

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

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

RESOLUTION NO. 08-473

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 24, 2008 AS CONTAINED IN THE COUNTY'S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the resolutions and records of the proceedings from regular meeting held April 24, 2008 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. 08-474

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0425:

It was moved by Mr. Ward, seconded by Mr. Evans to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0425, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Vouchers			
Siemens Water Tech	Bioxide Seldom Seen	66290313-5290	\$ 4,365.90
Siemens Water Tech	Bioxide Woodland	66290317-5290	\$ 2,376.00
Siemens Water Tech	Bioxide Leatherlips	66290318-5290	\$ 1,386.00
The Trident Group	Security	10011102-5301	\$ 7,749.07

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

RESOLUTION NO. 08 -475

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Sheriff's Office is requesting that Kevin Savage and Eric Griffin attend a CUSA Examiners Training Course in Cleveland, Ohio April 21-25, at the cost of \$950.00.

The Environmental Services Department is requesting that Walt Thompson attend a NWOWEA Operator Education Day in Bowling Green, Ohio May 9, 2008, at the cost of \$30.00.

The Environmental Services Department is requesting that Eric Kletrovetz and Greg Blevins attend an OWEA Collection Systems Workshop in Columbus, Ohio May 8, 2008, at the cost of \$300.00.

Juvenile Court is requesting that Pat Martin and Dodie Davenport attend a Truancy Mediation Training in Columbus, Ohio June 2-6, 2008, at no cost.

Juvenile Court is requesting that Faith Walzak and Pat Martin attend a Foreclosure Mediation Training in Columbus, Ohio May 8, 2008, the cost of \$15.00.

Juvenile Court is requesting that Susan Katherman and Wendal Horlocker attend an Ohio Urban Juvenile Court Administration Training in Columbus, Ohio May 8-9, 2008, the cost of \$50.00.

Juvenile Court is requesting that Susan Katherman and Amanda Weiss attend a Court Administration Training in Columbus, Ohio May 15, 2008, the cost of \$315.00.

The EMS Department is requesting that the Paramedics attend a Pediatric Advance Life Support Renewal Course at the Hayes Building May 12-18, 2008, at the cost of \$1,500.00.

The Child Support Enforcement Agency is requesting that Kelly Mills attend a Cultural Diversity Conference in Columbus, Ohio May 15, 2008, at no cost.

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

The Child Support Enforcement Agency is requesting that Kelly Mills and Adeana Gray attend an Ohio Child Support Conference in Columbus, Ohio May 23, 2008, at the cost of \$12.00.

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

RESOLUTION NO. 08-476

IN THE MATTER OF RECOGNIZING MAY AS OLDER AMERICANS MONTH:

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

Proclamation by the
Delaware County Board of Commissioners
Recognizing May as Older Americans Month

WHEREAS, Since 1963, every United States president has declared the month of May to be “Older Americans Month” for the purpose of honoring this most significant and rapidly growing segment of our population. We have an opportunity to celebrate the heritage and contribution of our most treasured citizens throughout the month of May as we recognize older Americans who are living longer, healthier and more productive lives. The theme for this year’s Older Americans Month is “Working Together for Strong, Healthy, and Supportive Communities”, which speaks to the opportunities we have to create better care and support for our older residents.

WHEREAS, Delaware County’s older population has played an instrumental role in building this county and its institutions, and continue to make invaluable contributions as workers, leaders, volunteers and caregivers, and;

WHEREAS, nearly 14,000 county residents are age 60 and older and Delaware County’s older population will continue to increase by an estimated 337% over the next 13 years. By the year 2020, 1 out of every 5 county residents are projected to be over the age of 60, and;

WHEREAS, as our population ages, the need for high quality affordable health, in-home and community services will continue to grow, as well as programs and volunteer opportunities for our older active population.

WHEREAS, the Council for Older Adults wish to involve all community members in these events and activities, including: May 20th Celebrating Senior Citizens Day; May 21st for the Central Ohio Senior Hall of Fame induction of Delaware County resident Virginia Helwig; May 27th for Caregiver Recognition Day, as we recognize local residents who care for older loved ones in their homes; and May 31st for the 4th Annual Seniors Prom.

THEREFORE, BE IT RESOLVED, that in recognition the month of May as “Older Americans’ Month” the Delaware County Board of Commissioners does hereby honor and congratulate local older adults for the important contributions that they have made and continue to make in Delaware County to our families, communities and society.

FURTHER RESOLVE that the Delaware County Board of Commissioners encourage local citizens to get connected with the Council for Older Adults and its’ partner organizations, and, to become knowledgeable about volunteer opportunities, and local resources to maintain a healthy and active lifestyle.

FURTHER RESOLVE that the Delaware County Board of Commissioners recognize and congratulate local health and social service organizations who provide assistance and services for a growing number of older county residents for helping to make Delaware County a better place to live and to grow older.

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

RESOLUTION NO. 08-477

SETTING DATE AND TIME FOR A REQUEST FOR PROPOSALS FOR A DEFERRED COMPENSATION PLAN FOR DELAWARE COUNTY:

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

DELAWARE COUNTY
REQUEST FOR PROPOSAL
DEFERRED COMPENSATION PLAN

Issuing Department: Delaware County Board of Commissioners
101 N. Sandusky St.

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

Delaware, Ohio 43015

Sealed proposals will be received until **May 23, 2008 at 12:00 PM**

All inquiries should be directed to David Cannon County Administrator
Phone: (740) 833-2104

PROPOSALS ARE TO BE MAILED OR HAND-DELIVERED DIRECTLY TO THE ISSUING DEPARTMENT SHOWN ABOVE. ANY PROPOSAL RECEIVED AFTER THE TIME AND DATE SPECIFIED ABOVE WILL BE RETURNED UNOPENED TO THE SENDER.

**PUBLIC NOTICE
REQUEST FOR PROPOSALS (RFP)**

The Delaware County Board of Commissioners is now soliciting proposals from agencies and organizations interested in providing a deferred compensation plan to Delaware County.

Copies of the proposal specifications are available at the County Commissioners Offices located at 101 N. Sandusky Street, Delaware, Ohio 43015.

Completed proposals must be submitted to the County Commissioners Offices 101 N. Sandusky Street, Delaware, Ohio 43015 no later than **May 23, 2008, at 12:00 p.m.**

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

RESOLUTION NO. 08-478

**IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 80.481 ACRES OF LAND IN
BERKSHIRE TOWNSHIP TO THE VILLAGE OF GALENA:**

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

Whereas, on March 31, 2008, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Sharon Rae Davis -Hibbitt, agent for the petitioner, of 80.481 acres, more or less, in Berkshire Township to the Village of Galena.

Whereas, ORC Section 709.023-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the Village of Galena or the Township of Berkshire.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 80.481 acres, more or less, in Berkshire Township to the Village of Galena.

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

RESOLUTION NO. 08-479

**IN THE MATTER OF APPROVING THE AMENDED DELAWARE COUNTY DEPARTMENT OF JOB AND
FAMILY SERVICES PREVENTION, RETENTION, CONTINGENCY PLAN:**

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

**Proposed Changes to the PRC Plan
To be in effect May 5, 2008**

- The monetary limit for short-term training under Employment Related Assistance will be increased to \$1000.
- The following Foreclosure Assistance Program is to be added to the plan.

FORECLOSURE ASSISTANCE PROGRAM

Delaware County Department of Job and Family Services (DCDJFS) will provide foreclosure assistance to the residents of Delaware County by providing a one-time payment of up to \$3000 to the mortgage lending

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

institutions to cover delinquent mortgage payments and possible fees associated with the payment of the delinquent mortgages in order to prevent foreclosure. In addition to the financial payment, foreclosure assistance will include supporting services such as personal financial management and mortgage lending practices. The foreclosure assistance will be limited to the availability of funds.

The following eligibility requirements apply for this program:

1. The assistance/household group's property must be their primary residence
2. The gross income of the assistance/household group must be less than or equal to 300% of the Federal Poverty Level (FPL).
3. The assistance/household group must provide the following documents: 1) a notice of foreclosure from the lender; or 2) a statement from the lender that their mortgage is delinquent; or 3) delinquent information deemed appropriate by DCDJFS.

**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);
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

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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, or who are ordered into an employment program by the court or referred by the child support enforcement agency (CSEA) and are complying with the employment program to find a job; who have a current child support order and the intent to meet his/her financial obligation and who have a current seek-work order and are referred by the CSEA administrative order. 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:

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.

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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 AG's 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.
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.

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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 AG's 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 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, Notice of Approval of Your Application for Assistance. If it is determined that an

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

application for PRC is denied, the Department shall mail or otherwise deliver the ODHS 7334, Notice 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 excluding short term training is limited to \$500.00 within a 12 month period of eligibility. Short-term training assistance is limited to \$1000 within a 12 month period of eligibility. Additional funds are available at the discretion of the Director or Assistant Director. If a change occurs during the time limit, eligibility must be re-determined. There is a 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

185 % 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 driver's license, insurance, and ownership of the automobile.

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

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).

Transportation (Employment Related Only)	Employment Related Services
Automobile repairs	Necessary tools
Lease payments	Work Support Retention Services
Bus tickets	Required safety equipment
Cab fare	Necessary/Required clothing
Gas vouchers	Telephone deposit
Car payment	Short-term Training
Car insurance	Ergonomic equipment
Drivers Education	Job Retention Services
Car registration/Tags	School and certification fees
Job Preparation services	Diversion Benefit
Texts books and supplies	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 Assis tance 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

***Other Household Costs:**

- Furniture
- Telephone installation
- Household items
- Necessary Clothing

Family Services

- Parent Education
- Respite Care (see definitions)

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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.

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 \$500.00 within a 12 month period of eligibility.

Financial Eligibility Standard

150% 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.

Available Services

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

***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

Family services- will not be used against PRC limit

Parenting Education
Respite Care
Home Health Aide Services
Homemaker Services
Mentorship services

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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.

FORECLOSURE ASSISTANCE PROGRAM

Delaware County Department of Job and Family Services (DCDJFS) will provide foreclosure assistance to the residents of Delaware County by providing a one-time payment of up to \$3000 to the mortgage lending institutions to cover delinquent mortgage payments and possible fees associated with the payment of the delinquent mortgages in order to prevent foreclosure. In addition to the financial payment, foreclosure assistance will include supporting services such as personal financial management and mortgage lending practices. The foreclosure assistance will be limited to the availability of funds.

The following eligibility requirements apply for this program:

1. The assistance/household group's property must be their primary residence
2. The gross income of the assistance/household group must be less than or equal to 300% of the Federal Poverty Level (FPL).
3. The assistance/household group must provide the following documents: 1) a notice of foreclosure from the lender; or 2) a statement from the lender that their mortgage is delinquent; or 3) delinquent information deemed appropriate by DCDJFS.

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 (Help Me Grow) 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.

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

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

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. **The goal of this program is to prevent out of wed-lock pregnancy.**

SMART PARENTS GUIDE TO RAISING MIDDLE SCHOOL AGED CHILDREN

The Smart Parents Guide to Raising Middle School Aged Children is a training program for parents and middle school aged children that assists parents who are overwhelmed by the increasing pressures and responsibilities of raising preadolescent children. The sessions provide the parents with the support and skills needed to ensure their success in keeping their families together. Sessions are offered to children to help them understand adolescence. Parents and children will improve skills in communication, understanding and problem solving. Through improved communication, youth may be diverted from risky behavior such as out of wedlock pregnancies, legal and emotional problems and academic challenges.

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

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.

SCHOOL CLOTHES PROGRAM (TANF goal #1)

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

The Delaware County Department of Job and Family Services will provide school clothes for families in Delaware County. Eligible children must be school age, ages 5 to 18, and Delaware County residents having received Food Stamp benefits for a specified time period. Notification letters with detailed instructions are mailed to each identified potentially eligible family. Eligible families are required to come into the Department to pick up vouchers which may be redeemed for clothing at one of two different vendors no later than a specified date.

- A. Prior obtaining of PRC for other related items will not affect the receipt of these specific services. Future eligibility for regular PRC will not be affected due to receipt of these specific funds.
- B. Applicants ineligible for these services are listed in 1,3,4, and 5 as identified in the PRC plan under Ineligible AGs.

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.
Delaware County Department of Job and Family Services agrees to implement the Prevention, Retention, and Contingency Program as written above.
Effective May 5, 2008.

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

RESOLUTION NO. 08-480
IN THE MATTER OF AMENDING THE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND JUVENILE COURT FOR THE MENTOR MOMS PROGRAM:

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

Juvenile Court

AMENDMENT TO MENTOR MOMS CONTRACT
AMENDMENT NO. 1

This amendment, effective May 1, 2008, is to amend the Mentor MOMS Contract between the Delaware County Department of Job and Family Services and Juvenile Court entered into on the 22nd day of October, 2007.

This agreement shall amend Article 4. B. of the contract modifying the maximum payment under the agreement from \$10,000 to \$20,000.

This agreement signed on the 21st day of April, 2008.

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

RESOLUTION NO. 08-481
IN THE MATTER OF AMENDING RESOLUTION NO. 08-407 (APPROVING THE RESOLUTION OF NECESSITY FOR PURCHASE OF AUTOMOBILES FOR THE USE OF THE COUNTY COMMISSIONERS; ANY COUNTY DEPARTMENT, BOARD, COMMISSION, OFFICE OR AGENCY; OR ANY ELECTED COUNTY OFFICIAL OR HIS OR HER EMPLOYEES) TO REFLECT EMERGENCY ELECTRONICS:

It was moved by Mr. Evans, seconded by Mr. Ward to amended resolution No.08-407 to reflect the following changes for the 2008 Ford Explorer emergency electronics for use by the EMS Department:

THEREFORE BE IT FURTHER RESOLVED: That the Board of County Commissioners of Delaware County hereby approves the necessary Purchase Order to Columbus Signworks, in Lewis Center, Ohio, for the production and installation of the vehicle’s reflective striping, at a cost not to exceed \$720.00, and the Purchase Order Parr Safety, for the purchase and installation of the vehicle’s emergency electronics, at a cost not to exceed \$4,723.20.

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

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

RESOLUTION NO. 08-482

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

A job description for a new position in the Human Resources Department: Director of Human Resources. This person will be responsible for assisting the Director of Administration Services in overseeing the functions and responsibilities of the Department of Human Resources.

(A copy of the job description is available in the Commissioners Office until no longer of administrative value).

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

RESOLUTION NO. 08-483

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS FOR JUVENILE COURT:

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

Transfer of Appropriation		AMOUNT
From	To	
27126310-5001	27126310-5294	\$ 1,000.00
JV Court Incentive Grant/Compensation	JV Court Incentive Grant/Food	

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

RESOLUTION NO. 08-484

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND EATON ELECTRICAL INC. FOR THE UNINTERRUPTIBLE POWER SYSTEM FOR THE 911 CENTER AND THE PRIME TOWER SITE:

It was moved by Mr. Evans, seconded by Mr. Ward to approve an agreement between the Delaware County Commissioners and Eaton Electrical Inc for the Uninterruptible Power System for the 911 Center and the Prime Tower Site.

(A copy of the contract is available in the Commissioners Office until no longer of administrative value).

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

RESOLUTION NO. 08-485

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND NEW CINGULAR WIRELESS PCS, LLC FOR A TOWER SITE LICENSE:

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

FIRST AMENDMENT TO TOWER SITE LICENSE AGREEMENT

THIS FIRST AMENDMENT TO TOWER SITE LICENSE AGREEMENT ("Amendment") dated as of the later date below is by and between the Delaware County Board of Commissioners, acting by and through the Department of Emergency Services, having a mailing address at 10 Court Street, Delaware, OH 43015 (hereinafter referred to as "Licensor") and Cincinnati SMSA Limited Partnership, a Delaware limited partnership, by its sole general partner, New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address at 6100 Atlantic Boulevard, Norcross, Georgia 30071 (hereinafter referred to as "Licensee").

WHEREAS, Licensor and Licensee entered into a Tower Site License Agreement dated July 6, 2006 whereby Licensor leased to Licensee certain Premises, therein described, that are a portion of the Property located at 238 West Granville Street, Sunbury, OH 43074 ("Agreement"); and

WHEREAS, Licensor and Licensee desire to extend the term of the Agreement; and

WHEREAS, Licensor and Licensee desire to modify, as set forth herein, the License Fee payable under the Agreement; and

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008**

WHEREAS, Licensor and Licensee desire to modify, as set forth herein, the Licensee's obligations to pay License Fee to Licensor for a License Fee Guarantee Period; and

WHEREAS, Licensor and Licensee, in their mutual interest, further wish to amend the Agreement as set forth below.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee agree as follows:

1. Term. The Term of the Agreement shall be amended to provide that the Agreement has a new initial term of 60 months ("New Initial Term"), commencing on August 1, 2008. The Term will be automatically renewed for up to 5 additional 60 month terms (each an "Extension Term") without further action by Licensee. Hereafter, the defined term "Term" shall include the New Initial Term and any applicable Extension Term.

2. Termination. In addition to any rights that may exist in the Agreement, after the License Fee Guarantee Period, as defined below, Licensee may terminate the Agreement at any time with 60 days prior written notice to Licensor for any or no reason provided Licensee pays to Licensor a termination fee equal to 3 months of the then current License Fee.

3. Modification of License Fee. Commencing on August 1, 2008, the License Fee payable under the Agreement shall be \$10,500.00 per year and shall continue during the Term, subject to adjustment, if any, as provided below.

4. Modification of Licensee's Obligation to Pay — License Fee Guarantee. Notwithstanding Licensee's obligations to pay License Fee set forth under the Agreement, for a 60 month period commencing August 1, 2008 and ending July 31, 2013 ("License Fee Guarantee Period"), Licensee's obligation to pay License Fee is guaranteed and such obligation will not be subject to offset or cancellation by Licensee. Notwithstanding the foregoing, if Licensor exercises any of Licensor's rights to terminate the Agreement, if any, Licensee will be released from any and all of its obligations to pay License Fee during the License Fee Guarantee Period as of the effective date of the termination. In addition, Licensee shall be released from any and all of its obligations to pay License Fee during the License Fee Guarantee Period if the following shall occur: (a) Licensor is in breach of the Agreement, including but not limited to any default under the terms of the Agreement beyond any applicable grace and cure period; (b) there is a foreclosure of the Property; (c) the Licensor shall require Licensee to relocate Licensee's Equipment to a location that is not acceptable to Licensee in its reasonable business judgment if allowed for in the Agreement, (d) any existing government permits and/or approvals cannot be obtained or maintained, at no fault of the Licensee or (e) Licensee terminates the Agreement pursuant to the terms of the Permitted Use section as modified below. If this Agreement is further modified in the future with an obligation for Licensee to pay additional License Fee, the payment of License Fee guarantee established in this paragraph will not be diminished or limited, but such License Fee guarantee will not extend to that future additional License Fee obligation.

5. Future License Fee Increase. The Agreement is amended to provide that commencing on August 1, 2013, License Fee shall increase by seven percent (7.00%) and at the beginning of each Extension Term, as applicable.

6. Permitted Use. In addition to the rights set forth in the Agreement Licensee may modify, supplement, replace, upgrade, expand or refurbish its Communications Facility, increase the number of antennas thereon or relocate the Communications Facility within the leased Premises at any time during the term of this Agreement, and Licensor shall cooperate with Licensee in all respects in connection with the foregoing. If Licensor does not comply with the terms of this section, in addition to any other rights it may have at law, Licensee may terminate this Agreement and shall have no further liability to Licensor.

7. Acknowledgement. Licensor acknowledges that: 1) this Amendment is entered into of the Licensor's free will and volition; 2) Licensor has read and understands this Amendment and the underlying Agreement and, prior to execution of the Amendment, was free to consult with counsel of its choosing regarding Licensor's decision to enter into this Amendment and to have counsel review the terms and conditions of the Amendment; 3) Licensor has been advised and is informed that should Licensor not enter into this Amendment, the underlying Agreement between Licensor and Licensee, including any termination or non-renewal provision therein, would remain in full force and effect.

8. Notices. Section XVIII of the Agreement is hereby deleted in its entirety and replaced with the

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

following: NOTICES. All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows. As to Licensee, New Cingular Wireless PCS, LLC, do Network RealEstate Administration Cell Site # 10049539, Cell Site Name: COL-AANT 3226, 6100 Atlantic Boulevard, Norcross, Georgia 30071, with a copy to Attn.: Legal Department, New Cingular Wireless PCS, LLC, Re: Cell Site # 10049539, Cell Site Name: COL-AANT 3226, 15 East Midland Avenue, Paramus, NJ 07652; and as to Licensors, 10 Court Street, Delaware, OH 43015. Either *party* hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.

9. Other Terms and Conditions Remain. In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Amendment.

10. Capitalized Terms. All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

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

RESOLUTION NO. 08-486

IN THE MATTER OF AMENDING RESOLUTION 08-454 (AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR THE TEAM MENTOR GRANT FOR JUVENILE COURT) TO CORRECT THE GRANT AMOUNT LISTED:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the following amendment (total funding is not changing):

Grant #	None
Source:	Delaware Morrow Mental Health & Recovery Services Board
Grant Period:	FY 2009 7-1-08 thru 6-30-09
Grant Amount:	\$ 38,500.00
Local Match:	\$ 13,218.00
Total Funding:	\$ 51,718.00

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

RESOLUTION NO. 08-487

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 LAND ACQUISITION AND FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 9:47AM.

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

RESOLUTION NO. 08-488

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

RESOLUTION NO. 08-489

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:

PROPERTY OWNER(S): JOSEPH INDICIANI

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

PROPERTY LOCATION: 2931 Home Road
Powell, Ohio 43065

Permanent Parcel Number: 319-132-01-006-000

PURPOSE OF APPROPRIATION:

CONSTRUCTION OF A HIGHWAY OVERPASS OVER THE CSX RAILROAD TRACKS ON HOME ROAD INCLUDING CONSTRUCTION, RECONSTRUCTION, INSTALLATION, REPAIR, MAINTENANCE AND IMPROVEMENT OF HOME ROAD

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

PREAMBLE

WHEREAS, the Board of Delaware County Commissioners (“Board”) deems it necessary to construct a highway overpass over the CSX railroad tracks on Home Road, including construction, reconstruction, installation, replacement, repair, maintenance and improvement of Home Road at the CSX railroad tracks in Delaware County, Ohio (“Improvement”); and,

WHEREAS, the Board has determined the necessity for such Improvement and the necessity that such Improvement be made; and,

WHEREAS, the Board has determined that additional land is necessary for such Improvement.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, by the Board of Delaware County Commissioners (the "Board"):

SECTION 1:

That it is deemed necessary and it is hereby declared to be the intention of the Board to appropriate right-of-way in fee simple (Parcel 25 WDV) and a temporary easement (Parcel 25 TV) on, across, above, and or under certain real estate owned by Joseph Indiciani described in Exhibit “A” attached hereto, and by this reference incorporated herein, for construction of a highway overpass over the CSX railroad tracks on Home Road including construction, reconstruction, installation, replacement, repair, maintenance, and improvement of Home Road in Liberty Township, Delaware County, Ohio.

SECTION 2:

That the legal description of said right-of-way in fee simple (Parcel 25 WDV) and a temporary easement (Parcel 25 TV) are attached hereto as Exhibit “B” and by this reference incorporated herein; and,

SECTION 3:

That the County Administrator be and is hereby authorized to cause written notice of the passage of this Resolution to be given to the owner and any other persons having an interest of record in the herein described property or to their authorized agents. Such notices shall be served and return made in the manner provided for the service and return of summons in civil actions. If such owner, persons or agents cannot be found, notice shall be given by publication once each week for three consecutive weeks in the Delaware Gazette; and,

SECTION 4:

That the Board directs the County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board; and,

SECTION 5:

This Resolution shall take effect and be in force immediately upon passage.

(COPIES OF EXHIBITS “A” AND “B” ARE AVAILABLE IN THE DELAWARE COUNTY ENGINEER’S DEPARTMENT.)

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

There being no further business the meeting adjourned.

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2008

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners