

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 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

JOEL POTTS, JOB AND FAMILY SERVICES DIRECTORS ASSOCIATION

RESOLUTION NO. 07-1258

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE  
PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 8, 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 8, 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. 07-1259

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW  
CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1010 AND  
MEMO TRANSFERS IN BATCH NUMBERS MTAPR1010:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1010, memo transfers in batch numbers MTAPR1010 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>			
Council for Older adults	Protective Services Grant	22411606-5348	\$ 12,000.00
<b>Decrease</b>			
Petroleum Traders	Gasoline	10011106-5228	\$ 27,000.00
Englefield	Gasoline	10011106-5228	\$ 15,000.00
<b>Increases</b>			
Atrium	Training	22411603-5348	\$ 4,000.00
Child Care Unlimited	Day Care	22411610-5348	\$ 13,000.00
BP Products	Gasoline	10011106-5228	\$ 40,000.00
Worthington Christian	Child Care	22411610-5348	\$ 2,000.00
Lapetite 909 Polaris	Child Care	22411610-5348	\$ 3,000.00
Life Pointe Christian	Child Care	22411610-5310	\$ 1,500.00
Lapetite Walnut	Child Care	22411610-5348	\$ 4,000.00
Flying Dozer Child Care	Child Care	22411610-5348	\$ 5,000.00
Child Care Unlimited	Child Care	22411610-5348	\$ 2,500.00
Delaware JVS	Child Care	22411610-5348	\$ 3,000.00
Lapetite Walnut	Child Care	22411610-5348	\$ 21,000.00
Life Point Christian	Child Care	22411610-5310	\$ 9,000.00
Certified Oil	WIA Service dollars	22511607-5355	\$ 4,000.00
Capital Office Supply	Supplies	22411605-5201	\$ 300.00
<b>Vouchers</b>			
Facilities	Postage	22411605-5331	\$ 6,259.75
Kindercare/Sawmill	Day Care	22411610-5348	\$ 5,448.08
Liberty Community Center	Day Care	22411610-5348	\$ 19,303.40
Todler Inn	Day Care	22411610-5348	\$ 11,138.34
CEBCO	Nov 2007 Premiums and Claims	60211902-5370	\$ 751,960.80
Limbach Company	HVAC CFOA	43111424-5410	\$ 92,295.02
Oberlanders tree and Landscape	Landscaping/CFOA	43111424-5410	\$ 79,609.62
Treasurer	Oberlanders/CFOA	43111424-5410	\$ 6,922.58
Treasurer	Limbaugh	43111424-5410	\$ 366.40
Treasurer	Otis/CFOA	43111424-5410	\$ 401.00
Synagro	Application of Biosolids	66290303-5301	\$ 38,762.38
Thomas & Company LPA	Special BWC Legal Services	75110902-5361	\$ 6,943.68
Thomas & Company LPA	Special BWC Legal Services	75110902-5361	\$ 6,067.22
T & J Junior Academy	Child Care	22411610-5348	\$ 7,524.00
Lapetite Academy Walnut	Child Care	22411610-5348	\$ 6,999.65

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Arleen Sunkle	Child Care	22411610-5348	\$	2,524.98
Noah’s Ark	Child Care	22411610-5348	\$	2,475.53
Noah’s Ark	Child Care	22411610-5348	\$	3,793.75
Yvette Bradley	Child Care	22411610-5348	\$	2,840.42
Liberty Community	Child Care	22411610-5348	\$	285.00
Lapetite	Child Care	22411610-5348	\$	1,593.21
Life Pointe	Child Care	22411610-5348	\$	2,304.11
Delaware Area Career	Child Care	22411610-5348	\$	781.00
Child Care Unlimited	Child Care	22411610-5348	\$	603.45
Worthington Christian	Child Care	22411610-5348	\$	628.45

Memo Transfer

To:	From:			
Job and Family	DATA	Client	\$	5,284.90
22411601-5355	72291901-4232	Transportation		

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

RESOLUTION NO. 07-1260

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR ADMINISTRATIVE SERVICES:

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

Supplemental Appropriation		
10011108-5361	Human Resources/Legal Council	\$ 20,000.00

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

RESOLUTION NO. 07-1261

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR KILLDEER MEADOWS SOUTH CONNECTOR:

It was moved by Mr. Jordan, seconded by Mr. Ward to accept the sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Killdeer Meadows South Connector	1,217 feet of 10-inch sewer	4 manholes
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Vote on Motion            Mr. Evans            Aye            Mr. Jordan            Aye            Mr. Ward            Aye

RESOLUTION NO. 07-1262

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR KELLAR TRACT AND TARGET-POWELL:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve sanitary sewer plans for Kellar Tract and Target-Powell for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 07-1263

IN THE MATTER OF CERTIFYING TO THE COUNTY AUDITOR SANITARY SEWER CAPACITY CHARGES:

It was moved by Mr. Jordan, seconded by Mr. Ward to certify the Sanitary Sewer Capacity Charges as follows:

4436 W Powell Rd. (Shamrock Golf Club)

In the amount of \$13,098.00 with \$4,924.85 finance charge (pro-rated over a 10 year period) making total of \$18,022.85 for placement on tax duplicate. Bi-annual payment being \$901.14.

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

RESOLUTION NO. 07-1264

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IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to hire William Southan as an Operator with Water Reclamation Services; effective date October 15, 2007.

Recommendation to hire Greg Blevinsas an Operator with Water Reclamation Services; effective October 22, 2007.

Accepting the resignation of Gary Wilhelm, Plans Examiner- Code Compliance; effective October 12, 2007

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

RESOLUTION NO. 07-1265

IN THE MATTER OF APPROVING TRANSFER OF FUNDS, TRANSFER OF APPROPRIATIONS, SUPPLEMENTAL APPROPRIATIONS AND DECREASE OF APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:

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

Supplemental Appropriation

67011914-5801	Sanitary Engineer Capital/Transfers	\$ 16,736,675.34
67011914-4202	Sanitary Engineer Administration/Fees	\$ 317,896.64
66611903-4621	URF OECC/SENG CAPACITY	\$ 7,752,569.88
66611904-4621	URF ACWRF/SENG CAPACITY	\$ 8,984,105.46
65111904-5801	Sanitary Engineer Administration/Transfers	\$ 695,273.56
66611902-4623	URF SANITARY ENGINEER/PLAN REVIEW	\$ 231,804.20
66611902-4624	URF SANITARY ENGINEER/INSPECTION	\$463,469.36
65211905-5801	REGIONAL 1A/Transfers	\$ 8,345,379.35
66611903-4622	URF OECC/SENG USER	\$3,867,920.71
66611904-4622	URF ACWRF/SENG USER	\$ 4,727,458.64
66011913-5801	San Eng Scioto Reserve/Transfers	\$ 369,283.02
66611903-4622	URF OECC/SENG USER	\$ 166,177.36
66611904-4622	URF ACWRF/SENG USER	\$ 203,105.66
66011913-5801	San Eng jScioto Reserve/Transfers	\$ 448,112.43
66611907-4622	URF SCIOTO RESERVE/SENG USER	\$ 267,030.20
66611906-4622	URF TARTAN FIELDS/SENG USER	\$ 107,591.80
66611910-4622	URF SCIOTO HILLS/SENG USER	\$ 57,223.96
66611908-4622	URF BENT TREE/SENG USER	\$ 10,665.08
66611909-4622	URF HOOVER WOODS	\$ 5,601.40
66011913-4101	San Eng Scioto Reserve/Taxes	\$ 1,965.96
67011921-4104	Sewer Equipment/Special Assessment	\$ 53,734.90
65411907-5801	San Eng Sunbury Galena/Transfers	\$ 95,192.24

66211906-5328	SRFTF MAINTENANCE/MAINT & REPAIR	\$ 6,000.00
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Transfer of Funds

From	To	
67011914-5801	66611904-4621	\$ 8,984,105.46
Sanitary Engineer Capital/Transfers	URF ACWRF/ SENG CAPACITY	
67011914-5801	66611903-4221	\$ 7,752,569.88
Sanitary Engineer Capital/Transfers	URF OECC/ SENG CAPACITY	
65111904-5801	66611902-4623	\$ 231,804.20
Sanitary Engineer Region 1A/Transfers	URF SANITARY ENGINEER/PLAN REVIEW	
65111904-5801	66611902-4624	\$ 463,469.36
Sanitary Engineer Region 1A/Transfers	URF SANITARY ENGINEER/INSPECTION	
65211905-5801	66611903-4622	\$ 3,867,920.71
Sanitary eng Regional 1A	URF OECC/SENG USER	
65211905-5801	66611904-4622	\$ 4,727,458.64
Sanitary Eng Region 1A/Transfers	URF ACWRF/SENG USER	
66011913-5801	66611903-4622	\$ 166,177.36
Sanitary Eng Scioto Reserve/Transfers	URF OECC/SENG USER	
66011913-5801	66611904-4622	\$ 203,105.66
Sanitary Eng Scioto Reserve/Transfers	URF ACWRF/SENG USER	
660119013-5801	66611907-4622	\$ 267,030.20

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Sanitary Eng Scioto Reserve/Transfers 66011913-5801	URF SCIOTO RESERVE/SENG USER 66611906-4622	\$ 107,591.79
Sanitary Eng Scioto Reserve/Transfers 66011913-5801	URF TARTAN FIELDS/SENG USER 66611910-4622	\$ 57,223.96
Sanitary Eng Scioto Reserve/Transfers 66011913-5801	URF SCIOTO HILLS/SENG USER 66611908-4622	\$ 10,665.08
Sanitary Eng Scioto Reserve/Transfers 66011913-5801	URF BENT TREE/SENG USER 66611909-4622	\$ 5,601.40
Sanitary Eng Scioto Reserve/Transfers 65411907-5801	URF HOOVER WOODS/SENG USER 66611903-4622	\$ 47,596.12
San Eng Sunbury Galena/Transfers 65411907-5801	URF OECC/SENG USER 66611904-4622	\$ 47,596.12
San Eng Sunbury Galena/Transfers	URF ACWRF/SENG USER	

**Decrease Appropriation**

65111904-4203	San Eng/Administration/Inspection Fees	\$ (585,511.25)
65111904-4301	San Eng/Administration/Licenses	\$ (430.00)
65111904-5001	San Eng/Administration/Compensation	\$ (194,594.51)
65111904-5101	San Eng/Administration/Benefits	\$ (75,867.69)
65111904-5201	San Eng/Administration/Supplies	\$ (7,232.90)
65111904-5301	San Eng/Administration/Services	\$ (166,961.91)
65111904-5410	San Eng/Administration/Capital	\$ (20,000.00)
65211905-4101	San Eng Regional 1A/Taxes	\$ (96,788.90)
65211905-4250	San Eng Regional 1A/Fees	\$ (6,052,584.24)
65211905-4720	San Eng Regional 1A/ Misc	\$ (11,781.66)
65211905-5001	San Eng Region 1A/Compensation	\$ (291,417.22)
65211905-5101	San Eng Region 1A/Benefits	\$ (159,047.70)
65211905-5201	San Eng Region 1A/Supplies	\$ (254,926.57)
65211905-5301	San Eng Region 1A/Services	\$ (1,003,669.19)
65211905-5410	San Eng Region 1A/Capital	\$ (16,234.00)
66011913-4250	San Eng Scioto Reserve/Fees	\$ (322,173.96)
66011913-5001	San Eng Scioto/Compensation	\$ (22,262.32)
66011913-5101	San Eng Scioto/Benefits	\$ (8,535.76)
66011913-5201	San Eng Scioto/Supplies	\$ (8,173.07)
66011913-5301	San Eng Scioto/Services	\$ (46,238.63)
66011913-5410	San Eng Scioto/Capital	\$ (10,000.00)
67011921-5301	Sewer Equip/Services	\$ (2,840.68)
66011908-4104	San Eng Scioto Hills/Tax	\$ (2,232.02)
66011908-4250	San Eng Scioto Hills/Sewer Charges	\$ (35,584.16)
66011908-5001	San Eng Scioto Hills/Compensation	\$ (505.71)
66011908-5101	San Eng Scioto Hills/Benefits	\$ (6,107.37)
66011908-5201	San Eng Scioto Hills/Supplies	\$ (1,870.07)
66011908-5301	San Eng Scioto Hills/Services	\$ (62,424.50)
66011910-4101	San Eng Hoover Woods/Tax	\$ (500.00)
66011910-4250	San Eng Hoover Woods/Sewer Charges	\$ (8,258.95)
66011910-4302	San Eng Hoover Woods/Permits	\$ (3,000.00)
66011910-5001	San Eng Hoover Woods/Compensation	\$ (436.48)
66011910-5101	San Eng Hoover Woods/Benefits	\$ (2,634.10)
66011910-5201	San Eng Hoover Woods/Supplies	\$ (2,212.32)
66011910-5301	San Eng Hoover Woods/Services	\$ (9,905.33)
66011911-4101	San Eng Bent Tree/Tax	\$ (1,638.58)
66011911-4250	San Eng Bent Tree/Sewer Charges	\$ (482.00)
66011911-5001	San Eng Bent Tree/Compensation	\$ (2,953.13)
66011911-5101	San Eng Bent Tree/Benefits	\$ (3,974.83)
66011911-5201	San Eng Bent Tree/Supplies	\$ (3,700.00)
66011911-5301	San Eng Bent Tree/Services	\$ (2,789.91)
66011912-4101	San Eng Tartan fields/Tax	\$ (104.86)
66011912-4250	San Eng Tartan Fields/Sewer Charge	\$ (78,840.62)
66011912-5001	San Eng Tartan Fields/Compensation	\$ (16,583.96)
66011912-5101	San Eng Tartan Fields/Benefits	\$ (7,069.32)
66011912-5201	San Eng Tartan Fields/Supplies	\$ (6,630.12)
66011912-5301	San Eng Tartan Fields/Services	\$ (30,895.73)
66011912-5410	San Eng Tartan Fields/Capital	\$ (20,000.00)

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65211919-5001	Alum Creek/Compensation	\$ (248,064.50)
65211919-5101	Alum Creek/Benefits	\$ (141,474.83)
65211919-5201	Alum Creek/Supplies	\$ (194,971.29)
65211919-5301	Alum Creek/Services	\$ (885,224.36)
65211919-5410	Alum Creek/Capital	\$ (25,000.00)

Transfer of Appropriation

From	To	
67011914-5801	67011914-5729	
San Eng Capital Funds/Transfers	San Eng Capital Funds/Bond Refunding Escrow	\$ 8,000,000.00

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

RESOLUTION NO. 07-1266

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Rhonda Griffith will use Leave-With-Out-Pay for the following pay periods 07010021, 07010022, 07010023, 07010024, 07010025, 07010026.

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

RESOLUTION NO. 07-1267

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR PERMANENT IMPROVEMENT:

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

Transfer of Appropriation

From	To	
40111402-5410	40111402-5234	
Permanent Improvements/Capital	Permanent Improvements/Building Supplies	\$4,000.00

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

RESOLUTION NO. 07-1268

IN THE MATTER OF APPLYING FOR AUTHORIZATION TO EMPLOY LEGAL COUNSEL TO ASSIST THE BOARD IN A MATTER OF PUBLIC BUSINESS COMING BEFORE THE BOARD:

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

WHEREAS, the Board of Commissioners (the “Board”) desires, in conjunction with the Prosecuting Attorney of the County, to retain the legal services of the Lawrence Law Office (the “Firm”), such legal services to be in the nature of legal advice, recommendations, preparation of recommended documents and proceedings, and legal opinions in connection with a number of pending real estate transactions as may be requested by this Board.

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

**Section 1.** The Board, in conjunction with the Prosecuting Attorney, hereby makes the following application to the Court of Common Pleas for authorization to employ the Firm to assist the Board in a matter of public business coming before the Board:

Now come the Delaware County, Ohio Prosecuting Attorney (the “Prosecutor”) and the Delaware County, Ohio Board of County Commissioners (the “Board”) (collectively the “Applicants”) and, pursuant to O.R.C. § 305.14(A), jointly move this Court to authorize the Board to employ the Lawrence Law Office (the “Firm”) as legal counsel to assist the Board. Such employment would be for the limited purpose of assisting the Board in the closing of two pending real estate transactions. The length of such employment would be until the transactions are concluded or until the Applicants jointly believe, for whatever reason, that such employment is no longer necessary, whichever is shorter. The Applicants and the Firm have agreed, in principle and subject to this Court’s approval, to a fee at the rate of \$150 per hour for attorney time and \$65 per hour for paralegal time. The Applicants believe such employment is necessary for the following reasons: (1) the transactions involve or concern issues that are complex and/or require a particular or specialized knowledge or expertise; and (2) time is of the essence in completing the transactions. Therefore, the Applicants respectfully request that this Court

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approve and authorize the Board to employ legal counsel to assist the Board.

**Section 2.** This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

**Section 3.** This Resolution shall be in full force and effect immediately upon its passage.

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

**The Commissioners discussed a letter they received from the Concord Township Trustees concerning the Concord/Scioto Waste Water Treatment Plant.**

(For a complete record refer to the Official CD minutes).

RESOLUTION NO. 07-1269

**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:**

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 10:55AM.

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

RESOLUTION NO. 07-1270

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by Mr. Ward, seconded by Mr. Jordan to adjourn out of Executive Session at 11:25AM.

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

There being no further business the meeting adjourned.

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

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Kristopher W. Jordan

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