

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JUNE 15, 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

**9:45 AM Public Hearing (#1) For Proposed Adoption Of Changes To The Building Code Of Delaware County, Adoption Of The 2006 Residential Code Of Ohio For One, Two And Three Family Dwellings And Modifications To The Residential Fee Schedule**

**PUBLIC COMMENT**

**RESOLUTION NO. 06-744**

**IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 8, 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 June 8, 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. 06-745**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0614 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0614:**

It was moved by Mr. Jordan, seconded by Mr. Evans to approve payment of warrants in batch numbers CMAPR0614, memo transfers in batch numbers MTAPR0614 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>			
Itsy Bitsy Daycare Center	Day Care	22411610-5348	\$ 5,000.00
Healthy Edge LLC	EAP Premium	60211902-5370	\$ 26,000.00
Pamela Valerie Knowlton	Temp Easement/Perry Taggart	65511918-5301	\$ 15,400.00
Key Companies	CFOA Construction Printing	43111424-5410	\$ 9,500.00
Floyd Browne Assoc Inc.	Engineering Fees	40811422-5301	\$ 9,340.78
<b>Increases</b>			
Synagro	Application of Biosolids	65211919-5301	\$ 50,000.00
Fox Run Hospital	Residential Treatment	22511607-5342	\$ 9,502.00
Fox Run Hospital	Residential Treatment	22511608-5342	\$ 7,826.00
Columbia Gas of OH Inc.	Utilities	22411602-5350	\$ 9,500.00
Kristin Cherry	Board & Care	22511607-5350	\$ 4,600.00
Global Protective Services	Security	10011102-5301	\$ 30,000.00
Linda Kendrick	Public Defender	10011202-5301	\$ 10,000.00
<b>Vouchers</b>			
Child Care Unlimited/Sunbury	Day Care	22411610-5348	\$ 4,917.12
Child Care Unlimited/Sunbury	Day Care	22511607-5348	\$ 179.79
Delaware Area Career Center	ODHFS RMBS	22311611-5348	\$ 19,349.44
OH Hospital for Children	Residential Treatment	22511607-5342	\$ 17,350.20
AEP	Service/OECC	65211905-533833802	\$ 35,652.49
Rebecca Lilly	CHIP 04 Grant	23011714-5365	\$ 12,000.00
AEP	Service/Walker Woods	65211919-533833802	\$ 45,160.71
US Filter	Bioxide Chemicals	65211919-5290	\$ 29,835.75
<b>Memo Transfer Vouchers</b>			
<b>From</b>	<b>To</b>		
Job and Family Services 22411601-5301	Family & Children First 70161607-5601	Help Me Grow	\$ 28,054.68
Economic Development 40811422-5301	Engineer 29214001-4233	Olentangy TIF	\$ 35,291.40

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

**NEW LIQUOR LICENSE REQUEST FROM CITY BARBECUE INC. (After the media release on this application, this establishment was determined to be in the City of Powell. No action by board of Commissioners is needed).**

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**RESOLUTION NO. 06 -746**

**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 Dave Diehl, Ike Callison, Alan Duffy, Joe Evans and Dan Lemke attend a 2006 Residential Codes of Ohio Seminar in Reynoldsburg, Ohio June 15, 2006, at no cost.

The Code Compliance Department is requesting that Larry Eley, Ric Irvine, Tim Stitt, Bill Whitelock, Ross Bigelow, Bill Johnson, Greg Miller and Fred Fowler attend a 2006 Residential Codes of Ohio Seminar in Reynoldsburg, Ohio June 29, 2006, at no cost.

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

**RESOLUTION NO. 06-747**

**IN THE MATTER OF APPROVING A CORRECTION TO RESOLUTION 06-616:**

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

Whereas, the heading for resolution 06-616 (IN THE MATTER OF APPROVING A DRAINAGE EASEMENT VACATION FOR LOT 1285, TUSSIC WOODS ESTATES, GENOA TOWNSHIP, DELAWARE COUNTY, OHIO, (PLAT BOOK 16, PAGE 39), incorrectly referred to lot 1285 and not the correct lot of 1284 that is referenced in the text of the resolution ,

Therefore Be It Resolved, the Commissioners’ records be corrected to reflect APPROVING A DRAINAGE EASEMENT VACATION FOR LOT 1284, TUSSIC WOODS ESTATES, GENOA TOWNSHIP, DELAWARE COUNTY, OHIO, (PLAT BOOK 16, PAGE 39).

**Drainage Easement Vacation**

The Engineer has received a request from Bob Webb Harvest Wind, LLC, an Ohio limited liability company, the owner of Lot 1284 in Tussic Woods Estates, commonly known as 6441 Tussic Street Road, Westerville, Ohio 43082, to vacate the portion of the original forty (40) foot drainage easement on the Tussic Woods Estates plat that crosses the said Lot 1284. The portion of the easement indicated on the attached Exhibit 1 as “area to be released” is located in the northwest corner of Lot 1284 in Tussic Woods Estates, as depicted in Plat Book 16, Page 39, Recorder’s Office, Delaware County, Ohio. The portion of the drainage easement to be vacated also lies completely within a landscape easement described in Official Records Volume 506, Pages 2249-2251, in the Recorder’s Office, Delaware County, Ohio. The portion of the original drainage easement that crosses Lot 1284 in Tussic Woods Estates is no longer required after the construction of other drainage facilities in this area. Therefore, the Engineer requests your approval to vacate this easement and to include a marginal reference on Plat Book 16, Pages 39-41 of this action to vacate the easement.

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

**RESOLUTION NO. 06-748**

**IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 12.704 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF DELAWARE:**

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

Whereas, on May 15, 2006, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by David Cannon, agent for the petitioners, of 12.704 Acres, more or less, in Liberty Township to the City of Delaware.

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 City of Delaware or the Township of Liberty.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 12.704 Acres, more or less, in Liberty Township to the City of Delaware.

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

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**RESOLUTION NO. 06-749**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

Linda Cox has accepted the Social Service Worker III Position with the Department of Job and Family Services; effective date July 10, 2006.

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

**RESOLUTION NO. 06 -750**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES FUNDS TO ASSIST IN FUNDING THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS AND OTHER AMENITIES FOR THE DKMM MEETING:**

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

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue Expenditure Of Public Funds For Proper "Public Purpose", and

WHEREAS, The October 20, 2003, State Auditor's ruling on payment of Expenditures Of Public Funds For Proper "Public Purpose" states that for persons who are employees or non-employees of the County, the Commissioners must pre-approve expenditures for the purchase of coffee, meals, refreshments and other amenities.

WHEREAS, the Delaware County Department of Job and Family Services has responsibility for workforce development activities and is party to the DKMM ; and

WHEREAS, such meeting has been scheduled in Delaware County for June 21, 2006 at the Hayes Building; and

WHEREAS, agreement has been made that meetings will rotate among each of the four counties with the hosting county being responsible for food arrangement; and

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

Section 1. That the Delaware County Board of Commissioners hereby authorizes the use of Department of Job and Family Services funds in an amount not to exceed \$320.00, to assist in funding the purchase of coffee, meals, refreshments and other amenities for The DKMM board meeting to be held June 21, 2006.

**Further Be It Resolved**, that the Commissioners approve a Purchase Order Request to All Occasions in the amount of \$320.00.

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

**RESOLUTION NO. 06-751**

**IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND THE PRESBYTERIAN CHILD WELFARE AGENCY AND POMEGRANATE HEALTH SYSTEMS FOR CHILD PLACEMENT SERVICES:**

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

<b>Child Placement Service</b>	<b>Per diem cost and per diem reimbursement for the following categories</b>
Presbyterian Child Welfare Agency Buckhorn Children's Center of Ohio 116 Buckhorn Lane Buckhorn, Kentucky 41721	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)

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Pomegranate Health Systems 60691 Southgate Road Byesville, Ohio 43723	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
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(A Copy of each of these contacts is available in the Commissioners' Office until no longer of Administrative Value).

**Further Be It Resolved**, that the Commissioners approve the following Purchase Order Requests:

Presbyterian Child Welfare Agency  
 22511607-5342 \$8,000.00  
 22511608-5342 \$22,875.00 (Line 2)

Pomegranate Health Systems  
 22511607-5342 \$25,000.00

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

**RESOLUTION NO. 06-752**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE LAW LIBRARY:**

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

<b>Supplemental Appropriation</b>		<b>Amount</b>
10011201-5001	Law Library/Compensation	4,500.00
10011201-5120	Law Library/PERS	616.25
10011201-5131	Law Library/Medicare	65.25

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

**RESOLUTION NO. 06-753**

**9:45 AM PUBLIC HEARING (#1) FOR PROPOSED ADOPTION OF CHANGES TO THE BUILDING CODE OF DELAWARE COUNTY, ADOPTION OF THE 2006 RESIDENTIAL CODE OF OHIO FOR ONE, TWO AND THREE FAMILY DWELLINGS AND MODIFICATIONS TO THE RESIDENTIAL FEE SCHEDULE:**

It was moved by Mr. Evans, seconded by Mr. Jordan to open the Hearing at 9:45AM.

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

**RESOLUTION NO. 06-754**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING TO ADDRESS PROPOSED ADOPTION OF CHANGES TO THE BUILDING CODE OF DELAWARE COUNTY, ADOPTION OF THE 2006 RESIDENTIAL CODE OF OHIO FOR ONE, TWO AND THREE FAMILY DWELLINGS AND MODIFICATIONS TO THE RESIDENTIAL FEE SCHEDULE:**

It was moved by Mr. Jordan, seconded by Mr. Evans to close the Hearing at 10:03AM.

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

**RESOLUTION NO. 06-755**

**SETTING BID OPENING DATE AND TIME FOR SITE WORK AND UTILITIES FOR THE NEW HEADQUARTERS AND FACILITY FOR THE DELAWARE COUNCIL FOR OLDER ADULTS FACILITY:**

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

NOTICE TO BIDDERS

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Bids will be received by the Delaware County Commissioner's Office (the "Owner"), at the Delaware County Commissioner's Office, Attention: Mr. Dave Cannon, County Administrator, 101 North Sandusky Street, Delaware, Ohio 43015 for the following Project:

*A New Headquarters and Facility for the Delaware Council for Older Adults  
Delaware County, Ohio*

in accordance with the Drawings and Specifications prepared by:

*George Parker & Associates  
106 Short Street  
Gahanna, Ohio  
Ph: (614) 476-3600*

*In conjunction with:*

*Maddox NBD Architecture  
4945 Bradenton Ave.  
Dublin, Ohio 43017  
Ph: (614) 764-3800  
Fx: (614) 764-4522*

The Construction Manager for the Project is:

*The Quandel Group, Inc.  
8181 Worthington Road  
Westerville, Ohio 43082  
ph: (614) 895-9000  
fx: (614) 895-9001*

Any Proposed Equal for a Standard shall be submitted to the Architect no later than ten (10) days prior to the bid opening. If no Addendum is issued accepting the Proposal Equal, the Proposed Equal shall be considered rejected.

**Sealed bids will be received for:**

01	Site Work and Utilities	Contract Estimate	\$1,396,682.00
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until **July 13, 2006 at 2:00 p.m.**, when they will be opened and read.

A pre-bid meeting will be held on, June 28, 2006 at 10:00 a.m., at the following location:

Delaware County Commissioner's Office  
101 North Sandusky Street  
Delaware, Ohio 43015

Contract Documents may be obtained from Key Blue Prints (Cleveland Ave. Office) or The Quandel Group upon receipt of a check, which is refundable in the amount of \$125.00 per set of plans and specifications payable to The Quandel Group Inc. Additional plans may be obtained for \$50.00 each. No more than three (3) sets will be provided on a refundable basis to a Bidder.

Shipping charges for all Bidding Documents are non-refundable and are to be paid via a separate check in the amount of \$25.00 per set payable to The Quandel Group Inc.

The Contract Documents may be reviewed for bidding purposes without charge during business hours at the following locations:

Key Blue Prints  
6180 Cleveland Ave.  
Columbus, Ohio 43231  
614-899-6180

FW Dodge McGraw Hill  
1175 Dublin Road  
Columbus, Ohio 43215  
614-486-6575

The Quandel Group Plan Room

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8181 Worthington Road  
Westerville, Ohio 43082  
614-865-9000

All proposals shall be irrevocable for ninety (90) days after bid opening date.

The Owner reserves the right to reject any or all bids and to waive any or all irregularities, mistakes, omissions, or informalities relative thereto.

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

**RESOLUTION NO. 06-756**

**IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR POLARIS SELF STORAGE LLC AND OLENTANGY CROSSINGS SECTION 6:**

It was moved by Mr. Evans, seconded by Mr. Jordan to approve sanitary sewer plan for Polaris Self Storage Llc And Olentangy Crossings Section 6 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            Aye            Mr. Ward            Aye

**RESOLUTION NO. 06-757**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

Wendy Fox with the Code Compliance Department is requesting 120 Hours of Leave-With-Out-Pay for June 12-July 3, 2006.

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

**RESOLUTION NO. 06-758**

**IN THE MATTER OF ADOPTING AMENDMENT # 1 TO SUBDIVIVER AND SEWER TAP RETENTION AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND DELAWARE TREATMENT FACILITIES, LLC:**

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

Be It Resolved, by the Board of County Commissioners of the County of Delaware, State of Ohio, that:

**Section 2.** Through Section XVIII of the agreement, the Board of County Commissioners and Delaware Treatment Facilities, LLC desire to extend the agreement previously executed on June 13<sup>th</sup> 2005. The amended deadline for receipt of Addendum A shall be June 15, 2007.

**Section 8.** Through Section XVIII of the agreement, the Board of County Commissioners and Delaware Treatment Facilities, LLC desire to extend the retention schedule from five (5) to (10) years.

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

**RESOLUTION NO. 06-759**

**IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:**

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

Transfer of Appropriation	Amount
From	To
66011913-5450	66011913-5270
Scioto Reserve/Machinery & Equipment	Scioto Reserve/Equipment Parts
	\$12,000.00

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

**RESOLUTION NO. 06-760**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF**

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**APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR  
COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR PENDING OR IMMINENT  
LITIGATION:**

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 10:35AM.

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

**RESOLUTION NO. 06-761**

**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 11:45AM.

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

**RESOLUTION NO. 06-762**

**IN THE MATTER OF RECONVENING SESSION AT 2:00PM:**

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

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

**RESOLUTION NO. 06-763**

**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 FOR PENDING OR IMMINENT  
LITIGATION AND LAND ACQUISITION :**

It was moved by Mr. Ward, seconded by Mr. Evans to adjourn into Executive Session at 2:00PM.

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

**RESOLUTION NO. 06-764**

**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 4:15PM.

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