

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 25, 2008

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. 08-204

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 21, 2008 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held February 21, 2008 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. 08-205

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0222 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0222:

It was moved by Mr. Ward, seconded by Mr. Evans to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0222, memo transfers in batch numbers MTAPR0222 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO's			
BP Products N. America Inc.	Gas & Diesel Fuel	10011106-5228	\$ 40,000.00
Bridgeway Home Inc.	Residential Treatment	22511607-5342	\$ 11,406.25
Berea Childrens Home & Family	Residential Treatment	22511607-5342	\$ 16,375.00
Bellefaire Childrens Bureau	Residential Treatment	22511607-5342	\$ 31,250.00
Beech Brook	Residential Treatment	22511607-5342	\$ 15,250.00
Adriel School Inc.	Residential Treatment	22511607-5342	\$ 8,750.00
Advantage Adoption & Foster Care	Residential Treatment	22511607-5342	\$ 18,750.00
Historic Downtown Powell, Inc.	Grant Powell Mainstreet	10011102-5601	\$ 10,000.00
Increases			
Jane & Kenneth Osborne	Child Care	22511607-5350	\$ 4,000.00
Dawnya Coleman	Child Care	22411610-5348	\$ 10,000.00
Kindercare Neverland	Child Care	22411610-5348	\$ 45,000.00
Vouchers			
Toddler Inn	Day Care	22411610-5348	\$ 8,471.52
The Learning Center of Sunbury	Day Care	22411610-5348	\$ 6,619.29
Del Union Educational Srvc. Cntr.	After School Demo	22411601-5348	\$ 5,767.14
The Village Network	Residential Treatment	22511607-5342	\$ 65,389.49
The Village Network	Residential Treatment	22511607-5342	\$ 5,965.95
Starr Commonwealth	Residential Treatment	22511607-5342	\$ 7,203.47
Pitney Bowes	Postage/Del Co. Offices	10011105-5331	\$ 20,000.00
Historic Downtown Powell, Inc.	Grant Powell Mainstreet	10011102-5601	\$ 10,000.00
Filter Technology Inc.	Furnace Filters for Co. Offices	10011105-5201	\$ 7,980.73
Filter Technology Inc.	Shipping	10011105-5331	\$ 158.92
Fire Safety Services	Personnel Protective Gear	21311322-5225	\$ 110,236.00
Memo Transfer Voucher			
From	To		
Del Co Commissioners	Board Developmental Disabilities	County Home	\$ 6,250.00
10011501-5350	29519000-4234	Closing	

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

RESOLUTION NO. 08 -206

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that La Shon Kilburn, David Andrews, Greg Bates, Wendal Horlocker, Lisa

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Risinger, Kathy Sturman and Lisa Lemaster attend the 24th annual Inter Court Conference at Deer Creek State Park March 6, 2008, at the cost of \$455.00.

Juvenile Court is requesting that Darlene Miller and Lisa Lemaster attend a Juvenile Sex Offender Training in Worthington, Ohio March 7, 2008, at no cost.

The EMS/911 Department is requesting that Yvette Hatten, Karla Jacobs, and Debbie Johnson attend a Management Skills for First Time Supervisors Seminar in Columbus, Ohio April 29, 2008, at the cost of \$402.00.

The Administrative Services Department is requesting that Dawn Huston attend a Seminar on Drug Abuse and Awareness in Delaware, Ohio March 12, 2008, at the cost of \$40.00.

The Veterans Services Department is requesting that Don Deshazo attend a National Association of County Veterans Service Officers Accreditation Course in Charleston, South Carolina June 15-21, 2008, at the cost of \$2,225.00.

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

RESOLUTION NO. 08-207

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND THE VARIOUS CHILD CARE PROVIDERS LISTED BELOW:

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

BASIC RATES

Full-time Week for Licensed Center and Type A Providers: 25 to 60 hours

Hourly: Paid after 60 hours

Part-time Week for Center and Type A Providers: 8 hours to 24.9 hours

Hourly Paid for .1 hour to 7.9 hours

Full-time Week for Certified Type B Home Providers: 25 hours to 50 hours

Hourly: Paid after 50 hours

Part-time Week for Home Providers: 8 hours to 24.9 hours

Hourly Paid for .1 hour to 7.9 hours

Child Care Provider		Full	Part Time	Hourly
Noah's Ark 36 Harrison Street Sunbury, Ohio 43074	Infant	\$180.00	\$ 157.15	\$ 8.76
	Toddler	\$180.00	\$ 132.80	\$ 8.15
	Preschool	\$159.44	\$ 102.58	\$ 5.84
	Kindergarten B&A	\$106.58	\$ 78.32	\$ 5.47
	Kindergarten B or A	\$ 80.00	\$ 78.32	\$ 5.47
	1 st thru 5 th B&A	\$ 85.00	\$ 78.32	\$ 5.47
	1 st thru 5 th Before	\$ 40.00	\$ 40.00	\$ 5.47
	1 st thru 5 th After	\$ 55.00	\$ 55.00	\$ 5.47
	Summer School	\$140.00	\$ 104.31	\$ 6.40
	Pre-K Only (MTW0	\$ 31.40	\$ 31.40	\$ 5.47
	Pre-K Only (ThF)	\$ 24.42	\$ 24.42	\$ 5.47
The Learning Center 149 Charring Cross Drive Westerville, Ohio 43081	Infant	\$213.90	\$ 157.15	\$ 8.76
	Toddler	\$187.40	\$ 132.80	\$ 8.15
	Preschool	\$159.44	\$ 102.58	\$ 5.84
	School age	\$106.58	\$ 78.32	\$ 5.47
	Summer School	\$153.80	\$ 104.31	\$ 6.40
JCC North 1985 Swansford Drive Dublin, Ohio 43061	Infant	\$224.60	\$ 165.01	\$ 9.20
	Toddler	\$196.77	\$ 139.44	\$ 8.56
	Preschool	\$167.41	\$ 107.71	\$ 6.13
	School age	\$111.91	\$ 82.24	\$ 5.74
Natural Learning Montessori 9321 Hillcrest Drive Shawnee Hills, Ohio 43065	Toddler	\$163.85	\$ 117.70	\$ 8.15
	Preschool	\$159.44	\$ 102.58	\$ 5.84
	School age	\$106.58	\$ 78.32	\$ 5.47

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LaPetite 74 74 Sawmill Pkwy. Powell, Ohio 43065	Infant	\$213.90	\$ 157.15	\$ 8.76
	Toddler	\$187.40	\$ 132.80	\$ 8.15
	Preschool	\$159.44	\$ 102.58	\$ 5.84
	School age	\$106.58	\$ 78.32	\$ 5.47
	Before School Only	\$ 87.00	\$ 78.32	\$ 5.47
	After School Only	\$ 90.00	\$ 78.32	\$ 5.47
	Before & After	\$ 98.00	\$ 78.32	\$ 5.47
	Summer School	\$153.80	\$ 104.31	\$ 6.40

Child Care Provider	Infants	Toddlers	Preschool	School
Kimberly Miller 2210 St. Rt. 3 Galena, Ohio 43021	\$147.34 Full	\$143.00 Full	\$132.58 Full	\$118.55 Full
	\$ 108.33 Part	\$ 110.72 Part	\$ 112.42 Part	\$ 89.61 Part
	\$ 5.17 Hourly	\$ 4.88 Hourly	\$ 5.77 Hourly	\$ 5.28 Hourly
	Summer Rate	\$130.73 Full	\$ 94.89 Part	\$ 6.08 Part time
Erin Coomes 109 Saddle Tree Ct. Delaware, Ohio 43015	\$147.34 Full	\$143.00 Full	\$132.58 Full	\$118.55 Full
	\$ 108.33 Part	\$ 110.72 Part	\$ 110.00 Part	\$ 89.61 Part
	\$ 5.17 Hourly	\$ 4.88 Hourly	\$ 5.00 Hourly	\$ 5.00 Hourly
	Summer Rate	\$130.73 Full	\$ 94.89 Part	\$ 6.00 Part time
Hollie Quick 200 Brindle Road Ostrander, Ohio 43061	\$147.00 Full	\$143.00 Full	\$132.00 Full	\$118.00 Full
	\$ 108.00 Part	\$ 110.00 Part	\$ 112.00 Part	\$ 89.00 Part
	\$ 5.00 Hourly	\$ 4.88 Hourly	\$ 5.00 Hourly	\$ 5.00 Hourly
	Summer Rate	\$130.00 Full	\$ 94.00 Part	\$ 5.00 Part time

(A Copy of each of these contacts is available in the Commissioners’ Office until no longer of Administrative Value).

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

RESOLUTION NO. 08-208

IN THE MATTER OF APPROVING THE DKMM COUNTY RECYCLING AND LITTER PREVENTION
OFFICE 2007 CONTRACT REPORT:

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

Report of DKMM District Funds Spent

REPORTING PERIOD: __January through December, 2007
CRLPO: _____Delaware County _____
DATE OF REPORT: __February 13, 2008_____
AMOUNT OF FUNDS RECEIVED: \$__38581.00_____
2006 CARRYOVER BALANCE \$__6796.40_____
TOTAL FUNDS AVAILABLE \$ __45377.40_____

EXPENDITURES:
 Salaries \$ _26,433.25_____
 Fringe Benefits \$ __10,961.87_____
 Travel \$ __543.84_____
 Contracts \$ _____
 Advertising \$ __693.91_____
 Equipment \$ _____
 Travel \$ _____
 Supplies \$ __5,994.14__Recycling containers, Program supplies
 Other (Explain) \$ __741.56__KAB Membership Fees
TOTAL EXPENDITURES \$ _45,368.57_____

FUND BALANCE \$ 8.83_____

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

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RESOLUTION NO. 08-209

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Michael Leavitt has resigned his Operator position with the Water Reclamation Department; effective date February 20, 2008.

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

RESOLUTION NO. 08-210

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR SORRENTO AT HIGHLAND LAKES:

It was moved by Mr. Ward, seconded by Mr. Evans to approve sanitary sewer plan for Sorrento At Highland Lakes for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 08-211

IN THE MATTER OF APPROVING THE SANITARY SUBDIVIDER’S AGREEMENT FOR LIBERTY CROSSING:

It was moved by Mr. Evans, seconded by Mr. Ward to accept the following Sanitary Subdivider’s Agreement:

Liberty Crossing

SUBDIVIDER'S AGREEMENT
DELAWARE COUNTY SANITARY ENGINEER

THIS AGREEMENT executed on this 25th day of February 2008, by and between THREE ROCKS AND A BOULDER LLC SUBDIVIDER, as evidenced by the LIBERTY CROSSING Subdivision Plat filed with the Delaware County Recorder, Delaware County, Ohio and the BOARD OF COUNTY COMMISSIONERS of Delaware County, Ohio is governed by the following considerations and conditions, to wit:

Said SUBDIVIDER is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this AGREEMENT; said SUBDIVIDER is to execute Bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction (\$173,124.13) which is acceptable to the COUNTY COMMISSIONERS to insure faithful performance of this AGREEMENT and the completion of all improvements in accordance with the Subdivision Regulations of Delaware County, Ohio. The SUBDIVIDER shall pay the entire cost and expense of said improvements. The bond, certified check, irrevocable letter of credit, or other approved financial warranty shall remain in effect until released by the COUNTY at the completion of construction.

The SUBDIVIDER shall indemnify and save harmless the County, Townships and/or Villages and all of their officials, employees and agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any action, or omissions of any contractor or sub-contractor or from any material, method or explosive used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one (1) year from the date of the approval of said SUBDIVIDER by the COUNTY COMMISSIONERS, but extension of time may be granted if approved by the COUNTY COMMISSIONERS.

The SUBDIVIDER shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading the plans and specifications and shall have authority to execute the plans and specifications and alterations required by the COUNTY. The representative shall be replaced by the SUBDIVIDER, when in the opinion of the COUNTY, his performance is deemed inadequate.

The SUBDIVIDER further agrees that any violations of or noncompliance with any of the provisions and stipulations of this AGREEMENT shall constitute a breach of contract, and the COUNTY shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the public improvements within this Subdivision.

SANITARY SEWER CONSTRUCTION

It is further agreed that upon execution of this AGREEMENT, the SUBDIVIDER shall deposit, with the DELAWARE COUNTY SANITARY ENGINEER the sum of \$20,800.00, estimated to be necessary to pay the cost of inspection by the DELAWARE COUNTY SANITARY ENGINEER. The DELAWARE COUNTY

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SANITARY ENGINEER shall subtract from the above sum an amount equal to three and one-half percent (3½%) of the construction cost of the IMPROVEMENTS for plan review. The DELAWARE COUNTY SANITARY ENGINEER shall in his sole discretion inspect, as necessary, the IMPROVEMENTS being installed or constructed by the SUBDIVIDER and shall keep accurate records of the time spent by his employees and agents in such inspections for which the SANITARY ENGINEER shall be reimbursed from charges against said deposit. At such time as said fund, as a result of charges against the same at the rate of:

INSPECTOR \$75.00
CAMERA TRUCK \$150.00

per hour for time spent by said SANITARY ENGINEER or his staff has been depleted, the SUBDIVIDER shall make an additional deposits to said fund. On completion of all IMPROVEMENTS provided herein and acceptance of same by the COUNTY, any unused portions of the inspection fund shall be repaid to the SUBDIVIDER less an amount equal to \$0.75 per foot of sewer which will be deducted to cover a re-inspection.

The SUBDIVIDER, for a period of five (5) years after acceptance of the IMPROVEMENTS by the COUNTY, shall be responsible for defective materials and/or workmanship. All warranties for equipment installed as a part of the IMPROVEMENTS shall be the same as new equipment warranties and shall be assigned to the COUNTY upon acceptance of the IMPROVEMENTS.

The SUBDIVIDER shall provide to the COUNTY all necessary easements or rights-of-way required to complete the IMPROVEMENTS, all of which shall be obtained at the expense of the SUBDIVIDER.

The COUNTY shall, upon certification in writing from the DELAWARE COUNTY SANITARY ENGINEER that all construction is complete according to the plans and specifications, by Resolution accept the IMPROVEMENTS described herein and accept and assume operations and maintenance of the same.

ALL CONSTRUCTION UNDER COUNTY JURISDICTION:

The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to DELAWARE COUNTY as required:

- (1) "as built" drawings on the IMPROVEMENTS which plans shall become the property of the COUNTY and shall remain in the office of the DELAWARE COUNTY SANITARY ENGINEER and DELAWARE COUNTY ENGINEER. The drawings shall be on reproducible MYLAR and 3.5" or 5.25" Diskettes in either Autocad DWG files or DXF files.
- (2) an itemized statement showing the cost of IMPROVEMENTS
- (3) a waiver of lien from all Contractors associated with the project that all material and labor costs have been paid. The SUBDIVIDER shall indemnify and hold harmless the COUNTY from expenses or claims for labor or materials incident to said construction of the IMPROVEMENTS.

The SUBDIVIDER shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to the DELAWARE COUNTY SANITARY ENGINEER a five (5) year maintenance Bond, or other approved financial warranties, equal to ten percent (10%) of the construction cost.

The SUBDIVIDER shall during the construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the COUNTY regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The SUBDIVIDER shall obtain all other necessary utility services incident to the construction of said IMPROVEMENTS AND FOR THEIR CONTINUED OPERATION. The SUBDIVIDER shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the SUBDIVIDER and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the COUNTY.

Should the SUBDIVIDER become unable to carry out the provisions of this AGREEMENT, the SUBDIVIDER'S heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions, and requirements of this AGREEMENT.

IN CONSIDERATION WHEREOF, the DELAWARE COUNTY BOARD OF COMMISSIONERS hereby grants the SUBDIVIDER or his agent the right and privilege to make the IMPROVEMENTS stipulated herein and as shown on the approved plans.

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

RESOLUTION NO. 08-212

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Alice Perry has resigned her position as a call-taker with the 911 Department; effective date February 12, 2008.

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

RESOLUTION NO. 08-213

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF

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

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 9:14AM.

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

RESOLUTION NO. 08-214

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans, seconded by Mr. Ward to adjourn out of Executive Session at 10:03AM.

Vote on Motion Mr. Evans Aye Mr. Jordan 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