

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 8, 2007

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. 07-1228

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 1, 2007 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held October 1, 2007 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. 07-1229

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR105 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR105:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR105, memo transfers in batch numbers MTAPR105 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>			
World of Wonders Child Care	Day Care	22411610-5348	\$ 10,000.00
<b>Decrease</b>			
Delaware Area Career	Job and Family Services	22411603-5348	\$ 10,000.00
Kimberly Van Dyke	Day Care	22411610-5348	\$ 1,000.00
Learning Center Worthington	Day Care	22411610-5348	\$ 22,000.00
Patricia Jones	Day Care	22411610-5348	\$ 5,000.00
<b>Increases</b>			
Learning Center Inc.	Day Care	22411610-5348	\$ 22,000.00
United Methodist Children's	Residential Treatment	22511608-5342	\$ 10,000.00
Village Network	Residential Treatment	22511607-5342	\$ 60,000.00
Village Network	Residential Treatment	22511608-5342	\$ 22,000.00
Kids Academy	Day Care	22411610-5348	\$ 5,000.00
Bellefaire JCB	Day Care	22511608-5342	\$ 62,000.00
Misty McVay	Day Care	22511607-5350	\$ 4,000.00
Teresa Beach	Day Care	22511607-5350	\$ 3,000.00
Rachel & James Church	Day Care	22511607-5350	\$ 2,000.00
Franklin County Coroner	Autopsy	10030301-5342	\$ 15,000.00
Karen Bumpus	Day Care	22411610-5348	\$ 6,000.00
T& J Junior Academy	Day Care	22411610-5348	\$ 24,000.00
Janice Jodrey	Day Care	22411610-5348	\$ 5,000.00
Dispatch Printing Co.	Day Care	10011108-5312	\$ 6,000.00
<b>Vouchers</b>			
Todays Learning Child	Day Care	22411610-5348	\$ 14,267.71
Todays Learning Child	Day Care	22511607-5348	\$ 660.00
Village Network	Residential Treatment	22511607-5342	\$ 54,617.13
Village Network	Residential Treatment	22511608-5342	\$ 10,729.68
Pomegranate Health Systems	Residential Treatment	22511607-5342	\$ 15,435.00
Bridgeway Home Inc.	Residential Treatment	22511608-5342	\$ 7,750.00
Pomegranate Health Systems	Residential Treatment	22511608-5342	\$ 9,765.00
City of Delaware	2006 EMS Runs	10011303-5345	\$ 173,500.00
BP Products	Gasoline/Walker Woods	10011106-522822801	\$ 7,660.91
Pomegranate Health Systems	Residential Treatment	22511608-5342	\$ 8,190.00
Starr Commonwealth	Residential Treatment	22511607-5342	\$ 5,809.25
Starr Commonwealth	Residential Treatment	22511608-5342	\$ 7,203.47
House of New Hope Inc.	Residential Treatment	22511607-5342	\$ 6,702.82
Ameritas group Dental	Sept. Premiums for Oct.	75010903-5370	\$ 20,873.00
Franklin County Coroner	Autopsy	10030301-5342	\$ 10,144.00
Franklin County Coroner	Autopsy	10030301-5342	\$ 7,700.00

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Adventure Academy	Day Care	22411610-5348	\$	8,653.00		
Pitney Bowes	Postage	10011105-5331	\$	9,500.00		
Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye

RESOLUTION NO. 07 -1230

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Sheriff’s Office is requesting that Kelly Courtz, Erin Sivioro, Rodney James and Robert Hissong attend Corrections Training in Ashland County, October 29- November 21, 2007, at the cost of \$3,900.00.

The Administrative Services Department is requesting that Christine Shaw attend an Ohio County Archivists and Records Managers Association meeting in Elyria, Ohio October 19, 2007, at the cost of \$117.00.

The Auditor’s Office is requesting a \$25.00 increase to Si Kille’s travel request to the Bi-Tech National Users Meeting in Keystone, Colorado.

The Prosecutor’s Office is requesting that Dave Yost attend an Anti-Terrorism Advisory Committee Meeting at Deer Creek State Park October 16, 2007, at the cost of \$154.77.

Juvenile Court is requesting that Cecelia Monahan, Stacy Blair, Patty Cram, Lisa Risinger, Jayne Hawk, Vikki Harderick, Candy Nelson, Laurie Scholz, Howard Heston, David Andrews, Bobby Massie, Mary Cagnina, Bonnie Scheidt and Darlene Miller attend a Gang Training at Ohio Wesleyan October 19, 2007, at the cost of \$300.00.

The 911 Department is requesting that Michele Treadway, Cathy Jenkins and Cheryl Vangundy attend a Leadership Workshop in Westerville, Ohio October 17-18, 2007, at the cost of \$885.00.

The Department of Job and Family Services is requesting that Heather Allen and Sharon Lloyd attend a Gang Training at Ohio Wesleyan October 19, 2007, at the cost of \$50.00.

The Department of Job and Family Services is requesting that Debra Benjamin and Elizabeth Jones attend a CRISE Training in Columbus, Ohio October 25-26, 2007, at the cost of \$48.08.

The Department of Job and Family Services is requesting that Elizabeth Jones attend a Title IV Training in Columbus, Ohio October 9, 2007, at the cost of \$27.72.

The Department of Job and Family Services is requesting that Larry Hager attend a Northwoods Training in Dublin, Ohio November 5-9, 2007, at the cost of \$1,500.00.

Juvenile Court is requesting that Lisa Risinger, Stacy Blair, Ceclia Monahan and Vikki Hardrick attend an Ohio Juvenile Diversion Meeting in Dublin, Ohio November 16, 2007, at no cost.

Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Aye	Mr. Evans	Aye
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RESOLUTION NO. 07-1231

IN THE MATTER OF APPROVING A LIQUOR LICENSE TRANSFER OF STOCK REQUEST TO RTJ RESTAURANTS LLC DBA DONATOS PIZZA AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Orange Township Trustees that RTJ Restaurants LLC. DBA Donatos Pizza has requested a transfer of Stock for the D1 permit located at 1263 Cameron Ave, Orange Township, Lewis Center, Ohio 43035, and

Whereas, the Orange 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. Evans	Aye	Mr. Jordan	Aye	Mr. Ward	Aye
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RESOLUTION NO. 07-1232

IN THE MATTER OF ADOPTING RESOLUTION OF CONGRATULATIONS TO TODD HENDERLY UPON EARNING HIS EAGLE SCOUT AWARD:

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

WHEREAS, Todd Henderly has been a member of Boy Scout Troop # 428; and

WHEREAS, Todd Henderly has met all the requirements and been approved by the National Council of Boy Scouts to receive the Eagle Scout Award, and

WHEREAS, The Board of Commissioners of Delaware County wishes to express congratulations to Todd Henderly on earning the Eagle Scout Award.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby officially congratulates Todd Henderly on attaining Scouting’s highest rank - the Eagle Scout Award. Your diligence and hard work have earned you the distinction of being an Eagle Scout. You join company with a select group of individuals who are recognized as outstanding in all that Scouting represents.

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

RESOLUTION NO. 07-1233

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE COURT OF COMMON PLEAS:

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

Transfer of Appropriation			
From	To		
28229205-5260	28229205-5301		
Legal Research/Materials & Supplies	Legal Research/Professional Services	\$	15,000.00

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

RESOLUTION NO. 07-1234

IN THE MATTER OF APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND HEALTH PROFESSIONALS LTD FOR INMATE HEALTH SERVICES FOR THE DELAWARE COUNTY JAIL:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve a contract between the Delaware County Commissioners and Health Professionals Ltd For Inmate Health Services For The Delaware County Jail.

(A copy of the contract is available in the Commissioners’ Office until no longer of administrative value).

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

COURT HOUSE SECURITY DISCUSSION

RESOLUTION NO. 07-1235

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR JOB AND FAMILY SERVICES:

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

Transfer of Appropriation			
From	To		
22411601-5001	22411601-5348		
JFS Income Maintenance/Compensation	JFS Income Maintenance/Program Services	\$	12,000.00
22411601-5101	22411601-5348		
JFS Income Maintenance/Insurance	JFS Income Maintenance/Program Services	\$	19,000.00
22411601-5102	22411601-5348		
JFS Income Maintenance/Workers Comp	JFS Income Maintenance/Program Services		\$7,701.23
22411601-5120	22411601-5348		
JFS Income Maintenance/PERS	JFS Income Maintenance/Program Services	\$	2,000.00

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22411603-5001	22411601-5348					
JFS Workforce/Compensation	JFS Income Maintenance/Program Services	\$	12,000.00			
22411603-5101	22411601-5348					
JFS Workforce/Insurance	JFS Income Maintenance/Program Services	\$	9,000.00			
22411603-5102	22411601-5348					
JFS Workforce/Workers Comp	JFS Income Maintenance/Program Services	\$	1,220.46			
22411604-5001	22411601-5348					
JFS Child Protection/Compensation	JFS Income Maintenance/Program Services	\$	32,000.00			
22411604-5101	22411601-5348					
JFS Child Protection/Insurance	JFS Income Maintenance/Program Services	\$	36,000.00			
22411604-5102	22411601-5348					
JFS Child Protection/Workers Comp	JFS Income Maintenance /Program Services	\$	3,992.28			
22411604-5120	22411601-5348					
JFS Child Protection/PERS	JFS Income Maintenance/Program Services	\$	7,000.00			
22411605-5001	22411601-5348					
JFS Administration	JFS Income Maintenance/Program Services	\$	7,000.00			
22411606-5001	22411601-5348					
JFS Social Services/Compensation	JFS Income Maintenance/Program Services	\$	21,000.00			
22411606-5101	22411601-5348					
JFS Social Services/Insurance	JFS Income Maintenance/Program Services	\$	12,000.00			
22411606-5102	22411601-5348					
JFS Social Services/Workers Comp	JFS Income Maintenance/Program Services	\$	1,183.48			
22411606-5120	22411601-5348					
JFS Social Services/PERS	JFS Income Maintenance/Program Services	\$	3,000.00			
Vote on Motion	Mr. Evans	Aye	Mr. Jordan	Aye	Mr. Ward	Aye

RESOLUTION NO. 07-1236

IN THE MATTER OF AMENDING THE CHILD CARE SERVICES CONTRACTS BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES; THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS NICOLE OTTEN AND LEAH BLAKE:

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

Nicole Otten

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 2

This amendment, effective September 26, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Nicole Otten entered into on the 1st day of January 2007.

Article 4. Cost and Delivery of Purchased Services:

(A) Payment Rates: The total amount of services to be reimbursed under this contract is increased from \$15,000 to \$30,000.

Leah Blake

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 2

This amendment, effective September 26, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Leah Blake entered into on the 1st day of January 2007.

Article 4. Cost and Delivery of Purchased Services:

(A) Payment Rates: The total amount of services to be reimbursed under this contract is increased from \$25,000 to \$35,000.

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye
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RESOLUTION NO. 07-1237

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IN THE MATTER OF AMENDING THE ADMINISTRATIVE TRAINING CONTRACT BETWEEN THE  
DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES; THE DELAWARE COUNTY  
COMMISSIONERS AND ATRIUM PERSONNEL & CONSULTING SERVICES :

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

Atrium Personnel & Consulting Services

AMENDMENT TO CONTRACT  
For  
Purchased Professional Services  
AMENDMENT NO. 2

This Amendment, effective May 29, 2007, is to amend the Contract for Purchased Professional Services between the Delaware County Department of Job and Family Services, a department of the Delaware County Commissioners, and **Atrium Personnel & Consulting Services**, entered into on the 1<sup>st</sup> day of December, 2006.

- I. Article III. Payment of fees: Changes the amount reimbursable under the contract from \$20,000.00 to \$40,000.00.

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

RESOLUTION NO. 07-1238

IN THE MATTER OF SUBMITTING A PRE-APPLICATION FOR THE PUBLIC SAFETY  
INTEROPERABILITY COMMUNICATIONS GRANT:

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

WHEREAS, the Ohio Emergency Management Agency offers a competitive grant that will be awarded to interoperable communications projects, and;

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management requests to submit a pre-application for \$4,100,000 on behalf of the County, the City of Dublin, and the City of Worthington, and;

WHEREAS, this is a 20% match grant with the County planned portion of the match to be \$160,000, and;

WHEREAS, the grant would promote interoperable communications on a regional level and provide a potential backup for the county communications system;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approves the application for this grant.

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

RESOLUTION NO. 07-1239

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE CHILD SUPPORT  
ENFORCEMENT AGENCY:

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

Transfer of Appropriation	
From	To
23711630-5260	23711630-5450
CSEA/Inventoried Tools	CSEA/Machinery & Equipment
	\$ 8,575.00

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

RESOLUTION NO. 07-1240

IN THE MATTER OF ACCEPTING THE BID AND APPROVING THE CONTRACT WITH BEHELER  
EXCAVATING FOR CDBG FORMULA 2006 VILLAGE OF OSTRANDER ROAD IMPROVEMENTS:

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

WHEREAS, the Ohio Department of Development (ODOD) provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program to Delaware County; and

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WHEREAS, funding is available in the amount up to \$10,000 from CDBG FY 06 funds, Delaware County Revolving Loan Fund (RLF) in the amount up to \$14,400, and the Village of Ostrander received OPWC Grant for the remaining amount, and

WHEREAS, the project was bid out and bids were received September 14, 2007; and

WHEREAS, the Engineer for the Village, has reviewed the bid received, and has determined that the bid submitted by Beheler Excavating, in the amount of \$27,241.00 is 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. The approval of the included agreement between the Delaware County Commissioners and Beheler Excavating in an amount of \$27,241.00.

Section 2. The Village of Ostrander has agreed to pay any additional costs over the County amount of \$24,400.00

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

**CONTRACT**

THIS AGREEMENT made this 8<sup>th</sup> day of October 2007, by and between, Beheler Excavating, Inc. 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 Road Improvements.

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

The proposed work includes mobilization, traffic control, butt joints and 1 1/2" asphalt pavement.

**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 of up to Twenty-Seven Thousand Two Hundred Forty-One Dollars and 00/Cents (Dollars) \$27,241.00 base bid with alternates subject to additions and deductions as provided in Section 109 hereof.

1. Choose term most applicable: a corporation organized and existing under the laws of the State of Ohio; a partnership consisting of N/A; and individual trading as N/A.

2. Supply principal items of Contract such as electrical, concrete, signs, caution tape and other items needed.

**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.

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Article 4. Miscellaneous Terms & Conditions

- 4.1 Contractor agrees that no agency, employment, joint venture, or partnership has been or will be created between the parties hereto pursuant to the terms and conditions of this Contract. Contractor also agrees that, as an independent contractor, Contractor assumes all responsibility for any federal, state, municipal, or other tax liabilities alone with workers compensation, unemployment compensation, and insurance premiums which may accrue as a result of compensation received for services or deliverables rendered hereunder.
- 4.2 This Contract shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Contract shall be filed in and heard before the courts of Delaware County, Ohio.
- 4.3 No term or provision of this Contract shall be deemed waived, and no breach excused, unless such a waiver or consent is expressly made in writing and signed by the party claimed to have waived or consented. Such waiver shall not constitute and shall not in any way be interpreted as a waiver of any other term or provision or future breach unless said waiver expressly states an intention to waive another specific term or provision or future breach.
- 4.4 If any item, condition, portion, or section of this Contract or the application thereof to any person, premises, or circumstance shall to any extent, be held to be invalid or unenforceable, the remainder hereof and the application of such term, condition, provision, or section to persons, premises, or circumstances other than those as to whom it shall be held invalid or unenforceable shall not be affected thereby, and this Contract and all the terms, conditions, provisions, or sections hereof shall, in all other respects, continue to be effective and to be complied with to the fullest extent permissible under the law.
- 4.5 Contractor certifies that it has no outstanding findings for recovery pending or issues against it by the State of Ohio.
- 4.6 Ohio Revised Code Section 3517.13 I(3) and J(3) requires that no agency or department of this state or any political subdivision shall enter into any contract for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars with a corporation, individual, partnership or other unincorporated business, association, including, without limitation, a professional association organized under Chapter 1785 of the Revised Code, estate, or trust unless the contract includes a certification that the individuals named in Revised Code Sections 3517.13(I)(1) and (J)(1) are in compliance with the aforementioned provisions. The Contractor, therefore, is required to complete the attached certificate/affidavit entitled "Certification/Affidavit in Compliance With O.R.C. Section 3517.13." Failure to complete and submit the required aforementioned certificate/affidavit with the Contract will prohibit the County from entering, proceeding, and/or performing the Contract. Such certification is attached to this Contract and by this reference made a part of this Contract

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

RESOLUTION NO. 07-1241

IN THE MATTER OF APPROVING BID SPECIFICATIONS AND SETTING BID OPENING DATE AND TIME FOR DELAWARE COUNTY FORMULA 2006 VILLAGE OF OSTRANDER FLOOD AND DRAINAGE PROJECT:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve specifications and set bid opening date and time for **Monday, October 22, 2007, at 10:30 a.m.** This bid opening will be held at the Delaware County Commissioners' Office located at 101 N. Sandusky Street, Delaware, Ohio 43015.

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

RESOLUTION NO. 07-1242

IN THE MATTER OF APPROVING AN APPLICATION FOR THE POSITIVE ACTIVITIES FOR YOUTH MINI GRANT FOR JUVENILE COURT:

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

Positive Activities for Youth Mini-Grant. A summary of the grant is as follows:

1. Grant: Positive Activities for Youth  
Source: Delaware Morrow Mental Health and Recovery Services Board  
Grant Period: October 1, 2007 to September 30, 2008

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Grant:	\$3,500.00
Match:	\$ 0.00
Total Grant Amount:	\$3,500.00

This grant will pay for positive activities for court involved youth. Probation Officer Laurie Scholz is the Program Coordinator. No general fund dollars are required for a match.

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

**RESOLUTION NO. 07-1243**

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

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

Recommendation to promote Dan Boone to the position of Lieutenant at Medic 8; effective date October 10, 2007.

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

**RESOLUTION NO. 07-1244**

**IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR BID PACKAGE 2 – HVAC FOR TENANT IMPROVEMENTS: 2081 NORTH US HIGHWAY 23, DELAWARE, OHIO:**

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

WHEREAS,            Delaware County received bids on September 21, 2007. And;

WHEREAS,            Delaware County reserves the right to reject all bids, in whole or in part.

NOW THEREFORE BE IT RESOLVED,            that the board of Commissioners of Delaware County, State of Ohio, reject all bids received for bid package 2 – HVAC for Tenant Improvements: 2081 North US Highway 23, Delaware, Ohio.

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

**RESOLUTION NO. 07-1245**

**SETTING BID OPENING DATE AND TIME FOR RE-BID OF PACKAGE 2, HVAC, FOR TENANT IMPROVEMENTS TO 2081 NORTH US HIGHWAY 23 DELAWARE COUNTY, OHIO:**

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

**Bids to be Opened at:            Delaware County Commissioners  
101 North Sandusky Street  
Delaware, Ohio 43015  
Delaware County  
State of Ohio**

**for the following project:**

**RE-BID PACKAGE 2– HVAC  
TENANT IMPROVEMENTS  
2081 NORTH US HIGHWAY 23  
DELAWARE COUNTY, OHIO**

In accordance with the Drawing and specifications prepared by:

Gardner Architects  
5 E. Winter Street, Suite 300  
Delaware, Ohio 43015

W.E. Monks & Co. Engineers  
3073 North High Street  
Columbus, Ohio 43202-1180

**Sealed Bids with Unit Prices will be received for:**

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Description	Base Bid Estimate	Estimate of Alternates
Bid Package 2 HVAC	\$540,000	-\$50,000

Until 10:00 AM October 25, 2007.

Contract Documents may be obtained by requesting a set of complete drawings from  
Delaware County Facilities Management  
1405 US Rte 23 North  
Delaware, Ohio 43015  
740-833-2280

A Bid Guaranty must be submitted with each bid over \$10, 000

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

F.W. Dodge McGraw Hill  
1175 Dublin Road  
Columbus, Ohio 43215

Delaware County Board of Commissioners Office  
101 North Sandusky Street  
Delaware, Ohio 43015

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

RESOLUTION NO. 07-1246

IN THE MATTER OF APPROVING THE BIDS FOR BID PACKAGE 1 – GENERAL TRADES (2K GENERAL CO.); BID PACKAGE 3- PLUMBING (CRAWFORD MECHANICAL SERVICES); BID PACKAGE 4-ELECTRIC (ROYAL ELECTRIC CONSTRUCTION CORP); AND BID PACKAGE 5 – FIRE PROTECTION (TP MECHANICAL CONTRACTORS, INC.) FOR TENANT IMPROVEMENTS: 2081 NORTH US HIGHWAY 23, DELAWARE COUNTY, OHIO:

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

WHEREAS, Delaware County received bids for Tenant Improvements: 2081 North US Highway 23, Delaware County, Ohio on September 21, 2007. And;

WHEREAS, after carefully reviewing the bids received, the bids submitted in the following chart have been determined to be the lowest and best bids for Tenant Improvements: 2081 North US Highway 23, Delaware County, Ohio;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, approve and accept the bids submitted for Tenant Improvements: 2081 North US Highway 23, Delaware County, Ohio.

Description	Company Recommended	Amount of Contract Award
Bid Package 1 – General Trades	2K General Co.	\$887,150.00
Bid Package 3 –Plumbing	Crawford Mechanical Services	\$86,722.00
Bid Package 4 –Electric	Royal Electric Construction Corp.	\$331,700.00
Bid Package 5 –Fire Protection	TP Mechanical Contractors, Inc.	\$69,958.00

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

RESOLUTION NO. 07-1247

SETTING BID OPENING DATE AND TIME FOR SNOW REMOVAL SERVICES FOR VARIOUS DELAWARE COUNTY PROPERTIES:

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

PUBLIC NOTICE  
INVITATION TO BID  
ITB #07-04 SNOW REMOVAL 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.

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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 29, 2007**, at which time they will be publicly opened and read and the contract awarded as soon as possible, for Snow removal services for various County properties services for the 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 Snow Removal Services." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

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

RESOLUTION NO. 07-1248

**IN THE MATTER OF APPROVING CHANGE ORDERS #00013 TO #00016 FOR BID PACKAGE 12 - ELECTRICAL FOR THE NEW HEADQUARTERS AND FACILITIES FOR THE COUNCIL FOR OLDER ADULTS, DELAWARE COUNTY, OHIO:**

It was moved by Mr. Ward, seconded by Mr. Jordan to approve change orders #00013 to #00016 for Bid Package 12:

Royal Electric Construction Co.

Original Contract	\$	1,028,800.00
Amount previously approved	\$	308,746.46
Change Order #00013	\$	10,081.20
Change Order #00014	\$	2,646.46
Change Order #00015	\$	678.01
Change Order #00016	\$	<u>362.48</u>
<b>Revised Contract Amount</b>	<b>\$</b>	<b>1,351,314.61</b>

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

RESOLUTION NO. 07-1249

**IN THE MATTER OF APPROVING CHANGE ORDER #00019 & #00020 FOR BID PACKAGE 12 - ELECTRICAL FOR THE NEW HEADQUARTERS AND FACILITIES FOR THE COUNCIL FOR OLDER ADULTS, DELAWARE COUNTY, OHIO:**

It was moved by Mr. Jordan, seconded by Mr. Ward to approve change order #00019 & #00020 for Bid Package 12:

Royal Electric Construction Co.

Original Contract	\$	1,028,800.00
Amount previously approved	\$	325,062.94
Change Order #00019	\$	17,698.78
Change Order #00020	\$	<u>7,195.52</u>
<b>Revised Contract Amount</b>	<b>\$</b>	<b>1,378,757.24</b>

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

RESOLUTION NO. 07-1250

**IN THE MATTER OF APPROVING CHANGE ORDERS #00015 AND #00024 FOR BID PACKAGE 3 – GENERAL TRADES FOR THE NEW HEADQUARTERS AND FACILITIES FOR THE COUNCIL FOR OLDER ADULTS, DELAWARE COUNTY, OHIO:**

It was moved by Mr. Jordan, seconded by Mr. Ward to approve change orders #00015 and #00024 for Bid Package 3 – General Trades:

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ACI Construction Company, Inc.

Original Contract	\$	3,644,800.00
Amount previously approved	\$	31,749.00
Change Order 00015	\$	12,590.11
Change Order 00024	\$	20,089.68
<b>Revised Contract Amount</b>	<b>\$</b>	<b>3,697,897.82</b>

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

RESOLUTION NO. 07-1251

RESOLUTION ESTABLISHING DATE AND TIME FOR PUBLIC HEARING REGARDING THE  
ISSUANCE OF ONE OR MORE SERIES OF ADJUSTABLE RATE DEMAND HEALTHCARE  
FACILITIES REVENUE BONDS, SERIES 2007 (WILLOW BROOK CHRISTIAN VILLAGE AT  
DELAWARE RUN PROJECT) BY THE COUNTY OF DELAWARE, OHIO:

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

WHEREAS, the County of Franklin, Ohio, previously issued its Adjustable Rate Demand Health Care Facilities Revenue Bonds, Series 2005 (Willow Brook Christian Village at Delaware Run Project) in the original aggregate principal amount of \$10,790,000 (the “Prior Bonds”) and made the proceeds thereof available to Willow Brook Christian Village at Delaware Run, an Ohio nonprofit corporation (the “Corporation”), to finance the acquisition, construction, equipping and installation of certain “hospital facilities”, as that term is defined in Chapter 140 of the Ohio Revised Code (the “Act”), including without limitation, the acquisition, construction, installation and equipping of a portion of a retirement and health care community consisting of 87 independent living units, 52 twin-single homes, an assisted living center and a skilled nursing facility located in Delaware, Ohio (the “Prior Project”); and

WHEREAS, the Corporation plans to refund and retire the Prior Bonds and to acquire, construct, install and equip additional “hospital facilities”, as that term is defined in the Act, including without limitation, the construction, equipping and installation of the completion of the Prior Project, including 54 independent living apartments and 36 assisted living units (the “Project”); and

WHEREAS, the Corporation has requested the County of Delaware, Ohio (the “County”) to issue its health care facilities revenue bonds (the “Bonds”) in the approximate aggregate principal amount of not to exceed \$29,000,000 pursuant to the authority contained in the Act, for the purpose of (1) acquiring, constructing, installing and equipping certain “hospital facilities”, as defined in the Act, including without limitation, the Project; (2) refunding and retiring the Prior Bonds; and (3) paying certain costs and expenses incurred with respect to the issuance of the Bonds and the refunding and retirement of the Prior Bonds; and

WHEREAS, the Project, the issuance of the Bonds, and the refunding and retirement of the Prior Bonds will promote the public purpose set forth in Section 140.02, Ohio Revised Code, by better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby;

WHEREAS, the Corporation has requested that a public hearing be held by the County in order to comply with federal tax requirements;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Delaware County, Ohio:

SECTION 1. That a public hearing shall be held by the Board of County Commissioners of the County at its meeting on **Thursday November 1, 2007 at 9:45a.m.**, and the Corporation is hereby permitted to publish a notice of such public hearing in a newspaper of general circulation in the County.

SECTION 2. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board any of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

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

RESOLUTION NO. 07-1252

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS, SUPPLEMENTAL  
APPROPRIATIONS AND DECREASE APPROPRIATIONS:

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

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Transfer of Appropriation

From	To		
21511307-4720	21511307-4601		
Emergency Management/Other Reimbursements	Emergency Management/Interfund Revenue	\$	53,000.00
10011202-5361	10011202-5301		
Public Defender/Attorney Fees	Public Defender/Professional Services	\$	1,075,000.00

Supplemental Appropriations

23512102-4201	Delinquent Tax Prosecutor/Fees General	\$	48,000.00
24414102-4201	Delinquent Tax Treasurer/Fees General	\$	14,000.00
44211423-4802	US 23/Lewis Center/Bond Revenue	\$	10,000.00
40311428-4104	Delaware Run/Special Assessment	\$	12,000.00
40311428-4601	Delaware Run/Interfund Revenue	\$	39,745.65
40311429-4104	Wilson Rosso/Special Assessment	\$	400.00
40311429-4601	Wilson Rosso/Interfund Revenue	\$	6,176.46
40311427-4104	Zimmerman/Special Assessment	\$	8,900.00
40311427-4601	Zimmerman/Interfund Revenue	\$	20,351.49
40311426-4104	Sherwood/Special Assessment	\$	3,020.00
40311426-4601	Sherwood/Interfund Revenue	\$	48,045.86
10014101-5001	Treasurer/Compensation	\$	754.35
51011127-5728	BR Gwinner Ditch/Bond Expenses	\$	776.57
51211129-5728	BR Coomer Ditch/Bond Expenses	\$	2,426.84
51111128-5728	BR Kingston Ditch/Bond Expenses	\$	1,067.82
50611123-5728	BR Smith Ditch/Bond Expenses	\$	679.50
50711124-5728	BR Sackett Ditch/Bond Expenses	\$	116.49
50511122-5728	BR Primmer Ditch/Bond Expenses	\$	740.73
50811125-5728	BR Sawmill Parkway/Bond Expenses	\$	44,199.41
50911126-5728	BR Olentangy Crossing/Bond Expenses	\$	28,803.59
50411121-5728	BR US 23 Lewis Center Road/Bond Expenses	\$	47,737.45
21911401-5241	Ditch Maintenance/Material Supplies	\$	10,000.00
21911401-5328	Ditch Maintenance/Services Charges	\$	40,000.00
10020201-5313	Clerk of Courts/Printing Supplies	\$	2500.00

Decrease Appropriations

28831313-4414	Roads & Bridges/Municipal Court	\$	(60,000.00)
25622303-4231	Intensive Supervision/Charges Services	\$	(10,000.00)
40311411-4104	Drainage Improvement Primmer/Special Assessment	\$	(7,000.00)
40311410-4104	Drainage Improvement Gwinner/Special Assessment	\$	(6,000.00)
40311415-4104	Drainage Improvement Sackett/Special Assessment	\$	(1,500.00)
40311414-4104	Drainage Improvement Smith/Special Assessment	\$	(8,000.00)
50911126-5718	BR Olentangy Crossing TIF/Note Expenses	\$	(1,100.00)
50411121-5718	BR US 23 Lewis Center Road/Note Expenses	\$	(14,500.00)

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

RESOLUTION NO. 07-1253

IN THE MATTER OF APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND DESIGN GROUP FOR PROGRAMMING AND CONCEPTUAL DESIGN OF A NEW COUNTY COURTHOUSE FOR DELAWARE COUNTY, OHIO:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve a contract between the Delaware County Commissioners and Design Group for programming and conceptual design of new county courthouse for Delaware County, Ohio.

(A copy of the contract is available in the Commissioners’ Office until no longer of administrative value).

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

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RESOLUTION NO. 07-1254

IN THE MATTER OF THE COMMISSIONERS DISMISSING THE DEWITT, WHITNEY #520 AND THE WHITNEY #44 DITCH PETITION DUE TO THE COST EXCEEDING THE BENEFITS OF THE PETITION PROJECT:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve dismissing the Dewitt, Whitney #520 and the Whitney #44 ditch petition due to the cost exceeding the benefits of the petition project.

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

RESOLUTION NO. 07-1255

IN THE MATTER OF APPROVING THAT THE COSTS INCURRED BY THE COUNTY ENGINEER IN MAKING PRELIMINARY REPORTS FOR THE DEWITT, WHITNEY # 520 DITCH PETITION BE PAID FROM THE BOND OF THE PETITIONERS:

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

Whereas, pursuant to section 6131.09 of the Revised Code, the costs incurred by the engineer in making preliminary reports may be paid from the bond of the petitioners if the petition is dismissed at the first hearing, and any amount in excess of the bond shall be paid from county funds; and

Whereas, the Dewitt, Whitney # 520 ditch petition, petitioned for by Richard McCormick, et al., was dismissed by the Board of Commissioners at the first hearing.

THEREFORE BE IT RESOLVED, that any and all costs incurred by the engineer in making preliminary reports for the Dewitt, Whitney # 520 ditch petition, petitioned for by Richard McCormick, et al., shall be paid from the bond of the petitioners. Any amount in excess of said bond shall be paid from county funds.

FURTHER BE IT RESOLVED, that the Commissioners approve establishing a new organization key for the cost incurred during the Dewitt, Whitney # 520 ditch petition process 40311430.

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

RESOLUTION NO. 07-1256

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; FOR PENDING OR IMMINENT LITIGATION AND FOR LAND ACQUISITION:

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

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

RESOLUTION NO. 07-1257

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn out of Executive Session at 12:30PM.

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

RESOLUTION NO. 07-1258

IN THE MATTER OF APPROVING AN ADDENDUM, AMENDMENT BETWEEN KEVIN SAVAGE AND THE DELAWARE COUNTY BOARD OF COMMISSIONERS FOR RELEASE AND SETTLEMENT OF CLAIMS, NOT BACK WAGES:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve an addendum, amendment between Kevin Savage And The Delaware County Board Of Commissioners for release and settlement of claims , not back wages.

(A copy of the addendum is available in the Commissioners’ Office until no longer of administrative value).

Further Be It Resolved, that the Commissioners approve paying 50% of the \$87,500.00 claim out of insurance funds with the remaining amount being paid from the Sheriff’s budget.

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

There being no further business the meeting adjourned.

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

\_\_\_\_\_  
Kristopher W. Jordan

\_\_\_\_\_  
James D. Ward

\_\_\_\_\_  
Letha George, Clerk to the Commissioners