

COMMISSIONERS JOURNAL NO. 51 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD AUGUST 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. 08-1005

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD AUGUST 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 August 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. 08-1006

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0822 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0822:

It was moved by Mr. Evans, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0822, memo transfers in batch numbers MTAPR0822 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>			
<b>Decrease</b>			
Meijers	Job and Family Clothing	22411602-5215	\$ 15,000.00
<b>Increases</b>			
Kohls	Job and Family Clothing	22411602-5215	\$ 15,000.00
Flowline	Contract Service Water Rec.	66290302-5301	\$ 4,500.00
Village Network	Residential Treatment	22511607-5342	\$ 10,000.00
United Methodist Children's	Residential Treatment	22511607-5342	\$ 95,000.00
Todays Learning Child	Day Care	22411610-5348	\$ 60,000.00
Mental Health	Residential Treatment	22511607-5348	\$ 3,000.00
Delaware Cab	Client Transportation	22411601-5355	\$ 5,000.00
JFS Rent Deposit	Job and Family Program	22411603-5330	\$ 5,000.00
JFS Utilities	Job and Family Program	22511607-5348	\$ 2,000.00
Facilities	Postal Services	22411605-5331	\$ 15,000.00
Techskills	Workforce Dollars	22311611-5348	\$ 2,300.00
Roadmaster Drivers School	Workforce Dollars	22311611-5348	\$ 3,000.00
<b>Vouchers</b>			
Farm Plan	Fuel OECC Oper	66290302-5228	\$ 135.89
Farm Plan	Tartan Oper Fuel	66290602-5228	\$ 119.85
Farm Plan	Alum Creek Oper Fuel	66290402-5228	\$ 254.21
Farm Plan	Scioto Reserve Oper Fuel	66290702-5228	\$ 129.78
Farm Plan	Scioto Hills Oper Fuel	66291002-5228	\$ 119.85
Farm Plan	Hooverwoods Oper Fuel	66290902-5228	\$ 119.85
Farm Plan	Benttree Oper Fuel	66290802-5228	\$ 119.85
Farm Plan	County Home Oper Fuel	66290402-5228	\$ 119.85
Farm Plan	Tartan Biosolids Fuel	66290603-5228	\$ 142.76
Farm Plan	Scioto Reserve Biosolids Fuel	66290703-5228	\$ 213.75
Farm Plan	Alum Creek Biosolids Fuel	66290403-5228	\$ 3,420.82
Farm Plan	OECC Biosolids Fuel	66290303-5228	\$ 57.26
Farm Plan	Fuel Alum Creek Lab	66290404-5228	\$ 103.82
Farm Plan	Fuel OECC Lab	66290304-5228	\$ 193.14
Farm Plan	Fuel OECC Collections	66290305-5228	\$ 527.51
Farm Plan	Fuel Alum Creek Collections	66290405-5228	\$ 527.51
Farm Plan	Fuel Scioto Reserve Collections	66290705-5228	\$ 99.24
Farm Plan	Fuel Tartan Collections	66290605-5228	\$ 99.24
Farm Plan	Fuel Benttree Collections	66290805-5228	\$ 22.14
Farm Plan	Fuel Hooverwoods Collections	66290905-5228	\$ 22.14
Farm Plan	Fuel Scioto Hills Collections	66291005-5228	\$ 22.14
Farm Plan	Fuel OECC Maintenance	66290306-5228	\$ 425.22

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Farm Plan	Fuel Alum Creek Maintenance	66290406-5228	\$	425.22
Farm Plan	Fuel Scioto Reserve Maint.	66290706-5228	\$	80.16
Farm Plan	Fuel Tartan Maintenance	66290606-5228	\$	80.16
Farm Plan	Fuel Benttree Maintenance	66290806-5228	\$	17.56
Farm Plan	Fuel Hooverwoods Maint.	66290906-5228	\$	17.56
Farm Plan	Fuel Scioto Hills Maintenance	66291006-5228	\$	17.56
Ameritcon Inc.	Repair Clarifiers at OECC	66690302-5450	\$	78,687.00
AEP	Electric Various Locations	10011105-5338	\$	6,310.68
Pomegranate Health Systems	Residential Treatment	22511607-5342	\$	35,712.00

Memo Transfer

From	TO			
Job and Family	Facilities	Postage	\$	7,254.5
22411605-5331	10011105-5331			

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

RESOLUTION NO. 08 -1007

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 Lisa Risinger, LaShon Kilburny and Bonnie Scheidt attend a Crisis Intervention Team Training in Delaware, Ohio October 27-30, 2008, at no cost.

The EMS Department is requesting that Jeff Sparke and Joe Farmer attend a National EMS Expo in Las Vegas, Nevada October 13, 17, 2008, at no cost.

The Sheriff’s Office is requesting that Kevin BarBeam attend an Instructors Update Training in Summit County September 10-11, 2008, at the cost of \$70.00.

Juvenile Court is requesting that Lisa Lemaster attend a Taming the Wild Child Seminar at the Tri-Rivers Career Center September 9, 2008, at the cost of \$75.00.

Juvenile Court is requesting that Frank Darr attend a Legal Argumentation and Law Update Seminar in Columbus, Ohio September 24, 2008, at the cost of \$60.00.

Juvenile Court is requesting that Lisa Risinger, LaShon Kilburny and Cecelia Monahan attend a Taming the Wild Child Seminar at the Tri-Rivers Career Center September 9, 2008, at the cost of \$160.00.

The Child Support Enforcement Agency is requesting that Wendy Shannon, Matt Smith and Adeana Gray attend a Cash Medical Support Training in Columbus, Ohio August 27, 2008, at the cost of \$10.00.

The Environmental Services Department is requesting that Jack Smelker attend a Pump Station Operation Seminar in Dayton, Ohio September 10, 2008, at the cost of \$20.00.

The Environmental Services Department is requesting that Blake Jordan and David Finney attend a Pump Station Operation and Maintenance Seminar in Lancaster, Ohio September 9, 2008, at the cost of \$40.00.

Juvenile Court is requesting that Sue Katherman, Janette Haag and Sharon Rush attend an Ohio Association of Probate Clerks Conference in Columbus, Ohio September 15, 2008, at the cost of \$270.00.

The EMS Department is requesting that Joe Farmer participate in the Pediatric Education for Pre Hospital Provider Course for Coordinator Orientations in Delaware County at the cost of \$399.19.

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

RESOLUTION NO. 08-1008

IN THE MATTER OF CHANGING THE STARTING TIME FOR THE TUESDAY SEPTEMBER 2, 2008, COMMISSIONER’S SESSION TO 9:00AM:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the time change.

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

RESOLUTION NO. 08-1009

IN THE MATTER OF NAMING FINANCIAL NETWORK OF AMERICA, LTD. AS A DEFERRED

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COMPENSATION PROVIDER FOR DELAWARE COUNTY:

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

Whereas, The Delaware County Commissioners went out for proposals to award a third deferred compensation provider for Delaware County, and

Whereas, the Board of Commissioners’ have evaluated the proposals from Financial Network of America, Ltd and MetLife Resources

Now Therefore Be It Resolved, by the Board of Commissioners of Delaware County, Ohio that the Board of County Commissioners name Financial Network of America, LTD as a Deferred Compensation provider for Delaware County.

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

RESOLUTION NO. 08-1010

IN THE MATTER OF APPROVING THE RELEASE OF THE MAINTENANCE BONDS FOR KINSALE VILLAGE AND WEDGEWOOD OFFICE PARK –SAWMILL ROAD WIDENING IMPROVEMENTS:

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

Kinsale Village

In June, 2006, your Board entered into agreement with Kinsale Village LLC, the developer for the referenced project. As this project has been completed to the satisfaction of this office, The Engineer request approval to release Kinsale Village LLC from their responsibility to this project and to release the Letter of Credit being held as construction surety.

Wedgewood Office Park –Sawmill Road Widening Improvements

In July, 2007, your Board entered into agreement with Wedgewood Office Park LLC for the referenced project. As the project has been completed to the satisfaction of this office, The Engineer request your approval to release Wedgewood Office Park LLC from their responsibility to this project and to return their Letter of Credit being held as construction surety for the project.

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

RESOLUTION NO. 08-1011

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

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

Permit #	Applicant	Location	Type of Work
U08-083	COLUMBIA GAS	HOME RD	INSTALL GAS LINE
U08-082	COLUMBIA GAS	TUSSIC STREET RD	INSTALL GAS LINE
U08-080	COLUMBIA GAS	LIBERTY/HYATTS RD	INSTALL GAS LINE
U08-081	AEP	S. 3 B’S & K RD	REPLACE POLES
U08-079	DEL-CO WATER	HOME RD	RELOCATE WATER LINE
U08-078	EMBARQ	BLAYNEY RD	REPLACE CABLE

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

RESOLUTION NO. 08-1012

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH TROY TOWNSHIP AND DELAWARE COUNTY FOR THE KELLY MCMASTER CULVERT DEL-TR219-0.17 PROJECT FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

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“COOPERATION AGREEMENT”  
TROY TOWNSHIP & DELAWARE COUNTY  
KELLY MCMASTER CULVERT DEL-TR219-0.17 PROJECT

TROY TOWNSHIP RESOLUTION NUMBER 2008-4 ; DATE 4-21-08

DELAWARE COUNTY RESOLUTION NUMBER 08-1012 DATE 08/25/08

Troy Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the project known as THE KELLY MCMASTER CULVERT DEL-TR219-0.17 Project

Troy Township will provide funds totaling 13 % of the cost of the Project.. Such funds will come from the gas tax fund.

Delaware County through the County Engineer will provide matching funds totaling 13 %, not to exceed the amount of funds provided by Troy Township, of the cost of the project. Such funds will come from the Road and Bridge Fund. The County Engineer will also provide design engineering and construction management services at no cost to the Township.

Delaware County authorizes Troy Township to be the lead applicant and to sign all necessary documents.

Troy Township agrees to pay its percentage of project cost as construction invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its share (not to exceed \$50,000) of the cost upon receipt of construction contract invoices. The Delaware County Engineer’s OPWC Grant Enhancement Program is a dollar for dollar local match up to \$50, 000.

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

RESOLUTION NO. 08-1013

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH BROWN TOWNSHIP AND DELAWARE COUNTY FOR THE HARRIS ROAD (BRN087) PROJECT FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”  
BROWN TOWNSHIP & DELAWARE COUNTY  
HARRIS ROAD (BRN087) PROJECT

BROWN TOWNSHIP RESOLUTION NUMBER 2008-08-12 ; DATE 08-14-08

DELAWARE COUNTY RESOLUTION NUMBER 08-1013 DATE 08/25/08

Brown Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the project known as Harris Road (BRN087)

Brown Township will provide funds totaling 18.3 % of the cost of the Project.. Such funds will come from the Road and Bridge fund.

Delaware County through the County Engineer will provide matching funds totaling 18.3 %, not to exceed the amount of funds provided by Brown Township, of the cost of the project. Such funds will come from the Road and Bridge Fund. The County Engineer will also provide design engineering and construction management services at no cost to the Township.

Delaware County authorizes Brown Township to be the lead applicant and to sign all necessary documents.

Brown Township agrees to pay its percentage of project cost as construction invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its share (not to exceed \$50,000) of the cost upon receipt of construction contract invoices. The Delaware County Engineer’s OPWC Grant Enhancement Program is a dollar for dollar local match up to \$50, 000.

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

RESOLUTION NO. 08-1014

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IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH PORTER TOWNSHIP AND DELAWARE COUNTY FOR THE 09 PORTER TOWNSHIP ROAD IMPROVEMENT PROJECT FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”  
PORTER TOWNSHIP & DELAWARE COUNTY  
09 PORTER TOWNSHIP ROAD IMPROVEMENT PROJECT

PORTER TOWNSHIP RESOLUTION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_

DELAWARE COUNTY RESOLUTION NUMBER 08-1014 DATE 08/25/08

Porter Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the 08 Porter Township Road Improvement Project

Porter Township will provide funds totaling 13 % of the cost of the project name.. Such funds will come from the road and bridge fund.

Delaware County through the County Engineer will provide funds totaling 13 % of the cost of the project named. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Porter Township to be the lead applicant and to sign all necessary documents.

Porter Township agrees to pay its \$49,021 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$49,020 of the cost towards the construction and inspection services.

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

RESOLUTION NO. 08-1015

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH ORANGE TOWNSHIP AND DELAWARE COUNTY FOR THE VILLAGE OF LEWIS CENTER ROADS FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”  
ORANGE TOWNSHIP & DELAWARE COUNTY  
VILLAGE OF LEWIS CENTER ROADS

ORANGE TOWNSHIP RESOLUTION NUMBER \_\_\_\_\_ DATE \_\_\_\_\_

DELAWARE COUNTY RESOLUTION NUMBER 08-1015 DATE 08/25/08

Orange Township and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the project known as Village of Lewis Center Roads

Orange Township will provide funds totaling 13 % of the cost of the Project.. Such funds will come from the \_\_\_\_\_ fund.

Delaware County through the County Engineer will provide matching funds totaling 10 %, not to exceed the amount of funds provided by Orange Township, of the cost of the project. Such funds will come from the Road and Bridge Fund. The County Engineer will also provide design engineering and construction management services at no cost to the Township.

Delaware County authorizes Orange Township to be the lead applicant and to sign all necessary documents.

Orange Township agrees to pay its percentage of project cost as construction invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its share (not to exceed \$50,000) of the cost upon receipt of construction contract invoices. The Delaware County Engineer’s OPWC Grant Enhancement Program is a dollar for dollar local match up to \$50, 000.

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

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RESOLUTION NO. 08-1016

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH CITY OF DELAWARE AND DELAWARE COUNTY FOR THE US 36/37 “THE POINT INTERSECTION” PHASE 1 PROJECT FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”  
CITY OF DELAWARE & DELAWARE COUNTY  
US 36/37 “THE POINT INTERSECTION” PHASE 1

DELAWARE CITY RESOLUTION NUMBER 08-46 08/11/08 DATE

DELAWARE COUNTY RESOLUTION NUMBER 08-1016 DATE 08/25/08

Delaware City and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the improvements of the US 36/37 “THE POINT INTERSECTION” PHASE 1.

Delaware City will provide funds totaling 50.1 % of the cost of the improvements of the US 36/37 “THE POINT INTERSECTION” PHASE 1. Such funds will come from the General fund.

Delaware County through the County Engineer will provide funds totaling 5.9 % of the cost of the improvements of the US 36/37 “THE POINT INTERSECTION” PHASE 1. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Delaware City to be the lead applicant and to sign all necessary documents.

Delaware City agrees to pay its \$421,744.00 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$50,000.00 of the cost towards the construction.

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

RESOLUTION NO. 08-1017

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH CITY OF DELAWARE AND DELAWARE COUNTY FOR THE US 36 AND CHESHIRE/CHANNING STREET INTERSECTION PROJECT FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”  
CITY OF DELAWARE & DELAWARE COUNTY  
US 36 AND CHESHIRE/CHANNING STREET INTERSECTION

DELAWARE CITY RESOLUTION NUMBER 08-45 08/11/08 DATE

DELAWARE COUNTY RESOLUTION NUMBER 08-1017 DATE 08/25/08

Delaware City and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the improvements of the US 36 and Cheshire/Channing Street Intersection.

Delaware City will provide funds totaling 46.1 % of the cost of the improvements of the US 36 and Cheshire/Channing Street Intersection. Such funds will come from the General fund.

Delaware County through the County Engineer will provide funds totaling 9.9 % of the cost of the improvements of the US 36 and Cheshire/Channing Street Intersection. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Delaware City to be the lead applicant and to sign all necessary documents.

Delaware City agrees to pay its \$231,548.00 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$50,000.00 of the cost towards the construction.

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

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RESOLUTION NO. 08-1018

IN THE MATTER OF APPROVING THE PURCHASE OF LAND/IMPROVEMENTS BETWEEN COLUMBUS SOUTHERN POWER COMPANY, COLOMET, INC. AND THE BOARD OF DELAWARE COUNTY COMMISSIONERS:

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

Whereas the purchase of parcel 3-WD containing 8.746 acres and parcel 3-CH containing 0.139 acres from Columbus Southern Power company in the amount of \$486,646 is necessary for the Sawmill Parkway Improvements Project up to Hyatt’s Road;

Whereas the purchase of parcel 7-WD containing 0.359 acres from Colomet Inc. in the amount of \$6,707 is necessary for the Sawmill Parkway Improvements Project up to Hyatt’s Road;

Now be it resolved that the board of County Commissioners hereby authorizes the County Engineer to proceed with the purchase of parcel 3-WD, 3-CH and 7-WD.

(Copy of parcel exhibits available for review at the Engineer’s Office until no longer of administrative value.)

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

RESOLUTION NO. 08-1019

IN THE MATTER OF APPROVING THE UPDATED DITCH INSPECTION REPORT FOR 2008 AND ESTABLISHING PERCENTAGE OF MAINTENANCE ASSESSMENTS FOR 2009:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the updated 2008 Ditch Inspection Report and establish percentage of maintenance assessments for 2009, as follows:

Ditch Maintenance Inspection Report 2008  
2009 Ditch Maintenance Assessments Report

Available for your approval is the 2008 Ditch Maintenance Report and 2009 Ditch Maintenance Assessment percentages. Please note that a Resolution will need to be passed by your Board accepting these amounts.

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

INSPECTION REPORT SUMMARY 2009

Ditch Name	Project #	COUNTY	2009 % Collect
CANTERBURY SECTION 1 AND 2	0814	Delaware	2.00
CRYSTAL VALLEY PHASE 1 AND 2	0804	Delaware	2.00
HARVEST WIND A AND 2	0813	Delaware	2.00

JOINT COUNTY 2009 TAXES

<u>Ditch Name</u>	<u>Percentage</u>	<u>County</u>
Adams	5%	Delaware / Marion
Carter Joint County	0%	Delaware / Marion
Cook Joint County	50%	Delaware / Licking
Coomer 435 Main	3%	Delaware / Morrow
Coomer 435 Lateral A	2%	Delaware / Morrow
Darst Joint County	0%	Delaware / Marion
DeGood	20%	Delaware / Union
Pumphrey Joint County	7%	Delaware / Morrow
Tartan Field Jt. Co. 8,9,10, 11	2%	Delaware / Union

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TRI-COUNTY 2009 TAXES

Ditch Name	Percentage	County
Randall Howison Tri County	0%	Delaware / Marion / Union

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

RESOLUTION NO. 08-1020

IN THE MATTER OF ESTABLISHING A DRAINAGE MAINTENANCE ACCOUNT AND APPROVING THE PERMANENT DRAINAGE MAINTENANCE EASEMENT FOR THE JONES-TIMMS #516:

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

Establish Drainage Maintenance Account and Drainage Maintenance Easement as Follows:

RE: Jones-Timms#516 ID# 0806

The following information may be used to initiate the account.

Name: Jones-Timms #516  
Account: 0716  
Organization: 21911401  
Amount: \$ 8000.00

Easement Jones-Timms #516 Drainage Improvement

In United States Military District Section 1, Township 5, Range 20, Section 3, Township 6, Range 20 Radnor Township,, Delaware County, Ohio

Commencing At The Breather Near The South Right-Of-Way For Dildine Road On The Martin Marietta Property And Extending To Approximately 350’ West Of The Right-Of-Way For River Road Terminating At The Junction Of The Jones-Timms #516 Drainage Path And The Scioto River.

Point A:  
50 Feet Radius Around The Centerline Of The Breather  
Volumetric Flow Quantity Permitted To Enter The Subsurface Drain At This Point Shall Be Restricted To A Maximum Of 4.9 Cubic Feet Per Second.

Points A To B:  
25 Feet Right Of Subsurface Drain  
15 Feet Left Of Subsurface Drain

Point B:  
25 feet radius around the centerline of the manhole structure

Points B to C:  
25 feet right of subsurface drain  
15 feet left of subsurface

(A copy of the easement map is available in the Engineer’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, that the Commissioners will approve the final schedule of constructions assessments (copy available in the Engineer’s Office until no longer of administrative value) when the interest rate of the bond for the borrowing of the money is determined.

BE IT FURTHER RESOLVED, that the Commissioners Office will supply to the Auditor’s Office the final schedule of constructions assessments after the bond is issued and the interest rates are determined for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.

As this project came in under the estimate, some property owners who paid in advance are due a refund, in addition several property owners whose total cost is below the minimum \$10.00 requirement will be increased to meet that requirement.

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



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RESOLUTION NO. 08-1021

IN THE MATTER OF AMENDING THE CHILD CARE PROVIDER CONTRACTS BETWEEN THE  
DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY  
COMMISSIONERS AND CHILD CARE PROVIDER LIBERTY COMMUNITY CENTER:

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

Liberty Community Center

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 1

This amendment, effective September 1, 2008, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Liberty Community Center entered into on the 1<sup>st</sup> day of January, 2008

<u>CHANGE:</u>	From Full Time	To Full Time
Infant:	\$ 187.00	\$ 192.00
Toddler:	\$ 165.00	\$ 170.00
Pre-K:	\$ 150.00	\$ 155.00
Vote on Motion	Mr. Evans	Aye
	Mr. Jordan	Aye
	Mr. Ward	Aye

RESOLUTION NO. 08-1022

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

It was moved by Mr. Ward, seconded by Mr. Evans 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
Goddard School 8750 Olde Worthington Road Westerville, Ohio 43082	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
Child Care Provider	Infants	Toddlers	Preschool	School
Rebecca Hummell 204 Williams Street Fulton, Ohio 43321	\$116.26 Full	\$112.00 Full	\$110.62 Full	\$ 98.94 Full
	\$ 76.00 Part	\$ 75.40 Part	\$ 70.65 Part	\$ 64.51 Part
	\$ 2.99 Hourly	\$ 2.95 Hourly	\$ 2.82 Hourly	\$ 2.92 Hourly
	Summer Rate	\$102.17 Full	\$ 69.79 Part	\$ 2.92 Part time

(A copy of each of these contracts 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. 08-1023

IN THE MATTER OF AMENDING THE CHILD PLACEMENT SERVICES CONTRACT BETWEEN THE  
DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY  
COMMISSIONERS AND LUTHERAN HOME SERVICES:

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

Lutheran Home Services

AMENDMENT TO CONTRACT  
For  
Child Placement and Related Services

AMENDMENT NO. 1

This Amendment, effective August 7, 2008, is to amend the Contract for Child Placement and Related Services between the Delaware County Department of Job and Family Services, a department of the Delaware County Commissioners, and Lutheran Home Services (LHS) entered into on the 21st day of March, 2008.

- I. Article IV. Reimbursement for Placement Services: Changes the amount reimbursable under the contract from \$36,618.00 to \$37,479.00.

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

RESOLUTION NO. 08-1024

IN THE MATTER OF RANKING PROFESSIONAL DESIGN FIRMS FOR IMPROVEMENTS TO THE  
RUTHERFORD B HAYES SERVICES BUILDING FOR DELAWARE COUNTY:

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

Whereas, the Delaware County Board of Commissioners received a total of eight Statements of Qualifications from professional design firms for improvements to the Rutherford B. Hayes Services Building; and,

Whereas, a review committee short listed the top four firm they found to be the most qualified and conducted interviews with these firms; and,

Whereas, the Ohio Revised Code section 153.69 (A) requires the public authority to select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Delaware County hereby rank the following professional design firms for improvements to the Rutherford B. Hayes Services Building:

1. Gardner Architects
2. Feinknopf Macioce Schappa Architects
3. Schorr Architect
4. Mecham & Apel Architects

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

RESOLUTION NO. 08-1025

IN THE MATTER OF APPROVING THE SANITARY SUBDIVIDER’S AGREEMENT FOR CROSS CREEK  
SECTION 3 PHASE A:

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

Cross Creek Section 3 Phase A

SUBDIVIDER’S AGREEMENT  
DELAWARE COUNTY SANITARY ENGINEER

THIS AGREEMENT executed on this 25<sup>th</sup> day of August 2008, by and between HOMEWOOD CORPORATION, as evidenced by the CROSS CREEK SECTION 3 PHASE A Subdivision Plat filed with the Delaware County Recorder, Delaware County, Ohio and the BOARD OF COUNTY COMMISSIONERS of

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Delaware County, Ohio is governed by the following considerations and conditions, to wit:

The SUBDIVIDER shall upon executing this AGREEMENT pay to the DELAWARE COUNTY SANITARY ENGINEER \$26,550.00, representing the payment of fifty percent (50%) of the capacity charges then in effect for each single family residential connection, for 9 equivalent single family residential connections. The remaining capacity charge shall be fifty percent (50%) of the rate currently in effect at the time connection is made and shall be paid for each single family residential connection upon application to the DELAWARE COUNTY SANITARY ENGINEER for a tap permit to connect the single family residence to the sanitary sewer. Ownership of more than one (1) lot will not cause aggregation of the payments.

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 (\$36,700.00) 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 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 \$4,400.00, estimated to be necessary to pay the cost of plan review and inspection by the DELAWARE COUNTY SANITARY ENGINEER. The DELAWARE COUNTY 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 to a level of less than \$1,000.00, the SUBDIVIDER shall make an additional deposit of \$1,000.00 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, "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.

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The SUBDIVIDER shall within thirty (30) days of completion of construction, furnish to the COUNTY an itemized statement showing the cost of IMPROVEMENTS and an Affidavit 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. Jordan                      Aye                      Mr. Evans                      Aye                      Mr. Ward                      Aye

RESOLUTION NO. 08-1026

**IN THE MATTER OF APPROVING A REQUEST TO THE SOLID WASTE DISTRICT TO WAIVE THE \$5.50 PER TON DISTRICT FEE ON ALL SEWAGE SLUDGE GENERATED BY THE DELAWARE COUNTY REGIONAL SEWER DISTRICT THAT ARE DISPOSED OF AT A SANITARY SOLID WASTE LANDFILL FOR CALENDAR YEAR 2009:**

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

WHEREAS the Regional Sewer District currently relies on both agricultural fields and sanitary landfills to dispose of sewage sludge, and

WHEREAS the Delaware, Knox, Marion and Morrow Solid Waste District charges a \$5.50 per ton district fee on all solid waste generated from its member counties, and

WHEREAS the current district fee is applicable to sewage sludge, and

WHEREAS for the year 2008, the Delaware Knox, Morrow and Marion (DKMM) Solid Waste District has waived its portion of fee for Delaware County sewage sludge, and

WHEREAS this waiver has helped to reduce costs for County citizens and business.

THEREFORE BE IT RESOLVED that the Board of County Commissioners request the Solid Waste District to waive the \$5.50 per ton district fee on all sewage sludge generated by the Delaware County Regional Sewer District that are disposed of at a sanitary solid waste landfill for calendar year 2009.

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

RESOLUTION NO. 08-1027

**RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILE FOR THE USE OF THE COUNTY COMMISSIONERS; ANY COUNTY DEPARTMENT, BOARD, COMMISSION, OFFICE OR AGENCY; OR ANY ELECTED COUNTY OFFICIAL OR HIS OR HER EMPLOYEES:**

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

WHEREAS;            the Board of County Commissioners of Delaware County, Ohio are required by Ohio Revised Code §307.41, to find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees, and

WHEREAS;            the Board of County Commissioners of Delaware, County, Ohio has before it a request from the Division of Environmental Service to expend county monies for the purchase of two new vehicles (two 4-wheel drive, crew cab, compact, gasoline trucks); and

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WHEREAS; the Board of County Commissioners will through this resolution legally appropriated monies from the proper fund for the acquisition of vehicles

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

Section 1. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that a necessity exists to purchase two new trucks for use by the Regional Sewer District.

Section 2. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the number of motor vehicles required is for replacement of the current vehicles.

Section 3. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the make and model of such vehicles is two (2) Chevrolet, Colorado with 4 wheel drive at \$18,798.78 for a total of \$37,597.56.

Section 4. That the Board of County Commissioners of Delaware County, Ohio, does hereby declare that the purchase or lease of said vehicle(s) will be in conformity with the public bidding requirements of Ohio Revised Code §§307.86 through 307.92.

Section 5. The Board of County Commissioners does hereby approve the following supplemental appropriations:

66211907- 5450 for \$530.00 – Machinery and Equipment (Package Plant Vehicle)

66211908- 5450 for \$2,450.00 – Machinery and Equipment (Package Plant Vehicle)

66211909 -5450 for \$5,830.00 – Machinery and Equipment (Package Plant Vehicle)

66211903 -5450 for \$4,000.00 – Machinery and Equipment (Industrial/commercial sampling vehicle)

Section 6. The Board of County Commissioners does hereby approve a purchase order request for \$37,597.56 to Bob McDorman Chevrolet in Canal Winchester, Ohio for two (2) Chevrolet Colorado trucks with 4 wheel drive from the following Org Keys:

- 1. 66290302 - 5450 for \$9,399.39
- 2. 66290402 - 5450 for \$9,399.39
- 3. 66290702 - 5450 for \$10,527.32
- 4. 66290802 - 5450 for \$2,443.84
- 5. 66290902 - 5450 for \$5,827.62

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

RESOLUTION NO. 08-1028

IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2009 TAXES:

It was moved by Mr. Evans, seconded by Mr. Ward to certify to the County Auditor the delinquent accounts for placement on the tax duplicate. (Itemized listing available for review at the Commissioners Office until no longer of Administrative value).

Total dollar amount of the delinquent accounts to be assessed to 2009 taxes equals \$406,013.69

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

RESOLUTION NO. 08-1029

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

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

Transfer of Appropriation			
From	To		
21411306-5250	21411306-5325		
911/Minor Tools & Equip	911/Maintenance Contracts	\$	30,000.00

Supplemental Appropriation

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28129204-5450	Common Pleas Data Fund/Machinery & Equip	\$	7,500.00			
40111402-5450	Permanent Improvement/Machinery & Equip	\$	11,375.00			
Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye

RESOLUTION NO. 08-1030

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Benjamin Cole’s Summer Help Position with the Facilities Department has ended; August 18, 2008.

Ryan Aspinall’s Summer Help Position with the Facilities Department has ended; August 19, 2008.

Mitchell Madeker is resigning his Part-time Paramedic Position with the EMS Department; effective date August 19, 2008.

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

RESOLUTION NO. 08-1031

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 THE PURPOSE OF REVIEWING NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT AND FOR LAND ACQUISITION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 11:20AM.

Vote on Motion	Mr. Evans	Aye	Mr. Jordan	Aye	Mr. Ward	Aye
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RESOLUTION NO. 08-1032

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Evans to adjourn out of Executive Session at 12:50AM.

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye
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There being no further business the meeting adjourned.

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Glenn A. Evans

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Kristopher W. Jordan

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James D. Ward