

COMMISSIONERS JOURNAL NO. 47 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 7, 2005

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

Present: Glenn A. Evans, Kristopher W. Jordan, James D. Ward

- 6:30 PM Executive Session For Land Acquisition
- 7:20 PM Reconvening Of Public Hearing For The Willow Springs North Subdivision Ditch Maintenance Project
- 7:30 PM Final Hearing By The Commissioners For The Smith #198 Ditch Project
- 8:00 PM Public Hearing For The Request Of An Amendment To The Development Plan For The Planned Industrial (PI) District For The Property Located At 4156 Radnor Road For Approximately 1.319 Acres In Radnor Township Owned By David Bauerle

RESOLUTION NO. 05-1478

6:30PM IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR LAND ACQUISITION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 6:35PM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1479

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn out of Executive Session at 7:05PM.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Absent

PUBLIC COMMENT

People spoke for continued support of the “Keep Ohio Beautiful” litter grant since current funding has been discontinued. (For a complete record and names refer to the Official CD minutes).

RESOLUTION NO. 05-1480

7:20 PM RECONVENING OF FINAL HEARING FOR THE WILLOW SPRINGS NORTH SUBDIVISION DITCH MAINTENANCE PROJECT:

It was moved by Mr. Jordan, seconded by Mr. Ward to reconvene the Hearing at 7:35PM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1481

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO ADDRESS THE WILLOW SPRINGS NORTH SUBDIVISION DITCH MAINTENANCE PROJECT:

It was moved by Mr. Ward, seconded by Mr. Evans to close the Hearing at 7:37PM.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1482

IN THE MATTER OF COMMISSIONERS FINDING AFFIRMING ORDER AND CONFIRMING THE ASSESSMENTS FOR THE WILLOW SPRINGS NORTH SUBDIVISION DITCH MAINTENANCE PROJECT:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

In the matter of the Willow Springs North Subdivision Ditch Maintenance Project filed By Eric M. Smith (representing the homeowners association) and other petitioners on November 16, 2004.

WHEREAS, this being the day fixed by said Board in the order dated the 7th day of November 2005, for the continuation of the final hearing on the Reports and on the assessments, of the County

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Engineer, for the Willow Springs North Subdivision to be placed on maintenance.

WHEREAS, The Board has heard all the evidence offered in the proceedings and received and considered the assessments filed by the County Engineer:

THEREFORE BE IT RESOLVED, that the Board herby approves the assessments prepared by the Delaware County Engineer, and

FURTHER BE IT RESOLVED, that the maintenance fund shall be maintained, as needed, by an assessment levied not more often than once annually upon the benefited owners, as defined in section 6131.01 of the Revised Code, apportioned on the basis of the estimated benefits for construction of the improvement. An assessment shall represent such a percentage of the estimated benefits as is estimated by the engineer and found adequate by the board or joint board to effect the purpose of section 6137.02 of the Revised Code, except that at no time shall a maintenance fund have an unencumbered balance greater than twenty per cent of all construction costs of the improvement. The minimum assessment shall be two dollars. Any cost incurred from the petition project process will be paid from the annual ditch maintenance assessments.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1483

7:30 PM FINAL HEARING FOR THE SMITH #198 DITCH PROJECT:

It was moved by Mr. Jordan, seconded by Mr. Ward to open the Hearing at 7:38PM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1484

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO ADDRESS THE SMITH #198 DITCH PROJECT:

It was moved by Mr. Evans, seconded by Mr. Ward to close the Hearing at 8:05PM.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1485

IN THE MATTER OF COMMISSIONERS' FINDING AFFIRMING ORDER, CONFIRMING THE ASSESSMENTS, AND ORDERING THE LETTING OF THE CONTRACTS FOR THE SMITH #198 DITCH PROJECT:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

In The Matter Of The Smith #198 Ditch Petition Filed By Marcus Fisher and Others On December 5, 2001.

WHEREAS, this being the day fixed by said Board in the order dated the 7th day of November 2005, for the final hearing on the Reports, Plans, and Schedules of the County Engineer, on the estimated assessments, on claims for compensation or damages and on the proceedings for the improvement.

WHEREAS, The Board finds that due and legal notice of this final hearing has been given as required by law; and

WHEREAS, The Board has heard all the evidence offered in the proceedings and received and considered all the schedules, plans, and reports filed by the County Engineer, and

WHEREAS, this Board has considered the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, etc.;

THEREFORE BE IT RESOLVED, that the Board herby approves the maps, profiles, plans, schedules and reports for prepared by the Delaware County Engineer, and

FURTHER BE IT RESOLVED, That once the water shed is confirmed, the Delaware County Engineer's

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estimated assessments are hereby approved and confirmed, and the Engineer is ordered to receive bids for the construction of the improvement, and

FURTHER BE IT RESOLVED, That county borrow funds to pay for the improvement, and that eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay the assessments that may be made for the improvement, and that interest shall be charged on the installments at the same rate charged to the Commissioners for the borrowing of the money, and

FURTHER BE IT RESOLVED, The County Engineer is hereby directed to prepare the necessary bid documents and legal advertisements; and

FURTHER BE IT RESOLVED, That the County Engineer be and he is hereby directed to give at least two weeks public notice as required by law of the time when and the place where bids will be received for furnishing any material for the improvement, or for the construction of the improvement, or any part thereof, and in case manufactured material is required for the construction of the improvement, the County Engineer is hereby directed to send copies of the notice by mail to dealers and manufacturers and all bids shall be received at the office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio.

FURTHER BE IT RESOLVED, THAT THE COMMISSIONERS APPROVE ESTABLISHING A NEW ORGANIZATION KEY FOR THE SMITH # 198 DITCH PROJECT 40311414.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1486

8:00PM PUBLIC HEARING FOR THE REQUEST OF AN AMENDMENT TO THE DEVELOPMENT PLAN FOR THE PLANNED INDUSTRIAL (PI) DISTRICT FOR THE PROPERTY LOCATED AT 4156 RADNOR ROAD FOR APPROXIMATELY 1.319 ACRES IN RADNOR TOWNSHIP OWNED BY DAVID BAUERLE:

It was moved by Mr. Jordan, seconded by Mr. Evans to open the Hearing at 8:10PM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1487

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR THE REQUEST OF AN AMENDMENT TO THE DEVELOPMENT PLAN FOR THE PLANNED INDUSTRIAL (PI) DISTRICT FOR THE PROPERTY LOCATED AT 4156 RADNOR ROAD FOR APPROXIMATELY 1.319 ACRES IN RADNOR TOWNSHIP OWNED BY DAVID BAUERLE:

It was moved by Mr. Evans, seconded by Mr. Ward to close the Hearing at 8:15PM.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1488

IN THE MATTER OF GRANTING THE REQUEST OF AN AMENDMENT TO THE DEVELOPMENT PLAN FOR THE PLANNED INDUSTRIAL (PI) DISTRICT FOR THE PROPERTY LOCATED AT 4156 RADNOR ROAD FOR APPROXIMATELY 1.319 ACRES IN RADNOR TOWNSHIP OWNED BY DAVID BAUERLE:

It was moved by Mr. Ward, seconded by Mr. Evans to grant the following:

WHEREAS, the advertised hearing in this matter was held November 7, 2005 at 8:00PM, and

WHEREAS, all parties were given an opportunity to express their views thereto, and

WHEREAS, the appropriate review and comment by the Delaware County Regional Planning Commission was a recommendation of approval, and

WHEREAS, the Delaware County Rural Zoning Commission has recommended approval of said amendment conditioned by the applicant obtaining Ohio E.P.A approval.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners, Delaware County, State of Ohio, that the development plan for the property located at 4156 Radnor Road be amended to allow approximately 1.319 acres of the district to be used in a manner different from that originally set out in the development plan. Thus facilitating transfer of such property to the Trustees of Radnor Township for expansion of the Radnor Cemetery. The township plans to construct a 2,000 square foot maintenance building on the land. Bauerle Automotive, INC. currently occupies the front 1.75 acres of the site. No Change in use is

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proposed with the existing business.

The Clerk shall send certified copies of this action to the Delaware County Regional Planning Commission, the Delaware County Code Compliance Department and the Delaware County Recorders with a request to change the official maps to reflect this action. This action effective the earliest date allowable by law.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1489

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM
REGULAR MEETING HELD NOVEMBER 3, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL
ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held November 3, 2005 as contained in the county’s official electronic recordings of the proceedings.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1490

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS
IN BATCH NUMBERS CMAPR114:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR114, and Purchase Orders and Vouchers as listed:

| <u>Vendor</u> | <u>Description</u> | <u>Account Number</u> | <u>Amount</u> |
|------------------------------|-------------------------|-----------------------------|---------------|
| PO’s | | | |
| D.A.T.A. | Client Travel | 22411601-5355 | \$ 10,000.00 |
| Increases | | | |
| American Electric Power | Emergency Utilities | 22511607-5350 | \$ 5,000.00 |
| Terrie Clinger | Public Defender | 10011202-5301 | \$ 10,000.00 |
| Kids Academy | Day Care | 22411610-5348 | \$ 4,500.00 |
| LaPetite Academy | Day Care | 22411610-5348 | \$ 2,500.00 |
| T & J Academy | Day Care | 22411610-5348 | \$ 3,100.00 |
| Decreases | | | |
| Saia & Piatt | Public Defender | 10011202-5301 | \$ 10,000.00 |
| Vouchers | | | |
| Henry Painting | Painting Jail | 40411414-5410 | \$ 45,834.40 |
| Dalmation fire | Fire Protection/Jail | 40411414-5410 | \$ 10,557.00 |
| Jess Howard | Electrical Work/Jail | 40411414-5410 | \$ 74,690.61 |
| Resource OH | Flooring/Jail | 40411414-5410 | \$ 33,196.85 |
| Bovis Lend Lease | Construction Management | 40411414-5410 | \$ 17,787.09 |
| Ameritas Group Dental | November Premiums | 75010903-5370 | \$ 17,175.04 |
| Nickolas Savko & Sons | Olentangy Crossing East | 40811422-5420 | \$ 63,885.79 |
| Kindercare Neverland | Day Care | 22411610-5348 | \$ 17,978.66 |
| Toddler Inn | Day Care | 22411610-5348 | \$ 15,922.29 |
| US Postal Service-Hasler | Postage | 10011105-5331 | \$ 20,000.00 |
| Northwestern Ohio Security | Carnegie Building | 40111402-5450 | \$ 5,046.54 |
| AEP | Utility Alum | 65211919-5338 | \$ 8,833.31 |
| T& J Junior Academy | Day Care | 22411610-5348 | \$ 6,242.94 |
| Child Care Unlimited | Day Care | 22411610-5348 | \$ 10,411.21 |
| Boys Village | Residential Treatment | 22511607-5342 | \$ 40,602.83 |
| Memo Transfer Voucher | | | |
| From | To | | |
| Facilities | Engineers Office | 40% Share of 2005 Utilities | \$ 7,878.77 |
| 10011105-5338 | 29214001-5338 | | |

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05 -1491

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

The Emergency Services is requesting for 25 participants to take a Hazmat Operations Course in Delaware

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County November and December, 2005 at the cost of \$1,800.00.

Juvenile Court is requesting that Howard Heston, Laurie Scholzs, Mary Cagnina, Julie Wager and Laura Lynd Robinson attend a Juvenile Substance Abuse Summit in Columbus, Ohio November 17-18, 2005, at no cost.

The Administrative Services Department is requesting that Kevin Williams attend a CCAO Personnel And Labor Relations Committee Meeting in Columbus, Ohio November 14, 2005, at the cost of \$31.00.

The Commissioners Office is requesting that Letha George and Jennifer Walraven attend the CCAO Winter Conference in Columbus, Ohio December 12-13, 2005, at the cost \$120.00.

The EMS Department is requesting that Teresa Kelly attend a Logan County EMS Conference in Bellefontaine, Ohio November 12, 2005, at the cost of \$25.00.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1492

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, J. JEFFREY MCNEALEY, ESQ, REQUESTING ANNEXATION OF 9.8, MORE OR LESS, ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Evans, seconded by Mr. Ward to acknowledge that on November 3, 2005 the Clerk to the Board of Commissioners received an annexation petition request to annex 9.8 acres from Liberty Township to the City of Delaware.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1493

IN THE MATTER OF APPROVING PLAT FOR WEDGEWOOD PARK SECTION 2, PHASE C:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Wedgewood Park Section 2, Phase C

Situated In The State Of Ohio, County Of Delaware, Township Of Liberty, In Farm Lot 6 And Farm Lot 7, Quarter Township 3, Township 3 North, Range 19 West, United States Military Lands, And Containing 24.853 Acres Of Land, More Or Less, Being 17.983 Acres Of An Original 37.835 Acre Tract Of Land Conveyed To Virginia Homes, Ltd., By Deed Of Record In Official Record 214, Page 1036 And 6.870 Acres Of An Original 100.432 Acre Tract Of Land Conveyed To Virginia Homes, Ltd., By Deed Of Record In Official Record 46, Page 2480. Of Said 24.853 Acres, 21.341 Acres, More Or Less, Are Within Said Farm Lot 6 And 3.512 Acres, More Or Less, Are Within Said Farm Lot 7, All References Being To The Recorder’s Office, Delaware County, Ohio. Cost \$75.00.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1494

IN THE MATTER OF APPROVING SUBDIVIDER’S AGREEMENT FOR SELDOM SEEN ACRES SECTION 3:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the following agreement:

Seldom Seen Acres Section 3

SUBDIVIDER’S AGREEMENT

THIS AGREEMENT executed on this 7th day of November 2005, between SELDOM SEEN ACRES, LTD. as evidenced by the SELDOM SEEN ACRES SECTION 3 Construction plans filed with the Delaware County Engineer, Delaware County, Ohio and the BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO is governed by the following considerations, to wit:

Said SUBDIVIDER is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this AGREEMENT, said SUBDIVIDER shall, at the time of plat approval, execute bond, certified check, irrevocable letter of credit or other approved financial warranties equal to the cost of any remaining construction as shown in the Engineer’s Estimate approved 10/19/05, which is acceptable to the COUNTY COMMISSIONERS to insure faithful performance of this AGREEMENT and the completion of all improvements in accordance with the Subdivision Regulations of Delaware County, Ohio. The SUBDIVIDER

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shall pay the entire cost and expense of all improvements.

The **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one year from the date of the approval of said subdivision by the **COUNTY COMMISSIONERS**. But an extension of time may be granted if approved by the **COUNTY COMMISSIONERS**.

The **SUBDIVIDER** shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading plans and specifications and shall have the authority to execute the plans and specifications and alterations required by the **COUNTY**. The representative shall be replaced by the **SUBDIVIDER** when, in the opinion of the **COUNTY**, his performance is deemed inadequate.

If no bonding or performance surety has been filed, then no subdivision plat will be approved until a performance bond has been approved or until all public improvements have been made. In either case, the **SUBDIVIDER** further agrees that any violations or non-compliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract and the **COUNTY** shall have the right to stop work forthwith.

If a subdivision plat has been approved with the necessary bonding, then the **COUNTY** shall have the right to act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

ROADWAY AND STORM DRAINAGE

It is further agreed that upon execution of the **AGREEMENT**, the **SUBDIVIDER** shall deposit **EIGHTEEN THOUSAND NINE HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer** and, if deemed necessary by the **Delaware County Engineer**, testing by an independent laboratory. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the **SUBDIVIDER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the **SUBDIVIDER**, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

The **County** reserves the right during construction and thereafter to permit connection of adjoining properties within the original drainage basin to the storm sewer system.

Upon completion of construction, the **SUBDIVIDER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workmanship for a period of one year. Said **SUBDIVIDER'S** bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the **County Engineer** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance to the **Ohio Department of Transportation Specifications**.

Acceptance of the roads and drainage structures in said subdivision into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **SUBDIVIDER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

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

CONSTRUCTION

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

The **SUBDIVIDER** shall, within thirty (30) days of completion of construction, furnish to the **County** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **SUBDIVIDER** shall indemnify and hold harmless the **County** from expenses or claims for labor or material incident to said construction of improvements.

The **SUBDIVIDER** shall, during construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the **County** regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

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

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

In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY**,

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OHIO hereby grants the **SUBDIVIDER** or his agent the right and privilege to make the improvements stipulated herein.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1495

IN THE MATTER OF ACCEPTING PERFORMANCE CONSTRUCTION BONDS FOR WEDGEWOOD PARK SECTION 2, PHASE C:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Wedgewood Park Section 2, Phase C

The construction of the above referenced project was started without bonding, thereby not allowing the developer to file the plat. They are now at a point where they would like to file the plat. The Engineer has, therefore, estimated the remaining construction costs to be **\$145,000** and two Letters of Credit totaling that amount are available to cover the bonding of this project.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05 -1496

IN THE MATTER OF APPROVING THAT ACTION BE TAKEN AGAINST THE BOND OF DUKE CONSTRUCTION COMPANY FOR CONSTRUCTION OF ORANGEPOINT COMMERCE CENTER PHASE 3A:

It was moved by Mr. Evans, seconded by Mr. Ward to approve taking action against the bond of Duke Construction Company:

Orangepoint Commerce Center Phase 3A

In August, 2003, your Board entered into agreement with Duke Construction Company for the above referenced project. In December, 2004, a punchlist was sent to the developer, outlining the items needed to complete the project. In June, 2005, a letter was sent via registered mail advising of the items still remaining to complete the project along with photos of the poorly seeded areas of the project. After still receiving no response to our requests, a letter was sent via registered mail in August, 2005 to Duke’s corporate offices in Indianapolis, Indiana advising them of the situation. As of this date, The Engineer still has had no response from the developer to complete the project. The Engineer is , therefore, requesting approval to take action against the developer’s bond to take the necessary steps to have the project completed.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05 -1497

IN THE MATTER OF APPROVING THAT ACTION BE TAKEN AGAINST THE BOND OF RUTHERFORD ESTATES I, LLC FOR CONSTRUCTION OF RUTHERFORD ROAD WIDENING AT RUTHERFORD ESTATES:

It was moved by Mr. Ward, seconded by Mr. Evans to approve taking action against the bond of Rutherford Estates I, LLC:

Rutherford Road Widening at Rutherford Estates

In March, 2004, your Board entered into agreement with Rutherford Estates I, LLC, the developer for the above referenced project. For various reasons, the project was not completed during the 2004 construction season. In May, 2005, a letter was sent via registered mail to the developer reminding him of his obligations to complete the project along with those items required to finalize it. In August, 2005, The Engineer re-inspected the project and found that no further work had been done. Another letter was sent to the developer, again outlining the items needed to complete the project and reminding him that this work was to be completed by the end of the 2005 construction season. As this construction season is coming to an end and the project is still not complete, The Engineer request approval to take action against the project’s surety and have the job completed.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05 -1498

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

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It was moved by Mr. Evans, seconded by Mr. Ward to approve the following work permits:

| Permit # | Applicant | Location | Type of Work |
|----------|--------------|---------------------|----------------------------------|
| U05181 | Columbia Gas | Rome Corners Road | Install gas line in right-of-way |
| U05198 | SBC | Wedgewood Boulevard | Dig a splice pit |
| U05199 | Columbia Gas | Smothers Road | Install gas line |

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1499

IN THE MATTER OF APPROVING THE QUARTERLY REPORT OF THE 2005 COMMUNITY RECYCLING
AND LITTER PREVENTION GRANT:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the quarterly Report of the 2005 Community Recycling And Litter Prevention Grant.

(A copy of the grant is available for review at the Commissioner’s Office until no longer of administrative value).

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-1500

IN THE MATTER OF APPROVING ADDITIONAL APPROPRIATIONS AND TRANSFER FOR
EMERGENCY SERVICES DEPARTMENT:

It was moved by Mr. Evans, seconded by Mr. Ward to adopt the following Resolution:

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management received \$8,750.00 from the Columbus Health Department as part of a contract of services for participation in a Regional Bio-Terrorism Exercise, and;

WHEREAS, the 9-1-1 Center received two separate grants totaling \$3,100.00 from Wal-Mart for providing emergency services education to our residents within the County, and;

WHEREAS, these funds will provide an opportunity for Emergency Services to acquire new equipment and conduct educational and operational training to our citizens and public safety forces;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approves the appropriations and transfers as follows:

| Supplemental Appropriation | | Amount |
|----------------------------|---------------------------------|-------------------|
| 21511307-5240 | EMA/Minor Tools and Equip | \$ 350.00 |
| 21511307-5255 | EMA/Office Furniture <\$500 | \$ 500.00 |
| 21511307-5260 | EMA/Inventoried Tools and Equip | \$5,600.00 |
| 21511307-5301 | EMA/Contracted Prof Svcs | \$ 500.00 |
| 21511307-5315 | EMA/Subscriptions and Pubs | <u>\$1,467.00</u> |
| | TOTAL: | \$8,417.00 |

| Transfer of Appropriation | | Amount |
|----------------------------------|----------------------------------|----------|
| From | To | |
| 21511316-5215 | 21511316-5305 | \$762.09 |
| FY04 Citizen Corps Council Grant | FY04 Citizen Corps Council Grant | |
| Materials and Supplies | Services and Charges | |

| Supplemental Appropriation | | Amount |
|----------------------------|-----------------------------------|------------|
| 21411306-5260 | 9-1-1/inventoried Tools and Equip | \$3,100.00 |

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1501

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IN THE MATTER OF APPROVING A RIGHT OF WAY EASEMENT WITH CONSOLIDATED ELECTRIC COOPERATIVE, INC FOR DELAWARE COUNTY PROPERTY LOCATED AT 201 DUNHAM ROAD:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Right Of Way Easement- Electric/Communication Facilities

KNOW ALL MEN BY THESE PRESENTS, that Delaware County Commissioners (hereinafter known as the Undersigned) (whether one person or more) for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant unto **CONSOLIDATED ELECTRIC COOPERATIVE, INC.**, an Ohio corporation, whose post office address is P.O. Box 111, Mt. Gilead, Ohio 43338 (hereinafter called “Consolidated Electric”), and its successors, subsidiaries, affiliates, and assigns, a perpetual right of way easement for general utility purposes, including electric and/or communication purposes with the right to enter upon the lands and property of the Undersigned situated in the Township of Berlin, County of Delaware, State of Ohio, and more particularly described as follows:

A tract of land containing 1.1148 acres, more or less, known as the Delaware County Commissioners property as being situated in the Township of Berlin, County of Delaware, State of Ohio: Being located in the northwest part of Lot 22, Range 18, Township 4, Section 1, as being recorded in the records of Delaware County, Ohio, in Deed Volume 311, Page 208-211.

And to lay, construct, reconstruct, rephase, relocate, extend, operate, repair, maintain, inspect, test, protect, replace, enlarge, and upgrade all distribution lines, systems, fixtures and appurtenances, on, over, across, under and through the above described lands and property and/or streets roads or highways abutting said lands and property, as may by Consolidated Electric from time to time be deemed necessary for or in connection with the distribution of electric current or communications, together with connecting distribution lines and facilities to any structures and improvements that presently exist or hereinafter may be built on or added to said lands and property; to make such excavations as may be reasonably necessary to carry out the foregoing acts in respect to any underground lines or systems, including the right to perform grading or filling of such facilities; to cut, trim, remove, and control the growth of by chemical means, machinery or otherwise, vegetation that may interfere with or threaten to endanger the operation and maintenance or would interfere with or encroach upon the use of its lines, systems or facilities both within and adjoining the easement; and to license, permit, or otherwise agree to the joint use of occupancy of the lines or systems by another person, association or corporation, for electrification, telephone, CATV, computer and/or data transmission or other utility purposes. This easement conveys the right of ingress and egress for persons, vehicles, machinery, and equipment in and over any reasonable route at all times for the purposes described above.

The Undersigned reserves the right to cultivate or otherwise use said lands and property in any way that is not inconsistent with the full use of the rights granted herein. However, no building, tree, structure, pile of debris or material storage, except fences, driveways, and sidewalks, may be placed, and no excavations deeper than eighteen (18.0) inches shall be made, nor shall any changes in the level of the ground by excavation or mounding or any construction that would be inconsistent with the National Electric Safety Code or Consolidated Electric’s design standards be made within ten (10.0) feet of the centerline of Consolidated Electric’s facilities without Consolidated Electric’s prior written consent.

The Undersigned agrees that all poles, wires, and other facilities including any main service entrance equipment, installed on, over, across, under, or through the above described lands and property at Consolidated Electric’s expense, shall at all times remain the property of Consolidated Electric.

The Undersigned covenants to be the true and lawful owner(s) of the above described lands and property and the Undersigned include all parties known to be seized of the same in fee simple, or any other estate therein, and that the Undersigned has the right and full power to bargain, sell and convey this easement in the manner aforesaid, and that Consolidated Electric shall have quiet and peaceful possession of the same, and the Undersigned will warrant and defend the same against the claims of all persons whomsoever. All provisions hereof shall extend to and apply to the respective heirs, administrators, successors and assigns of the parties hereto.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1502

IN THE MATTER OF APPROVING THE REVISED PREVENTION, RETENTION, CONTINGENCY AGREEMENT FOR THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following Revised Agreement:

Proposed Changes to the PRC Plan
To be in Effect 11/7/05

- PRC assistance is to be available to eligible families who are victims of a natural disaster and are relocating to Delaware County as a result of the natural disaster. Guidelines of eligibility amounts of assistance are to follow the eligibility guidelines for Disaster Related Assistance.

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- Eliminated the following outdated rule. Assistance Groups who have received PRC assistance through the Delaware County PRC plan that was effective beginning February 14, 2002 or who received PRC for Contingency needs through another Ohio county, during this time period, will not be eligible until the time limit, as found in the PRC Plan in effect through the above dates, has expired for that category of assistance.

- Assistance through Employment Related Services is limited to \$1,000 within a 12 month period of eligibility.

- Eliminated the following Time Limit section for Employment Related Services since the time limit is defined under the monetary limit. An Assistance Group may re-apply for Employment Related Assistance after 3 months have elapsed since the end of a prior period of eligibility or within the guidelines as stated under the Service and Benefit Chart. If changes occur within the 12 month period of eligibility, eligibility must be re-established prior to the provision of additional services.

- The Financial Eligibility Standard for Employment Related Services will be 200% of the Federal Poverty Guideline.

- There will be an additional monetary assistance up to \$1,500 available for requests of education/training assistance. This assistance can be received in addition to the \$1,000 for other employment related services.

- Eliminated the following requirement from the Family Preservation and Reunification Services. TANF funds cannot be used for a foster child that has been removed from the home longer than 6 months. There must also be a reunification plan that states that the child/parent are working towards reunification within the 6 months.

- Assistance through the Family Preservation and Reunification Services will be limited to \$1,000 per a 18 month period of eligibility.

- Eliminated the following Time Limit section for Family Preservation and Reunification Services since the time limit is defined under the monetary limit. An Assistance Group may re-apply for Family Preservation and Reunification Services after six months have elapsed since the expiration of a prior period of eligibility or within the guidelines of the Services and Benefits Chart. The Director or his designee may waive the time limit for Family Preservation and Reunification Services.

- Assistance through Financial Crisis will be limited to \$1,000 within a 12 month period of eligibility.

- Eliminated the following limitations under the Financial Crisis monetary limits.

Assistance through this category is limited to one month's cost for emergency housing, mortgage payments, rent and security deposits up to \$500.00 per 90-day period of eligibility or as stated within the guidelines of the service or benefit. All other services through this category are limited to \$250.00 per 90-day period of eligibility or as stated within the guidelines of the service or benefit within a 12 month eligibility period. Additionally, a combined cap of \$500.00 should apply for the financial crisis category. (For example: Assistance of \$250.00 may be approved for utilities which would leave \$250.00 available for rent assistance for the 90-day eligibility period.) If a change occurs within the 90-day time period, eligibility must be re-established. PRC will pay either rent or deposit but not both.

- The Financial Eligibility Standard for Financial Crisis PRC will be 185% of the Federal Poverty Guideline.

- Eliminated the following Time Limit section for Family Preservation and Reunification Services since the time limit is defined under the monetary limit.
An Assistance Group may re-apply for PRC Contingency needs due to a financial crisis after twelve months have elapsed since the end of a prior period of eligibility or within the guidelines as stated under the Service and Benefit Chart. The Director or designee may waive time limits.

- The Financial Eligibility Standard will be 200% of the Federal Poverty Level during the time period beginning November 1st and ending March 31st for assistance with heating expenses only. Application for this assistance must also be combined with a HEAP application.

- The Youth Development Services portion has been rewritten to include the following.
Delaware County Department of Job and Family Services may offer services that include opportunities for children and youth to participate in a variety of structured or unstructured activities whose purpose is to help them develop their potential and grow into healthy,

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educated, responsible and productive adults in the future. Programs may include activities designed to transmit social values and customs, to facilitate learning, and to elicit and stimulate leadership potential. Some of the activities may include counseling, peer support, mentoring, supervised recreational activities, and purchase of school supplies.

- Eliminated the Kinship Care/Navigator and Direct Housing sections of the PRC Plan.
- Renamed the Wellness Block Grant section to Pregnancy Prevention Programs and eliminated the following sentences in the section.
The Wellness Block Grant is administered through the Department of Job and Family Services through a contract with the Delaware Health District. Receipt of Early Start services will not count towards time limits attached to other categories of PRC assistance.
- The Financial Eligibility Standard for Juvenile Diversion Services will be 300% of the Federal Poverty Guideline.

• A section named Access to Better Care Initiative has been added. It states the following.
The Delaware County Department of Job & Family Services will distribute TANF funds, specifically designated to the ABC initiative, through the Delaware County Family & Children First Council. The services to be provided may include prevention and early intervention, early screening and assessment, treatment, and/or service coordination efforts to families with non-behavioral, multi-need children. Non-behavioral shall be defined as multi-need children who do not have a substance abuse or mental health condition. Children who are in receipt of OWF, Food Stamps, or Medicaid are considered to meet the income eligibility criteria for PRC direct ABC services. Either an approved application form for OWF, Food Stamps, or Medicaid assistance or the PRC application will serve as the eligibility application for these services and will be maintained in the OWF, Food Stamp, or Medicaid case file. The receipt of Access to Better Care services will not count toward a family's eligibility limit for any other PRC services. Services under this category shall be considered non-assistance.

- An Exceptions to Category Limitations clause has been added to the PRC Plan to state the Director's ability to make exceptions to the plan in regarding to overriding dollar limitations in extraordinary circumstances.

DELAWARE COUNTY DEPARTMENT OF
JOB AND FAMILY SERVICES
PREVENTION, RETENTION, CONTINGENCY

INTRODUCTION

The Prevention, Retention, and Contingency (PRC) Program is designed to provide benefits and services to needy families and low-income employed families who are in need of help with essential supports to move out of poverty and become self-sufficient. These supports include nonrecurring short-term, crisis-oriented benefits and, ongoing services that are directly related to the four purposes of the TANF program (reference 45CFR260.20) which do not meet the federal definition of assistance. Nonrecurring short-term assistance addresses discrete crisis situations, which do not provide for needs extending beyond four months. These nonrecurring benefits and services may encompass more than one payment a year, as long as the payment provides short-term relief and addresses a discrete crisis situation rather than meeting ongoing recurrent needs. These benefits and services are consistent with the federal definition of Non-assistance as found in 45CFR260.31 (b). The definition of Non-assistance includes:

1. Nonrecurring, short-term benefits that:
 - a. are designed to deal with specific crisis situation or episode of need:
 - b. are not intended to meet recurrent or ongoing needs: and
 - c. will not extend beyond four months:
2. Work subsidies (i.e.; payments to employers or third parties to help cover the costs of employer wages, benefits, supervision, and training);
3. Supportive services such as transportation provided to families who are employed or seeking employment;
4. Refundable earned income tax credits;
5. Contributions and distributions from, Individual Development Accounts (IDA);

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6. Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment -related services that do not provide basic income and support.

Assistance through the Delaware County Prevention, Retention, and Contingency Program is provided through the following categories:

Employment Related Assistance
Family Preservation and Reunification
Financial Crisis
Help Me Grow
Youth Development Services
Kinship Care/Navigator
Pregnancy Prevention Services

DEFINITIONS

As used for this program:

Assistance Group:

a.) PRC benefits and services are available to a family assistance group (AG) which includes a minor child or pregnant individual as defined in Sections 5108.01 and 5108.06 of the revised code. At a minimum, an eligible family must consist of a minor child who resides with a parent, caretaker-relative, legal guardian, or legal custodian who is legally obligated to support and care for the child (or consist of a pregnant individual). No family is eligible for PRC assistance unless the family includes a minor child who resides with the parent, caretaker relative, legal guardian, or legal custodian. PRC assistance may also be provided to a pregnant individual with no other minor children. The unborn child will be included in the AG and considered in determining financial eligibility if the mother is in the third trimester of pregnancy. A minor child may be connected to more than one assistance group receiving PRC depending upon the service provided and other individuals residing with the minor child. All individuals living in the household that would benefit from the PRC assistance would be counted an Assistance Group.

A child may be temporarily absent from the home in accordance with the time frames established in rule 5101:1-3-04 of the Ohio Administrative Code and still qualify for PRC. During the temporary period, the child is considered to be residing with the parent, caretaker, relative, legal guardian or legal custodian. An eligible family may also consist of a minor child residing with a parent, caretaker relative, legal guardian or legal custodian and other members of the household (who may or may not be related to the minor child) who may significantly enhance the family's ability to achieve economic self-sufficiency.

An assistance group must contain at least one adult (age eighteen or over) and at least one minor child (under age eighteen or under the age of nineteen and a full-time student in a secondary school or in the equivalent level of vocational technical training) who is the natural or adopted child of the adult or is a child for whom the adult has legal or kinship responsibility and who lives with the adult.

b.) **Employment-Related** PRC benefits and services are available to non-custodial parents who provide proof of compliance with child support orders. The child of the non-custodial parent must reside in Delaware County.

Assistance Group contribution means the amount of liquid resources of the adult in excess of \$200.00. Assistance Group contributions pertain to contingency needs only.

Budget Period means the thirty- (30) calendar day period immediately proceeding the date of application for PRC. The thirty-day budget period is considered when determining financial need. The date used to count back 30 days will be the date the application is date stamped into the agency.

Contingency services are cash payments or vouchers for an emergent need. An emergent need is a condition that threatens the health, safety, or decent living arrangements of an assistance group to the extent that it would prohibit the children from being cared for in their own home or inhibit job preparation, work and marriage. Examples would include utility assistance, shelter expenses, personal expense (clothing, hygiene items), home repair, appliances, furniture, household expenses (bedding vacuum cleaners, cleaning products), and disaster assistance. An * helps identify contingency services under each category of assistance.

Department means the Delaware County Department of Job and Family Services.

Date of Eligibility will be determined as the date the application is date stamped as received into the agency. This date will be used as a denial date, continuing eligibility date, and budget period date. This date is not the voucher date. The voucher date is the actual date the voucher is written.

Disaster Related Assistance:

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Special disaster related funds can be accessed in situations where the Governor of the state of Ohio has designated the county as a disaster area or under a state of emergency. Referrals will come through and be coordinated with the American Red Cross of Delaware County. An AG must still contain a minor child as defined in the plan. An AG must first attempt to access their insurance prior to using the PRC Program. PRC can be used to cover insurance deductibles when other eligibility criteria are met. Disaster Related Assistance is available even if the AG has used the program maximum under the regular PRC program. The Income Eligibility Standard for Disaster Assistance is 200% of the Federal Poverty Guideline. The CDJFS may issue a one-time cash payment and/or services up to \$1,500 per family dwelling using the Disaster Relief funding.

PRC assistance is to be available to eligible families who are victims of a natural disaster and are relocating to Delaware County as a result of the natural disaster. Guidelines of eligibility amounts of assistance are to follow the eligibility guidelines for Disaster Related Assistance.

Eligible Service means the goods or services that may be provided through the particular category of PRC assistance as detailed below.

Financially Eligible means that the AGs combined income and liquid resources for the budget period are equal to or less than the Income Eligibility Standard applicable to the particular category of PRC, or the AG meets one of the other eligibility criteria stated in Appendix A.

Income means all earned and unearned income received by any adult member of the PRC Assistance Group during the budget period. Income shall be reduced by child support, alimony, and child care payments. This includes all income which is normally disregarded when determining eligibility for Ohio Works First or Disability Assistance. All income which is received or expected to be received during the thirty-day budget period is considered when determining financial need.

For cases in which the income cannot be accurately obtained, the implementation of practices that are reasonable and prudent should occur when determining countable income. A signed ODHS 7341, Applicant/Recipient Authorization for Release of Information should be obtained from the applicant for an inquiry. Once the release is received, verification which is obtained by phone must contain clear documentation in the PRC AG record concerning the name and position of the supplier of the information, the date the verification was obtained, the amount of the verified income, and the name of the individual who obtained the verification. More stringent verification is required when PRC benefits and services involve a direct monetary gain by the applicant and opportunities for fraud are prevalent.

Income Eligibility Standard means that percentage of the Federal Poverty Guideline against which the AGs combined income and liquid resources are compared for purposes of determining financial eligibility or ineligibility, or the means tested program which applies. Refer to Appendix A.

Respite care are services designed to provide temporary relief of child-rearing functions which includes services such as crisis nurseries, day treatment, protective day care, and volunteers or paid individuals who provide services within the home.

Residence means resident of Delaware County. Residence is also established by an applicant who is not receiving PRC assistance from another county and entered the county with a verified job in Delaware County.

Liquid Resources means cash, savings and any other asset that is readily convertible to cash

Means-Tested Eligibility means that an AG is eligible for PRC services based upon receipt of another means-tested form of assistance. These types of assistance include OWF Cash Assistance, Food Stamps, Medicaid, WIC, or are eligible for free/reduced lunches through the schools.

Period of Eligibility means the period of time beginning with the date of authorization of eligibility for PRC and ending after the number of days applicable to the particular category of PRC during which goods and services may be authorized by the department.

Time Limit means the amount of time that must elapse between periods of eligibility applicable to the particular category of PRC.

Ineligible Family AG-s:

Federal and State law must be adhered to when providing PRC benefits and services. List below are federal and state prohibitions based upon 42 U.S.C. 608, section 431 if PRWORA and the Ohio Revised Code;

1. No assistance for families without a minor child.
2. No assistance to a single individual, unless such individual is pregnant.
3. No benefits or services to an individual who is not a citizen of the United States or a qualified alien.

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4. No assistance for families that fraudulently receive assistance under the OWF, Food Stamp, and PRC programs until full repayment occurs. Ref. 5101.83 of the ORC.
5. An individual who is a fugitive felon or a probation or parole violator.
6. For **contingency cases**, assistance groups that do not use their own income and resources to help meet their need or the family caused the emergent need to occur through some action or lack of action on their part. Example: Any presenting need brought on by refusing to accept or quitting a job with out good cause as defined in the Delaware County Workforce Development guidelines. PRC may not be issued if it can be shown through past history that the AG has planned and anticipated a presenting need on an annual basis. The assistance group must apply the Assistance Group contribution toward meeting the need.
7. The Assistance Group must provide verification of their ability to continue to meet the emergent need for which they are requesting PRC assistance.
8. Assistance Groups receiving Employment-Related PRC that without just cause terminate their employment or withdraw from training programs prior to completion shall have the full cost of their PRC assistance calculated as an overpayment and will not be eligible for further PRC assistance until that overpayment is paid in full.

APPLICATION, ELIGIBILITY DETERMINATION, PAYMENT, AND NOTICE

Application for PRC shall be made by an adult member of the Assistance Group. The adult shall complete, sign, and date the applicable PRC Application form (Appendices B, C, and D). Verification of income and currently available liquid resources is required. Verification that the minor child meets the program definition may be required.

Eligibility for PRC will be determined once a completed and signed PRC application is submitted to the Department and all required verifications are received. Eligibility determinations shall be completed not later than ten business days from the date of application, if all required verifications are received. If required verifications are not received by the tenth business day from the date of application (unless a legitimate and unavoidable delay is experienced and communicated to the caseworker by the applicant) or the applicant has otherwise abandoned the application, the application will be denied. In cases where education and training is the goal, the date may be extended until all career assessments are complete.

Income Eligibility

All income that has been received by any adult member of the PRC Assistance Group during the thirty-day budget period and any liquid resources that are readily convertible to cash are considered when determining financial eligibility. This includes all earned and unearned income or liquid resources that are normally exempt or disregarded when determining eligibility for OWF Cash Assistance or Disability Assistance. Income shall be reduced by child support, alimony, and child care payments. Written verification of income, liquid resources, and payments used to reduce income are required. Alternatively, the caseworker may secure and document verbal verifications, if written verifications cannot be secured within time frames necessary to timely determination of eligibility as outlined in this program policy. For any verification which is obtained by phone, there must be clear documentation in the PRC AG record concerning the:

Name and position of the supplier of the information

The date the verification was obtained

The amount of the verified income or expense

The name of the individual who obtained the verification. A current signed and dated application will act as the release of information when making collateral contacts.

The gross amount of the PRC AGs countable income and liquid resources is totaled and compared to the Financial Eligibility Standard for the assistance group size. If the total is equal to or less than the Financial Eligibility Standard, the Assistance Group is financially eligible. If the totaled amount is above the Financial Eligibility Standard, there is no financial eligibility for PRC. If the applicant meets another stated means test for a service or benefit, they are eligible for PRC.

Means-tested Eligibility

If the PRC Assistance Group receives any of the following means-tested benefits, they are eligible for PRC Assistance:

OWF Cash Assistance, Food Stamps, Medicaid, WIC, Free/Reduced Lunches.

If the Assistance Group is eligible, the caseworker will determine the amount of the Assistance Group Contribution for Contingency categories only. The Assistance Group must agree to apply the Assistance Group Contribution toward the need in order to be eligible for payment by the Department. Once eligibility for

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PRC is established and the eligible service(s) and cost(s) are identified, the caseworker will submit the completed application and verifications for supervisory review and approval. The amount paid by the Department shall reflect the Assistance Group Contribution when applicable. Upon supervisory approval, payment authorization forms are submitted to the Fiscal Department for payment. The Fiscal Department makes payment to the vendor within thirty calendar days of receipt of an approved payment authorization. In no case is payment for PRC services made to a member of the Assistance Group.

If it is determined that an application for PRC is approved, the Department shall mail or otherwise deliver the ODHS 4074, ANotice of Approval of Your Application for Assistance.@ If it is determined that an application for PRC is denied, the Department shall mail or otherwise deliver the ODHS 7334, ANotice of Denial of Your Application for Assistance.@

Necessary CRIS-E entries and documentation will be made by the caseworker at the time of authorization.

Allegations that persons have fraudulently misrepresented their income or resources for purposes of gaining eligibility for PRC will be investigated through the usual overpayment protocols of the Department. Overpayments for persons found to have, in fact, fraudulently misrepresented their income and resources will be pursued for collection by the Department.

HEARINGS

Assistance Groups whose PRC application has been denied or who have been found to have committed fraud and charged with an overpayment have the right to Department and State Hearings as detailed in the Public Assistance Manual.

INELIGIBLE SERVICES

Services available through the PRC program are detailed under each category of the program, below. In no case are medical expenses authorized, except for pre-pregnancy family planning services, pre-employment screening, and non-Medicaid covered services.

Assistance Groups must have received an approval letter and an approved voucher prior to receiving the services for which they are applying. Services that have already been provided will not be considered for PRC funding. This will not apply to applications for past due rent, mortgages, and utilities.

LIMITATIONS OF FUNDING: Services provided under the Prevention, Retention, Contingency Program will be based on availability of federal and state funds to cover the services.

No person(s) shall on the grounds of race, color, national origin, disability, age or religion, be excluded from participation or be denied benefits of, or be otherwise subjected to discrimination under any program, service or benefit authorized or provided by Delaware County Department of Job and Family Services.

CATEGORIES AND AMOUNTS OF ASSISTANCE

EMPLOYMENT RELATED ASSISTANCE

Employment related assistance is designed to assist individuals to become employable, employed, or to retain employment. This category of PRC is administered through the Delaware Workforce Development Unit of the Department, with financial eligibility or other means tested eligibility, as stated in Services or Benefits Chart, determined by the PRC worker.

Assistance Groups receiving Employment-Related PRC that without just cause terminate their employment or withdraw from training programs prior to completion shall have the full cost of their PRC assistance calculated as an overpayment and will not be eligible for further PRC assistance until that overpayment is paid in full.

Monetary Limit

Assistance through this category is limited to \$1000.00 within a 12 month period of eligibility. Additional funds available at the discretion of the Director or Assistant Director. If a change occurs during the time limit, eligibility must be re-determined. Maximum of 1 month car payment and 3 months of auto insurance. A PRC application for car repairs requires 2 estimates that have been prepared within 30 days of the PRC application. One estimate may be waived if the car is inoperable or needs towed in order to obtain an estimate. In situations where the cost of the repair exceeds the value of the car PRC will be denied. PRC will not make payment for unauthorized repairs. PRC will pay for prior approved services only.

Financial Eligibility Standard

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200 % of the Federal Poverty Guideline or means tested programs as stated in Appendix A.

Available Services

The following services are available through Employment Related Assistance: This list is not all-inclusive. Refer to list of Services and Benefits Chart. If an individual receives assistance with automobile needs, they must prove possession of a drivers license, insurance, and ownership of the automobile.

If a person requests assistance with education/training they must complete an assessment and evaluation process following the Workforce Investment Act criteria. This will demonstrate an ability to succeed in the education/training program. Applicants for education/training may be required to complete activities to prepare them for the initial education/training request (i.e. require a GED before entering a more advanced program; require basic skill review before entering a more advanced program; have childcare and transportation arranged; have ability to meet all financial obligations).

Additional monetary assistance up to \$1,500 is available for requests of education/training assistance. This assistance can be received in addition to the \$1,000 for other employment related services.

Transportation (Employment Related Only)

Automobile repairs
Lease payments
Bus tickets
Cab fare
Gas vouchers
Car payment
Car insurance
Drivers Education
Car registration/Tags
Job Preparation services
Texts books and supplies

Employment Related Services

Necessary tools
Work Support Retention Services
Required safety equipment
Necessary/Required clothing
Telephone deposit
Short-term Training
Ergonomic equipment
Job Retention Services
School and certification fees
Diversion Benefit
Incentives

FAMILY PRESERVATION AND REUNIFICATION SERVICES

Family preservation and reunification services are administered through the Social Services division of the agency. They are designed to address:

- family crises that could lead to the removal of children from their homes
- the reunification of families following the removal of their children

Requirements

A requirement of eligibility for Family Preservation and Reunification/TANF Services is that the Assistance Group has active involvement with the Children Services division of the Department. An adult family member, his or her designee, or a Public Children Services Agency representative applying on behalf of a child may make application. The completion and submission of the Family Preservation and Reunification Services PRC application shall also be required. A self-declaration of income by the customer will be used to determine the income eligibility.

Monetary Limit

Assistance through this category is limited to \$1000 per 18-month period of eligibility.

Financial Eligibility Standard -

300% of the Federal Poverty Guideline or within the guidelines of Service and Benefit Chart. The Director or his designee may waive the Financial Eligibility Standard in other cases in this category.

Available Services

The following services are available through the Family Preservation and Reunification Services category: This list is not all-inclusive.

*Shelter costs:

Heating fuel or utility deposits, including reconnect fees
Emergency housing
Home repairs
Security deposit
Cooking fuel, water, sewage payment
Rent, including late fees
Mortgage Payment, including late fees

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***Other Household Costs:**

Furniture
Telephone installation
Household items
Necessary Clothing

Medical/Diagnostic Costs:

Non-Medicaid covered services (treatment, medical care, and pharmaceuticals)
Diagnostic Services

Family Services

Parent Education
Respite Care (see definitions)
Home Health Aide Services
Homemaker services
Mentorship services
Therapeutic counseling
Kinship Care
Unruly Youth
Juvenile Diversion
Case Management
Emergency Food
Transportation

Applicants for rent assistance must have been issued an Order to vacate Premises or a letter from the landlord stating they must vacate the Premises. In the event that the applicant needs to relocate to utilize subsidized housing, a letter from the current landlord stating they will not accept subsidized housing will be required.

** Services that are covered by the Medicaid program cannot be provided. Note: whether or not the individual is Medicaid eligible is not the determinant. Even though the individual is not eligible for Medicaid, services cannot be provided if they are covered by that Medicaid program. The applicant will need to provide a statement from a Medicaid provider stating that the service requested is not a Medicaid-covered service.

Note: Services provided through the category of Family Preservation and Reunification Services may be funded through TANF, Title IV-B, or local funds. Assistance Groups must be PRC eligible, that is, contain an adult and minor child and meet financial eligibility standards for the category, in order that TANF funds are used. The Department will, however, use its discretion in selecting funding sources for these cases. Cases that are not PRC eligible will be funded through IV-B or local dollars.

FINANCIAL CRISIS

Services to address financial crises are administered through the Family Unit and/or PRC worker. They are designed to address:

- financial crises resulting in an inability of the family to provide for basic needs that may lead to homelessness or otherwise threaten the well-being of their children or inhibit job preparation, work and marriage.

Requirements

Application for assistance because of financial crisis must be made by an adult family member. Application shall be made by the completion and submission of the PRC Application.

Monetary Limit

Assistance through Financial Crisis will be limited to \$1,000 within a 12 month period of eligibility.

Financial Eligibility Standard

185% of the Federal Poverty Guideline or as stated within the guidelines of the Service and Benefit Chart. We will not pay late fees. PRC will pay for prior approved services only.

The Financial Eligibility Standard will be 200% of the Federal Poverty Level during the time period beginning November 1st and ending March 31st for assistance with heating expenses only. Application for this assistance must also be combined with a HEAP application.

Available Services

The following services are available through the Financial Crisis category: This list is not all-inclusive.

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***Shelter costs:**

Emergency housing
Heating fuel or utility deposits, including reconnect fees
Mortgage payment
Rent
Security deposits
Cooking fuel, water, sewage payment
Home Repairs
Furniture

***Other Household Costs:**

Household items
Necessary clothing
Furniture

Medical/Diagnostic Costs - will not be used against PRC limit

Non-medical covered services (treatment, Medical care, and pharmaceuticals)
Diagnostic services

Family services- will not be used against PRC limit

Parenting Education
Respite Care
Home Health Aide Services
Homemaker Services
Mentorship services
Therapeutic counseling- Transition counseling
Basic Life Skill Training/advocacy- ABLE services

Applicants for rent assistance must have been issued an Order to vacate Premises or a letter from the landlord stating they must vacate the Premises. In the event that the applicant needs to relocate to utilize subsidized housing, a letter from the current landlord stating they will not accept subsidized housing will be required.

Services that are not covered by the Medicaid program can be provided. Note: Whether or not the individual is Medicaid eligible is not the determinant. Even though the individual is not eligible for Medicaid, services cannot be provided if they are covered by that program. The applicant will need to provide a statement from a Medicaid provider stating that the service requested is not a Medicaid-covered service.

HELP ME GROW

The Help Me Grow Program is administered through the Family and Children First Council. Help Me Grow includes the Welcome Home visits for newborns, Early Start, and Early Intervention services. A self-declaration of income by the customer will be used by the Delaware County Department of Job and Family Services and/or the Help Me Grow Program to determine the income eligibility for TANF funding. Specifics of the program are included in the plan document as submitted and approved by the Ohio Department of Job and Family Services. Financial standard is 300% of poverty.

THE WELCOME HOME PROGRAM The Welcome Home Program provides a supportive home visit to families bringing home a newborn child for the first time. The skilled visitor gives information about the health of the new mother and baby and makes referrals to additional services and community supports as needed. The visitor conducts developmental screening and assessment procedures for the child. Families are provided practical information about feeding, bathing, diapering, childhood illness, and child development. Families are provided information about how to introduce siblings to the new baby. The service promotes early literacy by discussing the importance of literacy skills and by providing baby's first book to the family. Financial standard is 300% of poverty.

EARLY START(Help Me Grow)

The Early Start Expansion Program is administered by the Family and Children First Council. The program provides family focused casework activities through an intensive home visitation program. Casework activities will provide screening of child health and development, an individualized service plan, information and referral, and case management/service coordination. Program activities will also address family self-sufficiency through addressing the stresses of participating in work and education and training activities. Goals of the program will be to promote family stability and to support the parent's transition to employment.

The eligible population for Early Start Expansion will be families with children under the age of three and/or a pregnant woman who are income eligible up to 300% of poverty or who are receiving any other means-tested program as outlined in the means-tested definition. Refer also to the Services and Benefits Chart.

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The application for Ohio Works First Cash Assistance or other means-tested applications will serve as the application for the Early Start Expansion. Eligibility for the PRC program will be determined by the Assistance Group as defined in the Services and Benefits Chart. Referrals will be made to the Early Start Coordinator by designated staff in the Delaware County Department of Job and Family Services. At the time of enrollment, families must be receiving Ohio Works First Cash Assistance, or be eligible for Early Start Expansion PRC. Families will be eligible for services until their youngest child turns three years of age. Ongoing eligibility for Early Start will be based on 300% of poverty or eligibility for a means-tested program as outlines in the means-tested definition.

Continued receipt of Early Start services does not preclude eligibility for other categories of PRC assistance. Receipt of Early Start services will not count towards time limits attached to other categories of PRC assistance.

EARLY INTERVENTION SERVICES (Help Me Grow)

The Early Intervention Program provides services to families with children birth to three where the child is diagnosed as having a developmental delay. It provides resources for screening and diagnostic assessment. It provides ongoing home visiting services that provide family support to assist families in coping with physical or cognitive needs of their children during the first three years of a child's life. Families are provided information and guidance about working with the child as well as therapeutic intervention. The child is provided specialized services to meet the child's specific needs and assures that the family has a primary service coordinator. Financial standard is 300% of poverty. Receipt of Early Start services will not count towards time limits attached to other categories of PRC assistance.

YOUTH DEVELOPMENT SERVICES

The Delaware County Department of Job and Family Services, through involvement in various community partnerships (i.e. school systems, Big Brothers/Big sisters, Juvenile Court, JOG, Family and Children First Council, chambers of commerce) has identified a need for programming which will provide vulnerable at-risk-youth with an opportunity for positive development through various asset building experiences. Receipt of Early Start services will not count towards time limits attached to other categories of PRC assistance.

Delaware County Department of Job and Family Services may offer services that include opportunities for children and youth to participate in a variety of structured or unstructured activities whose purpose is to help them develop their potential and grow into healthy, educated, responsible and productive adults in the future. Programs may include activities designed to transmit social values and customs, to facilitate learning, and to elicit and stimulate leadership potential. Some of the activities may include counseling, peer support, mentoring, supervised recreational activities, and purchase of school supplies.

PREGNANCY PREVENTION PROGRAMS

The goal of the Pregnancy Prevention Programs is to prevent out-of-wedlock births among teens in Delaware County.

JUVENILE DIVERSION

The Juvenile Diversion Program is provided by the Juvenile Court. This program is designed to keep unruly children out of the Court system and at home. This is accomplished through such activities as school liaisons, a suspension alternative program, parent education, and a supportive group program for unruly girls.

One goal of the Juvenile Diversion program is to prevent out-of-wedlock births among teens in Delaware County. Receipt of Juvenile Diversion services will not count toward time limits attached to other categories of PRC assistance. The Financial Eligibility Standard for Juvenile Diversion Services will be 300% of the Federal Poverty Guideline.

ACCESS TO BETTER CARE INITIATIVE

The Delaware County Department of Job & Family Services will distribute TANF funds, specifically designated to the ABC initiative, through the Delaware County Family & Children First Council. The services to be provided may include prevention and early intervention, early screening and assessment, treatment, and/or service coordination efforts to families with non-behavioral, multi-need children. Non-behavioral shall be defined as multi-need children who do not have a substance abuse or mental health condition. Children who are in receipt of OWF, Food Stamps, or Medicaid are considered to meet the income eligibility criteria for PRC direct ABC services. Either an approved application form for OWF, Food Stamps, or Medicaid assistance or the PRC application will serve as the eligibility application for these services and will be maintained in the OWF, Food Stamp, or Medicaid case file. The receipt of Access to Better Care services will not count toward a family's eligibility limit for any other PRC services. Services under this category shall be considered non-assistance.

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Exceptions to Category Limitations:
While it is not the intent to encourage or routinely grant exceptions to the PRC Plan, the Delaware County Department of Job and Family Services does recognize that there are occasional, extraordinary circumstances that may warrant issuance of PRC in excess of the dollar limitation or more frequency in a specific category allowed. Any exception to this plan shall specifically be reviewed and approved by the Director or the Director’s designee. Sufficient documentation shall be maintained in the case file as to why a plan exception was granted.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1503

IN THE MATTER OF ACCEPTING AND AWARDING THE BID FOR SNOW REMOVAL AND ICE MELTING AGENT APPLICATION SERVICES FOR DELAWARE COUNTY:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the following:

WHEREAS, Delaware County received three bids for snow removal and ice melting agent application services for various Delaware County parking lots and driveways on October 10, 2005. And;

WHEREAS, after carefully reviewing the bids received, the bid submitted by Countryside Construction Co. has been determined to be the lowest and best bid.

NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, accept and award the bid submitted by Countryside Construction Co. for snow removal and ice melting agent application services for Delaware County.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-1504

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF APPLICATIONS FOR DOMESTIC VIOLENCE FUNDS FOR 2006 ESTIMATING AMOUNT OF FUNDS ANTICIPATED AND ALLOCATING SAME TO QUALIFIED APPLICATIONS. THIS ACTION PURSUANT TO CHAPTER 3113 OHIO REVISED CODE:

It was moved by Mr. Ward, seconded by Mr. Evans to acknowledge receipt of qualified applications for 2006 domestic violence funds from “Turning Point” Shelter, Marion, Ohio and “Choices” Shelter, Columbus, Ohio and to estimate the total sum to be collected in said fund in 2006 at \$ 34,000.00. Further that said funds to be allocated as follows:

- 90% of funds actually received to Turning Point, Marion, Ohio
- 10% of funds actually received to Choices, Columbus, Ohio

Said allocation based on percentage of services provided to Delaware County residents by the respective shelters in 2006. Further, the Clerk shall cause notice of this action to be sent to each of the Shelter Applicants.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-1505

IN THE MATTER OF APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC SAFETY OHIO EMERGENCY MANAGEMENT AGENCY AND DELAWARE COUNTY:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following Agreement:

INTERGOVERNMENTAL AGREEMENT
Between
Department of Public Safety and Delaware County
Ohio Emergency Management Agency 50 Channing Street
2855 West Dublin-Granville Road Delaware, OH 43015
Columbus, OH 43235-2206
Contact Person: Tammy Little Contact Person; Fred Fowler
Phone: (614) 799-3659 Phone; 740-833-2201
E-mail: tlittle@dps.state.oh.us E-Mail: ffowler@co.delaware.oh.us

Tracking Service Request Number: Mississippi Mission #871 Building Inspectors
Maximum Amount Not to Exceed \$15,455.00

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Start Date: November 8, 2005 End date: November 24, 2005.
No extensions of time will be granted without written approval of the Delaware County executive.

INTRODUCTION

The Department of Public Safety, Ohio Emergency Management Agency (Ohio EMA), through the Emergency Management Assistance Compact (EMAC). Ohio Revised Code (ORC) Sections 5502.22, 5502.29, 5502.291 , and 5502.40 coordinates emergency management and Interstate mutual aid for the State of Ohio. EMAC is the interstate mutual aid agreement to which most states belong that allows states to assist each other in times of disaster. When any member state’s Governor declares a *disaster* or when a disaster is imminent, as In the case of the recent hurricanes impacting the Gulf Coast, other member states may agree to provide assistance in response to requests from the impacted state(s). The assistance from other member states may be in the form of personnel and/or other resources. EMAC has been operational since the threat at Hurricane Katrina was Imminent and will remain operational until the affected states’ needs are met. In response to EMAC requests, several local government employees have volunteered to respond. In cooperation with Delaware County (herein after referred to “Governmental Entity”), Ohio EMA has identified several experienced and qualified “Governmental Entity employees who are available to deploy to assist Mississippi (herein after referred to as Requesting State’) with response and recovery missions. These “Governmental Entity” employees will travel to and work in support of the “Requesting State” Emergency Management Agency.

STATEMENT OF WORK

This Intergovernmental Agreement establishes a service contract between the Ohio Emergency Management Agency and “Governmental Entity for the Loan of this “Governmental Entity” employee and related resources for the time period Identified above.

Said employee shall remain an employee of the “Governmental Entity” throughout their deployment. Ohio EMA hereby agrees to coordinate the necessary travel arrangements for said employee or employees, including airline, lodging, per diem expenses and other necessary miscellaneous expenses. Once the service is complete and the “Governmental Entity” employee submits his/her travel expense report, Ohio EMA agrees to submit the travel expense report to the “Requesting State” Emergency Management Agency for reimbursement through the EMAC reimbursement process. The “Governmental Entity” employee will continue to be paid by his/her employer, will continue to receive the same benefits as if working at his/her home station, and will carry with him/her all the liability protections of a “Governmental Entity” employee as if working at his/her home station, Ohio EMA assumes no responsibility for this said employee other than the accomplishment of their travel arrangements, the submission of completed travel expense reports through the EMAC reimbursement process, and the transmittal of reimbursement from the ‘Requesting State” to the “Governmental Entity”. Said employee or employees will report to the agreed upon contact personnel upon arrival and perform duties as assigned. The EMAC A-Team will provide emergency contact information for said employee or employees and said employee or employees will provide contact information and progress reports on their service throughout the period of deployment

REIMBURSEMENT

Upon receipt of reimbursement from the “Requesting State”, Ohio EMA shall transmit that reimbursement to “Governmental Entity” in a final amount for the authorized expenses claimed on the employee travel expense report (including salary and benefits), when reimbursement is received from the Requesting State” s Emergency Management Agency. Reimbursement shall not exceed the final, total amount indicated on the travel expense report. The “Governmental Entity” that submit a final invoice or other appropriate travel expenses report, with all appropriate documentation, to Ohio EMA within 30 days of said employee or employees *return* to the jurisdiction of the “Governmental Entity”. Ohio EMA shall reimburse “Governmental Entity” within 30 days of receipt of reimbursement from the “Requesting State”.

ALTERATIONS AND AMENDMENTS

This Agreement may only be amended by mutual agreement of the parties. Amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

TERMINATION

Either party may terminate this Agreement upon 30 days’ prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

IN WITNESS THEREOF, the parties hereto have executed this agreement on the day and year last specified below, This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

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There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners