

COMMISSIONERS JOURNAL NO. 51 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD DECEMBER 4, 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. 08-1439

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 1, 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 December 1, 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. 08-1440

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1203:

It was moved by Mr. Evans, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1203, 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>			
OHIO CAT	Changing Generator at OECC	66690302-5450	\$ 45,056.52
GE Fanuc Intelligent Platforms	Scada Software OECC	66690302-5450	\$ 10,867.00
Tyevco Inc.	DCHIP Home Repairs	23011702-5365	\$ 7,984.00
<b>Increases</b>			
Facilities	Fuel Sewer District	66290302-5228	\$ 21,385.47
Facilities	Fuel Sewer District	66290402-5228	\$ 4,518.47
Facilities	Fuel Sewer District	66290602-5228	\$ 155.82
Facilities	Fuel Sewer District	66290802-5228	\$ 77.90
Facilities	Fuel Sewer District	66290902-5228	\$ 77.90
Facilities	Fuel Sewer District	66291002-5228	\$ 77.90
AEP	Scioto Reserve	66290702-5338	\$ 8,300.00
Ohio Cat	Repair Voltage ACWRF	66290302-5335	\$ 532.00
<b>Add A line</b>			
Ohio Cat	Repair Voltage ACWRF	66290402-5328	\$ 3,875.70
<b>Vouchers</b>			
JWC Environmental	Repair Grinders/OECC	66290302-5450	\$ 21,350.32
Smith & Associates	Dechlorination /Benttree	66690801-5450	\$ 8,747.00
AEP	Services Pump Stations	66290902-5338	\$ 33,083.41
AEP	Services Pump Stations	66290407-5338	\$ 41,365.70
Polydyne	Polymer Alum Creek	66290402-5290	\$ 6,693.00
Squire, Sanders	Legal Services	21011113-5361	\$ 7,995.00
Postmaster	Property Tax Billing	10011105-5331	\$ 9,600.00
<b>Memo Transfer Vouchers</b>			
<b>From</b>	<b>To</b>		
Nuckles Ditch Construction 40311413-5301	Soil & Water 72190901-4231	Nuckles Engineering	\$ 6,043.99
Jones Timms Ditch Construction 40311422-5301	Soil & Water 72190901-4231	Jones Timms Engineering	\$ 11,608.36
Basinger Ditch Construction 40311419-5301	Soil & Water 72190901-4231	Basinger Ditch Engineering	\$ 13,337.56

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

RESOLUTION NO. 08-1441

IN THE MATTER OF DECLARING PUBLIC NECESSITY, APPROVING PLANS, SPECIFICATIONS AND ESTIMATES AND SETTING THE BID OPENING DATE AND TIME FOR THE PROJECT KNOWN AS BIG WALNUT AND SOUTH OLD 3C HIGHWAY DRAINAGE IMPROVEMENTS:

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

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Whereas the County Engineer has recommended that for the benefit of the public convenience and welfare that drainage improvements be made near the intersection of South Old 3C Highway (County Road 24) and Big Walnut Road (Township Road 109) in Genoa Township, and;

Whereas Genoa Township has provided Seventy-Five Thousand (\$75,000) dollars toward construction of such drainage improvements;

Whereas the County Engineer has developed plans, estimates, specifications, surveys and plats to improve drainage at said intersection, including construction of new culverts, sewers, and ditches, and;

Whereas the County Engineer has estimated the total construction cost for these improvements to be Ninety-Five Thousand Dollars (\$95,000).

NOW THEREFORE BE IT RESOLVED THAT:

Section 1: The Board has determined that for the public convenience and welfare the project known as Big Walnut and Old 3C Highway Drainage Improvements, Phase 1 be initiated and that said improvement shall proceed at the earliest possible date, and;

Section 2: The Board hereby approves the plans, estimates, specifications, surveys and plats as prepared by the County Engineer for said drainage improvements, and;

Section 3: Sealed bids will be received at the Office of the Delaware County Engineer, **50 Channing Street, Delaware, Ohio 43015, until 10:00 AM, December 23, 2008**, where they shall be publicly opened and read aloud, for the project known as **Big Walnut and Old 3C Highway Drainage Improvements, Phase 1**, including construction of storm sewers, ditches and culverts.

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 submitted in a sealed, opaque envelope of minimum 9-inch by 12-inch size, plainly marked "Sealed Bid For as Big Walnut and Old 3C Highway Drainage Improvements, Phase 1" and with Bidder's name clearly marked. 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 thirty (30) calendar days of the actual notice to proceed date, estimated to be May 4, 2009 with a completion date of June 3, 2009 based thereupon.

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.

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

RESOLUTION NO. 08-1442

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE  
INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE  
PROPERTY:

PROPERTY OWNER(S):                      PERRY ROAD, LLC

PROPERTY LOCATION:                      EAST AND WEST SIDES OF PERRY  
ROAD, NEAR ORANGE ROAD INTERSECTION, AND  
ON THE NORTH SIDE OF ORANGE ROAD, WITHIN  
LIBERTY TOWNSHIP  
DELAWARE, OHIO 43015

Permanent Parcel Numbers:                      319-411-01-007-000  
319-140-01-064-005

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PURPOSE OF APPROPRIATION:

CONSTRUCTION OF A HIGHWAY IMPROVEMENT PROJECT ON ORANGE ROAD  
INCLUDING CONSTRUCTION, RECONSTRUCTION, INSTALLATION, REPAIR,  
MAINTENANCE AND IMPROVEMENT OF ORANGE ROAD

IT WAS MOVED BY: MR. EVANS AND SECONDED BY: MR. WARD TO APPROVE THE FOLLOWING:

PREAMBLE

WHEREAS, the Board of Delaware County Commissioners (“Board”) deems it necessary to construct a highway improvement on Orange Road, including construction, reconstruction, installation, replacement, repair, maintenance and improvement of Orange Road in Delaware County, Ohio (“Improvement”); and,

WHEREAS, the Board has determined the necessity for such Improvement and the necessity that such Improvement be made; and,

WHEREAS, the Board has determined that additional land is necessary for such Improvement.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, by the Board of Delaware County Commissioners (the "Board"):

SECTION 1:

That it is deemed necessary and it is hereby declared to be the intention of the Board to appropriate right-of-way in fee simple (Parcel 8 WD1 and Parcel WD2) and a temporary easement (Parcel 8 T) on, across, above, and or under certain real estate owned by Perry Road, LLC described in Exhibit “A” attached hereto, and by this reference incorporated herein, for construction of a highway improvement on Orange Road including construction, reconstruction, installation, replacement, repair, maintenance, and improvement of Orange Road in Liberty Township, Delaware County, Ohio.

SECTION 2:

That the legal description of said right-of-way in fee simple (Parcel 8 WD1 and Parcel WD2) and a temporary easement (Parcel 8 T) and right-of-way plans showing the map of the parcel are attached hereto as Exhibit “B” and by this reference incorporated herein; and,

SECTION 3:

That the Board directs the County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board; and,

SECTION 4:

This Resolution shall take effect and be in force immediately upon passage.

(COPIES OF EXHIBITS “A” AND “B” ARE AVAILABLE IN THE DELAWARE COUNTY ENGINEER’S DEPARTMENT.)

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

RESOLUTION NO. 08-1443

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE RECORDER’S OFFICE:

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

Supplemental Appropriation						
24113102-5301	Recorder Equipment Fund/Professional Services	\$	117,000.00			

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

RESOLUTION NO. 08-1444

IN THE MATTER OF APPROVING AN ADDENDUM TO THE AGREEMENT BETWEEN ACS ENTERPRISE SOLUTIONS INC. AND DELAWARE COUNTY FOR THE DELAWARE COUNTY RECORDER’S OFFICE:

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

ADDENDUM

This Contract Addendum (Addendum) made by and between ACS Enterprise Solutions, Inc., a New York Corporation, DBA ACS Government Records Management, P.O. Box 4889, Syracuse, New York 13221, (hereinafter referred to as "Contractor" or "ACS") and Delaware County, OH, (hereinafter referred to as "County"), referred to individually as "Party" and collectively the "Parties", with reference to the following:

WHEREAS, Contractor and County entered into a Contract Addendum/Extension which began January ,1 2007 which will expire December 31, 2009 (hereinafter referred to as "Contract") and;

WHEREAS, pursuant to the Contract, any alteration of the Contract shall be valid only when reduced to writing, duly acknowledged by the Parties hereto by execution of an Addendum to be attached and made part of the Contract. Unless otherwise stated herein, this Addendum shall have the same expiration date as the Contract mentioned above and;

WHEREAS, Contractor and the County mutually desire to modify the Contract to reflect the terms and conditions set forth herein;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants made herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, Contractor and County mutually agree to the following terms and conditions:

- 1. Contractor agrees to perform linking and loading of images produced by a Third party.
- 2. The Parties agree that the cost to the County for services will be as follows:

Description	Scope of Work	Estimated Quantity	Cost	Estimated total
Initial Load	Initial load and storage of Index data and Images	250,000	\$0.08 per image/page	\$20,000
Subsequent re-loads	Any subsequent reloads due to mistakes or corrections by third party Vendor	TBD	\$0.04 per image/page	TBD

- 3. Pricing for the services and/or equipment cited in this Addendum may be subject to applicable legally mandated local or state taxes.
- 4. All other terms of the Contract between the Parties shall remain in full force and effect unless specifically modified herein.

ENTIRE ADDENDUM: This Addendum and any attachments referenced herein constitute the final, complete, and exclusive understanding of the Parties relative to those consulting services specifically contemplated herein or in any attachments hereto, and supersedes all prior representations, proposals , discussions and communications, whether oral or in writing (unless otherwise specifically incorporated into a particular attachment hereto). This Addendum may be modified only in writing and in accordance with State Laws and shall be enforceable in accordance with its terms when signed by both Parties hereto.

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

RESOLUTION NO. 08-1445

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Kevin Ahman has resigned his position as a Part-Time Paramedic with the EMS Department; effective date November 5, 2008.

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

RESOLUTION NO. 08-1446

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Paula McConaghy is resigning her position with the Child Support Enforcement Agency; effective date November 18, 2008.

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

RESOLUTION NO. 08-1447

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR JUVENILE COURT:

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

Transfer of Appropriation			
From	To		
10026319-5215	10026319-5309		
School Liaison/Program Supplies	School Liaison/Mileage Reimbursement	\$	500.00

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

RESOLUTION NO. 08-1448

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE BOARD OF ELECTIONS:

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

Supplemental Appropriations			
10016101-5001	Board of Elections/Compensation	\$	26,000.00
10016101-5102	Board of Elections/Workers Comp	\$	520.00
10016101-5120	Board of Elections/PERS	\$	3,640.00
10016101-5131	Board of Elections/Medicare	\$	377.00

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

RESOLUTION NO. 08-1449

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

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

Appropriation Transfers			
From	To		
22311611-5801	22311611-5348		
Workforce Investment Act/Transfers	Workforce Investment /Program Professional Services	\$	60,000.00
22411606-5348	22411606-5215		
JFS Social Services/Client Services	JFS Income Maintenance/Program Supplies	\$	700.00
22511607-5801	22511607-5215		
Children Services/Transfers	Children Services/Program Supplies	\$	2,000.00

Supplemental Appropriation			
22811609-5301			
Children's Trust Fund/Contracted Professional Services		\$	17,795.00

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

RESOLUTION NO. 08-1450

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR COMMISSIONERS GENERAL:

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

Supplemental Appropriations			
10011102-5301	Commissioners General/Professional Services	\$	89,000.00

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

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RESOLUTION NO. 08-1451

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 10:00AM.

Vote on Motion	Mr. Jordan	Aye	Mr. Evans	Aye	Mr. Ward	Aye
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RESOLUTION NO. 08-1452

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 10:50AM.

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

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Letha George, Clerk to the Commissioners