

COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010

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

1:30 PM Viewing For Consideration Of The Condominium At The Woods At Medallion Ditch Maintenance Petition Filed By The Condominium At The Woods At Medallion Board Of Directors

7:00 PM Joint Delaware County /Delaware City Session (Delaware City Council Chambers)

RESOLUTION NO. 10-384

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 25, 2010:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on March 25, 2010; and

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

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

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

PUBLIC COMMENT

RESOLUTION NO. 10-385

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0326, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0326:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0326, memo transfers in batch numbers MTAPR0326 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Master Maintenance	Custodial Help Temp	10011105-5325	\$ 6,000.00

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

RESOLUTION NO. 10-386

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0326GC:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0326GC, and Purchase Orders as listed below:

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Desc</u>	<u>Line Account</u>	<u>Line Amount</u>	<u>Line Number</u>
R1002903	MID OHIO DEVELOPMENT EXCHANGE	MEMBERSHIP DUES	21011113-5308	\$ 5,000.00	001

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

RESOLUTION NO. 10-387

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

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

Whereas, The County Administrator recommends this measure for adoption by the Board,

The Veterans Services Department is requesting that Don Deshazo attend a NACVSO Annual Training Conference in Minneapolis MN June 5-12, 2010, at the cost of \$2,313.00. (Fund Number 10062601).

The EMS Department is requesting that Michael Schuiling attend an Ohio BWO Safety Congress in Columbus, Ohio March 30-April 1, 2010, at no cost.

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

RESOLUTION NO. 10-388

IN THE MATTER OF DECLARING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE COUNTY:

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

Whereas, The County Administrator recommends this measure for adoption by the Board,

Resolution

Whereas, children are Ohio's most precious and valuable asset; and

Whereas, each child has the right as a human being, to live and grow in a safe and supportive environment; and

Whereas, children who are loved and nurtured grow up to love and nurture others, giving back to their own family, their community and their state, the care that was bestowed upon them; and

Whereas, child abuse/neglect is a community problem, and finding a solution depends on involvement of people throughout Ohio; and

Whereas, child abuse/neglect prevention programs succeed because of partnerships among private and public sector agencies and the people of Ohio; and

Whereas, the theme for Ohio's prevention campaign is "It Is Your Turn To Raise The Leaders Of Tomorrow".

Now, Therefore, We, the Commissioners of Delaware County, do hereby designate

April as Child Abuse and Neglect Prevention Month

Throughout the County of Delaware and urge all county residents to make a commitment to take action to prevent child abuse and neglect.

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

RESOLUTION NO. 10-389

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Whereas, The County Administrator recommends this measure for adoption by the Board,

The Administrative Services Department recommends to hire Mark Strohl for the Assistant Dog Warden position with the Dog and Kennel Department; effective date March 30, 2010.

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

RESOLUTION NO. 10-390

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Whereas, due to the 911 Consolidation there will be municipal employees who become county employees, and

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

Whereas, ORC 9.441 as listed below is applicable in this situation

9.441 Continuing rights or benefits for prior service.

(A) As used in this section, "affected employee" means a municipal employee who becomes a county employee, or a county employee who becomes a municipal employee, as the result of any of the following:

- (1) The merger of a municipal and a county office;
- (2) The merger of municipal and county functions or duties;
- (3) The transfer of functions or duties between a municipal corporation and county.

(B) The new employer of any affected employee shall treat the employee's prior service with such former employer as if it had been served with the new employer for the purpose of compensating the employee or granting him any other employee right or benefit which is based upon length of service.

(C) The new employer shall assign an affected employee to a pay rate that is not less than ninety per cent of the pay rate earned by the employee during the year concluding with the end of the pay period immediately preceding the effective date of the merger or transfer.

And

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Teresa Gladden as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Tricia McMunn as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Peter O'Flaherty as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Aaron Orr as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Kimberly Romero-Curren as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Gloria Rose-James as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Jaquelyn Scott as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The 911 Communications Director recommends to hire/ transfer from the City of Delaware due to 911 consolidation Sharon Sullivan as a Tele-communicator with the 911 Communications Department; effective March 30, 2010.

Whereas, The County Administrator recommends this measure for adoption by the Board.

Now Therefore Be it Resolved the Commissioners approve the hiring/ transferring from the City of Delaware the above named Tele-communicators with the 911 Communications Department due to 911 Consolidation.

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

RESOLUTION NO. 10-391

IN THE MATTER OF APPROVING A TERM LEASE AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND PATRICK W. & KRISTEN CASHMAN FOR A GRAVEL PARKING AREA FOR THE PARKING OF VEHICLES FROM THE SHERIFF'S OFFICE:

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

Whereas, the Facilities Supervisor recommends approval of the Term Lease Agreement between the Delaware County Commissioners and Patrick W. & Kristen Cashman for a gravel parking area for the parking of vehicles from the Sheriff's Office;

Whereas, The County Administrator recommends this measure for adoption by the Board,

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the Term Lease Agreement between The Delaware County Commissioners and Patrick W. & Kristen Cashman for a gravel parking area for the parking of vehicles from the Sheriff's Office

TERM LEASE AGREEMENT

1. Preamble: This Lease Agreement is made this 29th day of March, 2010, by and between the Board of Commissioners for Delaware County, Ohio, tenant, and Patrick W. & Kristen Cashman, 1199 US Highway 42 N, Delaware, Ohio 43015, landlord.
2. Premises: The landlord, in consideration of the hereinafter described agreements made by the tenant, does hereby agree to allow the tenant to occupy, for the purpose of vehicle parking only, the following described real estate situated in the County of Delaware, State of Ohio: approximately .5 acre located on parcel number 51941001023000, located in Delaware Township,
3. Term: This Lease Agreement shall be effective immediately upon approval by tenant and landlord and shall remain in effect through September 30, 2010. Tenant may terminate this Lease Agreement by providing landlord written notice thirty (30) days prior to termination.
4. Consideration: In lieu of rent, the tenant shall install, at no cost to the landlord an approximately 150' x 150' gravel parking area for the parking of vehicles from the Sheriff's Office and associated personal vehicles. The tenant shall keep access available to the back of the parcel. The tenant shall leave the gravel in place at the end of this agreement. The landlord shall allow the tenant full access during the term of this agreement at no charge to the tenant.
5. Liability: The landlord shall indemnify and hold harmless the tenant, its officers, agents and employees from any and all losses, claims, damages, lawsuits, costs, judgments, expenses or any other liabilities which they may incur as a result of bodily injury, sickness, disease or death, or injury to or destruction of tangible property including the loss of use resulting therefrom, caused in whole or part by the negligent act or omission of the landlord, any of landlord's contractors, any person directly or indirectly employed by any of them or any person for whose acts any of them may be liable.
6. Governing Law: This Lease shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Lease shall be filed in and heard before the courts of Delaware County, Ohio.
7. Severability: If any provision of this Lease Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, such holding shall not affect the validity or enforceability of the remainder of the Lease Agreement. All provisions of this Lease Agreement shall be deemed severable.
8. Entire Agreement: This Lease Agreement shall constitute the entire understanding and agreement between the tenant and landlord, shall supersede all prior understandings and agreements relating to the subject matter hereof, and may only be amended in writing with the mutual consent and agreement of the parties.
9. Headings: The section headings in this Lease Agreement are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This Lease Agreement shall be deemed to have been drafted by both parties, and no purposes of interpretation shall be made to the contrary.

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

RESOLUTION NO. 10-392

IN THE MATTER OF APPROVING AMENDMENT NO. 4 TO THE AGREEMENT FOR PROFESSIONAL DESIGN SERVICES BETWEEN GARDNER ARCHITECTS AND DELAWARE COUNTY FOR CIVIL ENGINEERING AND SURVEYING SERVICES FOR THE ANNEX PARKING LOT EXPANSION FOR THE HAYES BUILDING, 140 NORTH SANDUSKY STREET:

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

Whereas, the Facilities Supervisor recommends approval of Amendment No. 4 To The Agreement For Professional Design Services Between Gardner Architects And Delaware County For Civil Engineering And Surveying Services For The Annex Parking Lot Expansion For The Hayes Building, 140 North Sandusky Street;

Whereas, The County Administrator recommends this measure for adoption by the Board,

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve Amendment No. 4 To The Agreement For Professional Design Services Between Gardner Architects And Delaware County For Civil Engineering And Surveying Services For The Annex Parking Lot Expansion For The Hayes Building, 140 North Sandusky Street.

**AMENDMENT NO. 4
TO THE AGREEMENT FOR PROFESSIONAL DESIGN SERVICES BETWEEN
GARDNER ARCHITECTS AND DELAWARE COUNTY FOR SUITE IMPROVEMENTS
TO THE HAYES COUNTY SERVICES BUILDING**

This Amendment No.4 to the agreement for Professional Services (the "Agreement") is made on this twenty-third day of February, 2010, by and between Gardner Architects ("Architect") and Delaware County ("Owner"). The Agreement shall be amended as follows, strikethrough (~~strikethrough~~) removed language, new language in bold (**bold**) type:

- I. Amend Sheet 5, Article 4 Additional Services, Section 4.1, Insert the following description of Additional Services:

Civil Engineering and Surveying Services for the Annex Parking Lot Expansion for the Hayes Building, 140 North Sandusky Street.

BACKGROUND

- I. Project scope consists of the expansion of the existing parking lot on the east side of North Union Street; improvements shall include parking lot expansion with a yield of approximately 66 additional spaces, lot lighting, landscaping and/or screening, and potential relocation of the garden.**
- II. The existing parking lot currently serves the Hayes Building, provides approximately 83 parking spaces, and reaches capacity parking more often than desired.**
- III. In order to increase capacity, the County wishes to expand to the north of the existing parking area.**
- IV. The County has an agreement with Ohio Department of Transportation (ODOT) to allow use of a portion of their right-of-way for the existing parking lot.**
- V. In order to expand the parking lot, the agreement would require an amendment - or a new agreement - as a portion of the proposed expansion is anticipated to be built within the ODOT right-of-way.**
- VI. Also, a portion of the expansion area is currently being used as a garden / planting area. The County has expressed a desire to continue providing some area for gardening use.**
- VII. It is anticipated, with ODOT approval, that the gardening area would be located to the east of the expanded parking lot.**
- VIII. Project scope includes site survey topographic mapping, civil engineering design for the parking lot and garden area, landscape design, electrical design for lighting, provide construction bid documents, provide intermittent construction observation, and assist in negotiations for use of the ODOT right-of-way.**
- IX. The area for the proposed expansion of the parking lot is approximately 0.38 acres and the proposed gardening area is approximately 0.18 acres.**
- X. The site appears not be within a FEMA regulated flood zone.**
- XI. The project does not appear to disturb "waters of the state" which fall under U.S. Army Corps jurisdiction. Submittal to the Arm Corps for inclusion under the General Permit is not included with our scope of services.**
- XII. The proposed improvements will not disturb more than one (1) acre and therefore will not require submittal to Ohio EPA of a Notice of Intent (NOI) for coverage under the General Permit for Construction Storm Water Activity.**

DESIGN TEAM

For our scope of services, we propose to include the following team under our contract:

Civil Engineering	Sands Decker CPS
For Landscape Design	Greg Krobot, RLA, Landscape Architecture
Electrical Design	Gregg Topp, Roger D. Fields & Associates

SCOPE OF SERVICES

We propose to provide the following Additional Services:

COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010

TOPOGRAPHIC MAPPING

- A. Provide horizontal and vertical control tied to the site. Survey will be referenced to Ohio State Plane Coordinates and will use the NAVD 88 Datum and will field locate property corner iron pins and show property lines on the survey.
- B. Contact Ohio Utility Protection Service to obtain information about each utility company in the area of the site, and request field locations of each utility. We will provide the name and phone number of each utility adjacent to the site.
- C. Survey the site to obtain all surface and locatable subsurface features necessary for engineering design.
- D. Produce topographic mapping with utilities of the site at 1" = 20' (or other scale if preferred) using 1-foot contour intervals. The survey shall extend 25 feet beyond the boundaries of the properties to the extent needed and to the extent that adjacent property owners will allow access. We will establish two temporary benchmarks at the site. The survey will provide locations and sizes of existing utilities as marked in the field or as shown on existing plans, including valves, hydrants, sewers, culverts, manholes, and catch basins, and locations of utility poles and street lighting.
- E. The survey will locate property corners and right-of-way markers to the extent they exist and are easily found.
- F. Surveying services does not include a Boundary Survey.

SUBSURFACE SOILS INVESTIGATION

1. Provide four (4) soil borings.
2. Provide Soils report with recommendations for paving sections.

NEGOTIATIONS FOR ODOT RIGHT-OF-WAY USE

1. Meet with ODOT Official to discuss use of right-of-way and to negotiate agreement use for parking lot and garden area. Includes two (2) meetings.
2. It is anticipated that once the agreement for ODOT right-of-way use has been achieved the County will provide all legal documents that may necessary.

PLANNING APPROVAL PHASE

1. One (1) meeting between our team and City officials to clarify project scope and criteria, schedules, and other issues, and walk the site to determine the existing natural constraints and general site features. This meeting will also review setbacks, site access / traffic flow issues, landscaping, storm water drainage and erosion control requirements and other issues.
2. Collect and assemble background information about the project site including flood plain maps, existing utility maps, tax maps, County GIS mapping, and other information relevant to the site design. Perform review of City of Delaware zoning documents and how they affect landscapedesign for this project
3. Provide input regarding Site / Civil related issues including drainage, provision of site utility lines, the location of the proposed storm sewer, parking layout, curbed islands, landscaping, and driveway locations and traffic patterns.
4. Once the parking lot layout is established and approved by the Owner, our Landscape Architect will assist with zoning compliance for the proposed site. Prepare schematic landscape plan including generic indications of planting features as needed by zoning requirements and present to Owner for approval. Meet with the City Engineer, City Planning Director and/or City Planning Administrator once to review landscape design. Prepare a schematic landscape plan for use in owner approvals and any planning approval reviews. Prepare an opinion of probable landscape construction cost.

DESIGN AND CONSTRUCTION DOCUMENTS PHASE

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

1. Using the approved preliminary layout, prepare a Site Dimension plan showing the location of property lines, setbacks, existing driveways, parking areas, proposed storm sewers, and other site features.
2. **Site Grading Plan:** Plan will show the proposed site grading and storm sewers, culverts, detention areas, erosion control measures, channel protection if needed, and other features relating to the drainage and management of storm water run-off. The storm drainage will follow criteria as set forth by the Ohio EPA and City of Delaware. Construction documents will include erosion control details, and will include details showing typical trench for storm sewers, catch basin details. General notes and specific key notes pertaining to the design within our scope of services will be included.
3. **Site Utility Plan:** For a site electrical / lighting plan, our base site plan will be provided to the MEP engineer. Proposed Lighting to match as close as possible to the lighting in use for the existing parking lot and fee is based on circuit for existing lighting to provide the capacity for additional lighting. Should design work be required to upgrade the lighting circuit, additional fees may be required. Lighting design will include lumen plan, dimensional layout plan, details, and full specifications. Utility plan will also show waterline relocation as incorporated into garden area. The Site Utility Plan and Site Lighting plan will require approval of the City of Delaware.
4. **Garden Area:** Provide general dimension plan for the proposed garden area. Plan shall include relocating the water spigot serving the garden. Other options for an irrigation and/or watering system can be explored at an additional fee.
5. Prepare a stormwater management report addressing the existing and proposed drainage conditions and calculations.
6. **Landscape Plan:** Develop the planting plans utilizing the final site design. Finalize the planting plans including locations of all plant materials, plant list with genus, species size and type of plant, planting details, limits of seed/sod, construction and general notes.

Prepare technical specifications in CSI format as necessary and in support of the above -documented site development for planting plans, seed / sodding plans. LA to attend one review meeting with Owner and/or Gardner Architects to solicit comment, coordinate efforts and secure Owner approval of plans and the design intent they reflect.
7. Submit drawings and calculations to the City of Delaware for review and approval

BID DOCUMENTS PHASE:

- A. Prepare full set of bid documents for proposed site improvements. Contract documents shall include special provisions or documents required by County.
- B. Provide a pre-bid meeting if required by County.
- C. Attend the Bid Opening.
- D. Prepare recommendation of contract acceptance of contractor.
- E. Review of material submittals, shop drawings, catalog cuts within 7 days (goal), 10 days (max.) of receipt.
- F. Review and response to Requests for Information (RFI's) within 3 days (goal), 7 days (max). We will respond to RFI's submitted through proper channels (the County Construction Manager).
- G. Our proposal includes three (3) site visits during the Construction and one (1) visit upon completion for final acceptance.

We anticipate that the project team will make every effort to use e-mail, digital photos, and telephone conferences to address construction related issues without the need for excessive site visits. Additional site visits beyond those listed above will be invoiced on a per trip basis.

REVISIONS

After Construction Documents are submitted and/or bidding of any specific bid package has proceeded, if changes to the site civil construction drawings are necessary, Gardner Architects will provide changes to the construction drawings for additional fees invoiced at our or our consultants' normal hourly rates, or for an agreed upon Lump Sum.

COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010

EXCLUSIONS

This proposal for Additional Services includes only those services listed above. The following services are specifically excluded from the Scope, based upon our understanding of the Project requirements.

- ? US Army Corps of Engineers / OEPA 401-404 permitting
- ? Traffic studies / reports
- ? Design of off-site items, unless specifically provided in our proposal
- ? Permit fees
- ? Retaining wall design if over 4 feet in height
- ? Phase 1 or Phase 2 Environmental Site Assessment
- ? Construction staking
- ? Full-time Construction Observation
- ? Re-zoning
- ? Signage design

II. Amend Sheet 10, Article 11 Compensation, Section 11.3, Insert the following description of Compensation for Additional Services:

~~Hourly Fee Basis~~

For Additional Services Identified in Section 4.1 as:

Civil Engineering and Surveying Services for the Annex Parking Lot Expansion for the Hayes Building, 140 North Sandusky Street.

Fixed Fee Basis - \$30,000.00 - Thirty Thousand Dollars.

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

RESOLUTION NO. 10-393

IN THE MATTER OF APPROVING A PROFESSIONAL DESIGN SERVICES AGREEMENT INCLUDING AMENDMENT NUMBER 1 BETWEEN DELAWARE COUNTY AND GARDNER ARCHITECTS FOR COUNTY RECORDS SUITE IMPROVEMENTS TO THE WILLIS GOVERNMENT BUILDING:

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

Whereas, the Facilities Supervisor recommends approval of the Professional Design Services Agreement including Amendment Number 1 between Delaware County and Gardner Architects for County Records Suite Improvements to The Willis Government Building:

Whereas, The County Administrator recommends this measure for adoption by the Board,

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approves the Professional Design Services Agreement including Amendment Number 1 between Delaware County and Gardner Architects for County Records Suite Improvements to The Willis Government Building.

(A copy of agreement and amendment #1 are on file in the Commissioners' Office until no longer of administrative value).

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

RESOLUTION NO. 10-394

IN THE MATTER OF APPROVING AN ADVANCE FOR THE VICTIM SERVICES GRANT:

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

Advance of Funds

From	To	
10011102	23412303	\$ 5000.00
Commissioners General	VOCA-ARRA	

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

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010**

PRESENTATION, KATHY MILLS COLUMBUS REGIONAL AIRPORT AUTHORITY

RESOLUTION NO. 10-395

A RESOLUTION DESIGNATING SUPPORT FOR DELAWARE COUNTY TO BE INCLUDED WITHIN THE SERVICE AREA OF FOREIGN-TRADE ZONE (FTZ) #138 AND AUTHORIZING THE COUNTY COMMISSIONERS TO SIGN REQUIRED LETTERS OR DOCUMENTS REQUESTING THAT THE COLUMBUS REGIONAL AIRPORT AUTHORITY APPLY TO THE FOREIGN-TRADE ZONES BOARD FOR AUTHORITY TO SERVE SITES LOCATED IN DELAWARE COUNTY:

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

WHEREAS, Foreign-Trade Zone #138 has contacted Delaware County and has also discussed the benefits of joining the service area of this trade zone; and

WHEREAS, the benefits of being in the service area of Foreign-Trade Zone #138 include being able to offer foreign trade zone status to an existing or new industry within 30 days at any location in Delaware County; having no fees or charges to Delaware County; Foreign Trade Zone fees would initiate only when a location is designated and then have to be paid by the company benefiting or the facility owner; and being, at no charge to Delaware County, affiliated with a foreign trade zone with a staff that can explain to companies in, or wishing to locate in Delaware County, the costs and benefits of a foreign trade zone for their particular operation; and

WHEREAS, this affiliation with a foreign trade zone is less expensive than carrying a fixed geographic location at a facility that might or might not be vacant or benefit from a foreign trade zone designation; and

WHEREAS, this affiliation would allow other sites to be offered as potential foreign trade locations in Delaware and potentially assist the County in attracting new industry.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Delaware, Ohio, that:

SECTION 1. This Board supports Delaware County's inclusion within the Service Area of Foreign-Trade Zone #138 and understands that this means that the grantee, Columbus Regional Airport Authority, will be able to apply to the Foreign-Trade Zones Board for authority to serve sites located within Delaware County based on the businesses' trade related needs. The zone will be made available on a uniform basis to companies within Delaware County, in a manner consistent with the legal requirements that each foreign trade zone be operated as a public utility.

SECTION 2. This Board has been made aware that Delaware County could be potentially instead be served by a number of other Ohio foreign trade zones, but after evaluating options, agrees with the determination of the staff of Delaware County that it is most appropriate for Delaware County to concur on inclusion in the Service Area of Foreign-Trade Zone #138.

SECTION 3. Any member of this Board is hereby authorized to execute and deliver on behalf of the County any certificates, documents and instruments in connection with this effort to include Delaware County within Foreign-Trade Zone #138.

SECTION 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board and any of its committees that resulted in those formal actions, were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code and the rules of this Board.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

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

**COMMISSIONERS' COMMITTEES REPORTS
(Refer To Cd Minutes For Entire Record)**

Commissioner Hanks

- Conveyance Fees; Deficient
- #3rd Frontier Article In Dispatch
- Bike Path Article In Dispatch
- Jefferson Awards Article In Dispatch; Carolyn Bongirno Of Powell Created A Fundraiser For Breast-Cancer Research
- Will Be Unable To Attend 1:30pm Ditch Viewing

Commissioner O'Brien

- Conveyance Fees; Budget Number

COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010

Commissioner Thompson

- Conveyance Fees; Is Stimulus Creating False Positives
- Health Nutrition Survey
- Invoice From Mainstreet Delaware

RECESS TILL 1:30 PM VIEWING FOR CONSIDERATION OF THE CONDOMINIUM AT THE WOODS AT MEDALLION DITCH MAINTENANCE PETITION FILED BY THE CONDOMINIUM AT THE WOODS AT MEDALLION BOARD OF DIRECTORS

IN THE FIELD

1:30 PM VIEWING FOR CONSIDERATION OF THE CONDOMINIUM AT THE WOODS AT MEDALLION DITCH MAINTENANCE PETITION FILED BY THE CONDOMINIUM AT THE WOODS AT MEDALLION BOARD OF DIRECTORS

On Monday the 29th day of March, 2010, at 1:30PM near the following "At The Corner Of Sneadway And Duvall Drive. The Delaware County Commissioners viewed the watershed area with staff members from the Delaware County Soil and Water Conservation District

**Commissioners Ken O'Brien and Tommy Thompson were present
Commissioner Todd Hanks was absent**

On the 28th day of December, 2009, a petition For Consideration Of Placing The Condominium At The Woods At Medallion On The Delaware County Ditch Maintenance Program was filed with the board of Delaware County Commissioners to 1. To replace, repair or alter the existing improvements as required and to maintain these improvements. 2. In Delaware County, Genoa Township, in the Condominium at the Woods at Medallion, Condo sits and generally follows the existing course and terrain of the improvement.

-This is a petition for the maintenance program: if approved a maintenance fund for this area only will be set up and owners will have a special assessment on their tax bills once a year. The assessment is a percentage of the estimated cost/value of the infrastructure in the area. At no time shall a maintenance fund have an unencumbered balance greater than twenty per cent (20%).

- Viewed pond area at the corner of Sneadway And Duvall Drive. The golf course is not part of the watershed it is in a different watershed.
- The Commissioners viewed two outlets
- Association pointed out a new well under a sanitary line on a map

The following is a PDF copy of the Commissioners' Office sign-in sheet of the people present at the viewing who chose to sign the sign-in sheet.

SIGN-IN SHEET FOR MARCH 29, 2010

1:30 PM Viewing For Consideration Of The Condominium At The Woods At Medallion Ditch Maintenance Petition Filed By The Condominium At The Woods At Medallion Board Of Directors

	NAME	ADDRESS
1	Tommy Thompson	25 Turners Woods Dr.
2	Larry Stading	SWCD
3	Scott Jensen	SWCD
4	John Walker	assistant clerk comar
5	Ken O'Brien	county
6	Ken Hess	8370 Snead Way
7	Alexis Campbell	8160 Snead Way
8	T.A. Glick	8073 JULIAN AVE

COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 29, 2010

RESOLUTION NO. 10-396

IN THE MATTER OF ADJOURNING THE MEETING:

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

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

7:00PM JOINT DELAWARE COUNTY /DELAWARE CITY SESSION (DELAWARE CITY COUNCIL CHAMBERS)

Todd Hanks

Ken O'Brien

Tommy Thompson

Letha George, Clerk to the Commissioners