

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 2, 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

7:30 PM Public Hearing For Consideration Of A Ditch Petition Filed By Real Property Management For The Highland Lakes North Section 3 Subdivision

ACS/APA (Adult Court Serves/ Adult Parole Authority) Facility Advisory Committee

PUBLIC COMMENT

RESOLUTION NO. 06-1257

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 28, 2006 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held September 28, 2006 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 06-1258

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0929:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0929 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
<b>PO</b>			
Mathews Kennedy Ford	Van Facilities	40111402-5450	\$ 22,500.00
Family Childrens First	Help Me Grow	22411601-5348	\$ 30,000.00
<b>Increases</b>			
Robert Half Legal	Paralegal Services	65511918-5301	\$ 4,000.00
Leah Blake	Day Care	22411610-5348	\$ 5,000.00
Noah Ark	Day Care	22411610-5318	\$ 15,000.00
HP Thompson	Equipment Parts/Repair	65211919-5270	\$ 4,000.00
Wenigs	Service on Heat/Cooling Units	65211905-532832810	\$ 4,000.00
<b>Vouchers</b>			
Westerman Companies	UWR Radios	65211905-5270	\$ 8,328.00
Quality Control	Inspection Services	65111904-5301	\$ 27,849.97
Quality Control	Inspection Services	65111904-5301	\$ 1,044.58
Barbara Crook	Farmland/Biosolids Application	65211905-5335	\$ 11,250.00
Eddie Wells	Farmland/Biosolids Application	65211919-5335	\$ 6,250.00
Pitney Bowes	Mailing System	40111402-5450	\$ 17,130.00
Global Protection	Security Services	10011102-5301	\$ 5,460.00
Willoughby Industries	Shower Valves Jail	40111402-5450	\$ 5,525.00
Ameritas Group Dental	Sept Premiums	75010903-5370	\$ 18,217.00
Child Care Unlimited	Day Care	22411610-5348	\$ 5,577.49

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

RESOLUTION NO. 06 -1259

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Administrative Services Department is requesting that Christine Shaw attend a CARMA Fall Meeting in Bowling Green, Ohio October 6, 2006, at the cost of \$96.50.

The Administrative Services Department is requesting that Gina Fasone attend a Squire Sanders Labor Employment Seminar in Powell, Ohio October 19, 2006, at no cost.

The Child Support Enforcement Agency is requesting that Susan Brown, Christine Dobrovich, Joyce Rhodes

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and Kelly Mills attend a 2006 Fall Conference in Columbus, Ohio October 5-6, 2006, at the cost of \$600.00.

The Child Support Enforcement Agency is requesting that Susan Brown and Joyce Rhodes attend an Information Security Awareness Training in Columbus, Ohio December 12, 2006, at no cost.

The EMS Department is requesting that Kathy Price, Bonnie Williams and Kristopher Harris attend a Public Safety Telecommunicates I Class in London, Ohio October 16-20, 2006, at no cost.

The EMS Department is requesting that Kelly Stojkov, Yvette Hatten and Debra Johnson attend a Missing Children-Amber Alert Class in Reynoldsburg, Ohio November 3, 2006, at no cost.

The EMS Department is requesting that Cherly Vangundy, Michele Treadway and Elissa Sessley attend a Dispatcher Responsibilities Class in Cambridge, Ohio October 23-24, 2006, at the cost of \$576.60.

The EMS Department is requesting that Kathy Price, Kristopher Harris and Bonnie Williams attend a Stress It's All In Your Head Seminar in Franklin County, November 16, 2006, at no cost.

The Prosecutor's Office is requesting that Chris Betts attend a Seminar on NCDA Government Civil Practice in Las Vegas, Nevada December 2-7, 2006, at the cost of \$1,817.75.

The EMS Department is requesting that EMS Personnel participate in a Weapons of Mass Destruction Training in the Hayes Building October 19 to 28, 2006, at no cost.

Juvenile Court is requesting that Cecelia Monahan, Jayn Hawk, Patty Cram, Kristin Camac, Vikki Hardwick, Stacy Blair, Lisa Risinger, David Andrews, Bobby Massie, Howard Heston, and Mary Cagiina attend a Delaware County Community Conference Training at Hayes High School October 20, 2006 at the cost of \$275.00.

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

**RESOLUTION NO. 06-1260**

**IN THE MATTER OF APPROVING PLAN FOR WOODS OF DORNOCH SECTION 5, PHASE 1 AND DITCH MAINTENANCE PETITIONS FOR OLENTANGY CROSSINGS SECTION 4 AND OLENTANGY CROSSINGS SECTION 5:**

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

**Woods Of Dornoch Section 5, Phase 1**

Section 5 Phase 1, Section 1, Township 4, Range 19, United States Military Lands Delaware Township, Delaware County, Ohio. No Cost.

**Ditch Maintenance Petition- Olentangy Crossings Section 4**

We the undersigned owners of 23.384 acres in Orange Township, Delaware County, Ohio propose to create the subdivision known as Olentangy Crossings Section 4 as evidenced by the attached subdivision plat and other exhibits (Exhibit "A" which is available at the County Engineer's Office). The plat for Olentangy Crossings Section 4 has been submitted for approval to the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to these subdivisions have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider's agreement Exhibit "B" available at the County Engineer's Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit "C" (available at the County Engineer's Office), be accepted as part of the County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Olentangy Crossings Section 4 plat.

The cost of the drainage improvements is \$162,881.00 and a detailed cost estimate is available at the County Engineer's office in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created with in this development. The Developed commercial area totaling 15.060 acres will receive benefit (cost) of the project on a per acre basis . The basis for calculating the assessment for each lot is therefore, \$10,815.47 per acre. An annual maintenance fee equal to 2% of this basis \$216.31/acre will be collected for each tributary lot within Olentangy Crossings Section 4.

We understand that the basis for calculating the maintenance assessment will be reviewed and possibly

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revised every 6 years. The first year’s assessment for all of the lots in the amount of \$3,257.62 (2,842.31 by Planned Communities and 415.31 by the Bans) has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

**Ditch Maintenance Petition-Olentangy Crossings Section 5**

We the undersigned owners of 41.073 acres in Orange Township, Delaware County, Ohio propose to create the subdivision known as Olentangy Crossings Section 5 as evidenced by the attached subdivision plat and other exhibits (Exhibit “A” which is available at the County Engineer’s Office). The plat for Olentangy Crossings Section 5 has been submitted for approval to the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to these subdivisions have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider’s agreement Exhibit “B” available at the County Engineer’s Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit “C” (available at the County Engineer’s Office), be accepted as part of the County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action in conjunction with the approval of the Olentangy Crossings Section 5 plat.

The cost of the drainage improvements is \$364,654.25 and a detailed cost estimate is available at the County Engineer’s office in Exhibit “D”. The drainage improvements are being constructed for the benefit of the lots being created with in this development. The Developed Residential area totaling 69 lots (23.589) acres will receive benefit (cost) of the project on a per lot basis. The basis for calculating the assessment for each lot is therefore, \$5,284.84 per lot. An annual maintenance fee equal to 2% of this basis \$105.70/lot will be collected for each tributary lot within Olentangy Crossings Section 5.

We understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$7,293.09 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

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

**RESOLUTION NO. 06-1261**

**IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR GLEN OAK SECTION 3, PHASE B AND CROSS CREEK SECTION 3, PHASE B:**

It was moved by Mr. Jordan, seconded by Mr. Evans to release bonds and letters of credit and accept roads within the following:

**Glen Oak Section 3, Phase B**

The roadways to be accepted are as follows:

- An addition of 0.11 mile to **Township Road Number 1409, Primrose Avenue**
- An addition of 0.13 mile to **Township Road Number 1470, Daffodil Place**
- An addition of 0,91 nuke ti **Township Road Number 1471, Impatiens Way**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

**Cross Creek Section 3, Phase B**

The roadways to be accepted are as follows:

- An addition of 0.16 mile to **Township Road Number 756, Charoe Street**
- An addition of 0.06 mile to **Township Road Number 1328, Roe Drive**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

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

**RESOLUTION NO. 06-1262**

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**IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR GLEN OAK SECTION 3, PHASE B AND CROSS CREEK SECTION 3, PHASE B:**

It was moved by Mr. Evans, seconded by Mr. Jordan to establish stop conditions for the following:

**Stop Conditions –Glen Oak Section 3, Phase B**

- On Township Road Number 1470, Daffodil Place, at its intersection with Township Road Number 1409, Primrose Avenue
- On Township Road Number 1471, Impatiens Way, at its intersection with Township Road Number 1409, Primrose Avenue

**Stop Conditions –Cross Creek Section 3, Phase B**

- On Township Road Number 1328, Roe Drives, at its intersection with Township Road Number 756, Charoe Street

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

**RESOLUTION NO. 06-1263**

**IN THE MATTER OF ACCEPTING MAINTENANCE BOND FOR ALUM CROSSING:**

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

**Alum Crossing**

The roadway construction has been completed for the referenced subdivision and, as the results of The Engineer’s recent field review, he has determined that minor remedial work will be required during the 2007 construction season.

In accordance with the Subdivider’s Agreement, The Engineer recommends that the maintenance bond be set at **\$202,000** for the duration of the one year maintenance period. A Bond in that amount is already in place.

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

**RESOLUTION NO. 06-1264**

**IN THE MATTER OF APPROVING THE RELEASE OF THE MAINTENANCE BONDS FOR DIVISION 1 OF THE PARK AT GREIF BROTHERS #3868 (BROOKSHIRE BANQUET FACILITY); WEDGEWOOD OFFICE PARK AND LEFT TURN LANE IMPROVEMENTS AT OLENTANGY FALLS SUBDIVISION:**

It was moved by Mr. Evans, seconded by Mr. Jordan to release the maintenance bond for the Division 1 Of The Park At Greif Brothers #3868 (Brookshire Banquet Facility); Wedgewood Office Park And Left Turn Lane Improvements At Olentangy Falls Subdivision:

**Division 1 of the park at Greif Brothers #3868 (Brookshire Banquet Facility)**

As the improvements made for the above referenced project have been completed to the satisfaction of this office, The Engineer ask approval to return the Cash Bond being held as surety for the project to the developer, Equity, Inc., and that Equity. Inc. be released from their responsibility to this project.

**Wedgewood Office Park**

As the improvements made for the above referenced project have been completed to the satisfaction of this office, The Engineer ask approval to return the Letter of Credit being held as surety for the project to the developer, Memmer Equity, Inc., and that Memmer Equity be released from their responsibility to this project.

**Left Turn Lane Improvements at Olentangy Falls Subdivision**

As the improvements made for the above referenced project have been completed to the satisfaction of this office, The Engineer ask approval to return the Letter of Credit being held as surety for the project to the developer, Planned Communities, and that Planned Communities be released from their responsibility to this project.

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

**RESOLUTION NO. 06-1265**

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**IN THE MATTER OF APPROVING A MODIFICATION AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND BURGESS & NIPLE, INC FOR THE PROJECT KNOWN AS SAWMILL PARKWAY EXTENSION:**

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

**CONTRACT (Modification) # 2**

**MODIFICATION AGREEMENT** made and entered into this 2<sup>nd</sup> day of October, 2006, by and between the **DELAWARE COUNTY COMMISSIONERS**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and **BURGESS & NIPLE, INC**, hereinafter designated as **SECOND PARTY**.

THIS MODIFICATION AGREEMENT herein after modifies the original agreement by and between the **DELAWARE COUNTY COMMISSIONERS and BURGESS & NIPLE, INC**.

That said **FIRST AND SECOND PARTY**, hereby agree to increase the current contract amount of **\$3,209,786.00** (\$2,012,992 basic engineering services, plus \$909,920.00 in "if authorized" items based on a Engineering Services Proposal for the project known as SAWMILL PARKWAY EXTENSION dated August 16, 2005 plus Contract Modification #1 of \$286,874.00 for additional engineering work related as deemed necessary and agreed to by the Delaware County Engineer based on an Engineering Services proposal Sawmill Parkway Extension – Golf Village North to Hyatts Road, dated December 6, 2005), **by \$32,000.00 for Property Owner Access Management Coordination based the Engineering Services Proposal dated September 14, 2006.**

The revised contract amount is, therefore, increased to a **TOTAL** of **THREE MILLION TWO HUNDRED FORTY ONE THOUSAND SEVEN HUNDRED EIGHTY SIX DOLLARS AND ZERO CENTS, (\$3,241,786.00)** to be paid as specified in the terms of the original agreement.

Compensation is to be paid on a monthly basis as the estimated percentage of total work completed. Said estimated completion percentage shall be submitted by the Second Party and approved by the Delaware County Engineer.

**SAID SECOND PARTY** further agrees to perform the said work promptly, in a skillfully and competent manner in accordance with the normally accepted standards applicable to this work, and under the direction of the Delaware County Engineer. Work shall be deemed complete upon final acceptance of plans and documents by the Delaware County Engineer.

**THE SECOND PARTY** hereby agrees to hold **Delaware County** free and harmless from any and all claims for loss, damages, injury, liability, costs, expenses, judgments or decrees, resulting from any negligent acts or omissions of the **SECOND PARTY**, its employees, agents, subcontractors, and their employees and agents' subcontractors and their employees agents but only to the extent that the same is actually covered and paid under the foregoing policies of the insurance.

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

**RESOLUTION NO. 06-1266**

**IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH THE CITY OF DELAWARE FOR THE SANDUSKY STREET & BELLE AVENUE INTERSECTION IMPROVEMENTS PROJECT:**

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

"COOPERATION AGREEMENT"

Delaware City Council Resolution Number 06-61, dated September 25, 2006

Delaware County Resolution Number 06-1266 dated October 2, 2006

City of Delaware and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the Sandusky Street & Belle Avenue Intersection Improvements project.

City of Delaware will provide funds totaling 42% of the cost of the estimated project design and construction cost of the Sandusky Street & Belle Avenue Intersection Improvements project. Such funds will come from the General Reserve Fund.

Delaware County will provide matching funds of the City of Delaware's expenditure on the project, up to a maximum contribution of \$50,000, towards the Sandusky Street & Belle Avenue Intersection Improvements project.. Such funds will come from the Motor and Gas Fund.

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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 agrees to pay its share of project costs up to \$50,000 at a dollar-for-dollar match of the City of Delaware's contribution through the Delaware County Engineer's OPWC Grant Enhancement Program upon completion and acceptance of the project and the City's invoicing the County.

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

**RESOLUTION NO. 06-1267**

**IN THE MATTER OF ACCEPTING FROM THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS, THE AWARDING OF FISCAL YEAR 2006 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE SMALL CITIES FORMULA PROGRAM:**

It was moved by Mr. Jordan, seconded by Mr. Evans to accept the grant:

WHEREAS, the Ohio Department of Development has awarded \$150,000 in Fiscal Year 2006 Small Cities Community Development Block (CDBG) grant funds under the Formula Program to Delaware County; and

WHEREAS, funding to Delaware County through the FY06 CDBG Formula Program, is intended to assist communities within Delaware County with necessary and useful public programs, which are responsive to State and National program objectives and qualification criteria for this program.

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 accepts the FY06 CDBG Formula Grant Program for Delaware County as follows:

**FY 2006**

Community Name	Proposed Project	Total Project Cost	Proposed CDBG Formula Funding	Proposed RLF Funding	Proposed Other Funding	
Village of Ostrander	Flood & Drainage	\$ 28,200	\$ 5,000	\$ 20,000	\$3,200	Village to pay engineering design & inspection cost.
Village of Ostrander	Road Improvements	\$ 24,400	\$ 10,000	\$ 14,400	0	Village to pay engineering design & inspection cost.
Village of Ashley	Water & Sewer	\$ 25,000	\$ 10,000	\$ 15,000	0	Village to pay engineering design & inspection cost.
Village of Galena	Curbs/Sidewalks (ADA)	\$ 37,307	\$ 12,000	\$ 15,307	\$10,000	Village to pay from their General Fund
Sunbury	Road Improvements	\$1,225,000	\$100,000	\$ 250,000	\$875,000	CDBG Grant - \$450,000 Delaware Co. Development \$175,000 Village of Sunbury (Notes) \$250,000
Fair Housing	Countywide	\$ 5,800	\$ 5,800	0	0	
Administrative	General	\$ 7,200	\$ 7,200	0	0	
Totals		\$ 1,352,907	\$150,000	\$ 314,707	\$ 888,200	

Section 2. That this resolution shall take effect and be in force immediately after passage.

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

**RESOLUTION NO. 06-1268**

**IN THE MATTER OF AUTHORIZING THE ACCEPTANCE AND AWARDING OF THE BID AND APPROVING THE CONTRACT SUBMITTED BY THE SHELLY COMPANY FOR CDBG FY'05 PORTER TOWNSHIP (OLIVE GREEN) ROAD IMPROVEMENTS PROJECT:**

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

WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the

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Community Development Block Grant (CDBG) Formula Program to Delaware County; and

WHEREAS, funding, in the amount of \$20,300 has been provided to Delaware County through the FY'05 CDBG Formula Program, and use of the Delaware County Revolving Loan Fund (RLF) for funding has been approved up to \$20,000 by the Delaware County Board of Commissioners, and Porter Township has agreed to contribute an additional \$6,000 towards the project; and

WHEREAS, the project went out to bid and the engineer for Porter Township reviewed the bids received, and the bid submitted by The Shelly Company, in the of \$46,300 has been determined to be the lowest and best bid.

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 awards the bid to The Shelly Company to perform Porter Township Road Improvements as approved in the FY'05 CDBG Formula Grant.

Section 2. That the Delaware County Board of Commissioners agrees to funding the project up to \$20,300 from CDBG FY' 05 funds, utilizing the Delaware County RLF for funding up to \$20,000, and accepting the Porter Township contribution of \$6,000 towards the project.

Section 3. That this resolution shall take effect and be in force immediately after its passage.

**Agreement**

THIS AGREEMENT made this 2<sup>nd</sup> day of October 2006, by and between, The Shelly Company hereinafter called the "Contractor" and **Delaware County Commissioners**, hereinafter called the "Owner".

WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work.**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the Road Improvements in the project; namely **Porter Township Olive Green- Road Improvement**.

Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as followed.

The proposed work includes the (602) 2" 4 oz Asphalt, (6624) single chip seal, maintaining traffic, and (375) compacted aggregate.

**ARTICLE 2. The Contract Price.**

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum Forty-Six Thousand Three Hundred **(Dollars)** (\$46,300.00) subject to additions and deductions as provided in Section 109 hereof.

**ARTICLE 3. Contract.**

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. Instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Parts I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

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

**RESOLUTION NO. 06-1269**

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**IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR THE VILLAGES AT OLENTANGY CROSSINGS SECTIONS 1 AND 2:**

It was moved by Mr. Jordan, seconded by Mr. Evans to approve sanitary sewer plan for The Villages at Olentangy Crossings Sections 1 and 2 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. 06-1270**

**RESOLUTION FOR CANCELLATION OF LAND RENTAL CONTRACT WITH GEORGE THOMAS, DECEASED:**

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

WHEREAS;        The Board of County Commissioners Resolution 06-825 approved a land rental contract agreement with Mr. George Thomas, 5878 Hedley Road, Radnor, Ohio for the application of biosolids, and

WHEREAS;        Mr. George Thomas and his wife are now deceased, and

WHEREAS;        the remaining family has requested that the County not apply biosolids to their land and the contract be cancelled, and

WHEREAS;        the County Sanitary Engineer has determined that the subject grounds are in excess of amount of land needed to apply the inventory of biosolids produced.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO:

That the Board of County Commissioners of Delaware County, Ohio, does hereby approve cancellation of the land rental contract with Mr. George Thomas.

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

**RESOLUTION NO. 06-1271**

**SETTING BID OPENING DATE AND TIME FOR SANITARY SEWER INSPECTION SERVICES:**

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

SEALED BIDS for INSPECTION SERVICES will be received by the County of Delaware, Ohio at the Office of the Board of County Commissioners until **10:00 o'clock AM local time November 1, 2006**, and then at said Office publicly opened and read aloud.

The Bidder shall furnish Sanitary Sewer Inspection Services.

THE CONTRACT DOCUMENTS may be examined at the following locations:

Delaware County Sanitary Engineer  
50 Channing Street  
Delaware, Ohio 43015

Copies of the CONTRACT DOCUMENTS may be obtained at the Office of Delaware County Sanitary Engineer, free of charge.

The Board of County Commissioners reserves the right to reject any and all BIDS, and/or to award to the lowest and best BIDDER. Each BID must contain the full name of every person or company interested in the same.

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

**RESOLUTION NO. 06-1272**

**IN THE MATTER OF AMENDING RESOLUTION 06-1118 CHANGING THE BID OPENING DATE FOR BID PACKAGES: 02 LANDSCAPING, 03 GENERAL TRADES, 04 CASEWORK, 05 PAINTING, 06 WINDOWS & STOREFRONT, 07 FOOD SERVICE EQUIPMENT, 08 ELEVATORS, 09 PLUMBING, 10 HVAC, 11 FIRE PROTECTION, AND 12 ELECTRICAL 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 adopt the following Resolution:



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WHEREAS, the Delaware County Board of Commissioners approved Resolution 06-1118 establishing the bid opening date and time of 2:00 p.m. on October 3, 2006, for bid packages 02 Landscaping, 03 General Trades, 04 Casework, 05 Painting, 06 Windows & Storefront, 07 Food Service Equipment, 08 Elevators, 09 Plumbing, 10 HVAC, 11 Fire Protection, and 12 Electrical for the New Headquarters and Facility for the Delaware Council for Older Adults Facility.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners approve amending Resolution 06-118 establishing a new bid opening time and date to **2:00 p.m. October 11, 2006** for bid packages 02 Landscaping, 03 General Trades, 04 Casework, 05 Painting, 06 Windows & Storefront, 07 Food Service Equipment, 08 Elevators, 09 Plumbing, 10 HVAC, 11 Fire Protection, and 12 Electrical for the New Headquarters and Facility for the Delaware Council for Older Adults Facility.

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

**RESOLUTION NO. 06-1273**

**SETTING BID OPENING DATE AND TIME FOR PROFESSIONAL SECURITY SERVICES FOR DELAWARE COUNTY:**

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

**PUBLIC NOTICE  
INVITATION TO BID  
ITB #06-06 – SECURITY SERVICES**

Notice to bidders are posted on the internet and may be viewed on Delaware County's web page at <http://www.co.delaware.oh.us> under the heading Current Bids.

Sealed bids will be received by the Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 at **10:00 AM on Monday, October 23<sup>rd</sup>, 2006**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for professional security services for Delaware County.

Each bid must contain the full name of every person or company interested in same, and be accompanied by an acceptable bid bond or certified check in the amount of \$500 made payable to the Delaware County, Ohio. Bid specifications may be obtained from Delaware County Commissioners Office, 101 N. Sandusky St., or Delaware County Facilities Management Office, 1405 US 23 North, Delaware, Ohio during normal business hours.

The County reserves the right to reject any and all bids, in whole or in part, to waive any defect in any or all bids, to accept the bid or part it deems to be the lowest and best. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Security Services" No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

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

**RESOLUTION NO. 06-1274**

**7:30 PM - PUBLIC HEARING FOR CONSIDERATION OF A DITCH PETITION FILED BY REAL PROPERTY MANAGEMENT FOR THE HIGHLAND LAKES NORTH SECTION 3 SUBDIVISION:**

It was moved by Mr. Evans, seconded by Mr. Jordan to open the hearing at 7:30PM.

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

**RESOLUTION NO. 06-1275**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF A DITCH PETITION FILED BY REAL PROPERTY MANAGEMENT FOR THE HIGHLAND LAKES NORTH SECTION 3 SUBDIVISION:**

It was moved by Mr. Evans, seconded by Mr. Jordan to close the hearing at 7:45PM.

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

**RESOLUTION NO. 06-1276**

**IN THE MATTER OF DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH**

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 2, 2006

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**PREPARATION OF PLANS, REPORTS, AND SCHEDULES OF ASSESSMENTS FOR THE DITCH  
MAINTENANCE PETITION FILED BY REAL PROPERTY MANAGEMENT FOR THE HIGHLAND LAKES  
NORTH SECTION 3 SUBDIVISION:**

It was moved by Mr. Jordan, seconded by Mr. Evans to go forward with the project.

Whereas, on June 7, 2006, a Ditch Petition to the purposed Highland Lakes North Section 3 Subdivision Ditch Maintenance Project was filed with the Delaware County Commissioners, and

Whereas, the Board of Commissioners of Delaware County on October 2, 2006, held a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the purposed Highland Lakes North Section 3 Subdivision Ditch Maintenance Project, and

Whereas, after hearing testimony from property owners and the preliminary report of County Engineer, the Board of Commissioners find the action is necessary, conducive to the public welfare, and the benefits exceed the estimated cost.

Therefore, Be It Resolved, The Delaware County Commissioners directs the Delaware County Engineer to proceed with the preparation of plans, reports and schedules of assessments as presented for the purposed Highland Lakes North Section 3 Subdivision Ditch Project. Said information to be presented to the Commissioners at the end of this process.

Further be it Resolved, upon receipt of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

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

**ACS/APA (Adult Court Serves/ Adult Parole Authority) Facility Advisory Committee  
Report by Joe Coleman**

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