

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 2, 2009**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present: Todd Hanks, Ken O'Brien, Tommy Thompson

7:00 PM Joint Delaware County /Delaware City Session

RESOLUTION NO. 09-106

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 29, 2009:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on January 29, 2009; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

PUBLIC COMMENT

RESOLUTION NO. 09-107

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0130:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0130 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line
R0902151	MARION INDUSTRIAL ELECTRICAL SUPPLY INC	LINCOLN ELECTRIC MOTOR FOR AERATION BLOWER AND	66290302 - 5450	\$8,263.00	0001
R0902640	SQUIRE SANDERS & DEMPSEY LLP	LEGAL SERVICES FOR LSWRF	66690501 - 5361	\$7,063.04	0001
R0902646	MARION INDUSTRIAL ELECTRICAL SUPPLY INC	REPAIR OF RAW PUMP #4 AT OECC	66290306 - 5328	\$7,483.00	0001
R0902655	MCNAUGHTON MCKAY INC	ALLEN BRADLEY DISTRIBUTOR	66290306 - 5270	\$10,000.00	0001
R0902655	MCNAUGHTON MCKAY INC	ALLEN BRADLEY DISTRIBUTOR	66290406 - 5270	\$5,000.00	0002
R0902655	MCNAUGHTON MCKAY INC	ALLEN BRADLEY DISTRIBUTOR	66290606 - 5270	\$500.00	0003
R0902655	MCNAUGHTON MCKAY INC	ALLEN BRADLEY DISTRIBUTOR	66290706 - 5270	\$500.00	0004
R0902658	SUBURBAN NATURAL GAS CO INC	GAS SERVICE ALUM CREEK	66290402 - 5338	\$14,000.00	0001
R0902707	DOWNES HURST & FISHEL ATTYS	PROFESSIONAL ATTORNEY SERVICES	66290301 - 5361	\$7,500.00	0001
R0902707	DOWNES HURST & FISHEL ATTYS	PROFESSIONAL ATTORNEY SERVICES	66290401 - 5361	\$7,500.00	0002
R0902738	TRUCCO CONSTRUCTION CO INC	SEWER CONSTRUCTION - PERRY TAGGART	66711903 - 5415	\$838,200.00	0001

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R0902747	PETERSON CONSTRUCTION CO	CENTRIFUGE PROJECT OECC	66690301 - 5410	\$1,047,468.58	0001
R0902759	MALCOLM PIRNIE INC	CENTRIFUGE DEWATERING	66690301 - 5301	\$115,000.00	0001

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09 -108

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

The Department of Job and Family Services is requesting that Amber Huber attend an Adoption Assessor Training in Columbus, Ohio January 20, January 30, February 5-6, February 20 and March 12, 2009, at the cost of \$136.56.

The Department of Job and Family Services is requesting that Lori Powers attend Training in Columbus, Ohio February 10-17, 2009, at the cost of \$45.52.

The Department of Job and Family Services is requesting that Angie Steck attend Training in Columbus, Ohio January 30, February 6, and February 24, 2009, at the cost of \$68.28.

The Department of Job and Family Services is requesting that Susan Ware attend a Colloquy on the Fostering Connections to Success and Increasing Adoptions Act of 2008 Training in Columbus, Ohio February 20 2009, at the cost of \$136.56.

The Code Compliance Department is requesting that Joe Scherler, Dan Lemke, Fred Fowler, Greg Miller, Bill Johnson attend an Essentials of Residential Plan Review Training in Dublin, Ohio February 13, 2009, at no cost.

The Environmental Services Department is requesting that Martin Bell and Dale Davis attend a AVC-Flash Seminar in Columbus, Ohio February 26, 2009, at the cost of \$20.00.

The Environmental Services Department is requesting that Matthew Lambert attend a Continuing Education Seminar in Columbus, Ohio February 11, 2009, at the cost of \$25.00.

The Engineer's Office is requesting that Josh Hall, Bill Raeuchle, and Kevin Kramer attend an Air System and Brake Training in Mansfield, Ohio February 3, 2009, at no cost.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09 -109

IN THE MATTER OF APPROVING THE RE-ALIGNMENT OF THE OHIO TO ERIE TRAIL:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

Whereas, the Delaware County Commissioners have considered the options for an alternative alignment for the Ohio to Erie Trail north of Plumb Road as presented by the representatives from Floyd-Browne, And

Whereas, the Delaware County Commissioners concur with the need for greater safety and protection of trail users while crossing South Old 3C Road;

Be it hereby resolved that the Delaware County Commissioners approve the re-alignment of the Ohio to Erie Trail through property owned by the City of Columbus in order to provide a safer crossing and more extended line of sight for trail users and motorists.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-110

IN THE MATTER OF ACCEPTING MAINTENANCE BOND FOR WOODLAND HALL SECTION 2:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Woodland Hall Section 2

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The roadway construction has been completed for the referenced subdivision and, as the results of The Engineer's recent field review, he has determined that minor remedial work will be required during the 2009 construction season.

In accordance with the Subdivider's Agreement, The Engineer recommends that the maintenance bond be set at **\$89,710** for the duration of the one year maintenance period. A Letter of Credit in that amount is in place.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-111

IN THE MATTER OF APPROVING THE RELEASE OF THE LETTER OF CREDIT FOR POWELL ROAD AND SAWMILL PARKWAY IMPROVEMENTS AT LIBERTY CROSSING:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

Powell Road and Sawmill Parkway Improvements at Liberty Crossing

In February, 2008, the Board of Commissioners entered into agreement with Elford Development, the developer for the above referenced project. Elford has completed this project to the satisfaction of this office and The Engineer is, therefore, request approval to release the Letter of Credit being held as construction surety and to release Elford Development from their responsibility to the project.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-112

IN THE MATTER OF APPROVING A CONTRACT WITH ERAMO AND SONS FOR THE BIG WALNUT ROAD AND SOUTH OLD 3C HIGHWAY DRAINAGE IMPROVEMENT PROJECT:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

**Big Walnut Road and South Old 3C Hwy Drainage Improvement Project
Bid Opening of December 23, 2008**

As the result of the above referenced bid opening, The Engineer recommends that a bid award be made to Eramo and Sons of Hilliard, Ohio, the low bidder for the project. A copy of the bid tabulation is available for your information.

Also available are two copies of the Contract with Eramo for your approval. The necessary documentation relative to the signing of the Contract (Certification/Affidavit in Compliance with ORC Section 3517.13, Prosecutor's and Auditor's Certifications, etc.) are in place for this project.

CONTRACT

THIS AGREEMENT is made this 2nd day of February, 2009 by and between Eramo and Sons of Hilliard, Ohio, hereinafter called the "Contractor" and the Delaware County Board of Commissioners, hereinafter called the "Owner".

**Eramo and Sons
3670 Lacon Road
Hilliard, Ohio 43026**

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project; namely, "Big Walnut Road and South Old 3C Hwy. Drainage Improvement Project", and required supplemental work for the project all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed **Seventy One Thousand, Thirty-Nine Dollars (\$ 71, 039.00)**, subject to additions and deductions as provided in the Contract Documents.

ARTICLE 3. Contract

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The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements
- i. This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

ARTICLE 4. INDEMNITY

The Contractor shall indemnify and hold harmless the Owner, its officers, agents and employees from any and all losses, claims, damages, lawsuits, costs, judgments, expenses or any other liabilities which they may incur as a result of bodily injury, sickness, disease or death, or injury to or destruction of tangible property including, but not limited to, the loss of use resulting therefrom, or delay, acceleration, or loss of productivity caused in whole or part by the negligent act or omission of the Contractor, any subcontractor, any person directly or indirectly employed by any of them or any person for whose acts any of them may be liable.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-113

IN THE MATTER OF APPROVING THE ESTIMATE, BID SPECIFICATIONS AND BID OPENING DATE FOR THE CENTER VILLAGE ROAD TWIN BRIDGE REPLACEMENT PROJECT:

It was moved by Mr. O'Brien, seconded by Mr. Hanks 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, Wednesday, February 25, 2009**, at which time they will be publicly opened and read aloud, for the project known as Del – CR 25-4.10 Center Village Road Twin Bridge Replacement Project.

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 Del – CR 25-4.10 Center Village Road Twin Bridge Replacement Project". 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 before July 31, 2009 and the estimated commencement of work date of March 2, 2009. No work shall begin before April 13, 2009 to allow utility companies time to relocate facilities in conflict.

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.

LOCATION

This project is located on Center Village Road in eastern Delaware County. Both bridges span Duncan Run or it's tributary.

PROJECT SCOPE

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This project includes the replacement of two structures and minor roadway approach work. One structure will be replaced with a 18'x 5' box type conduit, the other with 45' composite box beam type construction.

TOTAL CONSTRUCTION CONTRACT ESTIMATE
\$590,900.00

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

Commissioner O'Brien recused himself from the following resolution

RESOLUTION NO. 09-114

IN THE MATTER OF SETTING BID OPENING DATE AND TIME FOR THE PROJECT KNOWN AS MCNAMARA DITCH IMPROVEMENT PROJECT:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

INVITATION TO BID

Sealed proposals will be received at the **Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00 a.m. local time on MONDAY February 23rd, 2009** for furnishing all labor, materials and equipment necessary to complete the project known as **McNamara Ditch Improvement Project**, and bids will be opened and read aloud. Contract documents, bid sheets, plans and specifications can be obtained at the **Office of the Delaware County Engineer. Bidder must make arrangements to obtain bid packet; they will not be mailed.**

Each bidder is required to furnish with its proposal a Bid Guaranty and Contract Bond in accordance with **Section 153.54 of the Ohio Revised Code**. Bid security furnished in Bond form shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested herein. Each bidder must submit evidence of its experiences on projects of similar size and complexity, and a complete listing of all subcontractors to be used. **The owner intends that this project be finished no later than April 17 2009.**

The engineer's estimate for this project is \$ 60,454.00

Bids shall be placed in a sealed envelope marked "**SEALED BID FOR McNamara DITCH IMPROVEMENT PROJECT**".

The Delaware County Commissioners reserve the right to waive irregularities and to reject any and/ or all bids.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Absent Mr. Hanks Aye

RESOLUTION NO. 09-115

IN THE MATTER OF APPROVING AN AMENDMENT TO THE CHILD PLACEMENT SERVICES CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND LUTHERAN HOME SERVICES:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following::

Lutheran Home Services (LHS)

AMENDMENT TO CONTRACT
For
Child Placement and Related Services

AMENDMENT NO. 1

This Amendment, effective October 9, 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 1st day of July, 2008.

- I. Article IV. Reimbursement for Placement Services: Changes the amount reimbursable under the contract from \$181,000 to \$250,000.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

Commissioner O'Brien recused himself from the following resolution

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RESOLUTION NO. 09-116

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

It was moved by Mr. Thompson, seconded by Mr. Hanks 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

Briar Rose Children's Center
 636 Chase Rd.,
 Columbus, Oh 43214

	Full Time	Part Time	Hourly
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
School Age	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 153.80	\$ 104.31	\$ 6.40

Kindercare Learning Center
 55 S. Cleveland Ave.,
 Westerville, Oh 43081

	Full Time	Part Time	Hourly
Infants	\$ 213.90	\$ 157.15	\$ 8.76
Toddlers	\$ 187.40	\$ 132.80	\$ 8.15
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
School Age	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 153.80	\$ 104.31	\$ 6.40
Before & After	\$ 101.00	\$ 78.32	\$ 5.47
Before or After	\$ 80.00	\$ 78.32	\$ 5.47

Enchanted Care Learning Centers
 7810 Graphics Way
 Lewis Center, Oh 43035

	Full Time	Part Time	Hourly
Infants	\$ 213.90	\$ 157.15	\$ 8.76
Toddlers	\$ 187.40	\$ 132.80	\$ 8.15
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
School Age	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 153.80	\$ 104.31	\$ 6.40

Natural Learning Montessori Academy
 9321 Hillcrest Dr.,
 Shawnee Hills, Oh 43065

	Full Time	Part Time	Hourly
Toddlers thru School Age	\$ 169.77	\$ 132.80	\$ 8.15
AM Only	\$ 75.00	\$ 75.00	\$ 5.47

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PM Only	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 153.80	\$ 104.31	\$ 5.47

Worthington Christian
8225 Worthington-Galena Rd.
Westerville, Oh 43081

	Full Time	Part Time	Hourly
Infants	\$ 213.90	\$ 157.15	\$ 8.76
Toddlers	\$ 187.40	\$ 132.80	\$ 8.15
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
School Age & Pre-K Only	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 153.80	\$ 104.31	\$ 6.40
Before or After	\$ 35.12	\$ 35.12	\$ 5.47
Before & After	\$ 58.85	\$ 58.84	\$ 5.47

Noahs Ark Learning Center/Tippett
110 Tippett Ct.
Sunbury, Oh 43074

	Full Time	Part Time	Hourly
Infants	\$ 180.00	\$ 157.15	\$ 8.76
Toddlers	\$ 180.00	\$ 132.80	\$ 8.15
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
Pre-K Only (MTW)	\$ 31.40	\$ 31.40	\$ 5.84
Pre-K Only (ThF)	\$ 24.42	\$ 24.42	\$ 5.84
School Age	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 140.00	\$ 104.31	\$ 6.40
Kindergarten – B & A	\$ 80.00	\$ 78.32	\$ 5.47
Before & After	\$ 85.00	\$ 78.32	\$ 5.47
Before Only	\$ 40.00	\$ 40.00	\$ 5.47
After Only	\$ 55.00	\$ 55.00	\$ 5.47

Noahs Ark Learning Center-Harrison
36 Harrison St.
Sunbury, Oh 43074

	Full Time	Part Time	Hourly
Infants	\$ 180.00	\$ 157.15	\$ 8.76
Toddlers	\$ 180.00	\$ 132.80	\$ 8.15
Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
Pre-K Only (MTW)	\$ 31.40	\$ 31.40	\$ 5.84
Pre-K Only (ThF)	\$ 24.42	\$ 24.42	\$ 5.84
School Age	\$ 106.58	\$ 78.32	\$ 5.47
Summer School Age	\$ 140.00	\$ 104.31	\$ 6.40
Kindergarten -Before or After	\$ 80.00	\$ 78.32	\$ 5.47
Before Only	\$ 40.00	\$ 40.00	\$ 5.47
After Only	\$ 55.00	\$ 55.00	\$ 5.47
Before & After	\$ 85.00	\$ 78.32	\$ 5.47

(A copy of each of these contacts is available in the Commissioners' Office until no longer of administrative value).

Vote on Motion Mr. O'Brien Absent Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-117

IN THE MATTER OF APPROVING THE 2009 JOB AND FAMILY SERVICES REQUIRED TRAINING TRAVEL REQUEST:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

**TO: The Board of County Commissioners
Delaware County, Ohio**

Required Training/Meetings

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Cost of training to be paid from local/state/federal appropriated funds

Following are itemized the anticipated expenses necessary to be incurred during such period.

NOTE: The total will be the maximum that would be reimbursed. Staff will use a county vehicle if available, reasonable and efficient.

1.

I hereby request authorization for:

22 staff members to attend, at the expense of Delaware County, training at various locations, primarily 855 W. Mound Street, Columbus for the period of 01/01/09 through 12/31/09.

(6 trainings x 18 staff x 80 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	3,456
Parking for actual cost	\$	200
Registration for actual cost (1 training x 18 staff x \$150.00)	\$	2,700
Approximate of total request	\$	6,356

2.

I hereby request authorization for:

27 staff members to attend, at the expense of Delaware County, quarterly SIS/SACWIS meetings at various locations

for the period of 01/01/09 through 12/31/09.

(4 meetings x 100 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	160
Parking for actual cost (4 meetings x \$10.00)	\$	40
Registration for actual cost		-0-
Approximate of total request	\$	200

3.

I hereby request authorization for:

5 staff members to attend, at the expense of Delaware County, quarterly foster/adoption coordinator meetings, regional adoption meetings, liason meetings at Columbus, OH for the period of 01/01/09 through 12/31/2009.

(10 meetings x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	240
Parking for actual cost (10 meetings x \$10.00)	\$	100
Registration for actual cost		-0-
Approximate of total request	\$	340

4.

I hereby request authorization for:

6 staff members to attend, at the expense of Delaware County, quarterly Regional Social Services Supervisor/Administrator meetings at 899 E. Broad Street, Columbus, OH for the period of 01/01/09 through 12/31/09.

(4 meetings x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	96
Parking for actual cost (11 meetings x \$10.00)	\$	-0-
Registration for actual cost	\$	-0-
Approximate of total request	\$	96

5.

I hereby request authorization for:

32 staff members to attend, at the expense of Delaware County, CRISE and Policy training at Columbus and various locations in Ohio for the period of 01/01/09 through 12/31/09.

(4 staff x 18 days x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	1,728
Parking for actual cost	\$	120
Registration for actual cost		-0-
Approximate of total request	\$	1,848

6.

I hereby request authorization for:

17 staff members to attend, at the expense of Delaware County, WIA, TANF, or One Stop Technical Assistance meetings, Monthly Workforce Development meetings, One Stop Consortium and RAC meetings, Workforce Development Systems Operations meetings, IM Supervisor meetings, Medicaid Meetings, Quarterly Family Stability Regional meetings, Delaware-Knox Board meetings, at various locations for the period of 01/01/09 through 12/31/09.

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(100 miles x 12 x \$0.40) + (60 miles x 6 x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	624
Parking for actual cost(12 meetings x \$10.00)	\$	120
Meals (\$10 x 4 meetings x 2)	\$	80
Registration for actual cost	\$	240
Approximate of total request	\$	1,064

7.

I hereby request authorization for:

2 staff members to attend, at the expense of Delaware County, Monthly Child Care meetings, at various locations for the period of 01/01/09 through 12/31/09.

(12 meetings x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	288
Parking for actual cost (12 meetings x \$10)	\$	120
Approximate of total request	\$	408

8.

I hereby request authorization for:

4 staff members to attend, at the expense of Delaware County, Quarterly Child Care meetings at various locations in Ohio for the period of 01/01/09 through 12/31/09.

(4 meetings x 100 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	160
Parking for actual cost	\$	40
Meals (2 meals X 4 meetings)	\$	80
Approximate of total request	\$	280

9.

I hereby request authorization for:

1 staff member to attend, at the expense of Delaware County, Quarterly Fraud/Overpayment meetings at various locations for the period of 01/01/09 through 12/31/09.

(100 miles x 4 meetings x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	160
Parking for actual cost		
Registration for actual cost		
Meals (4 lunches at \$10.00)	\$	40
Approximate of total request	\$	200

10.

I hereby request authorization for:

12 Staff members to attend, at the expense of Delaware County, Chamber of Commerce Functions, One Stop or WIA Trainings and Workshops at various locations for the period of 01/01/09 through 12/31/09.

(1 car x 60 miles x 9 x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	216
Parking for actual cost	\$	150
Registration for actual cost(\$20 x 3 staff x 9 functions)	\$	540
Approximate of total request	\$	906

11.

I hereby request authorization for:

14 staff members to attend, at the expense of Delaware County, Quarterly PCSAO (Public Children Services Assoc. of Ohio), ODJFS (Ohio Job and Family Services Directors Assoc.), ODJFS Children Services Directors, NW District Directors meetings, OJFSDA Committee Meetings, WIA Administrator Meetings/Trainings at various locations for the period of 01/01/09 through 12/31/09.

(44 meetings x 75 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	1,320
Parking for actual cost (24 meetings x \$10)	\$	240
Registration for actual cost	\$	1,000
Approximate of total request	\$	2,560

12.

I hereby request authorization for:

6 staff members to attend, at the expense of Delaware County, Quarterly Fiscal/WIA/OJFSDA meetings at Columbus and various locations for the period of 01/01/09 through 12/31/09.

(10 meetings x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	240
Parking for actual cost	\$	60
Registration for actual cost (\$15 x 3 staff x 6 meetings)	\$	270
Approximate of total request	\$	570

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13.

I hereby request authorization for:

4 staff members to attend, at the expense of Delaware County, Annual PET & QUIC user meetings (fiscal software at various locations for the period of 01/01/09 through 12/31/09.

(4 days x 100 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	160
Parking for actual cost		-0-
Registration for actual cost	\$	900
Approximate of total request	\$	1,060

14.

I hereby request authorization for:

4 staff members to attend, at the expense of Delaware County, Monthly JFSDA and PCSAO meetings at various locations for the period of 01/01/09 through 12/31/09.

(24 days x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	576
Parking for actual cost	\$	200
Registration for actual cost	\$	500
Approximate of total request	\$	1276

17.

I hereby request authorization for:

6 staff members to attend, at the expense of Delaware County, Quarterly MIS & Northwood's meetings at various location in Central Ohio for the period of 01/01/09 through 12/31/09.

(4 days x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	96
Registration for actual cost		-0-
Approximate of total request	\$	96

18.

I hereby request authorization for:

5 staff members to attend, at the expense of Delaware County, Bi-annual TPOC meetings at Columbus for the period of 01/01/09 through 12/31/09.

(2 days x 60 miles x \$0.40)

Mileage for personal automobile actual miles at \$0.40	\$	48
Parking for actual cost	\$	30
Registration for actual cost		-0-
Approximate of total request	\$	78

**Requested/Recommend by: Mona Reilly, Director
 Delaware County Department of Job and Family Services**

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-118

**IN THE MATTER OF RELEASING AN ESCROW AGREEMENT BETWEEN SILVERLEAF LLC;
 ESQUIRE TITLE SERVICES; AND THE DELAWARE COUNTY COMMISSIONERS FOR THE
 LAKES AT SILVERLEAF SUBDIVISION:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

Whereas, Silverleaf LLC, Esquire Title, and the Delaware County Commissioners entered into an escrow agreement on November 10, 2003 for \$8,000.00 (resolution 03-1457) for the purpose of providing security for the five (5) year maintenance period per the subdivider's agreement for the Lakes at Silverleaf development, and

Whereas, the five (5) year maintenance period for the Lakes at Silverleaf Subdivision ended on November 10, 2008, and the escrow account is no longer necessary;

THEREFORE BE IT RESOLVED that the Board of County Commissioners determines that the escrow agreement is no longer necessary and authorizes the account to be closed and the monies returned to Silverleaf LLC.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-119

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 2, 2009**

IN THE MATTER OF SELLING PERSONAL PROPERTY, WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

WHEREAS, Delaware County Board of Commissioners has determined that each year the county has surplus property, including motor vehicles acquired for the use of county officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired; and

WHEREAS, Ohio Revised Code Section 307.12 (E) allows by resolution adopted each calendar year the sale of such property by internet auction;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, declares its intent to sell such property by internet auction and adopt the following;

Delaware County

Online Surplus Property Disposition
General Guidelines

Delaware County hereby creates the following rules pursuant to Ohio Revised Code 307.12 (E):

1. The Delaware County Board of Commissioners has determined that surplus personal property including motor vehicles acquired for the use of County Officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for the public use, or is obsolete or unfit for the use it was acquired is appropriate to be sold by Internet auction.
2. The auctions shall be conducted on a continuous basis through accessing the Delaware County surplus property through the Delaware County website located at www.co.delaware.oh.us.
3. The surplus property will be posted for a period of no less than 10 days, including Saturdays, Sundays, and legal holidays, but such time may be extended at the discretion of the Board or its representative in order to maximize the financial return to the County.
4. The Board or its representative on an item-by-item basis may determine minimum price or reserve price and the terms or conditions of sale, including but not limited to requirements for pickup and/or delivery, method of payment, and payment of sales tax in accordance with applicable laws for that item. Such information shall be available on the website.
5. The highest bid for the surplus property will prevail. However Delaware County reserves the right for its representative to withdraw the offer or cancel bids in an auction if one or more of the following circumstances apply:
 - a. It is determined that an auction shall be canceled or terminated early,
 - b. A bidder requests permission to back out of a bid,
 - c. The identity of the bidder cannot be verified, or
 - d. It is determined that a bidder is purchasing the surplus for a use contrary to the health and welfare of Delaware County or its citizens.
6. The Board of Commissioners has contracted with GovDeals, Inc. to provide the software necessary for completing the Internet auction.

Online Sales – Terms and Conditions

All bidders and other participants of this auction agree that they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All property is offered for sale “AS IS, WHERE IS.” **Board of County Commissioners of Delaware County, Ohio (Seller)** makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect, or consequential.

Description Warranty. **Seller** warrants to the Buyer that the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If **Seller** confirms that the property does not conform to the description, **Seller** will keep the property and refund any money paid. The liability of **Board of County Commissioners of Delaware County, Ohio** shall not exceed the actual purchase price of the property. Please note that upon removal of the property, **all sales are final.**

Personal and property risk. Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and **GovDeals** from liability therefore.

Inspection. Most items offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the item description. Please contact the individual listed on the item description (special instructions) to schedule an inspection.

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Consideration of Bid. The Board of County Commissioners of Delaware County, Ohio reserves the right to reject any and all bids and to withdraw from sale any of the items listed.

Buyer's Certificate. Successful bidders will receive a Buyer's Certificate by email from GovDeals.

Payment. Payment in full is due not later than **5 business days** from the time and date of the Buyer's Certificate. Acceptable forms of payment are:

- U. S. Currency in the exact amount of the total purchase(s) (County offices cannot provide change)
- Certified Check
- Cashiers Check
- Money Order
- Company Check (with Bank Letter guaranteeing funds – **mandatory**)

Checks shall be made payable to: **Delaware County**. Payments shall be made at the location listed in the Buyer's Certificate.

Escrow Payment. When the purchase price (of a single item or the aggregate purchase price of multiple items) totals \$5,000 or greater, the Seller may require a down payment from the winning Buyer. This non-refundable fee will be 20% of the total purchase price. When the Seller exercises this option, the Buyer will have 48-hours from the time of issuance of the Buyers Certificate, to comply with this requirement. If Buyer fails to comply with this requirement within the stated time frame, the Seller can declare Buyer in default, bar them from further bidding and have them removed from the GovDeals system. If Buyer is in default, Seller may negotiate with next closest bidder, re-list at another auction and/or pursue all legal proceedings. All monies collected in escrow, will be deducted from total monies due at time of final payment.

Removal. All items must be removed within **10 business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal and any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Board of County Commissioners of Delaware County, Ohio** assume responsibility for packing, loading or shipping. Property may be removed between the hours of **9:00a.m. and 3:00p.m. , Monday through Friday**, excluding legal holidays. For additional information, please contact the individual listed on the item description (special instructions). A daily storage fee of \$10.00 may be charged for any item not removed within the 10 business days allowed and stated on the Buyer's Certificate.

Vehicle Titles. Seller will issue a title or certificate upon receipt of payment. Titles may be subject to any restrictions as indicated in the item description on the website. Open titles cannot be issued. **Board of County Commissioners of Delaware County, Ohio** will not issue replacement titles.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all items within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. Seller reserves the right to reclaim and resell all items not removed by Buyer thirty (30) days from the expiration of specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees that they have read, fully understand and accept these Terms and Conditions of Online Sales, and agree to pay for and remove the property, if the bid is accepted, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each item listed on GovDeals.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. The **Board of County Commissioners of Delaware County, Ohio** is **not** responsible for collection of taxes. Buyers are responsible for contacting the appropriate tax office, completing any forms, and paying any taxes that may be imposed.

Sales to Employees. Employees of the **Board of County Commissioners of Delaware County, Ohio** may bid on the property listed for auction, so long as they do NOT bid while on duty. Any officer or employee participating in the determination of certain property as surplus shall not submit a bid for its purchase.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-120

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
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Recommendation to promote Christina Zimmer to a Full-Time Paramedic with the EMS Department; effective date February 15, 2009.

Recommendation to promote Travis Ries to a Full-Time Paramedic with the EMS Department. He will be working as a Floater on 3-Unit; effective date January 12, 2009.

Recommendation to promote Jude James to the Position of Lieutenant at Station 3; effective date January 5, 2009.

Andrew Lunn has resigned his Full-Time Paramedic Position with the EMS Department; effective date February 4, 2009. He would like to remain in a part-time capacity.

Fritz Jackson has resigned his position as a Part-Time Paramedic with the EMS Department; effective date January 26, 2009.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Hanks

- Sheriff Sales
- Request an update on the unpaid Pizzuti invoice
- Happiness quote

Commissioner O'Brien

- DKMM concerns on the effect of the Governors proposal

Commissioner Thompson

- will be attend a Regional Planning meeting and a 911 Board meeting

Recess To Travel To Delaware City Council Chambers at 6:35PM

Re-adjourn with city Council at 7:01PM

7:00PM Joint Delaware County /Delaware City Session

1. Roll Call
2. Public Comment
 - Jon Bennehoof-concerns on Sawmill Parkway
 - Donna Meyer and Francis Hamilton-Mainstreet Delaware County
 - John Lewis-in favor of Sawmill Parkway
 - Roger Cop-Member of Historic Preservation Committee-the recent expansion of the historic district does not mean they are against a new courts building
3. County-wide Early Warning System
4. Sawmill Parkway and its Role in Economic Development
5. Other
 - Main Street Delaware Program
6. 911 Consolidation/**EXECUTIVE SESSION** pursuant to Ohio Revised Code Section 121.22 (G) (1) personnel.
7. Next Meeting: Monday, June 1, 2009, 7:00 p.m. at the County
8. Adjournment

RESOLUTION NO. 09-121

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-122

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
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It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn out of Executive Session.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-123

IN THE MATTER OF ADJOURNING THE MEETING:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn the meeting.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

Todd Hanks

Ken O'Brien

Tommy Thompson

Letha George, Clerk to the Commissioners