

COMMISSIONERS JOURNAL NO. 47 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 29, 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. 05-1314

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 26, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held September 26, 2005 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 05-1315

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0928 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0928:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0928, memo transfers in batch numbers MTAPR0928 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>			
Tyevco Inc.	CHIP Home Repairs	23011713-5365	\$ 7,815.00
Jess Howard Electric Company	Olentangy Crossing	40811422-5420	\$ 82,600.00
<b>Increases</b>			
Learning Center, Worthington	Day Care	22411610-5348	\$ 4,500.00
Todays Learning Child	Day Care	22411610-5348	\$ 35,000.00
Pam Barbosky Lammon	Public Defender	10011202-5301	\$ 10,000.00
<b>Vouchers</b>			
AEP	Electric	10011105-5338	\$ 17,043.25
Boys Village	Residential Treatment	22511607-5342	\$ 42,189.98
Boys Village	Residential Treatment	22511608-5342	\$ 6,940.28
Orange Boy	Development Consulting	22311611-5348	\$ 5,630.00

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

RESOLUTION NO. 05-1316

IN THE MATTER OF APPROVING A NEW LIQUOR LICENSE REQUEST FROM I LANDER VENTURES LLC DBA PIRANHAS GRILL AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Berlin Township Trustees that I Lander Ventures LLC DBA Piranhas Grill has requested new D1, D2, and D3 permits located at 5192 Cheshire Road Berlin Township Galena, Ohio 43021, and

Whereas, the Berlin Township Trustees have stated they have no objection, the Delaware County Sheriff has responded--no known reason for a hearing to be requested and the Delaware County Commissioners have received no objections.

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

RESOLUTION NO. 05 -1317

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Child Support Enforcement Agency is requesting a \$4.50 increase to a previously approved travel request for Susan Brown to attend a Child Support Enforcement Seminar at Mohican State Park.

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

RESOLUTION NO. 05-1318

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, KENNETH J. MOLNAR, ATTORNEY AT LAW, REQUESTING ANNEXATION OF 1.88 ACRES OF LAND IN BERKSHIRE TOWNSHIP TO THE VILLAGE OF GALENA:

It was moved by Mr. Evans, seconded by Mr. Ward to acknowledge that on September 22, 2005, the Clerk to the Board of Commissioners received an annexation petition request to annex 1.88 acres from Berkshire Township to the Village of Galena.

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

RESOLUTION NO. 05-1319

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE BOARD OF ELECTIONS:

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

Supplemental Appropriations			Amount
10016101-5375	Board of Elections/Election Services	(Poll worker pay)	\$ 43,470.00
10016101-5375	Board of Elections/ Election Services	(Phone)	\$ 100.00
10016101-5375	Board of Elections/ Election Services	(Polling place)	\$ 2,850.00
10016101-5375	Board of Elections// Election Services	(Fair workers)	\$ 1,305.00
10016101-5375	Board of Elections/ Election Services	(Night workers)	\$ 200.00
10016101-5313	Board of Elections/ Printing	(Absentees)	\$ 10,000.00
10016101-5312	Board of Elections/Advertising	(State Issue)	\$ 10,000.00

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

RESOLUTION NO. 05-1320

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Laura Hallett has accepted the Payroll Clerk position with the Department of Job and Family Services; effective date October 3, 2005.

Mildred Cook has resigned her position as Income Maintenance Worker III with the Department of Job and Family Services; effective date September 30, 2005.

Julie Apt has resigned her position as Social Services Worker III with the Department of Job and Family Services; effective date September 30, 2005.

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

RESOLUTION NO. 05-1321

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Scott Murphy has accepted the promotion to a Lieutenant with the EMS Department; effective September 30, 2005.

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

RESOLUTION NO. 05-1322

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IN THE MATTER OF APPROVING ADDITIONAL APPROPRIATIONS, TRANSFERS AND PURCHASE ORDERS AS PART OF THE HOMELAND SECURITY FY04 GRANT:

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

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management received the FY04 State Homeland Security Grant in the amount of \$413,581.00, and;

WHEREAS, the appropriation of this grant for the expenditure of funds during FY05 did not include \$3,103.42 earmarked for compensation to the Grants Coordinator, and;

WHEREAS, compensation and benefits to the grants coordinator was less than anticipated, and;

WHEREAS, the grant requires that all funds be appropriated and encumbered prior to September 30, 2005;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approve the appropriation, transfer and purchase orders for the FY04 Homeland Security grant, Account Number 21511309 as follows:

Supplemental Appropriation		Amount	
21511309-5260	EMA/Inventoried Tools and Supplies	\$3,103.42	
Transfer of Appropriation		Amount	
From	To		
21511309-5001	21511309-5260	\$1,014.40	
Homeland Security FY04CBRNE Grant/Salary	Homeland Security FY04CBRNE Grant Inventoried Tools and Equipment		
21511309-5120	21511309-5260	\$ 152.16	
Homeland Security FY04CBRNE/PERS	Homeland Security FY04CBRNE/ Inventoried Tools and Equipment		
<u>Vendor</u>	<u>Description</u>	<u>Account Number</u> <u>Amount</u>	
Motorola	800 Mhz Radios	21511309-5260	\$143,549.31
		21511312-5260	\$ 29,358.46

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

RESOLUTION NO. 05-1323

IN THE MATTER OF APPROVING COOPERATION AGREEMENTS WITH PORTER TOWNSHIP FOR ROAD IMPROVEMENT PROJECT; ORANGE TOWNSHIP FOR ROAD IMPROVEMENT PROJECT; HARLEM TOWNSHIP FOR ROAD IMPROVEMENT PROJECT AND THE CITY OF DELAWARE FOR THE CURTIS STREET REALIGNMENT PROJECT FOR OPWC (OHIO PUBLIC WORKS COMMISSION) CAPITAL IMPROVEMENTS FUNDING:

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

Porter Township

“COOPERATION AGREEMENT”  
PORTER TOWNSHIP & DELAWARE COUNTY  
PORTER TOWNSHIP ROAD IMPROVEMENT PROJECT

PORTER TOWNSHIP RESOLUTION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_  
DELAWARE COUNTY RESOLUTION NUMBER 05-1323 9/29/05 DATE \_\_\_\_\_

Porter Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the Porter Township Road Improvement Project.

Porter Township will provide funds totaling 11 % of the cost of the project name. Such funds will come from the road and bridge fund.

Delaware County through the County Engineer will provide funds totaling 11% of the cost of the project name. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Porter Township to be the lead applicant and to sign all necessary documents.

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Porter Township agrees to pay its \$50,000 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$50,000 of the cost towards construction and inspection services.

**Orange Township**

“COOPERATION AGREEMENT”  
ORANGE TOWNSHIP & DELAWARE COUNTY  
ORANGE TOWNSHIP ROAD IMPROVEMENT PROJECT

ORANGE TOWNSHIP RESOLUTION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_  
DELAWARE COUNTY RESOLUTION NUMBER 05-1323 09/29/05 DATE

Orange Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the Orange Township Road Improvement Project.

Orange Township will provide funds totaling 10 % of the cost of the project name. Such funds will come from the road and bridge fund.

Delaware County through the County Engineer will provide funds totaling 10% of the cost of the project name. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Orange Township to be the lead applicant and to sign all necessary documents.

Orange Township agrees to pay its \$12,850 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$12,850 of the cost towards construction and inspection services.

**Harlem Township**

“COOPERATION AGREEMENT”  
HARLEM TOWNSHIP & DELAWARE COUNTY  
HARLEM TOWNSHIP ROAD IMPROVEMENT PROJECT

HARLEM TOWNSHIP RESOLUTION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_  
DELAWARE COUNTY RESOLUTION NUMBER 05-1323 09/29/05 DATE

Harlem Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the Harlem Township Road Improvement Project.

Harlem Township will provide funds totaling 10 % of the cost of the project name. Such funds will come from the road and bridge fund.

Delaware County through the County Engineer will provide funds totaling 10% of the cost of the project name. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Harlem Township to be the lead applicant and to sign all necessary documents.

Harlem Township agrees to pay its \$21,000 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$21,000 of the cost towards construction and inspection services.

**City of Delaware**

“COOPERATION AGREEMENT”  
CITY OF DELAWARE & DELAWARE COUNTY  
CURTIS STREET REALIGNMENT

CITY OF DELAWARE ORDINANCE NUMBER \_\_\_\_\_ DATE \_\_\_\_\_  
DELAWARE COUNTY RESOLUTION NUMBER 05-1323 09/29/05 DATE

City of Delaware and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the Curtis Street Realignment Project.

City of Delaware will provide funds totaling 51.5% of the cost of the project name. Such funds will come from

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the CIP fund.

Delaware County through the County Engineer will provide funds totaling 7.29% of the cost of the project name. Such funds will come from the Sales Tax Fund.

Delaware County authorizes City of Delaware to be the lead applicant and to sign all necessary documents.

City of Delaware agrees to pay their percentage of the project cost as invoices are due.

Delaware County through the Delaware County Engineer's OPWC Grant Enhancement Program agrees to pay its 7.29% (not to exceed \$50,000) of the cost through the design engineering services contract and any balance toward the construction of the project as invoices are due. The Delaware County Engineer's OPWC Grant Enhancement Program is a dollar for dollar local match up to \$50,000.

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

**RESOLUTION NO. 05-1324**

**IN THE MATTER OF DECLARING AN EMERGENCY FOR THE REPLACEMENT OF THE SUNBURY ROAD BRIDGE OVER HOOVER RESERVOIR:**

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

Whereas the Delaware County Engineer closed the Sunbury Road Bridge over Hoover Reservoir in Genoa Township on September 2, 2005 due to the sudden failure of a steel girder supporting the bridge;

Whereas the closure of this bridge was unplanned and performed under emergency conditions to protect the public from a serious safety hazard;

Whereas the bridge sustained a physical disaster, cannot be feasibly repaired to correct the serious structural damage and, therefore, must be completely replaced;

Whereas the bridge is one of only two crossings over the Hoover Reservoir in Delaware County and is a vital link to residents and motorists in the region;

Whereas the closure of this bridge creates potentially significant delays in response times for Genoa Township Fire Department, EMS squads and Police Officers in responding to events on the eastern side of the reservoir; and

Whereas it is in the best interest of the safety and well being of residents and motorists in this area that the bridge be replaced as quickly as possible;

Now, therefore, be it resolved, that the Delaware County Board of Commissioners, in accordance with Section 307.86 (A)(2) of the Ohio Revised Code, hereby determines that a real and present emergency exists and that the competitive bidding procedures set forth in Sections 153.32 and 307.86 to 307.96 of the Ohio Revised Code are not required in this circumstance, in light of the physical disaster to the Sunbury Road Bridge described above.

Further, the contract for the Sunbury Road Bridge replacement will be awarded based on quotations to be solicited from not less than three construction firms with experience in comparable bridge construction projects.

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

**RESOLUTION NO. 05-1325**

**IN THE MATTER OF ADOPTING RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR:**

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

WHEREAS, The Board of County Commissioners placed on the November 1998 ballot the continuance of .75% sales tax effective January 1, 1999, with .25% to go towards a 1.00 mill roll back of the General Fund Property Tax collection during 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008; and

WHEREAS, The Board of County Commissioners has passed Resolution No. 05-1182 to reduce the property tax collection rate from 1.8 mills to 1.2 mill for tax year 2005 for collection in year 2006 in accordance with ORC 5705.313 (A) (2)

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WHEREAS, the Budget Commission of Delaware County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation;

THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Delaware County, Ohio that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further resolved, that there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET  
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

DELAWARE COUNTY TAX YEAR 2005  FUND	Amount	Amount	County Auditor's	
	Approved by	to Be Derived	Estimate of Tax Rate	
	Budget Commission	from levies	to be Levied	
	Inside 10 M.	Outside 10 M.	Inside 10 M.	Outside 10 M.
	Limitation	Limitation	Limit	Limit
General Fund	5,576,847		1.20	
Permanent Improvement Fund	464,737		0.10	
Developmental Disabilities Fund		8,178,223		2.10
9-1-1- Operations Fund		1,019,798		0.31
TOTAL	6,041.584	9,198,021	1.30	2.41

BE IT RESOLVED, that the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

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

RESOLUTION NO. 05-1326

IN THE MATTER OF APPROVING NEW FUNDS:

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

NEW FUNDS

74545901	MUNICIPAL FINES
74646901	INDIGENT APPLICATION FEE
74747901	VITAL STATISTIC FEE

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

RESOLUTION NO. 05-1327

IN THE MATTER OF APPROVING CHANGE ORDERS WITH BRUNER FOR BID PACKAGE 14 (HVAC); HENRY PAINTING FOR BID PACKAGE 10 (PAINTING); JESS HOWARD FOR BID PACKAGE 15 (ELECTRICAL); KENNY HUSTON FOR BID PACKAGE 5 (MASONRY) AND WILLIAMSON BUILDERS FOR BID PACKAGE 9 (DRYWALL) FOR THE NEW DORMITORY AND JAIL RENOVATIONS TO THE DELAWARE COUNTY JAIL:

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

<b>Bruner</b>			
BP014	14-008	Modification to sanitary line installation per City of Delaware request	\$ 6,474.00
	14-009	Add vent to lavatories for staff toilets per City of Delaware	\$ 1,523.00
	14-011	Install hose bibs on roof male and female dorm	\$ 3,797.00
	14-012	Reroute water supply (for lintle installation Intake and Booking)	\$ 723.00
	14-013	Motor controlled valves female dormitory	\$ 1,628.00
<b>Henry Painting</b>			
BP010	10-005	Security Electronic Changes	\$ 250.00

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Jess Howard			
BP015	15-011	Add additional Cat 5 cables for temporary sargent's office	\$ 589.94
	15-012	Add disconnects Male Dormitory transformer per City of Delaware request	\$ 3,821.18
	15-013	Add meter per AEP requirements	\$ 3,512.20
Kenny Huston			
BP05	05-014	Sawing Pockets in to CMU Walls for Fire Extinguisher Cabinets	\$ 1,182.84
	05-015	Per Bulletin 7, removal of Man Door and installation of new frame Kitchen Area	\$ 1,497.77
	05-020	Add new window Medical Isolation	\$ 2,234.72
	05-021	Add Control Joints Male and Female Dorm	\$ 991.41
	05-022	Cut down shower walls Female Dormitory	\$ 700.00
Williamson Builders			
BP09	09-006	Add fire Extinguisher Cabinets	\$ 908.00
	09-007	Add raised floor existing female dorm	\$ 1,042.00
	09-008	Add DW partition to female dorm exposed brick	\$ 3,508.00

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

RESOLUTION NO. 05-1328

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 11:27AM.

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

RESOLUTION NO. 05-1329

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn out of Executive Session at 11:55AM.

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

There being no further business the meeting adjourned.

\_\_\_\_\_  
Glenn A. Evans

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Kristopher W. Jordan

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James D. Ward