

COMMISSIONERS JOURNAL NO. 61 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JULY 28, 2014

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

Present:  
Gary Merrell, President  
Dennis Stapleton, Vice President  
Ken O’Brien, Commissioner

RESOLUTION NO. 14-833

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 24, 2014:

It was moved by Mr. Stapleton, 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 July 24, 2014; 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. Merrell                      Aye                      Mr. Stapleton                      Aye                      Mr. O'Brien                      Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 14-834

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0725:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0725 and Purchase Orders as listed below:

| PR<br>Number                  | Vendor Name                           | Line Description                        | Line Account      | Amount         |
|-------------------------------|---------------------------------------|---|-------------------|----------------|
| <b>FACILITIES DEPARTMENT</b>  |                                       |   |                   |                |
| R1404589                      | PRINGLES INC                          | CLEANING AHU &<br>DUCTWORK SYSTEM       | 10011105-<br>5328 | \$10,495.00    |
| <b>PROPERTY AND CAUSALITY</b> |                                       |   |                   |                |
| R1404621                      | STATEWIDE FORD LINCOLN<br>MERCURY INC | SETTLED CLAIM                           | 60111901-<br>5370 | \$16,541.01    |
| <b>ENVIRONMENTAL SERVICES</b> |                                       |   |                   |                |
| R1404627                      | CONCORD/SCIOTO<br>COMMUNITY AUTHORITY | O'SHAUGHNESSY<br>RESERVOIR PUMP STATION | 66611905-<br>5415 | \$1,981,581.38 |
| <b>PERMANENT IMPROVEMENT</b>  |                                       |   |                   |                |
| R1404630                      | SHAW INDUSTRIES INC                   | JAIL - FLOORING                         | 40111402-<br>5410 | \$36,427.59    |

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

RESOLUTION NO. 14-835

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Director of The Child Support Enforcement Agency is requesting that Andrea DelCol attend a State Office Of Child Support Training In Columbus, Ohio September 17, 2014, at no cost.

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

RESOLUTION NO. 14-836

IN THE MATTER OF AWARDING A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND TRUCCO CONSTRUCTION COMPANY, INC.

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FOR DEL-TR 409-1.65, GREEN MEADOWS DRIVE EXTENSION PROJECT:

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

DEL-TR 409-1.65, Green Meadows Drive Extension  
Bid Opening of July 15, 2014

Whereas, as the result of the above referenced bid opening, the County Engineer recommends that a bid award be made to Trucco Construction Company, Inc., the low bidder for the project; and

Whereas, the County Engineer recommends approval of the Contract between the Delaware County Commissioners and Trucco Construction Company, Inc. for the project known as DEL-TR 409-1.65, Green Meadows Drive Extension Project;

Now, Therefore, Be It Resolved that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the Contract with Trucco Construction Company for the project known as DEL-TR 409-1.65, Green Meadows Drive Extension Project:

CONTRACT

THIS AGREEMENT is made this 28<sup>th</sup> day of July, 2014 by and between **Trucco Construction Company, Inc., 3531 Airport Road, Delaware, Ohio 43015**, hereinafter called the “Contractor” and the Delaware County Commissioners, hereinafter called the “Owner”.

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

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project named “**DEL-TR 409-1.65, Green Meadows Drive Extension Project**”, and required supplemental work for the project all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed ***Nine Hundred Seventy-One Thousand Four Hundred Seventy-Nine Dollars and Nineteen Cents (\$971,479.19)*** subject to additions and deductions as provided in the Contract Documents.

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

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

RESOLUTION NO. 14-837

IN THE MATTER OF RELEASING BOND POSTED AS SURETY FOR DEL-TR 409-1.65, GREEN MEADOWS DRIVE EXTENSION PROJECT, TO COLUMBUS SOUTHERN POWER:

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

Whereas, on May 1, 2000, the Board of County Commissioners of Delaware County, Ohio entered into an

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agreement with Columbus Southern Power Company (“CSP”) for the project known as DEL-TR 409-1.65, Green Meadows Drive Extension Project (the “Improvements”); and

Whereas, CSP posted construction surety in the amount of \$639,270, the construction estimate at the time of said agreement, to assure the completion of the Improvements; and

Whereas, bids have been received and a bid award made to Trucco Construction for the Improvements; and

Whereas, CSP has deposited with Delaware County the amount of \$1,020,053.15 to cover the construction cost plus inspection costs for the Improvements and requests release of the construction surety;

Whereas, the County Engineer recommends releasing the construction surety;

Now, Therefore, Be It Resolved that the Board of Commissioners of Delaware County, State of Ohio, hereby releases the construction surety to CSP.

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

RESOLUTION NO. 14-838

IN THE MATTER OF APPROVING RIGHT-OF-WAY WORK PERMIT SUMMARY SHEET:

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

Whereas the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

Now Therefore Be It Resolved, that the following permits are hereby approved by The Board of Delaware County Commissioners:

| Permit # | Applicant      | Location                   | Type of Work                       |
|----------|----------------|----------------------------|------------------------------------|
| U14-047  | AEP/JUS        | Fancher Road @ Harlem Road | Install conduits/abandon old cable |
| U14-048  | Wide Open West | Africa Road                | Place cable                        |

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

RESOLUTION NO. 14-839

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILE FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the “Board”) may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Sheriff’s Office to expend county monies for the purchase of new cruisers;

WHEREAS, the cruisers are available for purchase through the State of Ohio’s cooperative purchasing program (the “Program”); and

WHEREAS, pursuant to section 125.04(C) of the Revised Code, the Board may purchase supplies from another party instead of through participation in Program contracts if the Board can purchase those supplies or services from the other party upon equivalent terms, conditions, and specification but at a lower price than it can through the Program contract;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. The Board hereby declares that it is necessary to expend county monies for the purchase of new automobiles to be used by the County Sheriff or his employees for the following reasons: (1) existing cruisers have reached the end of their useful service lives; (2) new cruisers are necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) new cruisers will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of one (1) 2015 Ford Utility Police Interceptors at a cost of

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\$29,852.00 from Statewide Ford Lincoln Mercury, upon the terms, conditions, and specifications of State of Ohio STS Contract #RS901214.

Section 3. The Board hereby authorizes the Sheriff’s Office to initiate the necessary purchase order(s) to one or more approved vendors and hereby approves the purchase order(s) from fund number 41711436-5450.

Section 4. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

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

RESOLUTION NO. 14- 840

IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARD:

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

WHEREAS, pursuant to Ohio Revised Code Section 301.29, the Board of Commissioners of Delaware County by Resolution No. 04-1193 dated September 30<sup>th</sup>, 2004, adopted a policy for the use of County Procurement Cards. In addition, The Board of Commissioners of Delaware County by Resolution No. 11-1040 dated October 3<sup>rd</sup>, 2011, adopted amendments to the Policies and Procedures for the county procurement card program; and

WHEREAS, the appointing authority for the procurement card being the County Sheriff, has adopted the procurement card policy for the use of the card to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant ORC 301.29 (F)(2).

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, authorize the use of the following procurement cards to the limits indicated and for specific work related expenses designated in the Procurement Card Policy without submitting a monthly estimate of expenses:

Appointing Authority:                      County Sheriff  
Office/Department:                      Sheriff’s Office

Daily spending per card:                      \$ 5,000.00  
Monthly spending per card:                      \$10,000.00  
Single transaction limit:                      \$ 5,000.00  
Daily number of transactions per card:                      10  
Monthly number of transactions per card:                      50

Name on Card 1:                      Karen First

Department Coordinator:                      Patty Freeman

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

RESOLUTION NO. 14-841

IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY  
AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2015 TAXES:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to certify to the County Auditor the delinquent accounts for placement on the tax duplicate.

Whereas, the County owns and operates a Sewer District as authorized by Ohio Revised Code (ORC) 6117, and

Whereas, ORC 6117.02 authorizes the County to set rates and charges for the sanitary services provided by the Sewer District, and

Whereas, when any of the sanitary rates or charges are not paid when due, the board may certify the unpaid rates or charges, together with any penalties, to the County Auditor, who shall place them upon the real property tax list and duplicate against the property served by the connection, and

Whereas, staff has determined that there are unpaid rates and charges that need to be collected, and

Whereas, staff recommends collection of the unpaid rates and charges by certifying these delinquent accounts to the County Auditor.

Therefore be it resolved that the Board of County Commissioners certify the delinquent accounts in the amount of \$110,420.54 to the County Auditor for 2015 real property tax list and duplicate.

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(Itemized listing of delinquent accounts available for review at the Commissioners’ Office until no longer of administrative value).

2015 Sewer Tax Assessments  
To be certified by the Board of Commissioners on 7/28/14

Breakdown of Assessments by Treatment Plant:

|                           |              |
|---------------------------|--------------|
| 66211903 – OECC           | \$41,010.64  |
| 66211904 – Alum Creek     | \$61,138.94  |
| 66211906 – Tartan Fields  | \$1,656.29   |
| 66211907 – Scioto Reserve | \$5,537.37   |
| 66211908 – Bent Tree      | \$0.00       |
| 66211909 – Hoover Woods   | \$141.75     |
| 66211910 – Scioto Hills   | \$935.55     |
| 66211911 - Northstar      | \$0.00       |
| Total Assessments         | \$110,420.54 |

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

RETIREMENT ACKNOWLEDGEMENT OF GARY DEFOURNY FROM ENVIRONMENTAL SERVICES

RESOLUTION NO. 14-842

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

The Emergency Medical Services Director recommends accepting the resignation of Michael Gallion as a paramedic with EMS; effective August 1, 2014;

Therefore, Be It Resolved, the Delaware County Board of Commissioners accept the resignation of Michael Gallion as a paramedic with EMS; effective August 1, 2014.

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

ADMINISTRATOR REPORTS

Tim Hansley

- Request for a work session from DATA concerning funding issues. Date set for August 11<sup>th</sup>.
- Some of the members of City Council will be touring the Elk’s Building. At the Council meeting tonight, the Elk’s building will be discussed again.
- Facilities meeting tomorrow at 9:00 AM

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Stapleton

- Questions about the meeting tonight directed to County Administrator
- Important for the City to understand that full reconstruction outweighs the dollar value of saving the building. Believes Delaware County is far beyond putting their offices in houses.

Commissioner O’Brien

- Facilities meeting tomorrow at 9:00 AM
- Received notice that Victoria Jordan, Superintendent of COYC, is retiring at the end of this year.
- Executive Meeting for DKMM membership Director. The four counties are working well in this matter.
- Thursday will be attending a Regional Planning meeting

Commissioner Merrell

- Will be attending the City Council meeting this evening to represent the County.

RESOLUTION NO. 14-843

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT, DISMISSAL, DISCIPLINE, COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR COLLECTIVE BARGAINING:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to adjourn into Executive Session at 9:50AM.

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

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RESOLUTION NO. 14-844

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to adjourn out of Executive Session at 11:26AM.

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

There being no further business, the meeting adjourned.

\_\_\_\_\_  
Gary Merrell

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Ken O’Brien

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Dennis Stapleton

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Jennifer Walraven, Clerk to the Commissioners