

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD AUGUST 17, 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

RESOLUTION NO. 09-987

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM SPECIAL MEETING HELD AUGUST 13, 2009:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in special session on August 13, 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. O'Brien Abstain Mr. Thompson Aye Mr. Hanks Aye

PUBLIC COMMENT

-Bruce Pijanowski introduced the new 911 Communications Director, Robert Greenlaw, today is his first day with Delaware County.

Refer to CD minutes for entire record

DKMM Presentation Of Grady Memorial's Recycling Award  
(Grady representative was unable to attend; award will be taken to them)

Refer to CD minutes for entire record

RESOLUTION NO. 09-988

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0814

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0814 and Purchase Orders as listed below:

Increase Purchase Order

P0902742	Motorola, Inc.	21411306-5260	\$8,105.60
P0901953	BP Products	10011106-5228	\$45,000.00
P0901362	3D Vision Technologies	22311614-5348	\$5,000.00
P0901873	The Learning Center	22411610-5348	\$15,000.00
P0901860	Liberty Comm Center	22411610-5348	\$28,000.00
P0901861	Neverland Kindercare	22411610-5348	\$20,000.00

New Purchase Order

R0905858	Verizon North	Monthly Service Charges	21411306-5330	\$10,000.00
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Vote on Motion: Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-989

IN THE MATTER OF SETTING DATE AND TIME FOR A JOINT MEETING WITH THE DELAWARE COUNTY COMMISSIONERS AND THE DELAWARE COUNTY FAIR BOARD.

It was moved by Mr. Hanks, seconded by Mr. Thompson, to set August 18, 2009 at 6:00 pm as the time and The Log Cabin at the Delaware County Fair Grounds as the place for a joint meeting of The Delaware County Board of Commissioners and the Delaware County Fair Board.

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

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**RESOLUTION NO. 09 -990****IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The Administrative Services Department is requesting that Christine Shaw attend a Certified Public Records Training in Columbus, Ohio September 10, 2009, at the cost of \$32.00.

The Child Support Enforcement Agency is request that Matt Smith attend 2009 Hearing Officer Training in Lancaster, Ohio August 25, 2009, at the cost of \$50.00. (Fund Number 23711630).

The Commissioners Office is requesting that Dave Cannon attend a County Administrators Meeting in Wadsworth, Ohio , Ohio on August 20, 2009, at no cost

The Code Compliance Department is requesting that Duane Matlack attend the Ohio Flood Plain Management Conference at Worthington, Ohio on August 26-27 at no cost

The GIS Department is requesting that Shoreh Elhami and Nelda Sisler attend the UEISA Annual Conference in Anaheim California on September 28 – October 2 at a cost of \$2,095.00 (Fund Number 20110106)

The Auditor's Department is requesting that Dedra Hall attend a Preparing for Year End & 2010 conference in Columbus, Ohio at a cost of \$417.00

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

**RESOLUTION NO. 09-991**

**IN THE MATTER OF A LIQUOR LICENSE TRANSFER REQUEST FROM JAS 21 CORP DBA HAMILTONS MARTINI BAR TO BLAZIN WINGS INC. DBA BUFFALO WILD WINGS GRILL AND BAR AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:**

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Liberty Township Trustees that Blazin Wings INC. DBA Buffalo Wild Wings Grill and Bar, located at 3878 Attucks Drive Liberty Township Powell, Ohio 43065, has requested a transfer of the D5 permit from JAS 21 Corp DBA Hamiltons Martini Bar in Cleveland, Ohio, and

Whereas, the Liberty Township Trustees have no objection, the Delaware County Sheriff has responded--no known reason for a hearing to be requested and the Delaware County Commissioners have received no objections.

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

**RESOLUTION NO. 09-992**

**IN THE MATTER OF ADOPTING A RESOLUTION TO APPOINT THE DELAWARE COUNTY TREASURER ADMINISTRATIVE AGENT FOR THE ACCEPTANCE OF FINANCIAL TRANSACTION DEVICES FOR COUNTY EXPENSES :**

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

**PREAMBLE**

**WHEREAS**, the Board of Delaware County Commissioners ("Board") pursuant to Ohio Revised Code Section 301.28 approved Resolution 08-117 ("Resolution") authorizing County Elected Officials to accept payments of County Expenses by Financial Transaction Devices; and,

**WHEREAS**, in accordance with Ohio Revised Code Section 301.28(B)(5), Section 3 of the Resolution designates the Delaware County Treasurer ("Treasurer") as the administrative agent to solicit, within guidelines established in the Resolution and in compliance with the procedures provided in Ohio Revised Code

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Section 301.28(C), proposals from financial institutions, issuers of financial transaction devices, and processors of financial transaction devices, to make recommendations about those proposals to the Board, and to assist county offices in implementing the county's Financial Transaction Devices program; and,

**WHEREAS**, the Resolution, in accordance with Ohio Revised Code Section 301.28(B)(5), also permitted the Treasurer to decline to act as the administrative agent by notifying the Board in writing within thirty (30) days after receiving a copy of the Resolution of his intent to decline to act as administrative agent; and,

**WHEREAS**, the then Treasurer, Dale M. Wilgus, timely notified the Board in writing of his intent to decline to act as the administrative agent; and,

**WHEREAS**, as a result of such notification from the Treasurer, the Board accepted and has since been acting as the administrative agent; and,

**WHEREAS**, the current Treasurer, Jon Peterson, desires to act as administrative agent; and,

**WHEREAS**, the Board desires to relinquish acting as administrative agent.

**DEFINITIONS**

As used in this Resolution, capitalized terms have the same meanings as designated in Resolution 08-117.

**RESOLUTION**

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

1. The Board relinquishes its duties and responsibilities to act as administrative agent for the acceptance of payments by Financial Transaction Devices for County Expenses.
2. The Treasurer is hereby re-designated as the administrative agent for the acceptance of payments by Financial Transaction Devices for County Expenses and by such re-designation is given the authority to exercise all duties and responsibilities of such administrative agent as provided in Ohio Revised Code Section 301.28 and elsewhere in the law.
3. The Treasurer may decline this responsibility within thirty (30) days after receiving a copy of this Resolution by notifying the Board in writing within that period. If the Treasurer so notifies the Board, the Board shall re-assume the duties of the administrative agent.
4. If the Treasurer is the administrative agent and fails to administer the county Financial Transaction Devices program in accordance with the guidelines in the Resolution, the Board shall notify the Treasurer in writing of the Board's findings, explain the failures, and give the Treasurer six (6) months to correct the failures. If the Treasurer fails to make the appropriate corrections within that six-month period, the Board may pass a resolution declaring the Board to be the administrative agent. The Board may later rescind that resolution at its discretion.
5. This Resolution was adopted in open public session and shall take effect immediately or upon the earliest possible date allowed by law.

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

**RESOLUTION NO. 09-993**

**IN THE MATTER OF APPROVING AN AMENDMENT TO THE INMATE TELEPHONE SERVICE AGREEMENT BETWEEN THE DELAWARE COUNTY SHERIFF AND GLOBAL TEL\*LINK CORPORATION:**

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

THIS FIRST AMENDMENT TO THE INMATE TELEPHONE SERVICE AGREEMENT dated August 17, 2008, ("Amendment"), amends and revises that certain Inmate Telephone Service Agreement (the "Agreement"), dated February 8, 2008 by and between Delaware County Sheriff's Office, with an address at 844 U.S. Route 42 N., Delaware, Ohio 43015 (Premise Provider"), and Global Tel\*Link Corporation, a Delaware corporation having its principal place of business at 2609 Cameron Street, Mobile, Al 36607 (Company")

**Whereas**, Company provides inmate telephone services to Premise Provider; and

**Whereas**, Company and Premise Provider have agreed to extend the initial term of the Agreement and add

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additional channels and inmate phones to the current equipment; then,

Company and Premise Provider hereby agree to amend and revise the Agreement as follows:

**Section 1 Term:** The first sentence of Section 1 is deleted and replaced in its entirety with the following:

The Agreement shall be in effect from March 12, 2008 through 11:59 pm, May 11, 2012.

**Section 4. Compensation:** The first sentence of Section 4 is deleted and replaced in its entirety with the following:

Remuneration shall be Forty Four percent (44%) of gross revenue billed or prepaid for all phones covered by this Agreement.

**Exhibit A** is deleted in its entirety and replaced with the Exhibit A, attached.

Except as set forth above, there is no other revision or amendment to the Agreement or the obligations of Company and Premise Provider, and the Agreement remains in full force and effect

**Exhibit A**

Delaware County Jail

Facility Name

844 US Route 42 N.

Facility Address

Delaware, Ohio 43015

City, State, Zip Code

**Actual on-site equipment:**

The installation of software and/or hardware for Company provided Equipment is not approved. System conditions can change and become unstable with the addition of software other than that installed by the Company. The Company does not warranty, troubleshoot, or maintain any system that contains software installed by a third party. The Company assumes no liability for any data stored on the Equipment which is not directly related to the Services provided under this Agreement.

Company also does not furnish, maintain or provide consumables for peripheral equipment associated with the Inmate Telephone System. Consumables consist of items such as printer paper, cassette tapes, compact disks, etc.

**List of On Site Equipment**

LazerPhone Platform

34 Existing Inmate Sets and 12 Inmate Sets added when facility expands

180 days of recording storage

1 desktop workstation

3VPN licenses

Upgrading of Current DSS System

40 channels \$25,450.00

Maintenance for period 11/08/07 through 02/08/08 \$700.00

Field Upgrade

Installation

Additional configuration: No charge

Additional Training: No charge

Continue Annual Support of DSS System @ \$2,250 Per Year

Support for March 12, 2012 – April 11, 2012 = \$187.50

Support for April 12, 2012 – May 11, 2012 = \$187.50

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

**RESOLUTION NO. 09-994**

**IN THE MATTER OF APPROVAL AND ACCEPTANCE OF AN ADDITIONAL 15 FEET DRAINAGE  
EASEMENT FOR LOT 639 IN CHESHIRE WOODS ESTATES, SECTION 1:**

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

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To better facilitate the maintenance of the drainage facilities associated with the above referenced project, the County Engineer determined that an additional 15 feet drainage easement of Lot 639 within the project would be beneficial. The Engineer has been granted the additional 15 feet easement by the property owner per the attached description. The Engineer recommends the acceptance of this additional 15 feet easement.

**DRAINAGE EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that ELGIN INVESTMENTS, LLC, hereinafter called GRANTORS, in consideration of good and valuable considerations paid by DELAWARE COUNTY ENGINEER, hereinafter called GRANTEE, the receipt and sufficiency of which is hereby acknowledged, does grant, bargain, sell and convey to said GRANTEE, its successors and assigns, an easement, with the right to construct, operate and maintain major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams, or other obstructions to the flow of storm water runoff are permitted within the Drainage Easement areas over and across the following lands owned by the GRANTORS in the State of Ohio, County of Delaware, Township of Berkshire, and more particularly described as follows, to wit:

Parcel Number	Legal	Acreage
41731005003000	Lot 639, Cheshire Woods Estates Section 1	2.014 acres

which property is located in on the south side of Hatherton Place, and mailing address of which property is 7890 Hatherton Place together, with the right of ingress and egress over the GRANTORS' adjacent lands, the purpose of which the above-mentioned rights are granted.

The permanent easement hereby granted is limited to fifteen (15) feet in width as shown in Exhibit "A".

The GRANTEE shall grade, seed, and mulch any ground area disturbed by GRANTEE. Said repairs, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one thereof to be appointed by the GRANTORS, one to be appointed by the GRANTEE, and the third appointed by the two appointed as aforesaid, and their word shall be final and conclusive.

The permanent easement provided herein shall be non-exclusive and allow other easements to overlap the easement provided herein for the benefit of the GRANTOR

This agreement, together with other provisions of this grant, shall constitute a covenant, running with the land for the benefit of the GRANTEE, its heirs, successors, and assigns. The GRANTORS covenant that they are the owners of the above-described lands, and said lands are free and clear of all encumbrances, except mortgages, leases, easements, and restrictions of record.

IN WITNESS WHEREOF, the said Francis Barnes who hereby release their respective right and expectancy of dower in said premises, have hereunto set their hands this 5<sup>th</sup> day of August, 2009.

DESCRIPTION OF 0.093 ACRE TRACT  
SOUTH OF CHESHIRE ROAD  
NORTH OF DUSTIN ROAD  
WEST OF ROME CORNERS ROAD

Situated in the State of Ohio, County of Delaware, Township of Berkshire, in Farm Lots 19 and 20, Quarter Section 3, Township 4, Range 17, United States military Lands, being 0.093 acres in Lot 630 of Cheshire Woods Estates, Section 1 as recorded in Plat Cabinet 3, Slide 773 as conveyed to Elgin Investments LLC as recorded in Official Record Volume 781, Page 1412 (all references refer to records in the Delaware County Recorder's Office, Ohio) and more fully described as follows:

Beginning for reference at a point at the southwest corner of said Lot 639 being the Point of Beginning:

- Thence South 86°31'48" East a distance of 15.00 feet, along the south line of said Lot 6a39, to a point being the Point of Beginning:
- Thence North 3°28'12" East a distance of 270,000 feet to a point:
- Thence South 86°31'48' East a distance of 15.00 feet to a point:
- Thence South 3°28'12" West a distance of 270,000 feet to a point in the south line of said Lot 639:
- Thence North 86°31'48" West a distance of 15.00 feet along the south line of said Lot 639, to the Point of Beginning containing 4,050 square feet or 0.093 acres more or less.

Bearings are based upon the west line of Lot 639 of Cheshire Woods Estates, Section 1 as recorded in Plat Cabinet 3, Slide 773 and bearing North 3°28'12" East and all other bearings based upon this meridian.

The legal description was written from plats of previous record and not an actual field survey

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

**RESOLUTION NO. 09-995**

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**IN THE MATTER OF ACCEPTING ROADS: RELEASE OF BONDS: AND APPROVING RECOMMENDED SPEED LIMITS FOR NELSON FARMS, SECTION 1, PHASE A PART I, AND NORTHSTAR SECTION 1 – WILSON ROAD :**

It was moved by Mr. Hanks, seconded by Mr. O'Brien to accept roads, release bonds and letters of credit and approving recommended speed limits for the following:

**Nelson Farms, Section 1, Phase A, Part 1**

The County Engineer has reviewed the roadway construction of the roads within the referenced subdivision and find them to be constructed in accordance with the approved plans. Therefore, it is the County Engineers recommendation that the roadways within the referenced subdivision be accepted into the public system and that the **Liberty Township Trustees** be notified of the action.

The roadways to be accepted are as follows:

- ? **Shale Run Drive**, to be known as **Township Road Number 1606**
- ? **Haverhill Court**, to be known as **Township Road Number 1607**

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

The County Engineer requests approval to return the Bond being held as maintenance surety to the developer, Nelson Farms Associates, LLC.

**Northstar, Section 1 – Wilson Road**

The County Engineer has reviewed the roadway construction of the roads within the referenced project and find them to be constructed in accordance with the approved plans. Therefore, it is the County Engineer's recommendation that the roadways within the referenced project be accepted into the public system and that the **Berkshire Township Trustees** be notified of your action.

The roadways to be accepted are as follows:

- ? An addition of 0.27 mile to **Township Road Number 56, Wilson Road**
- ? **Wilson Road**, to be known as **County Road Number 56**

The Engineer also request approval to return the Bond being held as maintenance surety to the developer, The Robert Weiler Company.

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

**RESOLUTION NO. 09-996**

**IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR NORTHSTAR SECTION 1-WILSON ROAD AND NELSON FARMS SECTION 1, PHASE A, PART 1:**

It was moved by Mr. Hanks, seconded by Mr. O'Brien to establish stop conditions for the following:

**Northstar, Section 1 – Wilson Road**

- ? On County Road Number 56, Wilson Road, at its intersection with US Route 36/37
- ? On County Road Number 56, Wilson Road, at its intersection with Country Road Number 34, North Galena Road

**Nelson Farms Section 1, Phase A Part 1**

- ? On Township Road Number 1606, Shale Run Drive, at its intersection with State Route 315
- ? On Township Road Number 1607, Haverhill Court, at its intersection with Township Road Number 1606, Shale Run Drive

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

**RESOLUTION NO. 09-997**

**IN THE MATTER OF RELEASING MAINTENANCE BOND FOR NELSON FARMS SECTION 1, PHASE A-PART 1 :**

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

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The County Engineer recommends the release of the maintenance Bond for Nelson Farms, Section 1, Phase A-Part 1 as follows:

Re: Bond Number 5034751  
In the Amount of \$82,600.00  
Nelson Farms Section 1, Phase A/Part 1  
In Favor of Delaware County Commissioners  
For the Account of Nelson Farms, LLC

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

**RESOLUTION NO. 09-998**

**IN THE MATTER OF RETURNING THE CONSTRUCTION BOND OF NORTHSTAR LAND LLC FOR THE NORTH GALENA ROAD WIDENING – PHASE A PROJECT :**

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

In June, 2007, an agreement was entered into with Northstar Land LLC, the developer for the above referenced project. As this project has been completed to the satisfaction of the engineers office. The County Engineer requests approval to release Northstar Land LLC from their responsibility to this project and to return the bond being held as construction surety.

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

**RESOLUTION NO. 09-999**

**IN THE MATTER OF ESTABLISHING A MAINTENANCE BOND FOR GLEN OAK SECTION 5, PHASE A**

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

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 only minor remedial work remains which can be accomplished during the subsequent one year maintenance period. Therefore, in accordance with the Owner's Agreement, the County Engineer recommends that the maintenance bond be set at **\$32,500** (10% of the original construction estimate) and the project be placed on the required one year maintenance period. A Letter of Credit in that amount is in place.

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

**RESOLUTION NO. 09-1000**

**IN THE MATTER OF APPROVING A PROJECT AGREEMENT FOR SHEFFIELD PARK SECTION 3, PHASE B, PART 1:**

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

**PROJECT AGREEMENT**  
**PROJECT NUMBER: 09012**

**THIS AGREEMENT**, executed on this 17<sup>TH</sup> day of August 2009 between **GRAND COMMUNITIES, LTD.**, hereinafter called **'OWNER'** and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY OHIO (COUNTY COMMISSIONERS)**, for the project described as **SHEFFIELD PARK SECTION 3, PHASE B, PART 1**, further identified as Project Number 09012 is governed by the following considerations to wit:

Said **OWNER** 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**.

**OPTIONS:**

1. Should **OWNER** elect to record the plat prior to beginning construction, **OWNER** shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction as shown in **Exhibit "A"** attached hereto.
2. Should **OWNER** elect to proceed to construction prior to recording the plat, no approved financial warranties are necessary until such time as **OWNER** elects to record the plat. Such plat cannot be recorded until the County Engineer has determined the construction of the project is at least 80% complete.

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**OWNER** hereby elects to use Option 2 for this project.

The financial warranties are to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Delaware County Design, Construction and Surveying Standards and any supplements thereto**. The **OWNER** shall pay the entire cost and expense of said improvements, unless otherwise specifically noted herein.

The **OWNER** shall indemnify and save harmless **Delaware County and all Townships and/or Villages** within Delaware County and all of their officials, employees or 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 actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method 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 on which this **AGREEMENT** is executed by the **COUNTY COMMISSIONERS**.

The **OWNER** 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.

It is further agreed that upon execution of the **AGREEMENT**, the **OWNER** shall deposit **TWENTY-SEVEN THOUSAND ONE HUNDRED DOLLARS (\$27,100)** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. When the fund has been depleted to **ten percent (10%)** of the original amount deposited, the **OWNER** shall replenish the account upon notice by the **Delaware County Engineer**. Upon completion of the maintenance period and acceptance of the improvements by the **Delaware County Commissioners**, the remaining amount in the fund shall be returned to the **OWNER**.

**Upon completion of construction**, the **OWNER** shall be responsible for the maintenance, repair or construction of any and all defective materials or workmanship for a period of **one year**. Said **OWNER'S** bond, certified check, irrevocable letter of credit or other approved financial warranties may be reduced to 10% of the originally approved construction estimate as shown in **Exhibit "A"** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance with the **Delaware County Design, Construction and Surveying Standards, and any supplements thereto**.

**Acceptance of the project** into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **OWNER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

**Any snow or ice removal, erosion and sediment control maintenance, or other safety requirements deemed necessary by the County Engineer** during the period of construction or maintenance shall be the responsibility of the **OWNER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

The **OWNER** shall, within thirty (30) days of completion of construction and prior to final acceptance, to the **COUNTY COMMISSIONERS**, as required, "as-built" drawings of the improvements, which plans shall become the property of the **COUNTY** and remain in the office of the **Delaware County Engineer**.

The **OWNER** shall, within thirty (30) days of completion of construction, furnish to the **COUNTY COMMISSIONERS** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **OWNER** shall indemnify and hold harmless **Delaware County and all Townships and/or Villages** within Delaware County and all their officials, employees or agents from expenses or claims for labor or material incident to said construction of improvements.

The **OWNER** shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The **OWNER** shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the **OWNER** and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the **County**.

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

**In consideration whereof**, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants the **OWNER** or his agent, the right and privilege to make the improvements stipulated herein.

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

**RESOLUTION NO. 09-1001**

**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS DEL-COUNTY ARRA RESURFACING (BID 86579):**

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

Whereas Resolution 09-678 initiated the project known as DEL-COUNTY ARRA RESURFACING, and;



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Whereas the County Engineer has prepared plans, specifications and estimates for the project, and;

Whereas the County Engineer has estimated the construction cost of the project at \$1,842,330.54, and;

Whereas American Recovery and Reinvestment Act (ARRA) federal stimulus funding has been provided through the Ohio Department of Transportation to pay one-hundred percent (100%) of the costs of construction for the project up to \$1,810,460, and;

Whereas the Ohio Department of Transportation and Federal Highway Administration have approved plans, specifications and estimates, and authorized the commencement of bidding and construction on the project;

Now, therefore be it resolved by the Board of Commissioners that:

Section 1: The plans, specifications and estimates for the project known as DEL-COUNTY RESURFACING, Resurfacing and Reconstruction of Various Delaware County Roads Funded by the 2009 American Recovery and Reinvestment Act, are hereby approved, and;

Section 2: The County Engineer is hereby authorized to advertise for and receive bids on behalf of the Board in accordance with the following Invitation to Bid:

Sealed bids will be received at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00am on September 15, 2009, at which time they will be publicly opened and read aloud, for the project known as DEL-COUNTY RESURFACING, Resurfacing and Reconstruction of Various Delaware County Roads Funded by the 2009 American Recovery and Reinvestment Act.

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-COUNTY RESURFACING". Bid shall be accompanied by a Bid Security in the form of 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 must be obtained by bidders from the Delaware County Engineer's Office, 50 Channing Street, Delaware, Ohio 43015. Cost for each set of plans & specifications is \$20 and the cost is non-refundable. Registration with the Delaware County Engineer's Office is required to be a bidder.

The Owner requires that all work associated with the project be completed before November 6, 2009. The estimated commencement of work date is September 29, 2009. Incentives and disincentives shall be applied for certain portions of this project.

Bidders must be pre-qualified as a Contractor by the Ohio Department of Transportation.

This is a Federal-Aid project and the Federal Equal Employment Opportunity regulations listed in the proposal shall govern. At least six percent (6%) of contract work shall be performed by ODOT certified Disadvantaged Business Enterprises (DBE's) that are qualified under Chapter 5525 of the Ohio Revised Code.

This is a prevailing wage contract in accordance with the U.S. Department of Labor Regulations, Title 29, Subtitle A, Part 5, Sections 5.5, 5.31, and 5.32, most recent revision at contract execution. Bidders shall comply with all applicable provisions.

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

Delaware Gazette Advertisement Dates:  
August 21, 2009  
August 28, 2009  
September 4, 2009

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

**RESOLUTION NO 09-1002**

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**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS DEL-TR82-0.25 GIEHL ROAD OVER LEATHERWOOD RUN BRIDGE REPLACEMENT:**

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

Whereas Resolution 09-647 initiated the project known as DEL-TR82-0.25 Giehl Road Bridge over Leatherwood Run Bridge Replacement, and;

Whereas the County Engineer has prepared plans, specifications and estimates for the project, and;

Whereas the County Engineer has estimated the construction cost of the project at \$616,000, and;

Whereas the County Engineer recommends that the Board proceed with construction of the project at the earliest possible date due to the poor structural condition of the existing bridge;

Now, therefore be it resolved by the Board of Commissioners that:

Section 1: The plans, specifications and estimates for the project known as DEL-TR82-0.25 Giehl Road over Leatherwood Run Bridge Replacement are hereby approved, and;

Section 2: The County Engineer is hereby authorized to advertise for and received bids on behalf of the Board in accordance with the following Invitation to Bid:

Sealed bids will be received at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00am on September 8, 2009, at which time they will be publicly opened and read aloud, for the project known as DEL-TR82-0.25, Giehl Road over Leatherwood Run Bridge Replacement.

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-TR82-0.25". Bid shall be accompanied by a Bid Security in the form of 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 must be obtained by bidders from the Delaware County Engineer's Office, 50 Channing Street, Delaware, Ohio 43015. Cost for each set of plans & specifications is \$20 and the cost is non-refundable. Registration with the Delaware County Engineer's Office is required to be a bidder.

The Owner requires that all work associated with the project be completed before November 30, 2009. The estimated commencement of work date is September 21, 2009.

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

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

Delaware Gazette Advertisement Dates:  
August 21, 2009  
August 28, 2009

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

**RESOLUTION NO. 09-1003**

**A RESOLUTION OF NECESSITY FOR LEVYING A TAX EXCEEDING THE TEN-MILL LIMITATION TO PROVIDE THE CONSTRUCTION OR ACQUISITION OF A COUNTYWIDE OUTDOOR WARNING SIREN SYSTEM:**

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

**PREAMBLE**

**WHEREAS**, the Board of Commissioners of Delaware County, Ohio (the "Board") has determined that the amount

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of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Delaware County, Ohio, as expressed herein; and

**WHEREAS**, a resolution declaring the necessity of levying a tax, pursuant to R.C. 5705.19, outside the ten-mill limitation must be passed and certified to the county auditor of Delaware County in order to permit the Board to consider the levy of such a tax and must request that the county auditor certify to the Board the total current tax valuation of Delaware County, as well as the dollar amount of revenue that would be generated by a specified number of mills or the number of mills required to generate a specified amount of revenue; and

**WHEREAS**, the levy proceeds would reimburse the City of Delaware, Village of Sunbury, Scioto Township, and Village of Galena at a prorated amount for sirens as to prevent the double taxation of those residents;

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED**, by the Board, at least two-thirds of all members elected thereto concurring, that it is necessary to levy an additional tax in excess of the ten-mill limitation for the benefit of Delaware County for the purpose of the construction or acquisition of any specific permanent improvement or class of improvements that the taxing authority of the subdivision may include in a single bond issue, said purpose being authorized by R.C. 5705.19(F);

**BE IT FURTHER RESOLVED**, by the Board, that the specific purpose of the additional tax in excess of the ten-mill limitation for the benefit of Delaware County is for the construction or acquisition of a countywide outdoor warning siren system that will be owned by the Delaware County Office of Homeland Security and Emergency Management, including the acquisition of certain existing outdoor warning siren systems currently owned by other political subdivisions wholly within Delaware County;

**BE IT FURTHER RESOLVED**, that the Clerk of the Board is hereby directed to certify a copy of this resolution to the Board of Elections of Delaware County, Ohio not later than August 20, 2009;

**BE IT FURTHER RESOLVED**, that the question of such a tax levy shall be submitted to the electors of Delaware County at the election to be held on November 3, 2009. Such a levy shall be placed upon tax list commencing in 2009, first due in calendar year 2010, if a majority of the electors voting thereon vote in favor thereof. The form of the ballot to be used at said election shall be substantially as follows:

An additional tax for the construction or acquisition of a countywide outdoor warning siren system at a rate of four-tenths (0.4) mill for each one dollar of valuation, which amounts to four cents (\$.04) for each hundred dollars of valuation for one (1) year commencing in 2009, first due in calendar year 2010.

This Resolution shall be in full force and effect immediately upon adoption.

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

**RESOLUTION NO. 09-1004**

**A RESOLUTION OF NECESSITY FOR LEVYING A TAX EXCEEDING THE TEN-MILL LIMITATION FOR CURRENT EXPENSES TO PROVIDE THE MAINTENANCE AND OPERATION OF A COUNTYWIDE OUTDOOR WARNING SIREN SYSTEM:**

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

**PREAMBLE**

**WHEREAS**, the Board of Commissioners of Delaware County, Ohio (the "Board") has determined that the amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Delaware County, Ohio, as expressed herein; and

**WHEREAS**, a resolution declaring the necessity of levying a tax, pursuant to R.C. 5705.19, outside the ten-mill limitation must be passed and certified to the county auditor of Delaware County in order to permit the Board to consider the levy of such a tax and must request that the county auditor certify to the Board the total current tax valuation of Delaware County, as well as the dollar amount of revenue that would be generated by a specified number of mills or the number of mills required to generate a specified amount of revenue;

**WHEREAS**, if the levy for maintenance and operation of a countywide outdoor warning siren system should pass and the construction and acquisition fail, the Board will rescind this levy; and

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED**, by the Board, at least two-thirds of all members elected thereto concurring, that it is necessary to levy an additional tax in excess of the ten-mill limitation for the benefit of Delaware County for current expenses of the maintenance and operation of the countywide outdoor warning siren

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system, said purpose being authorized by R.C. 5705.19(A);

**BE IT FURTHER RESOLVED**, by the Board, that the specific purpose of the additional tax in excess of the ten-mill limitation for the benefit of Delaware County is for the maintenance and operation of a countywide outdoor warning siren system that will be owned by the Delaware County Office of Homeland Security and Emergency Management;

**BE IT FURTHER RESOLVED**, that the Clerk of the Board is hereby directed to certify a copy of this resolution to the Board of Elections of Delaware County, Ohio not later than August 20, 2009;

**BE IT FURTHER RESOLVED**, that the question of such a tax levy shall be submitted to the electors of Delaware County at the election to be held on November 3, 2009. Such a levy shall be placed upon tax list commencing in 2009, first due in calendar year 2010, if a majority of the electors voting thereon vote in favor thereof. The form of the ballot to be used at said election shall be substantially as follows:

An additional tax for current expenses to provide the maintenance and operation of a countywide outdoor warning siren system at a rate of one-tenth (0.1) mill for each one dollar of valuation, which amounts to one cent (\$0.01) for each hundred dollars of valuation for one (1) year commencing in 2009, first due in calendar year 2010.

This Resolution shall be in full force and effect immediately upon adoption.

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

**RESOLUTION NO. 09-1005**

**IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR A EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR A DRUG PROSECUTOR IN 2010:**

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

Grant #                            2009-JG-A02-T11401  
Source:                            Ohio Office of Criminal Justice Services  
Grant Period:            January 1, 2010 - December 31, 2010

State Grant Amount:	\$ 83951.50
Local Match:	<u>0.00</u>
Total Grant Amount:	\$ 83951.50

The Grant would allow the Prosecutor to hire a drug prosecutor for Delaware County. This would then help to reduce the impact of drug and firearm traffickers, gangs, pharmaceutical diversion, and other organized criminal activity.

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

**RESOLUTION NO. 09-1006**

**IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR A EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR AN EDUCATION/OUTREACH COORDINATOR:**

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

Grant #                            2009-JG-D01-T11461  
Source:                            Office of Criminal Justice Service  
Grant Period:            January 1, 2010 to December 31, 2010  
Federal Grant Amount:    \$37,115.63  
Local Match:                    \$12,371.87  
Total Grant Amount:        \$49,487.50

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

**RESOLUTION NO 09-1007**

**IN THE MATTER OF ACCEPTING THE AWARD OF THE CRIMINAL JUSTICE SERVICE GRANT FOR VICTIM SERVICES:**

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

Grant #                            2009-WF-VA5-T10968

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Source: Office of Criminal Justice Services - AARA Violence Against Women Act Grant Program  
 Grant Period: July 31, 2009 - July 31, 2010  
 Federal Grant Amount: \$ 21,986.64  
 Local Match: 0.00  
 Total Grant Amount: \$ 21,986.64

Accepting this grant would allow us to hire a Civil Protection Order Specialist. This individual would aid in assisting victims with obtaining domestic violence and civil stalking/sexually oriented offence protection orders.

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

**RESOLUTION NO. 09-1008**

**IN THE MATTER OF ACCEPTING THE OHIO DEPARTMENT OF YOUTH SERVICES SUBSIDY GRANT AWARD:**

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

Grant award: Ohio Department of Youth Services Subsidy Grant award for Juvenile Court. A summary of the grants is as follows:

**Grant #**  
 Source: Ohio Department of Youth Services  
 Grant Period: July 1, 2009 to June 30, 2011  
 Grant Request Amount: \$575,422.37  
 Match: \$0.00  
 Total Grant Amount: \$575,422.37

Summary: The grant award of \$575,422.37 is \$15,703.63 less than the grant application that was submitted , which was \$591,126.00.

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

**RESOLUTION NO. 09-1009**

**IN THE MATTER OF ACCEPTING THE JUVENILE COURT FAMILY DRUG COURT GRANT FROM ODADAS**

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

Family Drug Court

Grant # 99-2192-DCRT-0-10-0005  
 Source: ODADAS  
 Grant Period: July 1, 2009 through June 30, 2010  
 Grant Amount: \$82,687.00  
 Local Match: \$0.00  
 Total Grant Amount: \$82,687.00

Summary: The combined grant application from Delaware –Morrow Mental Health and Recovery Services Board and the Court was \$110,249.00. The actual award is \$27,562.00 lower than what was submitted in the combined applications. ODADAS has combined the Family Drug Court grant along with the treatment component . The court will be the administrative agent for treatment services for youth utilizing the family drug courts.

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

**RESOLUTION NO. 09-1010**

**IN THE MATTER OF ACCEPTING AND AWARDING THE BIDS FROM ATLAS OIL COMPANY, BEEM'S BP DISTRIBUTING, INC., ENGLEFIELD OIL COMPANY, AND VERITY ENTERPRISES, LLC. DBA MCWHERIER PETROLEUM SERVICES, FOR BULK GASOLINE AND DIESEL FUELS FOR DELAWARE COUNTY:**

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

Whereas, Delaware County received four bids for bulk gasoline and diesel fuels on July 6, 2009, and;

Whereas, Delaware County wishes to enter into multiple award contracts to assure that lowest market pricing is received throughout the term of the contract by contacting each contractor at the time that each order, and;

Whereas, after carefully reviewing all the bids received, the bids submitted by Atlas Oil Company, Beem's BP Distributing, Inc., Englefield Oil Company, and Verity Enterprise, LLC. DBA McWherter Petroleum Services are complete and meet all bid specifications for both tank wagon and transporter loads.

Therefore be it resolved, that the Board of Commissioners of Delaware County, State of Ohio, approve and accept the bids submitted by Atlas Oil Company, Beem's BP Distributing, Inc., Englefield Oil Company, and Verity Enterprise, LLC. DBA McWherter Petroleum Services for bulk gasoline and diesel fuels for Delaware County.

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

**RESOLUTION NO. 09-1011**

**IN THE MATTER OF APPROVING SPECIFICATION AND SETTING PROPOSAL OPENING DATE AND TIME FOR PRESORT POSTAGE DISCOUNT PROGRAMS:**

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

The complete Request for Proposals is posted on the internet and may be viewed on Delaware County's web page at <http://www.co.delaware.oh.us> under the heading Current Bids or may be obtained from the Delaware County Facilities Management Office, 1405 US 23 North, Delaware, Ohio during normal business hours.

The Delaware County Commissioners wish to receive proposals from providers of Presort Postage Discount Programs for Delaware County.

Any proposals submitted to Delaware County, Ohio are to be prepared at the submitter's expense. Delaware County reserves the right to reject any and all proposals in whole or in part. Acceptance of a proposal shall not constitute an agreement between the submitter and Delaware County. Delaware County shall have no liability whatsoever to any submitter whose proposal is not accepted.

Proposals will be received at the Delaware County Commissioners' Office, Attention: Mr. Jon Melvin, Facilities Supervisor, 101 North Sandusky Street, Delaware, Ohio 43015 until **4:00 p.m. on Friday September 4, 2009**. Only one (1) original is to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

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

**RESOLUTION NO. 09-1012**

**IN THE MATTER OF SETTING DATE AND TIME FOR A PUBLIC HEARING #2 TO CONSIDER USING REVOLVING LOAN FUNDS (RLF) TO ASSIST THE VILLAGE OF SHAWNEE HILLS WITH ADA SIDEWALKS:**

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

Whereas, a public hearing will be held on **Monday, August 31, 2009, at 9:45 am** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is required to consider using the RLF to assist the Village of Shawnee Hills with ADA sidewalks.

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

**RESOLUTION NO. 09-1013**

**IN THE MATTER OF SETTING DATE AND TIME FOR A PUBLIC HEARING #2 TO CONSIDER USING REVOLVING LOAN FUNDS (RLF) TO ASSIST THE VILLAGE OF SUNBURY TO EXTEND THE ORIGINAL SCOPE OF WORK WITH THE OFF SITE INFRASTRUCTURE IMPROVEMENTS WITH THE KROGER SHOPPING CENTER PROJECT:**

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

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Whereas, a public hearing will be held on **Monday, August 31, 2009, at 9:30 am** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is required to consider using the RLF to extend the original scope of work for the off site infrastructure improvements..

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

**RESOLUTION NO. 09-1014**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY REVOLVING LOAN FUNDS (RLF) TO ASSIST IN FUNDING AN INTERCHANGE MODIFICATION STUDY FOR THE INTERCHANGE AT US 36 & I-71:**

It was move by Mr. Hanks, seconded by Mr. Thompson to authorize the following;

WHEREAS, Delaware County has established a Revolving Loan Fund (RLF) capitalized with the payback from Community Development Block Grant (CDBG) loans to local eligible businesses; and

WHEREAS, The Delaware County Revolving Loan Fund (RLF) purpose is to encourage the expansion and stability of the economic base of, and encourage increased employment opportunities, particularly for low and moderate (LMI) income persons, and

WHEREAS, an Interchange Modification Study is needed to address the issue of traffic to a prime site for economic development, and

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED, by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Delaware County Board of Commissioners hereby approves an RLF grant in the amount up to \$40,000 to assist in funding the Interchange Modification Study.

Section 2. The Delaware County Board of Commissioners hereby approves a Supplemental Appropriation for **23111709-5365** Revolving Loan Fund (RLF/Grant Related Services ) \$40,000.00.

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

**RESOLUTION NO. 09-1015**

**IN THE MATTER OF AUTHORIZING THE SUBMITTAL OF THE REVOLVING LOAN FUND AND PROGRAM INCOME SEMI-ANNUAL REPORTS WITH THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to authorize the submittal of RLF report:

WHEREAS, the Ohio Department of Development provides financial assistance to Delaware County under the Community Development Block Grant (CDBG) Program; and

WHEREAS, Delaware County has a Revolving Loan Fund and Program Income Fund, which is capitalized with Community Development Block Grant (CDBG) funds, with use of these funds having a National Objective of assisting eligible low-moderate income households; and

WHEREAS, Office of Housing and Community Partnerships (OHCP) in the Ohio Department of Development (ODOD) has requested that Delaware County significantly reduce its Revolving Loan Fund (RLF) balance by spending said funds on eligible CDBG activities meeting a CDBG National Objective; and

WHEREAS, the Ohio Department of Development requires the County to submit a report of the RLF/Program Income funds for their review.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Delaware County Board of Commissioners hereby authorizes the submittal of the Semi-Annual RLF/Program Income Reports for the period January 1, 2009 – June 30, 2009 to Ohio Department of Development, Office of Housing and Community Partnership.

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

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**RESOLUTION NO. 09-1016**

**IN THE MATTER OF AMENDING THE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND DELAWARE AREA CAREER CENTER, ADULT BASIC LITERACY EDUCATION PROGRAM (ABLE):**

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

Whereas, the Director of Job & Family Services recommends approval of the following amendment;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following amendment with Delaware Area Career Center, Adult Basic Literacy Education Program (ABLE):

**AMENDMENT TO THE ADULT BASIC LITERACY EDUCATION PROGRAM (ABLE) PROGRAM CONTRACT AMENDMENT NO. 1**

This amendment, effective August 17, 2009, is to amend the Contract between the Delaware County Department of Job and Family Services and Delaware Area Career Center, Adult Basic Literacy Education Program (ABLE) entered into on the 1<sup>ST</sup> day of July, 2009.

This agreement shall amend the contract as follows:

**Appendix I**

**Statement of Work**

Discontinues ABLE/GED PM Classes (classes active thru July 2009 only)  
Phases out Instructional Incentives (limited to incentives already purchased)  
Discontinues Basic Computer Instruction ( classes active thru 08/05/09 only)

**Appendix II**

**Budget**

Reduces ABLE/GED PM Classes by \$ 13,200.00  
Reduces Instructional Incentives by \$ 2,100.00  
Reduces Basic Computer Instruction by \$ 6,510.00  
Increases Job Coach by \$ 6,510.00  
Reduces Total by \$ 15,300

**Appendix II**

**Budget**

07/01/09 thru 06/30/10  
revised 08/17/09

ABLE/GED Classes	
AM Classes Monday through Thursday-9:30 -12:00	34,560.00
PM Classes Tuesday and Thursday 1:00-3:00	1,200.00
Instructional Incentives	900.00
Copier Maintenance	720.00
Basic Computer Instruction	690.00
Job Coach	<u>35,310.00</u>
Total	\$ 73,380.00

**Appendix I**

**Statement of Work**

**07/01/09 thru 06/30/10**  
**revised 08/17/09**

Services Narrative

The Delaware Area Career Center/ABLE Program will provide will provide Ohio Works First and TANF eligible participants adult basic literacy and education services and life skills coaching and advocacy, all of which are geared towards helping needy parents transition to self-sufficiency, increased work readiness, and reduced dependency on government benefits.

ABLE/GED Classes

ABLE will provide ABLE/GED classes on-site at the Hayes County Building, four mornings per week and two afternoons per week.

Service availability: ABLE classes will begin Monday, July 6, 2009 and end Wednesday, June 30, 2010. ABLE



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classes will not be in session during the week of Thanksgiving, two weeks at Christmas/New Year's, and the week that the Delaware Area Career Center is on Spring Break in FY 2010. Services will be provided for 48 weeks during the year.

Numbers to be served: Over 100 adults will be enrolled (receive a minimum of 12 hours of service) at the DCDJFS site. In addition, ABLE will continue to administer the TABE (Test of Adult Basic Education) assessment to DCDJFS clients who are referred for assessment only. These persons are referred to ABLE sites by Employment Counselors (EC's) to take the TABE Assessment to determine readiness for post-secondary education/training. This is a service that is offered at no cost to DCDJFS. Participants who receive the TABE Assessment only, cannot be counted toward numbers served under ABLE Grant guidelines - unless they join an ABLE class to improve basic skills. Most TABE-only referrals do not attend ABLE classes and are referred on to post-secondary training. All TABE Assessment-only referrals that score low on the TABE are encouraged to attend ABLE classes to improve their basic skills. Over 40 DCDJFS clients per year are referred for the TABE assessment-only service.

Individuals to be served in classes will be those adults who need to improve basic skills to better function in society. Adults who are lacking a high school diploma or, equivalence diploma (GED), will have on-site classroom instruction to prepare for the GED Test.

Scope of work and Measurable Objectives: All students will have a pre and post test to determine academic progress. The TABE Assessment is the standardized test required for use by ABLE Programs by the Ohio Board of Regents (OBR). All students will be required to sign-in for class. Attendance will be tracked and reported monthly with the invoice. Employment Counselors will have daily access to the class sign-in (attendance book) so they can make immediate determinations about a client's compliance.

An on-going monthly status report will be provided to DCDJFS. Client progress will be noted by: reporting TABE scores, names of students passing the GED Practice Test, and the Official GED Test. Student goals will be tracked along with class attendance.

ABLE will provide an instructor and an intake/orientation/assessment person for each class on-site at the Hayes Building through this contract. ABLE will provide all assessment materials and supplies for this site through the FY 2010 ABLE Grant at no cost to DCDJFS.

Cost of ABLE Instruction

AM Classes

2 teachers x 12 hours per week for the AM class, Monday through Thursday, 9:30 -12:00 plus ½ hour of preparation time for each instructor per class = 24 hours per week x 30 per hour X 48 weeks = 34,560.00 per year

PM Classes (thru July 2009 only)

40 hours x \$30/ hour = \$ 1200.00

On-site ABLE copier

DCDJFS will pay 60.00 per month for maintenance of the ABLE copier, or, 720.00 per year.

ABLE will supply the copier paper for all ABLE/GED classes at the Hayes Building. ABLE relies on many different sources of instructional materials that can be copied and used in class and for homework assignments.

Provision of Incentives

TANF eligible ABLE learners will receive monetary vouchers redeemable at local merchants for achieving certain program milestones or academic accomplishments.

Accomplishment or Milestone	Voucher \$\$ Amount Awarded
Enrolled in ABLE Class AND has attended 12 hours of class	\$30.00
Progressing 2 or more grade levels on the TABE Assessment.	\$30.00
Passed the Official GED Practice Test	\$60.00
Passed the Actual GED Test	\$120.00

Only students with a high school diploma are eligible for vouchers for progressing 2 or more grade levels on the TABE test.

Only students requiring a GED are eligible to earn vouchers for passing the Official GED Practice Test or Actual GED Test.

A full accounting of vouchers earned each month will be included as part of the monthly DCDJFS Contract Report.

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**Cost of Educational Incentives**

Based on the number of vouchers earned to date, we will need to award approximately \$ 900.00 worth of vouchers.

**Basic Computer Instruction**

ABLE will provide an instructor to teach beginning/basic computer classes. The classes will be offered on Wednesdays and Thursdays, from 1-3:30pm.

Topics covered will include computer basics, Internet/Web skills, setting up email accounts and basic word processing skills corresponding with skills identified on the Computer Skills Self-Assessment. ABLE will proactively contact all Benefits and Responsibilities Orientation participants who score less than 20 points on the Computer Skills Self-Assessment or participants referred to the program by an Employment Counselor encouraging their participation. Students will complete a class evaluation form to determine effectiveness of instruction as well as a pre and post computer skills checklist to determine skills acquired. ABLE will provide copies of attendance sheets, class evaluations, and pre and post skills checklists for all participants with the monthly invoice. ABLE will scan in copies of pre and post skills checklists into the Compass electronic document storage and retrieval system. ABLE will provide a monthly report (electronic copy, MS word format) summarizing relevant Computer Training Workshop information to include as a minimum:

- Names of participants and numbers of participants for each workshop
- Funding source, if known, of each participant (ie. TANF, ABAWD, walk-in, etc.).
- Referral Source (employment counselors name, referring agency, etc)
- Names of persons contacted or attempted to be contacted when recruiting participants as well as outcome of the contact or contact attempt.

The monthly report will be submitted not later than the date the invoice is submitted for the same service month.

Cost of computer instruction (thru 08/05/09)  
23 hours x \$ 30/hour = \$ 690.00

**Advocate/Life Skills Job Coach**

The Job Coach will be a go to person to work one-on-one and in small group settings with Workforce Development clients who need additional services beyond what the Employment Counselors are able to provide.

The Job Coach will work closely with Employment Counselors and DCDJFS Workforce supervisors to meet agency and client needs.

The Job Coach will assist with Benefits and Responsibilities Orientation on Tuesdays (overseeing the collection/completion of a variety of forms) and assuming all duties as assigned to help Benefits Orientation run smoothly.

ABLE will provide a monthly report (electronic copy, MS word format) summarizing as a minimum:

- Names of persons assisted with life skills and job coaching needs
- Detailed description of services provided
- Outcomes (results) of services provided

The monthly report will be submitted not later than the date the invoice is submitted for the same service month.

Cost of Service for Job Coach for services not already included:

1177 hours x \$ 30/hour = \$35,310.00

**Experience Overview**

The Delaware Area Career Center/ABLE Program has provided services contractually for Job and Family Services for the past 15 years. Our ABLE classroom instructors, on-site at the Hayes County Building, are experienced teachers who are highly motivated to help adult learners.

The candidate for the Job Coach/Resource Room position, Mary Pallotta, has a Master's Degree in counseling, prior experience working with dislocated workers, and has taught basic and advanced computer classes.

Mary is proficient in Excel and is able to produce excellent detailed reports for ABLE/DCDJFS.

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

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**RESOLUTION NO 09-1017**

**IN THE MATTER OF APPROVING RATE CHANGES FOR CHILD CARE SERVICES CONTRACTS AS LISTED BELOW:**

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

**Laura Black:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Laura Black entered into on the 26th day of February, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 150.00	\$ 96.02		\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.28	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Yvette Bradley**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Yvette Bradley entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 152.18	\$ 96.02		\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 6.00	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Karen Bumpus:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Karen Bumpus entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 73.21	\$ 63.88	\$ 3.10	
Toddlers	\$ 91.31	\$ 57.61		\$ 2.93
Pre-K	\$ 72.92	\$ 57.05	\$ 3.08	
School Age	\$ 59.81	\$ 42.57	\$ 3.64	
Summer	\$ 73.52	\$ 58.99	\$ 3.65	

This agreement effective on the 23rd day of August, 2009

**Dawnya Coleman:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between

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the Delaware County Department of Job and Family Services and Dawnya Coleman entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.77	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Shirley Halker:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Shirley Halker entered into on the 22nd day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 152.18	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 6.00	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Rhonda Huffman:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Rhonda Huffman entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.50	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Brianna Kinniard**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Brianna Kinniard entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.28	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

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**Sue Koloff:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Sue Koloff entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 124.52	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 4.63	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Carla McMackin:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Carla McMackin entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 152.18	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.28	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Theresa Mitchell**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Theresa Mitchell entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly	
Infants	\$ 122.02	\$ 106.47	\$ 5.17	
Toddlers	\$ 152.18	\$ 96.02	\$ 5.49	
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13	
School Age	\$ 99.68	\$ 70.95	\$ 5.28	
Summer	\$ 122.53	\$ 98.32	\$ 6.08	

This agreement effective on the 23rd day of August, 2009

**Kerry Santa**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kerry Santa entered into on the 1<sup>st</sup> day of January, 2009

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<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 122.02	\$ 106.47	\$ 5.17
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13
School Age	\$ 99.68	\$ 70.95	\$ 5.28
Summer	\$ 122.53	\$ 98.32	\$ 6.08

This agreement effective on the 23rd day of August, 2009

**Christina Shaffer**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Christina Shaffer entered into on the 15<sup>th</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 122.02	\$ 106.47	\$ 5.17
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13
School Age	\$ 99.68	\$ 70.95	\$ 5.28
Summer	\$ 122.53	\$ 98.32	\$ 6.08

This agreement effective on the 23rd day of August, 2009

**Christina Tucker**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Christina Tucker entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 122.02	\$ 106.47	\$ 5.17
Toddlers	\$ 145.00	\$ 96.02	\$ 5.49
Pre-K	\$ 121.54	\$ 95.00	\$ 5.13
School Age	\$ 99.68	\$ 70.95	\$ 6.07
Summer	\$ 122.53	\$ 95.00	\$ 6.08

This agreement effective on the 23rd day of August, 2009

**Kimberly VanDyke**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kimberly VanDyke entered into on the 16<sup>th</sup> day of July, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 122.02	\$ 106.47	\$ 5.17
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13
School Age	\$ 99.68	\$ 70.95	\$ 6.07
Summer	\$ 122.53	\$ 98.32	\$ 6.08

This agreement effective on the 23rd day of August, 2009

**Nicole Working**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Nicole Working entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 122.02	\$ 106.47	\$ 5.17
Toddlers	\$ 143.00	\$ 96.02	\$ 5.49
Pre-K	\$ 121.54	\$ 95.08	\$ 5.13
School Age	\$ 99.68	\$ 70.95	\$ 5.28
Summer	\$ 122.53	\$ 98.32	\$ 6.08

This agreement effective on the 23rd day of August, 2009

**Adventure Academy**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Adventure Academy entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 180.00	\$ 137.05	\$ 6.30
Toddlers	\$ 165.00	\$ 113.00	\$ 12.45
Pre-K	\$ 140.00	\$ 76.07	\$ 5.84
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Summer	\$ 120.00	\$ 95.55	\$ 7.13
Pre-K Only	\$ 38.37	\$ 38.37	\$ 5.48
B & A	\$ 80.00	\$ 60.00	\$ 5.48
B or A	\$ 40.00	\$ 40.00	\$ 5.48

This agreement effective on the 23rd day of August, 2009

**Briar Rose Children's Center:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Briar Rose Children's Center entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Summer	\$ 142.63	\$ 95.55	\$ 7.13

This agreement effective on the 23rd day of August, 2009

**Brooksedge Day Care Center:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Brooksedge Day Care Center entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
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Infants	\$ 215.73	\$ 143.90	\$ 6.62
Toddlers	\$ 190.01	\$ 118.65	\$13.07
Pre-K	\$ 163.44	\$ 79.87	\$ 6.81
School Age	\$ 94.56	\$ 63.00	\$ 5.75
Summer	\$ 149.76	\$ 100.33	\$ 7.49
Before & After	\$ 94.56	\$ 63.00	\$ 5.75
Before or After	\$ 94.56	\$ 63.00	\$ 5.75

This agreement effective on the 23rd day of August, 2009

**Childcare Unlimited-Johnstown**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Childcare Unlimited/Johnstown entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 151.30	\$ 103.36	\$ 6.98
Toddlers	\$ 130.72	\$ 86.96	\$ 5.66
Pre-K	\$ 116.03	\$ 68.07	\$ 3.71
School Age	\$ 72.63	\$ 49.57	\$ 3.02
Summer	\$ 110.87	\$ 69.64	\$ 2.56
Before & After	\$ 70.00	\$ 49.57	\$ 3.02
Before Only	\$ 35.00	\$ 35.00	\$ 3.02
After Only	\$ 45.00	\$ 45.00	\$ 3.02
Pre-K Only(2 days	\$ 33.72	\$ 33.72	\$ 3.71
Pre-K Only(3 days	)\$ 43.02	\$ 43.02	\$ 3.71
Summer Pre-K	\$ 27.91	\$ 27.91	\$ 3.71

This agreement effective on the 23rd day of August, 2009

**Children's Discovery Place**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Children's Discovery Place entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 205.46	\$ 137.05	\$ 6.30
Toddlers	\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Summer	\$ 142.63	\$ 95.55	\$ 7.13
Before & After	\$ 90.06	\$ 60.00	\$ 5.48

This agreement effective on the 23rd day of August, 2009

**Childcare Unlimited/Sunbury**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Childcare Unlimited - Sunbury entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 170.00	\$ 137.05	\$ 6.30
Toddlers	\$ 165.00	\$ 113.00	\$12.45



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Pre-K	\$ 155.66	\$ 76.07	\$ 6.49
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Summer	\$ 142.63	\$ 95.55	\$ 7.13
Before & After	\$ 75.00	\$ 55.00	\$ 5.48
Before Only	\$ 35.00	\$ 25.00	\$ 5.48
After Only	\$ 50.00	\$ 40.00	\$ 5.48

This agreement effective on the 23rd day of August, 2009

**Childtime Learning Center**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Childtime Learning Center entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly
Infants	\$ 215.73	\$ 143.90	\$ 6.62
Toddlers	\$ 190.01	\$ 118.65	\$13.07
Pre-K	\$ 163.44	\$ 79.87	\$ 6.81
School Age	\$ 94.56	\$ 63.00	\$ 5.75
Summer	\$ 149.76	\$ 100.33	\$ 7.49
Before & After	\$ 94.56	\$ 63.00	\$ 5.75
Before or After	\$ 85.00	\$ 63.00	\$ 5.75

This agreement effective on the 23rd day of August, 2009

**Come N Play**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Come N Play entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly
Infants	\$ 180.00	\$ 137.05	\$ 6.30
Toddlers	\$ 160.00	\$ 113.00	\$12.45
Pre-K	\$ 150.00	\$ 76.07	\$ 6.49

This agreement effective on the 23rd day of August, 2009

**Delaware City Sacc**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Delaware City School/Sacc entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly
Kindergarten	\$ 90.06	\$ 60.00	\$ 5.48
Before or After	\$ 55.00	\$ 55.00	\$ 5.48
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Grades 1-6			
Before or After	\$ 55.00	\$ 55.00	\$ 5.48
Before & After	\$ 70.00	\$ 60.00	\$ 5.48
Summer	\$ 142.63	\$ 95.55	\$ 7.13

This agreement effective on the 23rd day of August, 2009

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**Delaware Christian Academy**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Delaware Christian Academy entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Toddlers	\$ 159.44	\$ 102.58	\$12.45
Pre-K	\$ 153.00	\$ 76.07	\$ 6.49
Pre-K (T&Th)	\$ 32.56	\$ 32.56	\$ 6.49
Pre-K (MWF)	\$ 39.53	\$ 39.53	\$ 6.49
Pre-K (M-F)	\$ 47.67	\$ 47.67	\$ 6.49

This agreement effective on the 23rd day of August, 2009

**Flying Dozer**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Flying Dozer entered into on the 1<sup>st</sup> day of January, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 169.90	\$ 134.21	\$ 6.30
Toddlers	\$ 149.42	\$ 108.70	\$12.45
Pre-K	\$ 133.89	\$ 76.07	\$ 6.49
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Summer	\$ 122.30	\$ 88.24	\$ 7.13
Before & After	\$ 90.06	\$ 60.00	\$ 5.48
Before or After	\$ 76.00	\$ 60.00	\$ 5.48

This agreement effective on the 23rd day of August, 2009

**The Goddard School/W. Olentangy**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and The Goddard School / W. Olentangy entered into on the 6<sup>th</sup> day of March, 2009

<u>RATE CHANGES:</u>	Full Time	Part Time	Hourly
Infants	\$ 205.46	\$ 137.05	\$ 6.30
Toddlers	\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49
School Age	\$ 90.06	\$ 60.00	\$ 5.48
Before & After	\$ 90.06	\$ 60.00	\$ 5.48
Before or After	\$ 73.26	\$ 60.00	\$ 5.48
Summer	\$ 142.63	\$ 95.55	\$ 7.13

This agreement signed on the 23rd day of August, 2009

**The Goddard School/Olde Worth.**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between

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the Delaware County Department of Job and Family Services and The Goddard School/Olde Worthington entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 205.46	\$ 137.05	\$ 6.30	
Toddlers		\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49	
School Age	\$ 90.06	\$ 60.00	\$ 5.48	
Summer	\$ 142.63	\$ 95.55	\$ 7.13	
Before & After	\$ 90.06	\$ 60.00	\$ 5.48	
After Only	\$ 88.00	\$ 60.00	\$ 5.48	

This agreement effective on the 23rd day of August, 2009

**Indianola Children’s Center:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Indianola Children’s Center entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Toddlers		\$ 168.00	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49	
School Age	\$ 90.06	\$ 60.00	\$ 5.48	
Summer	\$ 142.63	\$ 95.55	\$ 7.13	

This agreement effective on the 23rd day of August, 2009

**Jelly Bean Junction/Snouffer**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Jelly Bean Junction/Snouffer entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 215.73	\$ 143.90	\$ 6.62	
Toddlers		\$ 190.01	\$ 118.65	\$13.07
Pre-K	\$ 163.44	\$ 79.87	\$ 6.81	
School Age	\$ 94.56	\$ 63.00	\$ 5.75	
Summer	\$ 149.76	\$ 100.33	\$ 7.49	
Before & After	\$ 94.56	\$ 63.00	\$ 5.75	
Before or After	\$ 94.56	\$ 63.00	\$ 5.75	

This agreement effective on the 23rd day of August, 2009

**Journey Christian Academy**

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Journey Christian Academy entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 180.00	\$ 137.05	\$ 6.30	
Toddlers		\$ 160.00	\$ 113.00	\$12.45
Pre-K	\$ 140.00	\$ 76.07	\$ 6.49	
Pre-K (MWF)	\$ 55.00	\$ 55.00	\$ 6.49	

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This agreement signed on the 23rd day of August, 2009

**Kiddie Academy**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kiddie Academy entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 205.46	\$ 137.05	\$ 6.30	
Toddlers		\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49	
School Age	\$ 90.06	\$ 60.00	\$ 5.48	
Summer	\$ 142.63	\$ 95.55	\$ 7.13	
Before Only	\$ 72.00	\$ 60.00	\$ 5.48	
After Only	\$ 90.06	\$ 60.00	\$ 5.48	

This agreement effective on the 23rd day of August, 2009

**Kindercare/Caren Ave.**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kindercare/Caren Ave. entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 205.46	\$ 137.05	\$ 6.30	
Toddlers		\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49	
School Age	\$ 90.06	\$ 60.00	\$ 5.48	
Summer	\$ 142.63	\$ 95.55	\$ 7.13	
Before or After	\$ 83.00	\$ 60.00	\$ 5.48	

This agreement effective on the 23rd day of August, 2009

**Kindercare / Eastwind:**

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

This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kindercare/Eastwind entered into on the 1<sup>st</sup> day of January, 2009

**RATE CHANGES:**

	Full Time	Part Time	Hourly	
Infants	\$ 205.46	\$ 137.05	\$ 6.30	
Toddlers		\$ 180.96	\$ 113.00	\$12.45
Pre-K	\$ 155.66	\$ 76.07	\$ 6.49	
School Age	\$ 90.06	\$ 60.00	\$ 5.48	
Summer	\$ 142.63	\$ 95.55	\$ 7.13	
Before or After	\$ 90.06	\$ 60.00	\$ 5.48	

This agreement effective on the 23rd day of August, 2009

**Kindercare/Innovation**

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

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This amendment, effective August 23, 2009 is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kindercare/ Innovation entered into on the 1<sup>st</sup> day of January, 2009

<b><u>RATE CHANGES:</u></b>	Full Time	Part Time	Hourly	
Infants	\$ 215.73	\$ 143.90	\$ 6.62	
Toddlers		\$ 190.01	\$ 118.65	\$13.07
Pre-K	\$ 163.44	\$ 79.87	\$ 6.81	
School Age	\$ 94.56	\$ 63.00	\$ 5.75	
Summer	\$ 149.76	\$ 100.33	\$ 7.49	

This agreement effective on the 23rd day of August, 2009

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

**RESOLUTION NO. 09-1018**

**IN THE MATTER OF APPROVING THE SANITARY SUBDIVIDER'S AGREEMENT FOR GRAND COMMUNITIES LTD.:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to accept the following Sanitary Subdivider's Agreement:

**SUBDIVIDER'S AGREEMENT  
DELAWARE COUNTY SANITARY ENGINEER**

THIS AGREEMENT executed on this 17 th day of August 2009, by and between GRAND COMMUNITIES, LTD. and the BOARD OF COUNTY COMMISSIONERS of Delaware County, Ohio, as evidenced by the SHEFFIELD PARK SECTION 3B, PART 1 Subdivision Plat filed with the Delaware County Recorder, 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 **\$59,000.00**, representing the payment of fifty percent (50%) of the capacity charges then in effect for each single family residential connection, for 20 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 (**\$40,660.20**) 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.

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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 **\$4,879.22**, 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 has been depleted to a level of \$500.00 or less, as a result of charges against the same at the rate of:

INSPECTOR \$75.00 per hour  
CAMERA TRUCK \$150.00 per hour

for time spent by said SANITARY ENGINEER or his staff, the SUBDIVIDER shall make an additional deposit of \$500.00 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 re-inspection.

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

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

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

ALL CONSTRUCTION UNDER COUNTY JURISDICTION:

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

- (1) "as built" drawings of 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 (full size), two paper copies (one full size & one 11"x17"), and a Compact Diskette with the plans in DWG format & PDF format. An excel spreadsheet shall accompany the plan submittal showing the locations of the manholes in State Plan Coordinates (1988 datum).
- (2) an itemized statement showing the cost of IMPROVEMENTS
- (3) a waiver of lien from all Contractors associated with the project that all material and labor costs have been paid. The SUBDIVIDER shall indemnify and hold harmless the COUNTY from expenses or claims for labor or materials incident to said construction of the IMPROVEMENTS.
- (4) documentation showing the required sanitary sewer easements

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.

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

**RESOLUTION NO. 09-1019**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

The Director Of Emergency Medical Services recommends to accept the resignation of Andrew Lunn as a Part-time Paramedic with the EMS Department; effective date August 4, 2009

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

**RESOLUTION 09-1020**

**IN THE MATTER OF COMPENSATING THE CITY OF DELAWARE FOR EMS RUNS:**

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

WHEREAS, by mutual agreement, since 1972, the City Delaware (City) has provided Emergency Medical Services (EMS) on behalf of the County in certain areas of the county, and:

WHEREAS, by mutual agreement, the county has provided EMS on behalf of the City in certain areas of the City, and:

WHEREAS, the City and County are committed to continuing to provide EMS services to their citizens, and:

WHEREAS, the City and County have a desire to compensate the City for EMS runs, and:

WHEREAS, a "run" is defined as a single medical incident, regardless of the number of EMS or apparatus that respond, and:

WHEREAS, the contract for said compensation expired December 31, 2008 and negotiations are ongoing to execute a new contract,

NOW THEREFORE BE IT RESOLVED That the Board of County Commissioners Delaware County hereby authorize the continuation of the agreement at the 2008 year end per run rates, until the new agreement is reached.

FURTHER BE IT RESOLVED that the Board of County Commissioners of Delaware County approves a voucher in the amount of \$259,290.27, which represents the EMS runs invoiced for the first and second quarters of 2009.

Vote on motion: Mr. Hanks Aye Mr. O'Brien Aye Mr. Thompson Aye

**COMMISSIONERS' COMMITTEES REPORTS**

**Refer to CD minutes for entire record**

**Commissioner Hanks**

**-S&P Bond Rate for sewer bonds "Double A Plus"  
-Following up to grant writer questions**

**Commissioner O'Brien**

**-attended the Community action organization meeting; roles and responsibilities**

**Commissioner Thompson**

**-PIN fund raiser**

**RESOLUTION NO. 09-1021**

**IN THE MATTER OF AMENDING THE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND DELAWARE CAB FOR CLIENT TRANSPORTATION:**

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

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Whereas, the Director of Job & Family Services recommends approval of the following contract amendment;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following contract amendment for Client Transportation;

**Delaware Cab**

**AMENDMENT TO CONTRACT**

For  
Client Transportation

AMENDMENT NO. 4

This Amendment, effective August 12, 2009, is to amend the Contract for Client Transportation between the Delaware County Department of Job and Family Services, a department of the Delaware County Commissioners, and Delaware Cab, entered into on the 4<sup>th</sup> day of October 2007.

Article II

TERM:

Extends end date of contract from September 13, 2009 to October 31, 2009 .

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

**RESOLUTION NO. 09-1022**

**SETTING DATE AND TIME FOR REQUEST FOR PROPOSALS FOR TAXI SERVICES FOR DELAWARE COUNTY, OHIO:**

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

**Legal Notice of  
Request for Proposals (RFP) / Request for Bids  
by the Delaware County Department of Job and Family Services and Delaware County Board of  
Developmental Disabilities,  
Delaware County, Ohio for Transportation (Taxi) Services**

Sealed bids will be received by the Delaware County Department of Job and Family Services, Delaware County, Ohio (hereinafter "DCJFS") c/o Steve Ehrle, Contracts Administrator, during standard business hours (8:15 a.m. to 4:30 p.m. Monday through Friday) until **1:00 pm. local time on September 15, 2009 at the DCJFS Office located at 140 North Sandusky Street, Delaware, Ohio 43015** for an eighteen (18) month contract to provide taxi services for eligible DCJFS and Delaware County Board of Developmental Disabilities (hereinafter "DCBDD") customers. Bids received after this time and date shall not be considered. At 1:00 pm. on September 15, 2009 at the DCJFS Office, Room 214, located at 140 North Sandusky Street, Delaware, Ohio 43015 bids will be publicly opened and read aloud. All bids shall be considered valid until sixty (60) days after the bid opening date although not accepted or rejected.

The terms and conditions of this contract generally require the successful bidder(s) to provide all labor, materials, and equipment necessary to perform the transportation (taxi) services.

A Request for Proposals (RFP) /Request for Bids Package containing the terms and conditions of this contract for transportation services, together with bid documents, can be obtained during regular business hours (8:15 a.m. to 4:30 p.m. Monday through Friday) until 1:00 pm. local time on September 15, 2009 at the DCJFS Office located at 140 North Sandusky Street, Delaware, Ohio 43015 or by contacting Steve Ehrle, Contracts Administrator, (740)833-2337, or [ehrles@odjfs.state.oh.us](mailto:ehrles@odjfs.state.oh.us).

Proposals/bids must be submitted on bid forms contained in the Request for Proposals (RFP) / Request for Bids Package mentioned, shall contain the full name of each person, party, or parties submitting the proposal/bid and all persons interested therein, and shall be enclosed in sealed opaque envelopes addressed and submitted to Steve Ehrle, Contracts Administrator, Delaware County Job and Family Services, 140 North Sandusky Street, Delaware, Ohio 43015 and be marked: "Proposal/Bid for Transportation Services Contract."

A Pre-Bid Meeting will take place at the DCJFS Office, Room 214, located at 140 North Sandusky Street, Delaware, Ohio 43015, at 1:00 pm, local time, on September 9, 2009.

Each bidder is required to furnish with its proposal bid security in accordance with Section 307.88 and 153.54, et seq., of the Ohio Revised Code. The bid security shall be a bond or certified check, cashier's check, or money order on a solvent bank or savings and loan association in an amount equal to five percent (5%) of the total price bid, conditioned that the bidder, if the bidder's bid is accepted, shall execute a contract in conformity with the Request for Proposals (RFP) / Request for Bids Package and the bid. Bid security furnished in bond form shall be issued by



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a surety company or corporation licensed in the State of Ohio to provide said surety. All bid security shall be in favor of the Delaware County Board of Commissioners, Delaware County, Ohio.

A performance bond in the full amount of the contract shall be required from the successful bidder. Said bond(s) shall be in the name of the Delaware County Board of Commissioners, Delaware County, Ohio, be furnished within ten (10) days from the date of the award, and be in accordance with Section 153.54, et seq., of the Ohio Revised Code. Performance bond(s) shall be issued by a surety company or corporation licensed in the State of Ohio to provide said surety.

The successful bidder(s) cannot assign this contract.

Each bid must be accompanied by a complete statement of qualifications on the form which is included in the Request for Proposals (RFP) /Request for Bids Package.

Each prospective bidder shall be an equal opportunity employer.

To be eligible for consideration of award, a bidder must not have a disqualifying unresolved finding for recovery, as provided in Ohio Revised Code Section 9.24.

Per Ohio Revised Code Section 2909.33, the successful bidder will be required to certify that it does not provide material assistance to any organization on the United States Department of State Terrorist Exclusion List, which list may be found on the Ohio Homeland Security web site at: <http://www.homelandsecurity.ohio.gov/>. Certification shall be made by completing a "Declaration Regarding Material Assistance/No Assistance to a Terrorist Organization" form.

The successful bidder(s) will also be required to certify compliance with Ohio Revised Code Section 3517.13 (contributions to office holders and/or campaign committee.) Certification shall be made by completing a "Certification/Affidavit in Compliance with O.R.C. Section 3517.13."

The DCJFS/DCBDD reserves the right to select for recommendation to the Delaware County Commissioners the bidder deemed to be the lowest and best bidder, as determined by the DCJFS/DCBDD and/or its representative(s), to reject any and/or all bids, or any portion of any and/or all bids, to waive informalities or irregularities that do not affect the substance of the specifications and contents of the Request for Proposals (RFP) /Request for Bids Package and to award the bid in the manner deemed to be in the best interest of the DCJFS, DCBDD, and Delaware County.

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

**RESOLUTION NO. 09-1023**

**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 AND FOR PENDING OR IMMINENT LITIGATION:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 10:28AM.

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

**RESOLUTION NO. 09-1024**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn out of Executive Session at 10:45AM.

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

**RESOLUTION NO. 09-1025**

**IN THE MATTER OF RECESSING THE MEETING UNTIL 2:00PM:**

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

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

**RESOLUTION NO. 09-1026**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

The Director of Job and Family Services recommends the acceptance of the resignation of Nidhi Elia with the Department of Job and Family Services; effective date August 17, 2009.

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

**RESOLUTION NO. 09-1027**

**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. Hanks Aye Mr. O'Brien Aye Mr. Thompson Aye

\_\_\_\_\_  
Todd Hanks

\_\_\_\_\_  
Ken O'Brien

\_\_\_\_\_  
Tommy Thompson

\_\_\_\_\_  
Letha George, Clerk to the Commissioners