

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006**

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. 06-53

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 9, 2006 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 January 9, 2006 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. 06-54

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR111 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR111:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve payment of warrants in batch numbers CMAPR111, memo transfers in batch numbers MTAPR111 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
AEP	Utility OECC	65211905-5338	\$ 450,000.00
Atel INC	Lab Testing	65211905-5340	\$ 7,000.00
Suburban Fuel	Gas to Alum Creek	65211919-5338	\$ 10,000.00
AEP	Utility Alum Creek	65211919-5338	\$ 450,000.00
Ben Bro Enterprises	Rental N. Sandusky	10011105-5335	\$ 187,500.00
Rita Thompson	Rental 84 N. Sandusky	10011105-5335	\$ 10,800.00
WADAD Investment	Rental 12 Troy Road	10011105-5335	\$ 48,012.48
HP Products	Janitorial Supplies-Commissioners	10011105-5222	\$ 24,000.00
Loeb Electric	Building Maintenance-Commissioners	10011105-5234	\$ 17,000.00
Worly Plumbing	Minor Tools and Equipment-Comm	10011105-5250	\$ 6,000.00
AEP	Utilities	10011105-5338	\$ 260,000.00
Cintas Corp	Uniform and Floor Mats	10011105-5301	\$ 14,000.00
City of Delaware	Water Sewage Refuse	10011105-5338	\$ 28,500.00
CountrySide	Snow Removal	10011105-5328	\$ 20,000.00
Delaware Maintenance	Cleaning Services Facilities Building	10011105-5325	\$ 9,800.00
CCAO SC	Gas Utilities	10011105-5338	\$ 150,000.00
First Communications	Long Distance Phone	10011105-5330	\$ 9,500.00
Forts Cleaning Service	Contract Cleaning for 149	10011105-5325	\$ 18,840.00
Nextel	Cell Phones	10011105-5330	\$ 10,000.00
Quality Control	Contracted Inspections	65111904-5301	\$ 100,000.00
Bob Barker	Jail Items Lockers and Kits	40411404-5410	\$ 21,872.00
Corporate Express	Jail Cabinets and Chairs	40411414-5410	\$ 8,821.63
Postmaster	Postal Services	10011105-5331	\$ 10,000.00
US Postal Services	Postal Services	10011105-5331	\$ 160,000.00
Verizon	Telephone Services	10011105-5330	\$ 70,000.00
BP Products	Fuel	10011106-5228	\$ 100,000.00
Central Ohio Bandag	Vehicle Parts and Supplies	10011106-5228	\$ 6,500.00
Delaware Motive	Vehicle Parts and Supplies	10011106-5228	\$ 24,000.00
Englefield Oil	Gasoline	10011106-5228	\$ 30,000.00
Goodyear Auto	Vehicle Repair/ Tires per State Term	10011106-5328	\$ 24,750.00
Krieger Lincoln Merc	Vehicle Repair	10011106-5228	\$ 16,200.00
McWherters Petroleum	Diesel Fuel	10011106-5228	\$ 15,000.00
Petroleum Traders	Gasoline	10011106-5228	\$ 50,000.00
Washington Auto	Vehicle Parts and Supplies	10011106-5228	\$ 24,000.00
BP Products	Oil and Fuel	10011106-5228	\$ 7,500.00
Germain Ford	Vehicle Parts and Supplies	10011106-5228	\$ 10,000.00
Vititoe Constructions	FY 04 Ostrander Drainage RLF	23011715-5365	\$ 57,544.52
CCAO/CEAO	2006 Membership	10011102-5308	\$ 8,473.00
Bruce Builders	Chip 04 Home Repairs	23011713-5365	\$ 8,000.00
Del. Metro Housing	Chip Tenant Rental Assistance	23011714-5365	\$ 28,489.00

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006**

Helpline	Work Experience Program	22411603-5348	\$ 30,000.00
Jobs for OH Grads	JOG Program/WIA Participants	22411603-5348	\$ 38,560.50
Jobs for OH Grads	JOG Program/WIA Participants	22311611-5348	\$ 38,560.50
Area Career Center	WIA Outcome Performance	22411603-5348	\$ 22,942.00
Ergon	Work Experience Program	22411603-5348	\$ 25,000.00
AEP	Utility	22411602-5350	\$ 10,000.00
Columbia Gas	Gas/Utilities/Del Co. Offices	10011105-5338	\$ 16,000.00
US Postal Service	Billing for Sanitary Engineer	65211905-5331	\$ 25,000.00
Status Control	Maintenance on Bradley	65211905-5328	\$ 10,000.00
Trucco	Perry Taggart Sewer	65511918-5415	\$7,000,000.00
AEP	Electric Services	66011913-5338	\$ 55,000.00
AEP	Electric Services	66011908-5338	\$ 12,000.00
URS Corporation	Tunneling Consulting	65511918-5301	\$ 14,721.67
Schottenstein	Legal Services	65511918-5301	\$ 50,000.00
Synaro Midwest	Conveyance and Land	65211905-5301	\$ 50,000.00
Cintas Corporation	Rental and Cleaning	65211919-5380	\$ 6,000.00
Downes Hurst	Professional Services	65211919-5301	\$ 10,000.00
Cintas Corporation	Rental and Cleaning Uniforms	65211905-5380	\$ 12,000.00
Delaware Data	Insert and Print Sanitary Bills	65211919-5313	\$ 15,000.00
City of Dublin	Reimbursement to Dublin for Sewer	65211905-5319	\$ 100,000.00
Treasurer, State of Ohio	Public Defender State	10011202-5319	\$ 20,000.00
Carolyn Law	Public Defender	10011202-5301	\$ 5,000.00
Rebecca Lefever	Public Defender	10011202-5301	\$ 5,000.00
Sylvia McElwain	Public Defender	10011202-5301	\$ 5,000.00
Netcare	Psychological Services	10011202-5342	\$ 7,000.00
Vouchers			
Marion Industrial	Repair Motor	65211905-5328	\$ 8,212.00
J. A. Guy	Boiler Relocation	40111402-5410	\$ 35,000.00
Double Z Construction	Olentangy Crossing	44211423-5420	\$ 156,003.60
Double Z Construction	Olentangy Crossing	40811425-5420	\$ 61,752.70
Kokomo Academy	Residential Treatment	22511608-5342	\$ 11,520.00
Bruce Builders	CHIP 04 Home Repairs/Linda Allaby	23011713-5365	\$ 8,000.00
Boys Village	Residential Treatment	22511607-5342	\$ 43,029.14
Child Care Unlimited	Day Care	22411610-5348	\$ 8,727.16
T & J Junior Academy	Day Care	22411610-5348	\$ 7,158.17
Toddler Inn	Day Care	22411610-5348	\$ 11,785.29
Kindercare	Day Care	22411610-5348	\$ 12,830.35
Delaware Area	ABLE	22411603-5348	\$ 5,266.05
Liberty Community	Day Care	22411610-5348	\$ 19,051.09
Erin Coomes	Day Care	22411610-5348	\$ 5,016.69
Memo Transfers			
To:	From:		
EMA 21511307-4204	Commissioners 10011102-5308	EMA Apportionment	\$ 26,994.00
Regional Planning 72070701-4204	Commissioners 10011102-5308	Regional Membership	\$ 128,058.00
Board of MRDD 29519000-4539	Commissioners 10011501-5350	County Home Closing	\$ 7,500.00

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

RESOLUTION NO. 06-55

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Code Compliance Department is requesting that Gary Wilhelm attend a Fire Suppression Seminar in Columbus, Ohio January 17, 2006, at no cost.

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

RESOLUTION NO. 06-56

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 43.146 ACRES OF LAND IN BERKSHIRE TOWNSHIP TO THE VILLAGE OF GALENA:

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

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006**

Whereas, on November 28, 2005, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Kenneth J. Molnar, agent for the petitioners, of 43.146 Acres, more or less, in Berkshire Township to the Village of Galena.

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 Galena or the Township of Berkshire.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 43.146 Acres, more or less, in Berkshire Township to the Village of Galena.

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

RESOLUTION NO. 06-57

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Larry Eley (16 hours) and Ross Bigelow (40 hours) are donating sick leave to Wendy Fox in the Code Compliance Department per her request previously approved by the Commissioners.

Rich Felton will be reinstated to an Operations Supervisor Position with the Water Reclamation Department; effective date January 12, 2006.

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

RESOLUTION NO. 06-58

IN THE MATTER OF APPOINTING BRIAN LEWER AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE TO THE DELAWARE CITY AIRPORT COMMISSION:

It was moved by Mr. Jordan, 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 an individual to the Delaware City Airport Commission for a three year term beginning January 12, 2006, and ending December 30, 2009 and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint Brian Lewer to the Delaware City Airport Commission.

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

RESOLUTION NO. 06-59

IN THE MATTER OF APPOINTING PAMELLA LAMMON AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE TO THE COUNCIL FOR OLDER ADULTS:

It was moved by Mr. Evans, seconded by Mr. Jordan 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 individual(s) to the Council for Older Adults for a three (3) year term, beginning January 12, 2006 and ending December 31, 2008.

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, appoint Pamela Lammon to the Council for Older Adults.

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

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006

RESOLUTION NO. 06-60

IN THE MATTER OF APPROVING A SERVICE AGREEMENT BETWEEN THE BOARD OF DIRECTORS OF DELAWARE KNOX MARION MORROW JOINT SOLID WASTE MANAGEMENT DISTRICT (THE "DISTRICT" OR "DKMM") AND DELAWARE COUNTY COMMISSIONERS, KNOX COUNTY COMMISSIONERS, MARION COUNTY COMMISSIONERS AND MORROW COUNTY COMMISSIONERS FOR MANAGING AND REDUCING THEIR SOLID WASTE:

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

AGREEMENT FOR IMPLEMENTATION
CRLPO SERVICES

This agreement made the 12th of January 2006, effective the same date, is executed in multiple copies, each copy to constitute an original, by and between the Board of Directors of Delaware Knox Marion Morrow Joint Solid Waste Management District (the "District" or "DKMM") with offices at 222 West Center Street, Marion, Ohio 43302-3646 and Delaware County Commissioners, Knox County Commissioners, Marion County Commissioners and Morrow County Commissioners.

WITNESSETH:

WHEREAS, HB 592 was passed in 1988, requiring that counties organize into solid waste districts and that the districts become responsible for managing and reducing their solid waste.

WHEREAS, the District was formed in accordance with 3734.52 of the Ohio Revised Code (ORC) as a joint four-county solid waste management district.

WHEREAS, the amended solid waste management plan for the District was approved on July 26, 2002.

WHEREAS, RC 3734.53 and the approved solid waste management plan, as amended, allow the District to enter into contracts with its member counties within the District for the purpose of providing assistance as outlined in the approved plan, as amended, for the District under the allowable funding guidelines of Section VIII and as detailed programs in Section V of the amended plan.

WHEREAS, Section V of the solid waste management plan for the District provides for assistance to the Counties to assist and encourage the establishment of drop-off centers, source reduction activities, education and awareness in the residential/commercial sector, participation in the district's scrap tire & household hazardous waste collection program, the district's annual appliance round up, market development, and business/industrial education and awareness.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and adequacy of which is acknowledged herein, the parties hereby agree as follows:

1. Agreement

The District agrees to contract with each Board of County Commissioners the amount of funds as set forth in Exhibit #1 for fulfillment of obligations listed in Exhibit #2 from the amended District Plan.

2. Term

The term of this agreement shall commence on January 1, 2006 and terminate on the 31st of December 2006.

3. Payments

The District shall disburse the contract funds per County as described in Exhibit #1 50% January 2006, 25% July 2006 and the final 25% September 2006. A lien shall be filed, pursuant to a UCC financing statement filed in accordance with the Agreement, as or Addendum there to signed by both the District and the County, against any equipment or machinery purchased with any portion of District funds (Please see Exhibit #4.) Said lien shall remain in place indefinitely, where District hinds have been used.

4. Reporting

The Board of County Commissioners agrees to tile a copy of their quarterly and annual program status reports with the District and on forms prescribed by the District (see Exhibit #3). These reports are due within forty-five days following each quarter of the year. The Board of Commissioners understands that the President of the Board of County Commissioners shall sign the program status reports.

5. Remittance

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006

The Board of County Commissioners agrees to reimburse the District for any and all funds not utilized for allowable activities at the end of each year. Remittance shall be accomplished by February 15 annually. The District will remit any unused funds into the Reimbursements account #91724427 for future use by any District program. If the described equipment or machinery set forth in Exhibit #4 is no longer in service for applicable programs, then the equipment or machinery shall be turned over to the District for use elsewhere or, at the parties' mutual written agreement, shall be sold by sealed bid or auction and the sale money returned to the District for deposit in the Reimbursement account #91724427 for future use by the District.

6. Termination

This agreement may be terminated by the District upon the occurrence of any of the following:
A) notification from a Board of County Commissioners stating a wish to terminate the contract and return any and all funds awarded and unexpended, B) improper use of District funds for items other than are listed in Section V the District Plan. Termination will occur immediately upon notification of the occurrence of the above listed events. Notification of termination will be sent by certified mail to the Board of County Commissioners. Future expenditures of District funds beyond the effective date of termination are prohibited. If this Agreement is terminated, then the District may, but is not required to, designate another agency within the District to provide CRLP services to the appropriate County. Additionally, this Agreement may be terminated upon mutual written consent of both parties.

7. Resolving Disputes

The parties agree that if any dispute or other issue arises between the District's staff and the staff of a CRLPO, that it shall first be attempted to be resolved by the District Director and the CRLPO's Program Manager. If they are unable to reach a mutually satisfactory resolution to the dispute, that then this issue shall be referred to Board of Directors for final resolution.

8. Entire Agreement

This agreement shall constitute the entire agreement between the parties, and any prior understanding or representations of any kind related to the subject matter of this Agreement preceding the date of this Agreement shall not be binding upon any party, except to the extent incorporated in this Agreement.

Exhibit # 1

	% of pot		Delaware	Knox	Marion	Morrow	Total	Amt In pot	Delaware	Knox	Marion	Morrow
Funds for:								\$ 180,000				
I. base amt.												
	0.5	For Program Activities	25.%	25.%	25.%	25.%	1	\$ 90,000	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500
			Equal	Prop.	To	Four	Co.					
II. population												
	0.5	To adjust for Citizens served	44.69 %	20.27 %	23.17 %	11.87 %	1	\$ 90,000	\$ 40,224	\$ 18,247	\$ 20,851	\$ 10,679
			128,344	58,221	66,530	34,073	287,168					
								Total Budget	\$ 62,724	\$ 40,747	\$ 43,351	\$ 33,179

Exhibit #2

Responsibilities of County Recycling and Litter Prevention Offices

The following are the responsibilities of the County Recycling and Litter Prevention Offices (CRLPO) as outlined in the current Solid Waste Management Plan.

MANAGEMENT SERVICES FOR DROP-OFFS

- Locate acceptable sites based on the access program.
- Find local sponsor groups.
- Instruct sponsor groups on responsibilities.
- Secure contracts with sponsors and manage the sponsors.
- Call in extra pulls to District Contractor and provide records to the District.
- Inspect and maintain each site.

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006

HOUSEHOLD HAZARDOUS WASTE PROGRAMS (HHW COLLECTION DAYS & HHW EDUCATION

- Provide volunteers for the collection programs.
- Assist with managing traffic.
- Collect survey data and other District requirements at the event.
- Assist District in developing advertising plan.
- Conduct presentations to civic groups and schools about HHW

APPLIANCE ROUND-UP PROGRAM

- Provide assistance in managing the selection of appropriate sites.
- Manage the operation of the program.
- Assist District in developing advertising plan.

RESIDENTIAL SECTOR EDUCATION AND AWARENESS PROGRAM

- Distribute Where to Recycle Brochure
- Assist the district in developing Advertising Campaign for recycling, waste reduction and yard waste management including newspaper, billboards, radio, TV, cable and other general media methods.
- Conduct school presentations and programs for elementary and secondary classrooms and teachers.
- Conduct community presentations on recycling and waste reduction.
- Provide articles for District newsletter and Annual District Report.

COMMERCIAL/INSTITUTIONAL SECTOR TECHNICAL ASSISTANCE

- Assist the District in developing a brochure on source reduction and recycling for businesses called A Guide for Waste Disposal and Recycling for Business.
- Distribute the brochure to businesses annually.

ANNUAL DISTRICT SURVEYS

- Participate in annual survey of businesses. The CRLPO's will telephone local businesses and develop relationships with commercial and industrial sector businesses.

ANNUAL COMMERCIAL/INDUSTRIAL SECTOR RECOGNITION PROGRAM

- Assist with the creation, development, promotion and managing the recognition program.

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

RESOLUTION NO. 06-61

IN THE MATTER OF APPROVING A 3% PAY INCREASE FOR THE COUNTY ADMINISTRATOR:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve a 3% pay increase for the County Administrator.

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

RESOLUTION NO. 06-62

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 9:50AM.

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

RESOLUTION NO. 06-63

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 12, 2006

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners