

**COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 22, 2006**

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

PUBLIC COMMENT

Commissioner Ward thought the Police Officers Memorial Service went well on Sunday.

RESOLUTION NO. 06-648

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 18, 2006 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held May 18, 2006 as contained in the county's official electronic recordings of the proceedings.

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

RESOLUTION NO. 06-649

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0519:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve payment of warrants in batch numbers CMAPR0519, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Increases			
T & J Junior Academy	Day Care	22411610-5348	\$ 30,000.00
Grace Family Daycare	Day Care	22411610-5348	\$ 5,000.00
Theresa A. Mitchell	Day Care	22411610-5348	\$ 10,000.00
Vouchers			
Central OH Contracting	Private Rehab	23011714-5365	\$ 10,290.00
Emergitech Inc.	2006 Annual Maintenance Support	21411306-5325	\$ 20,512.99
US Postal Service	Postage for quarterly billing	65211919-5331	\$ 3,500.00
US Postal Service	Postage for quarterly billing	65211905-5331	\$ 3,500.00
Habitat for Humanities	Purchase Land/3747 N. Old State Rd.	23011710-5365	\$ 10,197.19
Liberty Twp. Fire Dept.	EMS Runs for 1st quarter 2006	10011303-5345	\$ 35,367.78
Ben Bro Enterprises	Reimb/Sidewalk Replacement	10011105-533533502	\$ 4,266.66
Ben Bro Enterprises	Property Insurance Premium 2006-07	10011105-533533502	\$ 1,566.00
Delaware City Schools	Day Care	22411610-5348	\$ 5,730.25
Delaware City Schools	Day Care	22511607-5348	\$ 455.00
Kardex Systems	Shelving/Jail	40411414-5410	\$ 6,830.00
G & G Enterprises	Smith Ditch	40311414-5430	\$ 41,309.37
The Bank of New York Trust	Interest/Services Bldg.	50111117-5720	\$ 346,390.63
The Bank of New York Trust	Interest/Jail	50111117-5720	\$ 74,879.38
The Bank of New York Trust	Interest/Alum Creek	50111117-5720	\$ 1,065,533.13
The Bank of New York Trust	Interest/Perry Taggart	50111117-5720	\$ 74,025.63
The Bank of New York Trust	Interest/1995 Sewer	50111117-5720	\$ 54,206.25
The Bank of New York Trust	Interest/Radios	50111117-5720	\$ 148,000.00
J P Morgan	Interest/CFOA	50211119-5720	\$ 373,217.83
J P Morgan	Interest/1997 Refunded	50111117-5720	\$ 66,750.00
Huntington Bank	Interest/1997 Not Refunded	50111117-5720	\$ 15,730.00
Delaware County Bank	Interest/Tartan Fields	50111117-5720	\$ 10,623.75

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

RESOLUTION NO. 06 -650

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The EMS Department is requesting that the EMS Personnel attend Pediatric Advanced Life Support Training at the Rutherford B. Hayes Building November 2, 2006, at the cost of \$500.00.

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The EMS Department is requesting that the EMS Personnel attend Pediatric Advanced Life Support Training at the Rutherford B. Hayes Building June 6, 2006, at the cost of \$500.00.

The EMS Department is requesting that Bill Jackson attend a Weapons of Mass Destruction Course in Anniston, Alabama June 12-17, 2006, at no cost.

The EMS Department is requesting that Andrew Sapp attend a Weapons of Mass Destruction Course in Anniston, Alabama May 30-June 3, 2006, at no cost.

The EMS Department is requesting that Brent Staley attend a Weapons of Mass Destruction Course in Anniston, Alabama June 25-29, 2006, at no cost.

The Auditor's Office is requesting that Dedra Hall attend a 2006 Wage and Hour Seminar in Cincinnati, Ohio June 8-9, 2006, at the cost of \$250.00.

The Auditor's Office is requesting that Dedra Hall attend a Preparing for Year End Seminar in Columbus, Ohio November 9, 2006, at the cost of \$354.00.

The Auditor's Office is requesting a \$35.00 increase to Dedra Hall's previously approved travel on May 16, 2006 to Nashville, Tennessee for a BSNUG Conference.

The Department of Job and Family Services is requesting that Sue Sours and Debbie Breedlove attend a Child Support System Training in Columbus, Ohio June 29, 2006, at no cost.

The Commissioners Office is requesting that Jennifer Walraven attend a Public Records Law Seminar in Columbus, Ohio May 25, 2006, at no cost.

The Facilities Department is requesting that Jon Melvin and Jack Primm attend a CCAO Summer Conference Facilities Managers Meeting in Summit County June 12, 2006, at the cost of \$230.00.

The Administrative Service Department is requesting that Kevin Williams and Dawn Huston attend a NPELRA Labor Relations Academies I and III Seminar in Columbus, Ohio June 21-22, 2006, at the cost of \$776.00.

The Administrative Service Department is requesting that Kevin Williams and Dawn Huston attend an OHPELRA Arbitration Seminar in Columbus, Ohio June 23, 2006, at the cost of \$38.00.

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

RESOLUTION NO. 06-651

IN THE MATTER OF APPROVING A LIQUOR LICENSE TRANSFER OF STOCK REQUEST FROM GANZFAIR INVESTMENT INC. DBA SHAMROCK GOLF CLUB CLUBHOUSE, PAVILION, DRIVING RANGE AND GOLF COURSE AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Liberty Township Trustees that Ganzfair Investment Inc. DBA Shamrock Golf Club Clubhouse and Pavilion and Driving Range and Golf Course has requested a stock transfer request for the D5 and D6 permits located at 4436 W. Powell Road Liberty TWP Powell, Ohio 43065, and

Whereas, the Liberty Township Trustees have stated they have no objection, the Delaware County Sheriff has responded--no known reason for a hearing to be requested and the Delaware County Commissioners have received no objections.

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

RESOLUTION NO. 06-652

IN THE MATTER OF CANCELING THE JUNE 12, 2006 COMMISSIONERS' SESSION:

It was moved by Mr. Evans, seconded by Mr. Jordan to cancel the June 12, 2006 Commissioners' Session due to the County Commissioners' Summer Conference.

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

RESOLUTION NO. 06-653

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR SCIOTO RESERVE SECTION 4, PHASE 12; SCIOTO RESERVE SECTION 4, PHASE 6; KILLDEER MEADOWS SECTION 1 AND HARBOR POINTE SECTION 5:

It was moved by Mr. Jordan, seconded by Mr. Evans to release bonds and letters of credit and accept roads within the following:

Scioto Reserve Section 4, Phase 12

The roadways to be accepted are as follows:

- An addition of 0.38 mile to **Township Road Number 1330, Kellogg Drive**
- An addition of 0.12 mile to **Township Road Number 1441, Lilac Lane**
- **Verbena Lane**, , to be known as **Township Road Number 1484**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

Scioto Reserve Section 4, Phase 6

The roadways to be accepted are as follows:

- An addition of 0.12 mile to **Township Road Number 1322, Glen Lakes Drive**
- **Vista Creek Court**, to be known as **Township Road Number 1483**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

Killdeer Meadows Section 1

The roadway to be accepted is as follows:

- **Falling Meadows Drive**, to be known as **Township Road Number 1481**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

Harbor Pointe Section 5

The roadway to be accepted is as follows:

- **Bay Harbor Drive**, to be known as **Township Road Number 1482**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

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

RESOLUTION NO. 06-654

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR SCIOTO RESERVE SECTION 4, PHASE 12; SCIOTO RESERVE SECTION 4, PHASE 6; KILLDEER MEADOWS SECTION 1 AND HARBOR POINTE SECTION 5:

It was moved by Mr. Evans, seconded by Mr. Jordan to establish stop conditions for the following:

Stop Conditions –Scioto Reserve Section 4, Phase 12

- On Township Road Number 1441, Lilac Lane, at its intersection with Township Road Number 1330, Kellogg Drive
- On Township Road Number 1484, Verbena Drive, at its intersection with Township Road Number 1330, Kellogg Drive

Stop Conditions –Scioto Reserve Section 4, Phase 6

- ? On Township Road Number 1483, Vista Creek Court, at its intersection with Township Road Number 1322, Glen Lakes Drive

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Stop Conditions –Killdeer Meadows Section 1

- On Township Road Number 1481, Falling Meadows Drive, at its intersection with Township Road Number 35, 3B's & K Road

Stop Conditions – Harbor Pointe Section 5

It is hereby requested that a stop condition be established at the following roads within the above referenced subdivision:

- On Township Road Number 1482, Bay Harbor Drive, at the intersections with Township Road 35, 3B's & K Road (loop street)

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

RESOLUTION NO. 06-655

IN THE MATTER OF ACCEPTING MAINTENANCE BOND FOR SHEFFIELD PARK SECTION 2, PHASE A:

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

Sheffield Park Section 2, Phase A

The roadway construction has been completed for the referenced subdivision and, as the results of The Engineer's recent field review, he has determined that minor remedial work will be required during the 2006 construction season.

In accordance with the Subdivider's Agreement, The Engineer recommends that the maintenance bond be set at **\$89,200** for the duration of the one year maintenance period. A Bond in that amount is available. He also request approval to return the Bond being held as construction surety to the developer, Centex Homes.

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

RESOLUTION NO. 06-656

IN THE MATTER OF AUTHORIZING THE ACCEPTANCE AND AWARDING OF THE BID AND APPROVING THE CONTRACT SUBMITTED BY TYEVCO, INC. FOR CDBG FY'05 ASHLEY VILLA ADA RENOVATION:

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

WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program to Delaware County; and

WHEREAS, funding, in the amount up to \$10,700 has been provided to Delaware County through the FY05 CDBG Formula Program, and \$8,160 from the Delaware County Revolving Loan Fund, and

WHEREAS, the project was bid out and bids were received April 20, 2006; and

WHEREAS, Ashley Villa has reviewed the bids received, and the bid submitted by Tyeveco, Inc., in the amount of \$15,745 has been determined to be the lowest and best bid.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. . That the Board of Commissioners authorizes executing an agreement in the awarding of a contract between Delaware County and Tyeveco, Inc. in the amount of \$15,745. This amount may be exceeded by no more than 10%, subject to review and approval of any Project change orders.

Section 2. That this resolution shall take effect and be in force immediately after its passage.

AGREEMENT FORMS
CONTRACT

THIS AGREEMENT made this 22th day of May , 2006, by and between, Tyeveco, Inc. hereinafter called the "Contractor" and Delaware County Commissioners, hereinafter called the "Owner".
WITNESSETH, that the Contractor and the owner for the considerations stated herein mutually agree as follows:

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ARTICLE 1. Statement of Work.

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services including utility and transportation services, and perform and complete all work required for the Rental Rehab for Ashley Villa Senior Citizen Center Complex.

Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as followed.

The proposed work includes to install new 20 amp Ground Fault Interceptor (GFI) in 12 kitchens, install duplex grounded receptacles in 12 kitchen/dining rooms, install duplex grounded receptacles in hallway walls, complete with wiring in 12 apartments, replace 100 amp service boxes in 16 apartments, install interior light fixtures in 12 apartments, install Arc fault circuit breakers in 7- one bedroom apartments, replace 3 hot water heaters to 3 apartments, install shutoffs to toilet tanks in 12 apartments and repair tub/shower caulking. All work to be done to Building C.

ARTICLE 2. The Contract Price.

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum Fifteen Thousand Seven Hundred Forty-Five (Dollars) \$15,745.00 subject to additions and deductions as provided in Section 109 hereof.

1 Choose term most applicable: a corporation organized and existing under the laws of the State of Ohio; a partnership consisting of N/A; and individual trading as N/A.

2 Supply principal items of Contract such as electrical, hot water heaters, lighting fixtures and circuits.

ARTICLE 3. Contract.

The executed contract documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation for Bids
- d. Instructions to Bidders
- e. Signed copy of Bid
- f. General Conditions, Parts I and II
- g. Special Conditions
- h. Technical Specifications
- i. Drawings (as listed in the Schedule of Drawings)

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

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

RESOLUTION NO. 06-657

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDER STEPPING STONES LEARNING CENTER:

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

BASIC RATES

Full-time Week for Licensed Center and Type A Providers: 25 to 60 hours

Hourly: Paid after 60 hours

Part-time Week for Center and Type A Providers: 8 hours to 24.9 hours

Hourly Paid for .1 hour to 7.9 hours

Full-time Week for Certified Type B Home Providers: 25 hours to 50 hours

Hourly: Paid after 50 hours

Part-time Week for Home Providers: 8 hours to 24.9 hours

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Hourly Paid for .1 hour to 7.9 hours

Child Care Provider		Full	Part Time	Hourly
Stepping Stones Learning Cen. 860 Griswold Street Worthington, Ohio 43085	Infant	\$169.90	\$ 134.21	\$ 8.76
	Toddler	\$149.42	\$ 108.70	\$ 6.39
	Pre-K	\$133.89	\$ 94.80	\$ 5.84
	Schoolage	\$102.38	\$ 71.99	\$ 5.39

(A Copy of this contact is available in the Commissioners' Office until no longer of Administrative Value).

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

RESOLUTION NO. 06-658

IN THE MATTER OF AMENDING THE PURCHASE OF CHILD CARE SERVICES CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDER YWCA WHITTIER DAY CARE:

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

YWCA Whittier

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT
AMENDMENT NO. 1

This amendment, effective May 1, 2006, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and YWCA Whittier entered into on the 25th day of January 2006.

Article 4. Cost and Delivery of Purchased Services:

(A) Payment Rates: The total amount of services to be reimbursed under this contract is increased from \$1,000 to \$4,500.

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

RESOLUTION NO. 06-659

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS GOLF VILLAGE SECTION 5B:

It was moved by Mr. Evans, seconded by Mr. Jordan to accept the sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Golf Village Section 5B - 2190 feet of 8-inch sewer 9 manholes

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

RESOLUTION NO. 06-660

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR OLD STATE WOODS:

It was moved by Mr. Jordan, seconded by Mr. Evans to approve sanitary sewer plan for Old State Woods for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 06-661

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE CODE COMPLIANCE DEPARTMENT:

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

TRANSFER OF APPROPRIATIONS

FROM:	TO:	AMOUNT:
Code Compliance Maintenance Contracts & Agreements	Code Compliance Machinery & Equipment (>\$5000)	\$ 43.00

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10011301 - 5450

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

RESOLUTION NO. 06-662

IN THE MATTER OF ADOPTING A TRANSITIONAL WORK PROGRAM FOR RETURNING EMPLOYEES WITH TEMPORARY, IMPROVABLE, WORK-RELATED INJURIES AND ILLNESSES TO TEMPORARY ASSIGNMENTS WITHIN THEIR MEDICAL RESTRICTIONS:

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

Whereas, Early return to work for employees with temporary, improvable, work-related injuries or illnesses results in more rapid overall recovery and reduced workers’ compensation costs;

Whereas, The implementation of a Transitional Work Program systemizes and makes consistent an employer’s return to work programs;

Therefore be it resolved, by the Board of Commissioners of Delaware County, State of Ohio to adopt the Transitional Work Program, developed by GENEX under the Bureau of Workers’ Compensation WorkGrant\$ program.

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

RESOLUTION NO. 06-663

IN THE MATTER OF ADJUSTING THE SICK LEAVE DONATION POLICY AND THE EMPLOYEE ACTION FORM POLICY:

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

Whereas, the Board of Commissioners of Delaware County, State of Ohio requires its staff to review and improve policies and procedures periodically to improve the administration of the Delaware County Government;

Whereas, staff has reviewed the Sick Leave Donation Policy and Employee Action Form Policy and has suggested adjustments that will make the administration of Delaware County employment more productive and/or efficient;

Therefore be it resolved, by the Board of Commissioners of Delaware County, State of Ohio to adopt the adjustments to the Sick Leave Donation Policy and Employee Action Form Policy.

Subject	Effective	Supersedes	This sheet	Total
Employee Action Form	5/22/06	1/1/97	1	2

1.0 Purpose

The Purpose of this policy is:

1. To adopt a uniform form and system of reporting employee personnel actions, and
2. To inform the Human Resources Department of employee additions and deletions for orientation and COBRA compliance.

2.0 Scope

All departments under the direction of the Board of County Commissioners.

3.0 Distribution

To all departments under the direction of the Board of County Commissioners.

4.0 Definitions

Delaware County Employee Action Form – copy attached.

Reasonable time frame – A period of time as soon as possible that does not to reduce effectiveness and/or usefulness.

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5.0 Policy

In order to improve the cost effectiveness, efficiency and accuracy of the departments under the direction of the Board of County Commissioners, it is in the best interest of all Commissioners' departments to use uniform forms and procedures for employee personnel actions. For all employee personnel actions, the current Delaware County Employee Action Form (copy attached) should be used. For all mandatory reporting of personnel actions (e.g. Job and Family Services employees) to the Ohio Department of Administrative Services (DAS), the proper DAS required form should be completed along with the Delaware County Employee Action Form

All employee action forms should be completed and sent to the department requiring the personnel action information within a reasonable time frame. Employee Action Forms should be utilized in the following situations including, but not limited to:

- New Hires,
- Terminations (Voluntary and Involuntary),
- Layoffs,
- Rehires,
- Recalls,
- Promotions,
- Administration items (change of name, change of address, etc.),
- Wage changes,
- Transfers,
- Supplemental Assignments,
- PCN / ORG key changes,
- Work hours change,
- Military leave,
- Administrative Leave with or without pay
- Demotions,
- Health insurance changes,

Personnel Actions should be reported within twenty-four (24) hours by completing and submitting an Employee Action Form to the Human Resources Department. The original EAF should be sent to the Human Resources Department. The Human Resources Department will distribute the remaining copies of the completed forms to the employee's department, Auditor/payroll, and Human Resources/Benefits. An employee will receive a copy of the EAF upon request. The original EAF (white copy) will be placed in the employee's personnel file in the Human Resources Department.

Please refer to the "Employee Action Form Booklet" for specific instructions on properly completing Employee Action Forms.

Subject	Effective	Supersedes	This sheet	Total
Sick Leave Donation Program	5/22/06	2/26/96 5/14/2001 6/28/2004 8/11/2005	1	3

1.0 Purpose

The intent of the sick leave donation policy is to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to the serious illness or injury of the employee or a member of the employee's immediate family.

2.0 Scope

All eligible offices and departments of Delaware County.

3.0 Distribution

To all appointing authorities, offices, and departments of Delaware County.

4.0 Definitions

Serious Health Condition – Serious Health Condition will carry the same definition as "Serious Health Condition" within the Family & Medical Leave Act (that can be found within the Delaware County Family & Medical Leave Act Policy).

Immediate family - immediate family will carry the same definition as "immediate family" in Section 4.0 of the Sick Leave Policy of the Delaware County Employee Handbook.

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5.0 Policy

Leave Donation Program

Pursuant to the provisions of section 124.391 of the Ohio Revised Code and this Rule, an employee may donate accrued sick leave to a fellow employee who is otherwise eligible to accrue and use sick leave and reports to the same appointing authority or, with the consent of each applicable appointing authority, to a fellow eligible employee who reports to a different appointing authority, when the eligible employee had transferred from the donating employee's appointing authority within the previous six months prior to the need for donated time.

The intent of the leave donation program is to allow employees to voluntarily provide assistance to their co-workers who are in critical need of leave due to a serious health condition as defined by the Family and Medical Leave Act of the employee or a member of the employee's immediate family. The employee is eligible to receive sick leave donation for the length of time that he or she is covered by the Family and Medical Leave Act or would have been covered by FMLA if eligible and the employee is on an approved leave of absence.

- (A) An employee may receive donated leave up to the number of hours the employee is scheduled to work each pay period, if the employee who is to receive donated leave:
- (1) or a member of the employee's immediate family has a serious illness or injury;
 - (2) has utilized or will utilize all accrued leave;
 - (3) has not utilized sick leave in violation of the Sick Leave Policy;
 - (4) has maintained an accumulated balance of the value of at least five (5) days of sick leave for every year of service with Delaware County (e.g. if the employee has been employed with Delaware County for two years, he/she must have a balance of value of 10 days of sick leave, etc.) or the employee has a minimum balance of 100 hours of sick leave at the time the serious illness or injury began; or if neither then the Employee has not utilized personally accrued sick leave at a rate of ten (10) days, or its equivalent ratio for part-time employees, used in the preceding 12 months unless such usage was covered under an FMLA qualified situation; Years of service and sick leave balances transferred to Delaware County from other political subdivisions within Ohio will also be considered when determining if the employee has appropriate amounts of sick leave to qualify for sick leave donation. An employee who has retired and received a payout of sick leave for that retirement will have his/her eligibility calculated based on the years of service following the retirement date.
 - (5) is on leave of absence, approved by the appointing authority or authorized designee and has exhausted or will exhaust all paid leaves (i.e.: sick, vacation and compensatory time);
 - (6) has applied for any paid leave, workers compensation, or benefits program for which the employee is eligible;
 - (7) has applied for Family and Medical Leave;
 - (8) has completed one (1) year of service with Delaware County
 - (9) has provided written verification that the serious health condition exists, and
 - (10) agrees to accept the leave under the terms of this policy and completes an "Application to Receive Donated Leave".
- (B) Employees may donate leave if the donating employee:
- (1) voluntarily elects to donate sick leave and does so with the understanding that donated leave will not be returned;
 - (2) donates a minimum of eight hours;
 - (3) retains a sick leave balance of at least one hundred twenty (120) hours. Sick leave shall be donated in the same manner in which it would otherwise be used, and
 - (4) completes an "Application to Donate Leave".
- (C) The sick leave donation program shall be administered on a pay period by pay period basis. An employee must apply to receive sick leave donation in a timely manner so that the application can be reviewed and considered for approval by the employee's director and appointing authority or designee, requests for donations from fellow employees can be advertised and received, and the processing of the donation can be submitted to the Auditor's Office by 12:00 PM (noon) the Friday before payroll is submitted to the Auditor's Office. It is recommended that employees submit applications to receive sick leave donation no later than the Friday that paychecks are distributed and that application submittal will be for the following payroll (not the one for which paychecks are currently being submitted). Unless compelled by law or by appointing authority resolution, at no time will the employee be eligible to receive donated sick leave payment for a pay period that has been paid through the payroll system. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Vacation and sick leave accrued by an employee while using donated sick leave shall be used, if necessary, in the following pay period before additional donated sick leave may be received. Donated sick leave shall be considered sick leave but shall never be converted into a cash benefit. Employees not meeting the eligibility requirements as described in 5.0 (A) will be notified of the reason for

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ineligibility by their supervisor/director and their applications will be clearly marked "NO" for Eligibility and forwarded to the Human Resources Department for recordkeeping purposes only.

- (D) Employees who wish to donate sick leave shall certify:
 - (1) The name of the employee for whom the donated leave is intended;
 - (2) The number of hours to be donated;
 - (3) That the employee will have a minimum sick leave balance after donation of at least one hundred twenty (120) hours and
 - (4) That the sick leave is donated voluntarily and the employee understands that the donated leave will not be returned.

- (E) Appointing authorities shall ensure that no employees are forced to donate leave. Appointing authorities shall respect an employee's right to privacy, however appointing authorities may with the permission of the employee who is need of leave or a member of the employee's immediate family inform employees of their co-workers critical need for leave donations from employees. The donation of sick leave shall occur on a strictly confidential and voluntary basis.

The Sick Leave Donation Program will be administered within the confines of the written policy by the Human Resources Department. Each Appointing Authority (Elected Officials or Board) or specifically authorized designee(s) shall provide the appropriate approvals/denials for applications to receive or donate leave.

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

RESOLUTION NO. 06-664

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

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 9:33AM.

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

RESOLUTION NO. 06-665

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans, seconded by Mr. Jordan to adjourn out of Executive Session at 10:32AM.

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

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

COMMISSIONERS JOURNAL NO. 48 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 22, 2006

Letha George, Clerk to the Commissioners