

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

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**Pledge to the Flag**

Mr. Ward and Mr. Wuertz were present. Mrs. Martin was absent

**Approval of Resolutions and Minutes from meeting held August 2, 1999:**

Commissioners Approved

**Public Comment :**

Mr. Bill Lowe of the Delaware County Fair took this opportunity to express to the Commissioners his appreciation for the spirit of cooperation shown by the Delaware County Sheriff and the Delaware County EMS/911 Departments. The Delaware County Fair staff appreciates all the planning and hard work that goes into providing these emergency services to the citizens of this area while attending the fair or at other activities at the fair grounds.

**Approval for Payments Warrants Numbered 248773 through 249199:**

Commissioners Approved.

**Approval of Travel Expense Requests:** Commissioners Approved

**Approval of Transfer of Funds, Appropriations, and Supplemental Appropriations:** Commissioners Approved**Dave Hall, Director Of Emergency Management – Introduction of New Employee:**

Mr. Hall introduced Mr. Mike Crawford the new EMA Assistant

**Approval to Forward Liquor License Transfer Request of MCG Restaurant Operations, Inc. With No Objections and No Request for a Hearing:**

Commissioners Approved

**Approval of Plat and Ditch Maintenance Petition for Big Bear Farms, Section 8:**

Commissioners Approved.

**Approval of Subdividers Agreements With Eagle Trace, Phase 1; Cheshire Cove, Section 1; and Villages of Oak Creek, Phase 10, Part A:** Commissioners Approved

**Approval of Right-of-Way Work Permit Summary Sheet.** Commissioners Approved

**Approval of Contract with Performance Site Management for the County's Portion of the Porter Central Road Reconstruction:** Commissioners Approved

**Approval of Contract with M S Consultants for Preparation of the Delaware County Thoroughfare Plan.** The City of Delaware has a similar contract for the City. In response to Mr. Ward's question, Mr. Sidle explained the traffic projections in the report will be for 20 years, but the report will be updated every five years. The projection of 20 years is so that projected right of ways can be acquired at a reasonable cost. It also helps the County Engineer assess what expansion plans are needed for the County. Regional Planning contributed money for this contract as well as general fund monies appropriated in the yearly budget. There are over 20 public meeting dates planned with the municipalities and townships to reach the public for input. This project will carry over into the year 2000. This is a large undertaking and will require a large amount of data collection. Commissioners Approved

**Approval of Sanitary Sewer Plans for Sherbrook, Phase 6.** Commissioners Approved

**Approval of Sanitary Sewer Agreement with Genoa Square.** Commissioners Approved

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

---

**Authorizing the Signing of Contracts with Kokosing Construction Company and Jess Howard Electric for the Construction of the Alum Creek Pump Station and Central Maintenance Facility.** Kokosing contract in the amount of \$7,488,000.00 and Jess Howard in the amount of \$1,620,107.00. Commissioners Approved

**Approving Personnel Actions.** Commissioners Approved

**Rejecting all Bids Received for Bulk Gasoline and Diesel Fuel for Delaware County.** Some of the bids received were not complete making them noncompliant. Mr. Melvin explained that certain information is required from the vendors to make them compliant and eligible for business with the county. The actual price of gasoline is not locked; therefore, when a purchase is required each vendor who has been approved through the bidding process is contacted to determine who is the lowest on that day of purchase. It is to the advantage of the County to have more than one company approved for petroleum bidding. Commissioners Approved

**Approving Specifications and Setting Bid Opening Date and Time for Bulk Gasoline & Diesel Fuels.** Monday, August 23, 1999, at 10:00 AM. Commissioners Approved

**Accepting the Recommendation of the Union County Commissioners for Maintenance Assessment of 5% for the Ottawa Joint Ditch No. 1356.** Commissioners Approved

**Approving Contract Amendment with Schooley Caldwell Associates for Construction Management Services.** This will provide for a construction manager a minimum of two days a week for the Carnegie Library renovation. Commissioners Approved

**Approval of Date And Time For Public Hearing To Discuss Bellpoint Bridge:** Public Hearing to be held **August 31, 1999, at 7:30 PM** in the Bellpoint Church.

**Bid Opening for Digital Document Archive Writer**

Assured Micro Services, Inc.	Writer - \$31,445.00	Software - \$4,100.00
Micro Images	Writer - \$25,925.00	Software - \$3,881.00

**Informational Session - Possible Reorganization Of Delaware Area Transportation Association:**

Mr. Wuertz explained that a hearing was held last week for public input. Another is being held today, and on August 23, 1999, the Commissioners will make a decision as to how to move forward with DATA.

Dennis Schooley, Director of DATA, gave an overview of DATA, how it is funded, how it is organized and, what it does.

Several agencies need to find ways for their clientele to access jobs, develop new fields, and access doctors and medical needs. The agencies coordinated their efforts and in 1999 established DATA. The funding came from grant funds through the Ohio Department of Transportation. This continued for two years. With the assistance of the Commissioners, funding was then acquired from the World Transit System Grant for public transportation. This has been in place for one and one half years. The program has been very successful with ridership both with the agencies who started this and with the general public. As of December of 1998, the ridership was 534 rides and 157 of those being the general public. As of this past July, the ridership was 1681 and 603 of those being the general public. The ridership has tripled in the past seven months. As the word of DATA spreads and the public realizes it is for the general public not just for the handicapped or the agencies that started the program, the ridership will continue to increase.

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

---

Currently funding for DATA comes from the FDA and ODOT. The local match comes from the agencies who contract for the transportation of their clients. Last year ODOT provided 56 % of the funding and this year it is estimated to be 50%.

The program provides two methods of transportation, the first is fixed routes – scheduled stops and times for pickups. Currently there are two of these running – Delaware to The Crosswoods with several stops along the way and another route through Delaware City from 10:30 a.m. until 2:00 p.m on week days.

The second method is demand response – 24 hour advance notice. This is becoming very successful. The cost of this is \$2.00 within the city limits and \$4.00 outside the city limits within the County..

The current service area is made up of the entire County of Delaware. The current fleet is 8 vehicles with 1 more on the way.

The structure for the past one and one half years has been that the Commissioners are the grantees of the funds and the Board of Developmental Disabilities was assigned to manage and administer the program. The Board of Developmental Disabilities has indicated that at the end of this year they will no longer provide this function.

Mr. Schooley explained there are two questions to be answered – will we continue to provide public transportation and if so what kind of structure should it have. There are several different options.

1. The Commissioners would be assigned the absolute duties and powers of the transit system.

Three Options as follows:

- A. Create a separate department within the county with the specific functions and duties of transit.
- B. Assign public transportation to an already existing department.
- C. Go out to bid for a private non profit organization or a public for profit organization

With all three of these the Commissioners would be the governing board for all decisions concerning public transit and the liability would still be maintained by the County.

2. Create a regional transit authority. Since COTA is already been designated as the Transit Authority for Central Ohio, it does not seem feasible to do this.
3. The last option is the County Transit Board. This option is recommended by officials from DATA, COTA, ODOT and supported by other County officials. This would remove all liability form the County and put it on the Board. The Board would be appointed by the Commissioners and its sole purpose would be public transportation. The Board would be made up of Delaware County citizens that have interest in the advancement of public transportation. It would provide a focal point for all public transportation issues such as rail.

With the census approaching it is critical that public transportation be addressed. If there is no public transportation structure in place, it is likely that the Mid Ohio Regional Planning Commission will designate COTA as the authority for Central Ohio region to determine the needs of public transportation for Delaware County.

Mr. Schooley asked the Commissioners to continue to support public transportation as they have for the past few years, and to consider the County Transit Board.

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

---

Mr. Ward asked if COTA would take over, would there be Delaware County representation on the Board. Mr. Schooley did not know. He will find out and report back. Mr. Ward then asked if this could be leased out to a private company. Mr. Schooley answered, that could be done. He has looked into this possibility and the down side is the loss of control that would come with that arrangement. The citizens of the County would have very little say; however, a County Transit Board could contract with private companies and still retain control of how the community would be served. Mr. Ward then commented that he has been told that Laid Law has been very successful in reducing the cost of public transportation.

Mr. Robert Morgan, Superintendent of the Delaware County Board of Developmental Disabilities, spoke to the Commissioners. He explained that for 15 years each year the social services agencies got together to prioritize needs and transportation was always first or second on that list. He read the following statement.

“Questions have been raised regarding the continued commitment of the Delaware County Board to public transportation and why the Board will not commit to continue to provide the administration for DATA and Delaware County's Rural Transit Project.

In 1996, the Board, the Council for Older Adults and other agencies made application through the County Commissioners to ODOT for a local transportation project to coordinate transportation services of social services agencies. In 1998, based upon the success of that project ODOT recommended that Delaware County apply to become a Rural Transit Project and the Board of Developmental Disabilities offered to administer the effort as it had done for the two years of the coordination project.

We found that being a Rural Transit Program was very different than the coordination project. First, the services were targeted to the general public and that the clients of the social service agencies received no discounts or specialized service. In fact, the contracts with the social services agencies charge the full-allocated costs. The revenue from the contracts provides the local match to draw the state and federal funds to fund transportation services to the general public. Since 1996, the Board of Developmental Disabilities has provided approximately \$100,000 per year through local contracts and purchased services to provide the local match for Delaware County's public transportation services. In addition, the Board and the Council for Older Adults have provided the local match for the vehicles purchased for DATA.

The Board of Developmental Disabilities intends to continue its support. However, as Delaware County's public transportation system continues to grow and service the general public with service to the expanding commercial and employment opportunities, we should not expect the social services agencies to bear all of the burden of the local match that is needed.

When the Board of Developmental Disabilities agreed to administer the public transportation project it was with the understanding that it was for an interim period and that the DATA Board created under the coordination project would provide the oversight and policy approval. We quickly realized that the DATA Board's status could only be that of an advisory board and that a public body was required to adopt the many policies and regulations required of a public transit system.

There were potential conflicts of interest because basically all of the contracts that DATA used as local match for state and federal funding came from the Board of Developmental Disabilities who was also administering to public transportation system. It put us in the position of contracting with ourselves. This issue was brought to the County Commissioners in the summer of 1998 and a committee that included representatives of the County Commissioners, COTA, ODOT and DATA was formed to study the options and make recommendations. Those recommendations were made in a report to the County Commissioners on December 10, 1998, which is attached. It was clear from those recommendations and from the management review conducted for ODOT earlier, that Delaware County needed a formal, permanent organizational structure to manage public transportation. The Board of Developmental Disabilities cannot perform the function of a county public transit agency.

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

---

The Delaware County Board of Developmental Disabilities has demonstrated a significant, long-term commitment to public transportation for Delaware County through its contribution of funds and human resources. The Board desires to continue to support public transportation through the purchase of contracted and general public transportation. However, we are now at the point where there must be broader public support, leadership and commitment for there to be a future for public transportation in Delaware County”

*Recommendations for Organized Structure of DATA*

*“The following is a summary of the recommendations of the Central Ohio Transit Authority (COTA), Delaware Area Transportation Association (DATA) and Ohio Department of Transportation (ODOT) - Public Transportation.*

*Current effort to improve transportation in Delaware County began in 1996 with a grant for two years from ODOT for coordinated transportation. The objective of this project was to improve the use and efficiency of the existing transportation resources targeted primarily for individuals who are elderly and disabled. The Delaware County Board of Developmental Disabilities was designated as the lead agency and an organization called DATA was created with representation from Providers of Transportation, Purchasers of Transportation, Customers of Transportation and Public Officials with an interest in public transportation. Services included the Delaware-Crosswoods shuttle that was available to the general public. The shuttle has been effective in serving the route 23 corridor and ridership of the general public has increased significantly. Specialized demand response service was also increased to provide services for those whose disability required special accommodation. The coordination project was successful in bringing together agencies and individuals interested in transportation. It demonstrated the need for transportation services and the viability of a number of options.*

*In 1998, the project began a transition for a coordination project to a Rural Transit system. This was a more significant change than had first been understood. First of all, the service could no longer target specialized populations such as individuals who are elderly and disabled. It was a public service and could not provide any special service except accommodations as required by the Americans with Disabilities Act. The regulations and requirements were also much greater and required the development and adoption of numerous policies, procedures and assurances. The organizational structure had to change from that of a cooperative organization that had worked well for the grant to an organization that had clear authority and could operate under federal and state laws. It was not clear which organization (DATA, Delaware County Board of DD or County Commissioners) had authority to adopt needed policies and advertises for service providers.*

*The ability to use existing contracts as match for federal and state dollars was restricted by federal and state regulations that required DATA to fully allocate to its contract. Therefore, the cost of a service contracted by DATA with an existing community provider would be greater than what a company agency could purchase the same service directly. Since Rural Transit regulations require local match be in the form of cash or contracts, this brings into question DATA's ability to use contracts as local match.*

*The need to have public transportation to support economic development and increasing traffic congestion has been raised as a priority for DATA. However, local funding match has been limited to social service agencies. To expand to a broader mission for DATA will require expanding local resources.*

*These problems aside, the question Delaware County faces today is not whether we should have public transportation but rather how we should organize and manage our efforts. It is the recommendation of all parties that we should immediately establish a Delaware County Transit Board. The advantage to this option is outlined in the*

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

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*recommendation from COTA titled Delaware Transit Organization Structure Options and Issues dated October 5, 1998.*

*Other considerations for this recommendation include the following. As a result of the 2000 census, Delaware County will likely be designated an urban area which will mean that the county may not be eligible for Rural Transit status starting in approximately 2005. At that point MORPC will determine the assignment federal transit dollars will for the newly urbanized area of Delaware County. If Delaware County has used the seven years of experience as a Rural Transit system and involved citizens, agencies, businesses and local governments in defining Delaware's transportation needs, then Delaware County can control our own destiny. This could include cooperation and partnership with COTA. If we wait and are not vigorous in our efforts then MORPC will likely look to COTA to define Delaware County transportation needs. The creation of a County Transit Board will provide the needed transition from a Rural Transit System to an Urban Transit System. It will also provide Delaware County with a voice in the future of transportation services to serve our citizens.*

*There will continue to be the need for agencies serving special transportation needs in addition to public transportation. We would like to see the County Transit Board include*

*in its mission a coordinating role for such services. We would also encourage the commissioners to consider appointment of those citizens who have already shown their commitment to public transportation to a County Transit Board.*

*It is critical that we establish a direction and organization as soon as possible. There are many critical decisions and issues that can only be addressed after the organization decision is made.”*

In response to Mr. Ward's question, Mr. Morgan explained the titles to the vehicles are currently titled to the Board of Developmental Disabilities. If a Transit Board is formed, those titles would be transferred to that board. The Board of Developmental Disabilities currently has 14 vehicles and they would continue to transport clients they currently have. They do use DATA to supplement their needs for transportation. The board pays full rate for its clients to use DATA which provides funds for the local match needed for grant procurement.

Ms. Kathy Tatterson, President of United Way, reported that the local United Way supports DATA and the formation of a local Board of Transit. In 1992 United Way and OWU completed a community assessment, and the lack of public transportation was the number one unmet need. Over the past few years, public transportation was figured into every community assessment or services planning effort. A current assessment found that 71% of the respondents with an income of less than \$25,000 rated the lack of public transportation as a major or moderate problem. She feels it is time for the County to take the next step and create a permanent comprehensive public transportation plan and transit system. On behalf of United Way and the 16 agencies it supports, she encouraged the Commissioners to move forward with the project by appointing a County Transit Board.

Mr. Wuertz commented that this service is very critical for the senior population. As this segment of the population grows, this will become a more critical need.

Mr. Ward asked Ms. Tatterson if she sees the United Way playing a part in public transportation. She responded that she does not see United Way funding a public responsibility, but she does see them supporting and encouraging their agencies to participate and to advocate its policies. Mr. Ward asked if this would be dollars. Ms. Tatterson stated in other areas the United Way has provided agencies with funds to purchase transportation. Mr. Ward had some other questions, Ms. Tatterson will compile and provide more information to him at a later date. Mr. Ward then spoke, stating his support of what United Way has done for the community.

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

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Ms. Donna Eckley, Department of Human Services, Employment Counselor, spoke explaining she is involved in Welfare Reform. The purpose of this program is to educate and train the client so they may become self-sufficient. Transportation is a major issue for these people. Most do not have a car, or if they do, it is not reliable. DATA has been a wonderful tool to aid with this program. Clients in the southern part of the county utilize this program regularly. She relayed two stories of her clients where the DATA bus was crucial for the success of these individuals becoming productive citizens. Without this service, it would have been very difficult for these individuals to succeed.

Mary Demaco of Helpline expressed her support of DATA and encouraged the continuation of the service. The Help Hotline logged 86 calls last year for transportation needs and 36 of them were requests that could not be addressed.

Ilene Shepherd of Early Start which is a new program in the county to assist with children from 0 to three years of age, visits homes to assist the families in her program. One half of the families being assisted have no transportation, and the other half has unreliable transportation. She also gave some examples of her clients and their need for transportation. She currently works with 14 clients with the majority being in the City.

Mona Reilly, Director of Human Services, explained that mothers of children less than one year old are not required to work 30 to 40 hours a week. They are required to take part in some programs. It must be something that is moving them toward self-sufficiency. They might be working with Early Start getting parent training, or working toward their GED. Each case is different and is addressed as the individual needs are assessed. Mr. Ward then spoke in favor of the program to keep mothers at home for the first year after the birth of their children.

Ms. Reilly reported that the Human Services Department utilizes public transportation. The largest group would be for medical transportation needs. Work related transportation is a large portion. The current Ohio Works Program in Delaware County has 74 clients, and 42 of them have no transportation. The others have unreliable transportation. They plan to get there, but the car will not go. She started working with the Ohio Works Program in 1992 and ever since that time transportation has been a major issue. DATA has been very useful in this program.

Polaris has grown into an employment center, but employees need DATA to get there. She is currently working with Krogers in that area to try to arrange employment for more Delaware County clients, but DATA will be needed for this to succeed.

Mr. Steve Hedge, Delaware Morrow Mental Health Board, spoke stating from surveys and talking with organizations one of the main concerns in this area is public transportation. There is a strong need for a system of public transportation. The biggest problem for employment is the lack of transportation. His organization serves about 1200 people a year, and he finds there is a need for transportation that his organization cannot provide. He encouraged the Commissioners to move forward with a plan to provide public transportation.

Mr. Schooley clarified a few points. He explained DATA is currently public transportation. He emphasized it is federally mandated that transportation must be available to all. Agencies are required by law to provide transportation, and they would have to find it elsewhere if DATA is not available.

Mr. Ward commented that he is for public transportation. He is not for setting up a board and then putting a tax levy on the ballot to subsidize a form of public transportation. He noted if ODOT's support gets less, what happens?

Mr. Schooley explained that as the support of the agencies who contract with DATA grows, the percent of ODOT participation decreases.

Mr. Ward then asked Mr. Schooley if public transportation can pay for itself. Mr. Schooley noted that public transportation can charge for its service, and it also has the

**Commissioners Minutes No. 1 – Delaware County  
Minutes of Regular Meeting Held August 9, 1999**

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ability to sell ads. He feels public transportation can support itself and not need tax monies. This would come from agencies, and private business funding. Mr. Schooley then pledged that he will not come before this board for tax monies unless he has exhausted every other option.

Mr. Tom Homan, Delaware City Manager, spoke stating public transportation is a vital part of Economic Development and the Welfare work initiative that is being mandated by the state and federal government. The needs are becoming more and more apparent. The questions about funding goes to the heart of it. The City is a small part of the whole picture and he feels it makes sense to look at a county wide board. He would encourage this to be done and the City play a role in the process. Mr. Ward asked if that would be financial. Mr. Homan then stated the service would be for all and all the residents of the County should pay for the service.

Ms. Julie Secrest, Mayor of the City of Delaware, spoke noting this could assist with the parking problems and alleviate the large volume of vehicles traveling on the roads and streets. Mr. Ward commented that the City needs to a part of the Board and the funding. Mr. Wuertz added that Orange Township has over 11,000 residents and funding would have to be formulated in a fair and equitable way.

Mr. Ward commented he feels the image of DATA must be changed. The general public feels DATA is for the elderly and handicapped and they do not consider it an option for them. He suggested the name be changed.

Ms. Secrest supported the implementation of a Transit Board.

Mr. Jim Kern, former owner of the US Store, spoke saying he is not in favor of cutting some business tax breaks. He knows what growth has done and he is in favor of growth, but he does not feel he as a tax payer should have to pay for other peoples endeavors. Mr Wuertz then explained how a TIF works and that no one is given any tax break. He then spoke in favor of the continuation of DATA.

Mr. Wuertz thanked all for attending. He noted the discussion today has made it quite plain there is a need for public transportation.

There being no further business, the meeting adjourned.

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Debbie Martin

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Jim Ward

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Don Wuertz

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Letha George, Clerk to the Commissioners