

COMMISSIONERS JOURNAL NO. 51 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 9, 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,

Absent: James D. Ward

9:30 AM Reconvening The Hearing, Pursuant To R.C. 6131.44, On The Contract With Page
Excavating For The Improvements To The Basinger Ditch

PUBLIC COMMENT

RESOLUTION NO. 08-667

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 5, 2008 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held June 5, 2008 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 08-668

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0606:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0606, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO’s			
House of New Hope Inc.	Residential Treatment	22511607-5342	\$ 17,500.00
Maryhaven Inc.	Residential Treatment	22511607-5342	\$ 17,500.00
Starr Commonwealth	Residential Treatment	22511607-5342	\$ 85,000.00
Christian Children's Home	Residential Treatment	22511607-5342	\$ 12,500.00
Advantage Adoption Care	Residential Treatment	22511607-5342	\$ 17,500.00
Price Farms Organics Ltd.	Tip fee for Biosolids	66290403-5380	\$ 20,000.00
Increases			
Delaware Cab	Client Transportation	22411601-5355	\$ 25,000.00
Thrasher Dinsmore	Legal Services	10011102-5361	\$ 10,000.00
Public Defender	Attorneys	10011202-5301	\$ 250,000.00
Vouchers			
2 K General	General Trades/Willis	40411412-5410	\$ 120,558.64
Kokomo Academy	Residential treatment	22511607-5342	\$ 5,850.00
Starr Commonwealth	Residential treatment	22511607-5342	\$ 7,377.60
Adventure Academy	Day Care	22411610-5348	\$ 12,723.00
CEBCO	July Claims & EAP Charges	60211902-5370	\$ 799,374.24
AEP	Service Various Sanit Eng. Locations	66290407-5338	\$ 9,329.54
AEP	Service Various Sanit Eng. Locations	66290302-5338	\$ 77,063.10
Memo Transfer Vouchers			
From	To		
10011501-5350	29519000-4234	County Home	\$ 6,250.00
Commissioners	Board of Developmental Disabilities	Closing	

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

RESOLUTION NO. 08 -669

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that Faith Walzak attend a Foreclosure Mediation Roundtable in Columbus, Ohio June 6, 2008, June 6, 2008, at the cost of \$15.00.

Juvenile Court is requesting that David Andrews and Mary Cagnina attend an Adolescents with Co-Occurring

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Disorders Training in Columbus, Ohio June 19, 2008, at no cost

Juvenile Court is requesting that Renee Lovelien, Dodie Davenport, Candy Nelson, Mariyn Kinniard, Jackie Miley, Janette Haag, Judy Browning, Melanie Layton, Deidri Reichert, and Debbie Osborne attend the 2008 Juvenile Court Clerks Conference in Worthington, Ohio June 26, 2008, at no cost.

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

RESOLUTION NO. 08-670

IN THE MATTER OF APPROVING THE TREASURER’S REPORT:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve the Treasurer’s Report.

(Copy available for review at the Commissioner’s office until no longer of administrative value.)

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

RESOLUTION NO. 08-671

IN THE MATTER OF ADOPTING RESOLUTION OF CONGRATULATIONS TO JOHN MICHAEL ROSENBERG UPON EARNING HIS EAGLE SCOUT AWARD:

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

WHEREAS, John Michael Rosenberg has been a member of Boy Scout Troop # 843; and

WHEREAS, John Michael Rosenberg 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 John Michael Rosenberg on earning the Eagle Scout Award.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby officially congratulates John Michael Rosenberg 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 Absent

RESOLUTION NO. 08-672

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE SHERIFF’S OFFICE:

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

Transfer of Appropriations			
From	To		
10031303-5342	10031301-5450	\$	18,800.00
Sheriff Jail/Medical & Health	Sheriff Deputies/Machinery & Equip		

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

RESOLUTION NO. 08-673

IN THE MATTER OF APPROVING PLAT FOR GREEN MEADOWS INDUSTRIAL PARK PHASE 1:

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

Green Meadows Industrial Park Phase 1

Situated In The State Of Ohio, County Of Delaware, Township Of Orange, And In Farm Lot 5, Quarter Township 3, Township 3, Range 18, United States Military District, Containing 15.679 Acres, More Or Less, Said 15.679 Acres Being Part Of Lot 709 As The Same As Is Numbered And Delineated Upon The Subdivision Plat Entitled “Green Meadows Industrial Park Phase 1” And Shown Of Record In Plat Book 17, Page 55, Said Lot 709 Also Being Part Of That Tract Of Land Conveyed To 401 East Powell Road, Llc. By Deed Of Record In Official Record 442, Page 50, All References Being To Those Of Record In The Recorder’s Office, Delaware County, Ohio. Cost \$6.00.

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Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Absent
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RESOLUTION NO. 08-674

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR VINMAR FARMS SECTION 3, PHASE A AND VINMAR FARMS SECTION 3, PHASE B:

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

Vinmar Farms Section 3, Phase A

The roadways to be accepted are as follows:

- An addition of 0.09 mile to Township Road Number 1497, Marrisey Loop
- Mirliton Court, to be known as Township Road Number 1575

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

Vinmar Farms Section 3, Phase B

The roadways to be accepted are as follows:

- An addition of 0.08 mile to Township Road Number 1497, Marrisey Loop
- Seraphim Court, to be known as Township Road Number 1576

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	Absent
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RESOLUTION NO. 08-675

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR VINMAR FARMS SECTION 3, PHASE A AND VINMAR FARMS SECTION 3, PHASE B:

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

Stop Conditions –Vinmar Farms Section 3, Phase A

- On Township Road Number 1575, Mirliton Court, at its intersection with Township Road Number 1497, Marrisey Loop

Stop Conditions –Vinmar Farms Section 3, Phase B

- On Township Road Number 1576, Seraphim Court, at its intersection with Township Road Number 1497, Marrisey Loop

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Absent
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RESOLUTION NO. 08-676

IN THE MATTER OF APPROVING RIGHT OF WAY WORK PERMIT SUMMARY SHEET:

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

Permit #	Applicant	Location	Type of Work
U08-052	AEP	HYATTS ROAD	REBUILD EXISTING PRIMARY
U08-051	AEP	S. SECTION LINE RD	REBUILD EXISTING PRIMARY
U08-050	AEP	SAWMILL PARKWAY	EXTEND ELECTRIC LINE
U08-053	DEL-CO WATER	WORTHINGTON RD	INSTALL WATERLINE/ROAD BORE

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Absent
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RESOLUTION NO. 08-677

IN THE MATTER OF TRANSFERRING EXCESS PROPERTY TO THE DELAWARE COUNTY
PRESERVATION PARKS DISTRICT, DELAWARE COUNTY, STATE OF OHIO:

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

WHEREAS, Delaware County has personal property not needed for public use, or is obsolete or unfit for use which it was acquired; and

WHEREAS, Delaware County may transfer such property to any political subdivision of the state in accordance to the Ohio Revised Code, Section 307.12(D).

NOW THEREFORE BE IT by the Board of County Commissioners, Delaware County, State of Ohio, transfer the excess property consisting of two steel pony trusses removed from the Lane Road Bridge over South Fork of Culver Creek during the bridge replacement project, to the Delaware County Preservation Parks District, Delaware County, State of Ohio.

Vote on Motion	Mr. Ward	Absent	Mr. Jordan	Aye	Mr. Evans	Aye
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RESOLUTION NO. 08-678

IN THE MATTER OF APPROVING SPECIFICATIONS, ESTIMATE, PLAN AND SETTING BID OPENING
DATE AND TIME FOR THE PROJECT KNOWN AS WILSON ROAD OVER LITTLE WALNUT CREEK
BRIDGE REPLACEMENT:

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

Public Notice
Advertisement for Bids

Sealed bids will be received at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until **10:00 AM, Tuesday, July 1, 2008**, at which time they will be publicly opened and read aloud, for the project known as **DEL-TR 56-1.58 Wilson Road over Little Walnut Creek Bridge Replacement**, including replacement of a structurally deficient bridge and approximately 0.01 miles of roadway approach reconstruction.

The proposals must be made on the forms provided in the Contract Documents or a copy thereof and shall contain the full name and address of the bidder. All bids shall be sealed and plainly marked “Sealed Bid For Wilson Road over Little Walnut Bridge Replacement”. Bids shall be accompanied by a Bid Bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a one (1) year Maintenance/Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost, and may be submitted with the Bid Proposal.

Copies of the plans and specifications are on file at the **Delaware County Engineer’s Office, 50 Channing Street, Delaware, Ohio 43015**. Cost for each set of plans & specifications are \$20 and the cost is not-refundable.

The Owner requires that all work associated with the project be completed within one-hundred Twenty (120) calendar days of the estimated commencement of work date of July 21, 2008.

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4111 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. Bidders shall comply with all applicable provisions.

No bids shall be withdrawn for a period of sixty (60) days after the opening thereof. Awarding of the contract shall be to the Lowest and Best bidder as determined by the Delaware County Board of Commissioners in the best interest of the County. The Board reserves the right to reject any or all bids.

Delaware Gazette Advertisement Dates: June 13 and June 20, 2008

GENERAL INFORMATION

LOCATION

This project is located on Wilson Road (Township Road 56) just west of the intersection of Carter’s Corner Road (County Road 33) in Kingston Township, Delaware County. Project is approximately 10 miles east of Delaware, Ohio.

PROJECT SCOPE

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The Delaware County Engineer’s Office has prepared plans and specifications to replace the structurally deficient bridge and make improvements to the roadway approaches.

ESTIMATE

CONSTRUCTION SUBTOTAL	\$ 713,374.25
CONSTRUCTION CONTINGENCIES (10%)	\$ 71,337.43
TOTAL CONSTRUCTION CONTRACT ESTIMATE	\$ 785,000.00

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

RESOLUTION NO. 08-679

IN THE MATTER OF DECLARING PERSONAL PROPERTY OBSOLETE, UNFIT, OR NOT NEEDED FOR PUBLIC USE AND TRANSFERRING EXCESS PROPERTY TO THE BERLIN TOWNSHIP, DELAWARE COUNTY, STATE OF OHIO:

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

WHEREAS, Delaware County has personal property not needed for public use, or is obsolete or unfit for use which it was acquired; and

WHEREAS, Delaware County may transfer such property to any political subdivision of the state in accordance to the Ohio Revised Code, Section 307.12(D).

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Delaware County, State of Ohio, declare that the following excess property is not needed for public use and transfer it to Berlin Township, Delaware County, State of Ohio;

2003 Dodge Durango VIN number 1D4HS38NX3F501190.

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

RESOLUTION NO. 08-680

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Scott Murphy is entitled to merit wage increases during his military deployment and a promotional increase to Lieutenant Status.

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

RESOLUTION NO. 08-681

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Mark Hobler with the Environmental Services Department will be taking Leave-With-Out-Pay from 05/29/08 with 06/30/08 (160 Hours).

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

RESOLUTION NO. 08-682

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR A NETWORK SWITCH UPGRADE:

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

Supplemental Appropriation

24414102-5450	Delinquent Tax Treasurer/Machinery & Equipment	\$	10,000.00
24113102-5250	Recorder Equipment/Minor Tools	\$	2,000.00

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

RESOLUTION NO. 08-683

9:30AM RECONVENING THE HEARING, PURSUANT TO R.C. 6131.44, ON THE CONTRACT WITH PAGE EXCAVATING FOR THE IMPROVEMENTS TO THE BASINGER DITCH:

It was moved by Mr. Evans, seconded by Mr. Jordan to reconvene the hearing at 9:30AM.

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

RESOLUTION NO. 08-684

CLOSING THE HEARING, PURSUANT TO R.C. 6131.44, ON THE CONTRACT WITH PAGE EXCAVATING FOR THE IMPROVEMENTS TO THE BASINGER DITCH:

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

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

RESOLUTION NO. 08-685

IN THE MATTER OF A FINDING AND ORDER THAT PAGE EXCAVATING HAS FAILED TO COMPLETE THE CONTRACT FOR THE IMPROVEMENTS TO THE BASINGER DITCH WITHIN THE TIME MENTIONED IN THE CONTRACT:

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

WHEREAS, in Resolution No. 08-537, adopted on May 8, 2008, the Board of Commissioners of Delaware County, Ohio (the “Board”) gave notice, pursuant to section 6131.44 of the Revised Code, to Page Excavating (the “Contractor”), and its surety, of a hearing on the matter of the work on the improvements to the Basinger Ditch (the “Project”) not being completed within the time stated in the contract; and

WHEREAS, on May 22, 2008 and June 9, 2008, the Board conducted the hearing, accepting testimony on the issue of whether the Contractor has failed to complete the contract for the Project within the time mentioned in the contract;

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

Section 1. The Board hereby finds that the contractor has failed to complete the contract for the Project within the time mentioned in the contract. An order to that effect is and shall be entered on the Board’s Journal, effective immediately upon passage of this Resolution.

Section 2. The Board hereby directs the Clerk of the Board to cause a certified copy of this Resolution to be served upon the Contractor and its surety via certified mail.

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

RESOLUTION NO. 08-686

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:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 10:12AM.

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

RESOLUTION NO. 08-687

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans, seconded by Mr. Jordan to adjourn out of Executive Session at 10:34AM.

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

There being no further business the meeting adjourned.

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Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners