005.

Brian McGinniss with the Environmental Services Department is on unpaid military leave for an indefinite period of time effective January 19, 2005.

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

RESOLUTION NO. 05-102

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND BERLIN TOWNSHIP FOR EMERGENCY MEDICAL COVERAGE:

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

LETTER OF AGREEMENT

This Agreement made and concluded this 27th day of January, 2005 by and between the Delaware County Board of Commissioners, 101 North Sandusky Street, Delaware County, Ohio, hereafter “County” and the Township of Berlin, 3271 Cheshire Road, Delaware, Delaware County, Ohio, hereafter “Township”.

WHEREAS, both parties agree that it would be mutually beneficial to work together to ensure adequate emergency medical coverage of the central and Berlin Township areas of Delaware County; and

WHEREAS, the Township has offered to house Medic 10 of the County Emergency Medical Services (“EMS”) within its Township Fire Department facilities (the “Facility”) located at 3271 Cheshire Road, Delaware, Ohio

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43015 for the remainder of the 2005 calendar year.

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

1. The Township will provide sufficient and adequate living quarters (less sleeping area) for EMS crew personnel, space within the Facility bay for at least one medic vehicle, access to all Facilities common areas, and full use of utilities at the Facility at no cost. Living quarters in the Facility does not include a sleeping area.
2. The County will exercise full administrative and operational control over its personnel at all times.
3. The Township will exercise full administrative and operational control over its personnel at all times.
4. The facility is under the control of the Township and all policies and rules regarding use of common areas, utilities, etc. will be agreed upon by the Township and County prior to implementation. The County and the Township each will ensure that their own employees comply with said policies. No policy or rule will be implemented that hinders or interferes with the County carrying out its statutory duties. Some shared areas and rules include:
  - a. Apparatus Bay: Township agrees to provide space within the existing apparatus bay to house the County medic vehicle. The County Duty Crew will be responsible for keeping the designated bay clean and clear of obstructions. The remaining bays will house fire-fighting equipment and the Township will have responsibility for maintaining these areas. The Township agrees to provide space for a wall locker that the County can utilize for storage of medical equipment and supplies.
  - b. Parking: The County Duty Crews will use the area designated for their parking for privately owned vehicles. County Duty Crew personnel **will not** park in areas designated for fire, law enforcement or other restricted parking.
  - c. Training Room: This will be a shared area. County and Township personnel will be responsible for cleaning up after themselves.
  - d. Kitchen: This will be a shared area. The County and Township each will ensure that their own personnel will be responsible for cleaning up after themselves. The Township will supply adequate space for the County Duty Crews to store minimal food and condiment supplies.
5. This Agreement shall take effect at the earliest period allowed by law.
6. This Agreement shall continue in effect for the remainder of the 2005 calendar year, or until such time as either Party renders in writing with at least 180 days notice to the other Party of a date that such Agreement shall be terminated.
7. The County and the township each are individually responsible for any and all claims for loss, damages or injury of any kind or character to any person or property arising from any use of spaces described in this Agreement by County or the Township, as applicable, or caused by or resulting from any act or omissions of County or the Township, as applicable, or any of their agents, employees, licensees or invitees.
8. County and Township each shall maintain for the full lease term self-insurance and/or general liability insurance policies with a combined minimum limit of One Million Dollars (\$1,000,000.00). Any such general liability insurance policies shall be issued by companies authorized to issue such policies within the State of Ohio. .
10. 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 the Delaware County EMS Chief and the Berlin Township Fire Chief. 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 County Emergency Services Director or designated representative will meet with the Berlin Township Fire Chief or designated representative to arrive at a resolution. If the dispute cannot be

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resolved, it will be brought before the respective Boards for final resolution.

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

RESOLUTION NO. 05-103

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 PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 9:44AM.

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

RESOLUTION NO. 05-104

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 11:15AM.

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