

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 23, 2009

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

Present: Todd Hanks, Ken O'Brien, Tommy Thompson

RESOLUTION NO. 09-465

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 20, 2009:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on April 20, 2009; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

PUBLIC COMMENT

Refer to CD minutes for entire record

Gus Comstock, Delaware County Economic Development Director

Introduces people to make public comment on the importance of fiber infrastructure for attracting the best and brightest companies to Delaware County:

Terry Higerd, CIO, State Auto: as you'll recall, State Auto is nearing completion of their data center at Greif Park.

Brian Swisher and Mike Representatives from BlueMile: BlueMile is a carrier hotel, or a company that provides companies with the ability to use fiber providers to their greatest potential.

Mayor Wheeler the importance of fiber to city development and cooperation with County; lost businesses in the past because fiber was not already in the ground

Auditor Kaitsa is interested in this project, as well.

Mayor Wheeler has a "Shadow" from High School Program -Wayne

RESOLUTION NO. 09-466

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0422, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0422:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0422, memo transfers in batch numbers MTAPR0422, and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Amount	Line Number
R0904112	ITT FLYGT CORPORATION	INSTALLATION OF MINI CAS AND SEAL LEAK DETECTORS	66290302 - 5380	\$18,570.00	0001
R0904186	RAWDON MYERS INC	MULTITRODE MULTISMART CONTROLLER	66290306 - 5270	\$3,502.50	0001

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 23, 2009

R0904186	RAWDON MYERS INC	MULTITRODE MULTISMART CONTROLLER	66290406 - 5270	\$3,502.50	0002
R0904207	MARION INDUSTRIAL ELECTRICAL SUPPLY INC	REWIND OF 450HP ELECTRIC MOTOR AT OECC	66290406 - 5328	\$8,480.00	0001
R0904259	CITY OF DELAWARE	PROSECUTOR MUNICIPAL	10029203-5360	\$ 180,000.00	0001

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO'S			
Increases			
Maryhaven	Residential Treatment	22511607-5342	\$ 40,000.00
Tri State Youth	Residential Treatment	22511607-5342	\$ 30,000.00
Atrium	Interim Staff	22411601-5301	\$ 10,000.00
Voucher			
City of Delaware	Prosecutor Municipal	10029203-5360	\$ 38,380.00
Vote on Motion	Mr. O'Brien	Aye	Mr. Thompson
			Aye
			Mr. Hanks
			Aye

RESOLUTION NO. 09-467

IN THE MATTER OF APPROVING NEW ORGANIZATION KEYS AND SUPPLEMENTAL APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

NEW ORGANIZATIONAL KEYS

- 66690414 - Central Alum Creek Sanitary Sewer Improvements
- 66690415 - Cheshire Road Elementary Sanitary Sewer Improvements

SUPPLEMENTAL APPROPRIATIONS

TO:	AMOUNT:
66690414-5415 Central Alum Creek Sanitary Sewer Improvements - Professional Engineering Services	\$227,000.00
66690415-5415 Cheshire Rd Elementary School Sanitary Sewer Improvements - Engineering/Surveying/Consulting support services	\$100,000.00

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-468

SETTING DATE AND TIME FOR A PUBLIC HEARING #2 TO CONSIDER USING REVOLVING LOAN FUNDS (RLF) TO ASSIST THE COLUMBUS ZOOLOGICAL PARK ASSOCIATION, INC. IN A FEASIBILITY STUDY FOR A LODGING/HOTEL COMPONENT AT THE ZOO:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

Whereas, a public hearing will be held on **Monday, May 11, 2009, at 6:30 p.m.** in the County Commissioners Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is required to consider the Columbus Zoological Park Association request for the County to assist in funding half of a feasibility study for a lodging/hotel in the amount up to \$10,000.

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 23, 2009**

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-469

IN THE MATTER OF RANKING PROFESSIONAL DESIGN FIRMS FOR THE DELAWARE COUNTY JAIL SECOND FLOOR DORM BUILD-OUT:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

Whereas, the Delaware County Board of Commissioners received a total of nine Statements of Qualifications from professional design firms for the Delaware County Jail Second Floor Dorm Build-out; and,

Whereas, a review committee short listed the top five firms they found to be the most qualified and conducted interviews with these firms; and,

Whereas, the Ohio Revised Code section 153.69 (A) requires the public authority to select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services; and,

Whereas, after conducting interviews the review committee recommends the top three most qualified firms be ranked 1 Shremshock Architects, 2 MKC Associates, and 3 KZF Design.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Delaware County hereby rank the following professional design firms for the Delaware County Jail Second Floor Dorm Build-out and per the Ohio Revised Code section 153.69 (B), enter into contract negotiations with the firm ranked most qualified to perform the required services:

- 1 Shremshock Architects
- 2 MKC Associates
- 3 KZF Design

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Nay

RESOLUTION NO. 09-470

IN THE MATTER OF APPROVING A CONTRACT BETWEEN DELAWARE COUNTY AND HEALTH PROFESSIONALS, LTD FOR HEALTH CARE SERVICES FOR DETAINEES OF THE DELAWARE COUNTY JAIL:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas, the Sheriff's Office Staff recommends approval of the contract with Health Professionals, Ltd For Health Care Services For Detainees Of The Delaware County Jail;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approves the contract with Health Professionals, Ltd For Health Care Services For Detainees Of The Delaware County Jail.

(A copy of the contract is available for review at the Commissioners' Office until no longer of administrative value.)

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

COMMISSIONERS' COMMITTEES REPORTS

Refer to CD minutes for entire record

Commissioner O'Brien

-no updates

Commissioner Hanks

-Council for Older Adults closeouts

- Grounds of Remembrance Ceremony taking place at noon Monday, May 25 in Dublin.

-received letter asking Commissioners to match the city's \$1,000.00 donation to the Bi-Centennial book

-sales tax; reallocation

Commissioner Thompson

-attended Board of Revision

RESOLUTION NO. 09-471

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 23, 2009**

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. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 7:00PM.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-472

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to adjourn out of Executive Session at 8:05PM.

Vote on Motion Mr. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-473

IN THE MATTER OF WAIVING THE CLIENT-ATTORNEY PRIVILEGE FOR SPECIFIC COMMUNICATIONS RELATED TO THE ESTABLISHMENT OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve the following:

WHEREAS, a petition for the establishment of the Concord/Scioto Community Authority (the "Petition") was filed with the Delaware County Board of Commissioners (the "Board") on February 8, 2007; and

WHEREAS, as part of the Board's responsibilities as "organizational board of commissioners," pursuant to Chapter 349 of the Revised Code, the Board was required to determine the sufficiency of the Petition; and

WHEREAS, the Delaware County Prosecuting Attorney serves as statutory counsel to the Board, pursuant to Chapter 309 of the Revised Code; and

WHEREAS, the Board, through the presiding officer at that time, sought the professional services and advice of its legal counsel regarding the Petition; and

WHEREAS, the communication the Board received in response to its request for legal services and advice and the request itself are protected by the client-attorney privilege as a confidential communication; and

WHEREAS, the Board recognizes the importance of maintaining the confidentiality of client-attorney communications in order to procure open and candid legal advice from counsel; and

WHEREAS, the Board determines that it is no longer necessary to invoke the client-attorney privilege for the specific communications related to the establishment of the Concord/Scioto Community Authority;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. The Board hereby waives the client-attorney privilege for the specific communications related to the establishment of the Concord/Scioto Community Authority, limited to the request for legal services and advice regarding the Petition and the written response to said request. This waiver shall in no way waive, limit or diminish the privilege as it may relate to any other matters or communications.

Section 2. The Board hereby directs the Clerk of the Board to release the letter from the Delaware County Prosecuting Attorney, dated February 23, 2007, in which the Board is advised regarding the establishment of the Concord/Scioto Community Authority.

Section 3. This Resolution shall take immediate effect upon passage.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Nay

RESOLUTION NO. 09-474

IN THE MATTER OF ADJOURNING THE MEETING:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn the meeting.

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 23, 2009

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

Todd Hanks

Ken O'Brien

Tommy Thompson

Letha George, Clerk to the Commissioners