

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 28, 2011

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

Present:
Dennis Stapleton, President
Ken O’Brien, Vice President
Tommy Thompson, Commissioner

1:30 PM Viewing By The Commissioners For The Chadwick Ditch No. 135 Ditch Petition Project

RESOLUTION NO. 11-193

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 24, 2011:

It was moved by Mr. O’Brien, seconded by Mr. Thompson to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on February 24, 2011; 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. Stapleton Aye Mr. O'Brien Aye

PUBLIC COMMENT

Mr. Hyer With The Central Ohio Symphony Provides Information On Resolution No. 11-197 (Declaring March, 2011 As The Magical Musical Month Of March In Delaware County, Ohio)

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 11-194

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0225, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0225:

It was moved by Mr. O’Brien, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0225, memo transfers in batch numbers MTAPR0225 and Purchase Orders as listed below:

	<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>	
PO’ Increase					
	McWherter’s Petroleum	Gasoline Service Center	10011106-5228	\$ 50,000.00	
	Verizon	911 Department	21411306-5315	\$ 850.00	
	Frontier	911 Department	21411306-5330	\$ 26,000.00	
Number	Vendor Name	Line Desc	Line Account	Amount	Line
R1103045	M ZIMMERMAN	NORTH SIDE OF PLANT TO CAPTURE OVERFLOW FROM TANKS	66611906 - 5410	\$9,550.00	0001
R1103050	DELL MARKETING LP	NETWORK SWITCHES AND CONNECTORS	66611903 - 5450	\$8,000.00	0001
R1103050	DELL MARKETING LP	NETWORK SWITCHES AND CONNECTORS	66611904 - 5450	\$8,000.00	0002
R1103052	CONCORD/SCIOTO COMMUNITY AUTHORITY	FACILITY	66611905 - 5415	\$5,000,000.00	0001

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

RESOLUTION NO. 11-195

IN THE MATTER OF ACCEPTING THE TREASURER'S REPORT FOR THE MONTH OF JANUARY 2011:

It was moved by Mr. Thompson, seconded by Mr. O'Brien to accept the Treasurer's Report for the month of January 2011.

(Copy available for review at the Commissioners' Office until no longer of administrative value.)

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

RESOLUTION NO. 11-196

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Department of Job and Family Services is requesting that Patti Clements attend a Grant Writing Training in Gahanna, Ohio May 18-19, 2011, at the cost of \$373.00 (Fund Number 23311324).

Environmental Services is requesting that Eric Kletrovetz and Matt Lambert attend the CEAO Storm Water Conference and Trade Show in Columbus, Ohio from March 9 to March 10, 2011 at a total cost of \$258.00 from org key 66211902.

Environmental Services is requesting that Eric Kletrovetz and Matt Lambert attend a Fundamentals of Fluid Mechanics training in Worthington, Ohio on March 3, 2011 at a total cost of \$518.00 from org key 66211902.

Vote On Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Stapleton Aye

RESOLUTION NO. 11-197

IN THE MATTER OF DECLARING MARCH, 2011 AS THE MAGICAL MUSICAL MONTH OF MARCH IN DELAWARE COUNTY, OHIO:

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

WHEREAS, the Central Ohio Symphony has provided entertainment to Delaware County and Central Ohio for 32 years, and,

WHEREAS, the Central Ohio Symphony is widely recognized as an excellent regional orchestra, and,

WHEREAS, the Central Ohio Symphony enriches the cultural life of Central Ohio by presenting music of artistic excellence, providing an opportunity for Central Ohio musicians to perform with an ensemble of high quality and engaging diverse audiences in a variety of settings and programs, and,

WHEREAS, the Central Ohio Symphony has planned a month of community engaging arts and educational events and programming in cooperation with area school districts, Ohio Wesleyan University, Capriccio!, the Delaware Hayes Harry Potter club, Main Street Delaware, The Ohio State University Quidditch team and the Dalmatian Alley acting troupe, culminating in two concert performances of 'Carmina Burana' and 'The Harry Potter Suite',

NOW THEREFORE, let it be known that the County Commissioners of Delaware County, Ohio, hereby declare the month of March, 2011 as Central Ohio Symphony's Magical Musical Month of March in Delaware County, Ohio.

Vote On Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Thompson Aye

RESOLUTION NO. 11-198

IN THE MATTER OF APPROVING THE LEGAL NOTICE AND REQUEST FOR BIDS (RFB) FOR THE PURCHASE OF A COMPREHENSIVE RECORDING SOFTWARE SOLUTION FOR THE DELAWARE COUNTY RECORDER'S OFFICE:

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

PREAMBLE

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WHEREAS, the Delaware County Recorder (“Recorder”) is in need of purchasing a comprehensive recording software solution (“Software”) in order to record documents in the Delaware County Recorder’s Office; and,

WHEREAS, the purchase shall be competitively bid according to Ohio Revised Code §§ 307.86 to 307.92; and,

WHEREAS, a Legal Notice (“Notice”) and a Request for Bids (“RFB”) have been prepared to competitively bid for the purchase of such Software.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD:

SECTION 1. APPROVAL OF NOTICE AND RFB

1. The Notice is hereby approved; and,
2. The Recorder is authorized to place/advertise the Notice as required and permitted by applicable law; and,
3. The RFB is hereby approved; and,
4. The Recorder is authorized to release/let the RFB and receive bids on behalf of the Board.

SECTION 2. ADOPTION

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Legal Notice of Request for Bids
for a Comprehensive Recording Software Solution
for the Delaware County Recorder’s Office**

Bids for a comprehensive recording software solution for the Delaware County Recorder’s Office (hereinafter “Recorder’s Office”) will be received by the Board of County Commissioners, Delaware County, Ohio (hereinafter “Board”) and the Delaware County Recorder, Delaware County, Ohio (hereinafter “Recorder”) (Board and Recorder hereinafter collectively “County”) c/o Melissa Jordan, Delaware County Recorder, during standard business hours (8:30 a.m. to 4:30 p.m. Monday through Friday) beginning March 23, 2011 until 4:30 p.m. local time on March 29, 2011 at the Recorder’s Office located at 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015. Bids received after this time and date shall not be considered and will be returned unopened. At 2:00 p.m. on March 31, 2011 at the Delaware County Commissioner’s Meeting Room located at 101 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 Recorder’s Office is responsible for recording, indexing, and maintaining land records for Delaware County, Ohio. To efficiently perform these and other related functions, the Recorder’s Office utilizes a comprehensive recording software application (hereafter “Application”). Specifically, the Application electronically records, indexes, and images land records. The Application also performs cashiering functions and produces certain financial and statistical reports. The County seeks a single contractor to enter into a contract pursuant to which the contractor will furnish a comprehensive recording software solution (“Software”) to perform these and other functions for the Recorder’s Office in accordance with the detailed specifications contained within the Request for Bids (hereinafter “RFB”).

An RFB containing the terms and conditions of this contract, together with detailed technical specifications and bid documents, can be obtained during regular business hours (8:30 a.m. to 4:30 p.m. Monday through Friday) beginning March 2, 2011 until 4:30 p.m. local time on March 16, 2011 at the Recorder’s Office located at 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015.

Bids shall be submitted on the forms contained in the RFB, shall contain the full name and email address of each person, party, or parties submitting the bid and all persons interested therein, and shall be enclosed in a sealed opaque envelope addressed and submitted to Melissa Jordan, Delaware County Recorder, Delaware County Recorder’s Office, 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015. The outside of the envelope shall be clearly marked: “Response to RFB for a Comprehensive Recording Software Solution for the Delaware County Recorder’s Office”

Each bidder is required to furnish with its bid, bid security in accordance with Ohio Revised Code §§ 307.88 and 153.54, et seq. 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 RFB and the bid. Bid security furnished in bond form shall be issued by a surety company or corporation licensed in the State of Ohio to provide

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said surety. All bid security shall be in favor of the Board of County Commissioners, Delaware County, Ohio.

A performance bond in the full amount of the bid shall be required from the successful bidder. Said bond(s) shall be in the name of the Board of County Commissioners, Delaware County, Ohio, be furnished within ten (10) days from the date of the award, and be in accordance with Ohio Revised Code §§ 307.89 and 153.54, et seq. Performance bond(s) shall be issued by a surety company or corporation licensed in the State of Ohio to provide said surety.

The County requires that the installation and testing of the Software be completed no later than May 16, 2011, and all conversion and training be completed no later than May 23, 2011. If these requirements are not fully met and completed by the listed dates, the successful bidder will be required to pay liquidated damages in the amount of \$200.00 dollars per day for each day's delay as specified in the RFB.

A mandatory pre-bid meeting will take place at 10:00 a.m. on March 17, 2011. The meeting will be held at the Recorder's Office located at 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015.

Mandatory Software/product demonstrations will be held on April 4, 2011 beginning at 9:00 a.m. After bids have been submitted and opened, an e-mail will be sent to each bidder whose bid has met the minimum technical requirements of submitting a bid, designating the time the bidder is to demonstrate their Software/product. All demonstrations will be held at the Recorder's Office located at 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015. Vendors will have 1.5 hours to fully demonstrate their Software/product.

The successful bidder cannot assign this contract.

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 § 9.24.

Per Ohio Revised Code § 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 will also be required to certify compliance with Ohio Revised Code § 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 County reserves the right to select the bidder deemed to be the lowest and best bidder, as determined solely by the County 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 RFB and to award a contract in the manner deemed to be in the best interest of the County and Delaware County, Ohio.

By Resolution of:

Board of County Commissioners,
Delaware County, Ohio
101 North Sandusky Street
Delaware, Ohio 43015

Melissa Jordan
Delaware County Recorder
Delaware County Recorder's Office
140 North Sandusky Street, 1st Floor
Delaware, Ohio 43015
Telephone: (740) 833-2460
Fax: (740) 833-2459
mjordan@co.delaware.oh.us

Vote On Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Stapleton Aye

RESOLUTION NO. 11-199

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Dawn Huston to Director of Administrative Services; effective February 28, 2011;

Therefore be it resolved, that the Delaware County Board of County Commissioners approve promoting Dawn Huston to Director of Administrative Services; effective February 28, 2011.

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Vote On Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Thompson Aye

RESOLUTION NO. 11-200

IN THE MATTER OF APPROVING TRANSFER OF FUNDS AND SUPPLEMENTAL APPROPRIATIONS
FOR THE CLERK OF COURTS:

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

Supplemental Appropriations		Amount
24820101-5801	Title Admin/Transfers	\$ 25,000.00
10020201-5001	Clerk of Courts/salaries	\$ 13,000.00
10020201-5102	Clerk of Courts/workers comp	\$ 130.00
10020201-5120	Clerk of Courts/OPERS	\$ 1,820.00
10020201-5131	Clerk of Courts/medicare	\$ 189.00
Transfer of Funds		
From:	To:	
24820101-5801	10011102-4601	\$50,000.00
Title Admin/Transfers	Commissioners General/Interfund Revenues	

Vote On Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Stapleton Aye

COMMISSIONERS' COMMITTEES REPORTS

Commissioner O'Brien
-Toured The Jail On Friday
-Attend And Participated In The Regional Planning Meeting On Thursday; Conditional Approval Of
Menards-14 Conditions Recommended To Orange Township For A Fr-1 To A Planned Commercial

Commissioner Thompson
-No Reports Today

Commissioner Stapleton
-DKMM Grants \$328,000.00
-There Will Be A "Work Session" On Thursday At 1:30pm

Administrator Hansley
-Update On Records Center Sewer Back Up
-Power Outages At Facilities Building And Willis Building

RESOLUTION NO. 11-201

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF
APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR
COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; FOR PENDING OR IMMINENT
LITIGATION AND TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES :

It was moved by Mr. O'Brien, seconded by Mr. Thompson to adjourn into Executive Session at 10:00AM.

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

RESOLUTION NO. 11-202

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to adjourn out of Executive Session at 11:05AM.

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

RECESS UNTIL 1:30PM

RECONVENE IN THE FIELD:
1:30PM Viewing By The Commissioners For The Chadwick Ditch No. 135 Ditch Petition Project (2007) At The
Carter Lumber Distribution Center Gravel Lot (3477 County Road 605)

On Monday February 28, 2011, at 1:30PM near the Carter Lumber Distribution Center gravel lot (3477 County

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Road 605), The Delaware County Commissioners viewed the watershed area with staff members from the Delaware County Soil and Water Conservation District and the Delaware County Engineer's Office.

Commissioners Ken O'Brien, Dennis Stapleton and Tommy Thompson were present

On June 19, 2007 a petition with the Board of Commissioners to: Restore The Chadwick Ditch No. 135 To Its Original Drainage Capacity And Functioning By Removing Obstructions Know To Exist In Tile Traversing Land Owned By Carter Lumber Company And Walter And Kathryn Sandle And To Generally Repair, Restore, Reconstruct, And Clear Blockages From Chadwick Ditch No. 135

The Course And Termini Of The Original Ditch Constructed In 1893 Is As Follows:

Commencing On The North Side Of The CA & CRR On The Lands Of M.J. Longshore In R16, Twp. 4. Section 1, N.E. ¼ Of Section 9; Thence In A Southerly And Westerly Direction Across The Lands Of Said Longshore, P. Edmister,, A.S. Pierson, W. W. Chadwick, E. Condit And Far Enough To Secure A Good And Sufficient Outlet.

Commencing At The Mouth Of A County Ditch On The West Line Of M.J. Condit's 87 Acre Tract In Lot 8, R. 16, Township 4, Section 1, Continuing Westerly To A Good And Sufficient Outlet.

At A Bulkhead On The Lands Of J.W. Condit In Trenton Township

The Commissioners:

- Viewed Outlets On Sides Of Road
- Looked At And Followed The Tile On Carter Lumber Property
- If Petition Approved Proposed Work Would Not Interfere With Fire Suppression System On Carter Property

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.

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SIGN-IN SHEET FOR FEBRUARY 28, 2011

**1:30PM Viewing By The Commissioners For The
Chadwick Ditch No. 135 Ditch Petition Project**

NAME	ADDRESS
1 Thomas C. Hasler Jr	8574 N. County Rd 605
2 Robert G. Criner Jr	3440 N. County Rd 605
3 Luella K Bear	3729 Condit Rd
4 JAY SANDEL	NORTH OLD 3C ROAD
5 Lisa Fox	14955 Hartford Rd
6 ANITA SAYERS	3155 N. CR 605
7 Joann Nunley	15585 Meredith St. Rd.
8 BESSIE S. METER	3241 N. Co. Rd. 605
9 David Melen	11111111
10 PAT BRAHNE	14471 N. Old 3C Rd
11 JOHN RUNYAN	DCEO
12 Brett Bergetford	DCEO
13 Jerry Whitesel	3646 Cty Rd 605
14 RICHARD FISHER	3600 N. Co. Rd 605
15 Dennis Appleby	5120 N. West
16 Thomas Thompson	25 Thomas Wood Dr.
17 Ken O'Brien	101 North Landasky
18 Ali Holsatt	140 N. Sandusky St.
19 JIM EASTWOOD	3063 N. county road 605
20 ALBERT AVARESYAN	Carson Lumber
21 GARY M. HINS	Chad Dist. Center
22 Mark Moreley	SWCD
23 Brian Channon	Hope Lutheran Church
24 John Wehrman	Clerk Board

There being no further business, the meeting adjourned.

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Ken O'Brien

Dennis Stapleton

Tommy Thompson

Jennifer Walraven, Clerk to the Commissioners