

COMMISSIONERS JOURNAL NO. 49 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 31, 2007

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

RESOLUTION NO. 07-662

8:30 AM 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:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 8:37AM.

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

RESOLUTION NO. 07-663

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Jordan to adjourn out of Executive Session at 8:50AM.

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

RESOLUTION NO. 07-664

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:

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

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

RESOLUTION NO. 07-665

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn out of Executive Session at 10:20AM.

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

PUBLIC COMMENT

RESOLUTION NO. 07-666

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 29, 2007 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the resolutions and records of the proceedings from regular meeting held May 29, 2007 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. 07-667

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0530:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve payment of warrants in batch numbers CMAPR0530, and Purchase Orders and Vouchers as listed:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
US Bank	Sewer Interest	66311901-5720	\$ 956,696.04
US Bank	Sewer Principal	66311901-5725	\$ 555,000.00
Vouchers			

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Siemens Water Tech	Bioxide Trotters Gate	66290315-5290	\$	1,575.00
Siemens Water Tech	Bioxide Woodland Hall	66290317-5290	\$	1,750.00
Siemens Water Tech	Bioxide Leatherlips	66290318-5290	\$	875.00
Siemens Water Tech	Bioxide Oaks PS	66290608-5290	\$	1,750.00
Siemens Water Tech	Bioxide Alum Creek PS	66290407-5290	\$	1,078.00
Siemens Water Tech	Bioxide Alum Creek PS	66290407-5290	\$	4,406.50
Siemens Water Tech	Bioxide East Alum Creek PS	66290409-5290	\$	875.00
Siemens Water Tech	Bioxide Summerwood	66290412-5290	\$	1,750.00
BP Products N. America	Gas/Bulk Plant/Walker Woods	10011106-522822801	\$	8,707.94
US Bank	Sewer Interest	66311901-5720	\$	265,108.54

Memo Transfer Voucher

From	To			
DJFS	D.A.T.A.	Client Transportation	\$	5,559.80
2411601-5355	72291901-4232			
DJFS	D.A.T.A.	Client Transportation	\$	720.00
22511607-5355	72291901-4232			

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

RESOLUTION NO. 07-668

IN THE MATTER OF APPROVING AN APPLICATION FOR THE T.E.A.M. MENTORING JUVENILE COURT GRANT:

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

Source: Delaware/Morrow Mental Health & Recovery Services Board	
Grant Period:	July 1, 2007 to June 30, 2008
Grant Amount:	\$ 38,788.00
Local Match:	<u>10,994.00</u>
Total Grant Amount:	\$ 49,782.00

The DMMHR SB TEAM Mentoring grant (formerly the ODADAS) funds the T.E.A.M. Mentoring program run by Patty Cram. The grant funds a majority portion of her salary and benefits as the Program Coordinator.

The local match funding comes from Department of Youth Services for salary and the special fund for training and supplies. Program Coordinator paid from this grant is informed that their position is grant funded and that continued employment is contingent upon continued grant funding.

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

RESOLUTION NO. 07-669

IN THE MATTER OF AMENDING THE SICK LEAVE DONATION PROGRAM FOR DELAWARE COUNTY:

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

Subject	Effective	Supersedes	This Sheet	Total
Sick Leave Donation Program	5/22/2006	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

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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.

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~~ IF 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

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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 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. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 07-670

IN THE MATTER OF REQUESTING THE DELAWARE GENERAL HEALTH DISTRICT AND OHIO EPA TO APPROVE THE TRANSFER OF THE DELAWARE SOLID WASTE TRANSFER STATION OPERATING LICENSE TO THE BOARD OF COUNTY COMMISSIONERS:

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

Whereas, the Delaware Transfer Station is owned by the Board of County Commissioners, and

Whereas, the Board currently has a contract for operation of the facility with County Environmental (Ohio), Inc., and

Whereas, the current operation contract for the facility expires on May 31st 2007, and

Whereas, County Environmental (Ohio), Inc. holds the operating license for the facility, and

Whereas, the County has awarded the operation contract to a new operator, and

Whereas, for future flexibility of operations and quality service to the citizens of Delaware County and recommendation by the Delaware General Health District and Ohio EPA, the Board desires the operation license to be transferred from County Environmental (Ohio), Inc into the County’s name.

Therefore be it resolved, that the Board of County Commissioners request the Delaware General Health District and Ohio EPA to approve the transfer of the operating license for the solid waste transfer station from County Environmental (Ohio) Inc. to the Board of Delaware County Commissioners effective June 1st 2007.

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

RESOLUTION NO. 07-671

IN THE MATTER OF APPOINTING MARK WOLFE ACTING SHERIFF OF DELAWARE COUNTY; EFFECTIVE DATE MAY 31, 2007 AT 12:01PM UNTIL A REPLACEMENT OR CONTINUATION IS NAMED BY REPUBLICAN CENTRAL COMMITTEE:

It was moved by Mr. Evans, seconded by Mr. Ward to appoint Mark Wolfe acting Sheriff Of Delaware County; effective date May 31, 2007 at 12:01pm until a replacement or continuation is named by Republican Central Committee.

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

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners