

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 4, 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. 09-505

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 30, 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 30, 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
Jerry Heston As The Fiscal Officer Of The Bicentennial Committee

RESOLUTION NO. 09-506

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0501:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0501, and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R0904374	Oxford Blazer	Child Care	22411610-5348	\$100,000.00	0001

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO'S			
Increases			
Delaware Cab	Transportation (line 2)	22511607-5355	\$ 5,000.00
Bohecker College	Tuition JFS	22311611-5348	\$ 10,000.00
Building Trades	Tuition JFS	22311611-5348	\$ 10,000.00
Netcare Corp	Court Order Evaluation Public Defender	10011202-5342	\$ 15,000.00
B&K Lehner	McNamara Ditch	40311423-5340	\$ 5,275.00

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

RESOLUTION NO. 09 -507

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Department of Job and Family Services is requesting that Sure Ware attend a First Lady Regional Forum in Columbus, Ohio May 19, 2009, at the cost of \$20.80. (Fund Number 22411604).

The Engineer's Office is requesting that Ryan Mraz attend a 2009 International Bridge Conference in Pittsburgh, Pennsylvania June 14-17, 2009, at the cost of \$1,462.00. (Fund Numbers 292 and 293).

Juvenile Court is requesting that Dodi Davenport attend a Child Protection Mediation in Cincinnati, Ohio June 14-18, 2009, at the cost of \$130.00. (Fund Number 27826325-5305).

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

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RESOLUTION NO. 09-508

IN THE MATTER OF APPROVING A NEW LIQUOR LICENSE REQUEST FROM SCIOTO VENDING SERVICES INC. DBA 23 DRIVE THRU AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Orange Township Trustees that Scioto Vending Services Inc. DBA 23 Drive Thru has requested new C1 and C2 permits located at 5810 Columbus, Pike Orange Township Lewis Center, Ohio 43035, and

Whereas, the Orange Township Trustees have not filed an 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. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-509

IN THE MATTER OF RECOGNIZING THE DEDICATION OF THE GROUNDS OF REMEMBRANCE IN DUBLIN VETERANS PARK:

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

WHEREAS, it is important for a community to have a place where veterans may be honored and remembered for their services and sacrifices, and

WHEREAS, it is equally important for a community to have a place where a veterans' family members, friends and community may contemplate and reflect those services and sacrifices, and

WHEREAS, in 2006 The City of Dublin committed to finding a place and project to honor their veterans, and

WHEREAS, the Grounds of Remembrance in Dublin Veterans Park is the result of this commitment, and

WHEREAS, The City of Dublin will be honoring their veterans with The Dedication of the Grounds of Remembrance in Dublin Veterans Park on Memorial Day 2009, and

WHEREAS, The Board of Commissioners of Delaware County wishes to acknowledge the importance of recognizing the services and sacrifices the Veterans of this County make for the protection and well being of all citizens:

THEREFORE, BE IT RESOLVED, that the Delaware County Board of Commissioners does hereby recognize the dedication of the Grounds Of Remembrance in Dublin Veterans Park this 25th day of May 2009.

FURTHER BE IT RESOLVED, that the Delaware County Board of Commissioners encourages its citizens to recognize and honor our veterans.

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

RESOLUTION NO. 09-510

IN THE MATTER OF RECOGNIZING MAY AS BETTER HEARING AND SPEECH MONTH & THE 50TH ANNIVERSARY OF THE DELAWARE SPEECH AND HEARING CENTER:

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

Proclamation

**Recognizing May as Better Hearing and Speech Month
&
The 50th Anniversary
of
The Delaware Speech and Hearing Center**

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WHEREAS, audiologist and speech-language pathologists in Delaware County observe and celebrate Better Hearing and Speech Month each year during the month of May; and

WHEREAS, the Delaware County Commissioners recognize and value the efforts of all who work to eliminate or minimize the isolating effects of communication disorders in the one in 10 families affected by them; and

WHEREAS, those citizens of Delaware County who have overcome their communication disabilities through the services of dedicated audiologists and speech-language pathologists should be recognized;

NOW BE IT RESOLVED, the Delaware County Board of Commissioners laud the Delaware Speech and Hearing Center for 50 years of service excellence, proclaim the month of May as Better Hearing and Speech Month, and we encourage all citizens to recognize the achievements of audiologist and speech-language pathologists in improving the quality of life for people with communication disorders.

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

RESOLUTION NO. 09-511

IN THE MATTER OF NAMING AUDITOR GEORGE KAITSA AS THE CHAIRMAN OF DELAWARE COUNTY'S COMPLETE COUNT COMMITTEE FOR THE 2010 CENSUS :

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

Whereas, in 2010 the US Census Bureau will conduct a count of everyone residing in the United States, and

Whereas, a Complete Count Committee for the 2010 US Census is being formed in Delaware County, and

Whereas, a chairperson needs to be named for the Complete Count Committee for the 2010 Census;

Therefore, be it resolved, that the Board of Commissioners of Delaware County names, Auditor George Kaitsa, As the Chairman of Delaware County's 2010 Complete Count Committee for the 2010 Census

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

RESOLUTION NO. 09-512

IN THE MATTER OF APPROVING A CHANGE IN STOP CONDITIONS AT THE INTERSECTION OF LIBERTY AND HYATTS ROADS:

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

Whereas, the County Engineer recommends approval of the Change in Stop Conditions at the Intersection of Liberty and Hyatts Roads;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the following Change in Stop Conditions at the Intersection of Liberty and Hyatts Roads:

Change in Stop Condition Intersection of Liberty and Hyatts Roads

The stop signs at the above referenced intersection are currently on Hyatts Road only. After analyzing the traffic volume along with the number of accidents at this site, The Engineering Staff has determined that a four-way stop is warranted per criteria as outlined by the Ohio Manual of Uniform Traffic Control Devices. This analysis is available for your information.

As The Engineering staff feels the change of the stop condition at this intersection would make the traffic flow and safety of the intersection more desirable, The Engineer request that your Board pass a resolution to change the current stop condition at the intersection of Liberty and Hyatts Road to a four-way stop. Upon the passing of this resolution, The Engineering Staff will erect the new stop signs, along with signage notifying the traveling public of the change in the traffic pattern, as well as notify local authorities of the change.

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

RESOLUTION NO. 09-513

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

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

Whereas The Below Requests To Perform Work Within The Right Of Way Have Been Reviewed And

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Approved By The Delaware County Engineer; Now Therefore Be It Resolved That The Following Permits Are Hereby Approved By The Board Of Delaware County Commissioners:

Permit #	Applicant	Location	Type of Work
U09-035	EMBARQ	CARTERS CORNER RD	PLACE BURIED CABLE IN ROW
U09-036	TIME WARNER	SAWMILL PKWY/SAWMILL RD	ROAD BORE
U09-037	DEL CO WATER	CHESHIRE RD	ROAD BORE

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

RESOLUTION NO. 09-514

IN THE MATTER OF ACCEPTING AND AWARDING THE BID AND APPROVING THE CONTRACT WITH KOKOSING CONSTRUCTION COMPANY FOR THE 2009 ROAD IMPROVEMENT PROGRAM:

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

2009 Road Improvement Program Bid Opening of April 21, 2009

As the result of the above referenced bid opening, The Engineer recommends that a bid award be made to Kokosing Construction Company, the low bidder for the project. A copy of the bid tabulation is available for your information.

There are two copies of the Contract with Kokosing for your approval. All necessary documentation for this approval has been received (Auditor's Certification, Prosecutor's approval, etc.).

CONTRACT

THIS AGREEMENT is made this 4th day of May, 2009 by and between Kokosing Construction Company, hereinafter called the "Contractor" and the Delaware County Commissioners, hereinafter called the "Owner".

Kokosing Construction Company, Inc.
6235 Westerville Road
Westerville, OH 43081-4041

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

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 construction of the improvements embraced in the project; namely, the "**2009 Delaware County Road Improvement Program**", and required supplemental work for the project all in strict accordance with the Contract Documents.

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 not to exceed **\$1,945,017.75**, subject to additions and deductions as provided in the Contract Documents.

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements
- i. 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

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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. Thompson Aye Mr. O'Brien Aye Mr. Hanks Aye

RESOLUTION NO. 09-515

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

The Director of Job and Family Services recommends the End of Probation raise for Amber Huber a Social Services Worker III with the Department of Job and Family Services.

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

RESOLUTION NO. 09-516

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS AS LISTED:

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

Whereas, Delaware County contracts with Child Care providers in accordance with state and federal regulations, and

Whereas, the Director of Jobs & Family Services recommends approval of the following contracts

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following contracts for Child Care providers:

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

Hourly Paid for .1 hour to 7.9 hours

**Laura Black
8030 Gladshire Blvd.
Lewis Center, Oh 43035**

Infants		Toddlers		Preschool		School	
\$147.34	Full-time Wk	\$143.00	Full-time Wk	\$132.58	Full-time Wk	\$118.55	Full-time Wk
\$108.33	Part-time Wk	\$110.72	Part-time Wk	\$112.42	Part-time Wk	\$ 89.61	Part-time Wk
\$ 5.17	Hourly	\$ 4.88	Hourly	\$ 5.77	Hourly	\$ 5.28	Hourly
SUMMER:		Full Time		Part Time		Hourly	
		\$130.73		\$ 94.89		\$ 6.08	

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

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

RESOLUTION NO. 09-517

IN THE MATTER OF SETTING DATE AND TIME FOR THE DELAWARE COMMUNITY HOUSING IMPROVEMENT PROGRAM (DCHIP) PUBLIC HEARING # 2:

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

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Whereas, a public hearing will be held on **Monday, June 8, 2009 at 9:30 am** in the County Commissioners' Office located at 101 North Sandusky Street in Delaware, Ohio. This hearing is needed to consider the Delaware Community Housing Improvement (DCHIP) Program.

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

RESOLUTION NO. 09-518

IN THE MATTER OF APPROVING THE EXECUTION OF A LIMITED WARRANTY DEED TO WEYERHAEUSER COMPANY:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

WHEREAS, in December 1973, CORCO, Inc., deeded, by Warranty Deed, to the County of Delaware, Ohio ("County") certain real property, located at 875 Pittsburgh Drive, Delaware, Ohio 43015, as part of an industrial first mortgage revenue bond project ; and

WHEREAS, in December 1973, the County and CORCO, Inc., entered into a Lease, recorded in Lease Vol. 34, Page 649 in the Office of the Delaware County Recorder, in which the County leased the property to CORCO; and

WHEREAS, in the Lease, CORCO was granted an option to purchase the property upon the termination of the lease and the payment of the bonds for the project; and

WHEREAS, CORCO, Inc., later merged with Willamette Industries, Inc., which executed a supplemental lease with the County on the same terms as the original lease, along with an additional bond issuance; and

WHEREAS, Willamette Industries, Inc., later merged with Weyerhaeuser Company; and

WHEREAS, all bonds for the project have been paid; and

WHEREAS, Weyerhaeuser Company, as successor to the rights of CORCO and Willamette, has exercised its option to purchase the property;

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

Section 1. That the property, described below, be granted and transferred, by Limited Warranty Deed, to the Weyerhaeuser Company, in substantially the following form:

LIMITED WARRANTY DEED

Know all Men by these Presents, that County of Delaware, Ohio, a political subdivision, the Grantor, for the consideration of One Hundred and 00/100 Dollars (\$100.00) and other good and valuable consideration received to its full satisfaction of WEYERHAEUSER COMPANY, a Washington corporation, the Grantee whose tax mailing address is P.O. Box 9777, Federal Way, WA 98063-9777 does give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following described premises, situated in the City of Delaware, County of Delaware, and State of Ohio:

See Exhibit "A"

Permanent Parcel No. 41921006008000

Prior Instrument: Volume 361, Page 498

To have and to hold the above granted and bargained premises, with the appurtenances thereunto belonging, unto the said Grantee, its successors and assigns in fee simple forever. And the said Grantor does for itself and its successors and assigns covenant with the said Grantee, its successors and assigns, that at and until the ensembling of these presents, it is well seized of the above described premises, as a good and indefeasible estate in fee simple, and has good right to bargain and sell the same in manner and form as above written, that the same are free and clear from all encumbrances whatsoever except the following:

1. those liens, encumbrances, restrictions, conditions and easements of record, zoning ordinances, if any, and taxes and assessments not currently due;
2. those liens and encumbrances created by the Grantee, or its predecessors in interest, or to the creation or suffering of which the Grantee, or its predecessors in interest, consented; and
3. those liens and encumbrances resulting from the failure of the Grantee, or its predecessors in interest, to perform or observe any of the agreements on its part contained in the Lease for the premises

and that it will warrant and defend said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever, against all acts of Grantor and all lawful claims and demands of all persons claiming by, through, or under the Grantor, but against none other, subject only to those matters of record.

Section 2. That the Board hereby authorizes the President of the Board to execute the Deed on the Board's behalf.

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Section 3. That the Clerk of the Board is hereby directed to cause the Deed, along with a certified copy of this Resolution, to be delivered to the Weyerhaeuser Company.

Section 4. That this Resolution shall take immediate effect upon passage thereof.

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

RESOLUTION NO. 09-519

IN THE MATTER OF APPROVING BUDGET CUTS, SUPPLEMENTAL APPROPRIATIONS, TRANSFER OF FUNDS AND DIRECTING THE COUNTY ADMINISTRATOR TO TAKE NECESSARY STEPS TO PREPARE FOR FURTHER CUTS AND PREPARING A FINANCIAL PLAN FOR FUTURE YEARS:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

Whereas, the current General Fund Budget has a budget deficit of approximately \$9.0 million for 2009, and

Whereas, The Board of County Commissioners needs to take action to correct this budget deficit to ensure we can continue to provide the necessary and required services for our county citizens, and

Whereas, to correct the budget we must make the necessary steps of looking at revenue enhancements, budget transfers and budget reductions, and

Whereas, we must work with all county offices and departments to assist in providing input to help make reductions that have the least impact on their operations, and

Whereas, these steps are necessary to preserve the county's high bond rating.

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

1. The Board approves the following supplemental appropriations and authorizes the County Administrator to take necessary actions to process the transfer of funds.
2. That the Board authorizes the County Administrator to begin the process of renewing the conveyance fee that expires on December 31, 2009 for a 10 year period.
3. The Board authorizes the County Administrator to work with each of the county offices and departments to prepare a list of additional cuts up to 3% with possible lay-offs by position and the calculated cost of such layoff before July 6, 2009.
4. The Board authorizes the County Administrator to work with each of the county offices and departments to prepare a financial plan based on needs and the priorities of each of the offices and departments for discussion by the Board of Commissioners before July 6, 2009.

Supplemental Appropriations

Auditor	10010101	5001	Compensation	\$	2,900.00
Auditor	10010101	5101	Health Insurance	\$	(10,810.00)
Commissioners	10011101	5001	Compensation	\$	(1,000.00)
Commissioners	10011101	5101	Health Insurance	\$	(5,500.00)
Commissioners	10011101	5120	PERS	\$	(140.00)
Commissioners	10011101	5131	Medicare	\$	(14.50)
General	10011102	5260	Equipment < \$5,000	\$	(1,500.00)
General	10011102	5301	Contracted Services	\$	(2,500.00)
General	10011102	5308	Memberships	\$	(500.00)
General	10011102	5345	Safety & Security Services	\$	(500.00)

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General	10011102	5601	Grants	\$ (20,000.00)
General	10011102	5801	Transfers	\$ (875,000.00)
Record Center	10011103	5325	Maint Contracts	\$ (3,171.00)
Facilities	10011105	5001	Compensation	\$ (9,212.00)
Facilities	10011105	5101	Health Insurance	\$ (3,792.00)
Facilities	10011105	5120	PERS	\$ (1,289.68)
Facilities	10011105	5131	Medicare	\$ (1,260.35)
Facilities	10011105	5201	General Supplies	\$ (4,000.00)
Facilities	10011105	5305	Training	\$ (8,000.00)
Service Center	10011106	5228	Vehicle Maintenance	\$ (8,179.57)
Zoning	10011107	5001	Compensation	\$ (63.97)
Zoning	10011107	5120	PERS	\$ (8.96)
Zoning	10011107	5131	Medicare	\$ (0.93)
Human Resources	10011108	5312	Advertising	\$ (2,910.00)
Employee Relations	10011109	5305	Training	\$ (1,400.00)
Human Services	10011110	5801	Transfers	\$ (24,920.00)
Law Library	10011201	5001	Compensation	\$ (5,000.00)
Law Library	10011201	5120	PERS	\$ (700.00)
Law Library	10011201	5131	Medicare	\$ (72.50)
Code Compliance	10011301	5001	Compensation	\$ (12,429.00)
Code Compliance	10011301	5120	PERS	\$ (1,740.06)
Code Compliance	10011301	5131	Medicare	\$ (180.22)
Code Compliance	10011301	5217	Books & Periodicals	\$ (500.00)
Code Compliance	10011301	5250	Equip < \$1,000	\$ (500.00)
Code Compliance	10011301	5260	Equip < \$5,000	\$ (900.00)
Code Compliance	10011301	5305	Training	\$ (500.00)
Code Compliance	10011301	5316	Application & License Fees	\$ (150.00)
Code Compliance	10011301	5317	Public Relations/Promotions	\$ (75.00)
Code Compliance	10011301	5325	Maintenance Contracts	\$ (250.00)
Code Compliance	10011301	5330	Communications Services	\$ (350.00)
Code Compliance	10011301	5361	Attorney Services	\$ (250.00)
EMS	10011303	5001	Compensation	\$ (100,000.00)

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EMS	10011303	5101	Health Insurance	\$ (25,000.00)
EMS	10011303	5120	PERS	\$ (14,000.00)
EMS	10011303	5131	Medicare	\$ (1,450.00)
EMS	10011303	5208	Operating Supplies	\$ (500.00)
EMS	10011303	5224	Uniforms	\$ (1,000.00)
EMS	10011303	5308	Memberships	\$ (500.00)
EMS	10011303	5312	Advertising	\$ (200.00)
EMS	10011303	5345	Safety & Security Services	\$ (1,000.00)
Non Emer 911	10011304	5001	Compensation	\$ (11,000.00)
Non Emer 911	10011304	5101	Health Insurance	\$ (4,000.00)
Non Emer 911	10011304	5120	PERS	\$ (1,540.00)
Non Emer 911	10011304	5131	Medicare	\$ (159.50)
Prosecutor	10012101	5250	Equip < \$1,000	\$ (500.00)
Prosecutor	10012101	5317	Public Relations & Promotions	\$ (225.00)
Prosecutor	10012101	5340	Lab & Testing Services	\$ (100.00)
Prosecutor	10012101	5360	Court Related Services	\$ (500.00)
Victims Assistance	10012301	5201	General Supplies	\$ (72.50)
Victims Assistance	10012301	5317	Public Relations & Promotions	\$ (100.00)
Victims Assistance	10012301	5330	Communication Services	\$ (200.00)
Recorder	10013101	5201	General Supplies	\$ (150.00)
Recorder	10013101	5308	Memberships	\$ (150.00)
Recorder	10013101	5310	Travel	\$ (200.00)
Recorder	10013101	5313	Printing & Related Services	\$ (500.00)
Treasurer	10014101	5315	Aircard	\$ (500.00)
Treasurer	10014101	5380	Other	\$ (1,000.00)
Board of Elections	10016101	5101	Health Insurance	\$ (5,000.00)
Board of Elections	10016101	5201	General Supplies	\$ (500.00)
Board of Elections	10016101	5208	Operating Supplies	\$ (500.00)
Board of Elections	10016101	5298	Other	\$ (250.00)
Board of Elections	10016101	5308	Memberships	\$ (500.00)
Board of Elections	10016101	5317	Public Relations/Promotions	\$ (250.00)
Judge Whitney	10021201	5001	Compensation	\$ (5,350.00)
Judge Whitney	10021201	5101	Health Insurance	\$ (1,200.00)

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Judge Whitney	10021201	5120	PERS	\$ (749.00)
Judge Whitney	10021201	5131	Medicare	\$ (77.58)
Judge Krueger	10022201	5201	General Supplies	\$ (1,000.00)
Judge Krueger	10022201	5250	Equip < \$1,000	\$ (1,000.00)
Judge Krueger	10022201	5305	Training	\$ (1,000.00)
Judge Krueger	10022201	5309	Travel	\$ (500.00)
Judge Krueger	10022201	5315	Internet	\$ (1,000.00)
Judge Krueger	10022201	5320	Data Processing Services	\$ (500.00)
ACS	10022202	5201	General Supplies	\$ (743.54)
ACS	10022202	5238	Safety & Security Supplies	\$ (1,000.00)
ACS	10022202	5250	Equip < \$1,000	\$ (1,000.00)
ACS	10022202	5260	Equip < \$5,000	\$ (1,000.00)
ACS	10022202	5305	Training	\$ (1,000.00)
ACS	10022202	5308	Membership	\$ (331.00)
ACS	10022202	5319	Reimbursement/Refunds	\$ (500.00)
ACS	10022202	5325	Maintenance Contracts	\$ (143.02)
ACS	10022202	5331	Postage	\$ (500.00)
ACS	10022202	5332	Cell Phone	\$ (1,980.00)
ACS	10022202	5340	Lab & Testing Services	\$ (500.00)
COYC	10026202	5360	Court Related Services	\$ (32,000.00)
Court of Appeals	10029202	5301	Contracted Services	\$ (1,000.00)
Coroner	10030301	5201	General Supplies	\$ (100.00)
Coroner	10030301	5224	Uniforms	\$ (200.00)
Coroner	10030301	5246	Lab Materials	\$ (250.00)
Coroner	10030301	5305	Training	\$ (250.00)
Coroner	10030301	5342	Medical Related Services	\$ (1,300.00)
Sheriff Law Enforcement	10031301	5201	General Supplies	\$ (200.00)
Sheriff Law Enforcement	10031301	5301	Contracted Services	\$ (1,000.00)
Sheriff Conveyance Fees	10031304	5310	Travel	\$ (200.00)
Sheriff Pay to Stay	10031307	5305	Training	\$ (50.00)
Sheriff Firing Range	10031308	5284	Sign Materials	\$ (50.00)
Sheriff Firing Range	10031308	5328	Maint Contracts	\$ (50.00)

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Veterans Services	10062601	5001	Compensation	\$	(2,550.00)
Veterans Services	10062601	5120	PERS	\$	(357.00)
Veterans Services	10062601	5131	Medicare	\$	(36.98)
Veterans Services	10062601	5201	Grave Markers	\$	(1,000.00)
Veterans Services	10062601	5312	Advertising	\$	(100.00)
Dog & Kennel	20411305	5450	Equipment	\$	(2,500.00)
CSEA	23711630	5001	Compensation	\$	(14,000.00)
CSEA	23711630	5120	PERS	\$	(1,960.00)
CSEA	23711630	5131	Medicare	\$	(203.00)
CSEA	23711630	5255	Office Furniture	\$	(500.00)
CSEA	23711630	5330	Communications Services	\$	(500.00)
CSEA	23711630	5331	Postage	\$	(500.00)
Road & Bridge Sales Tax	29440408	5301	Contracted Services		(\$325,000.00)
Road & Bridge Sales Tax	29440408	5361	Attorney Services		(\$300,000.00)
Road & Bridge Sales Tax	29440408	5365	Grant Related Services		(\$200,000.00)
Road & Bridge Sales Tax	29440408	5401	Land Purchase		(\$100,000.00)
Road & Bridge Sales Tax	29440408	5420	Road Construction		(\$5,000,000.00)
Road & Bridge Sales Tax	29440408	5425	Bridge Culvert Construction		(\$2,500,000.00)
Self Insured Workers Comp	61311923	5001	Compensation	\$	1,475.00
Self Insured Workers Comp	61311923	5120	PERS	\$	206.50
Self Insured Workers Comp	61311923	5131	Medicare	\$	21.39
Self Insured Workers Comp	61311923	5380	Other Services	\$	(1,702.89)
Sanitary Engineer	66211902	5450	Equipment	\$	(10,000.00)
OECC	66211903	5338	Utilities	\$	(6,700.00)
Alum Creek	66211904	5338	Utilities	\$	(3,000.00)

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

RESOLUTION NO. 09-520

IN THE MATTER OF DECLARING THE NECESSITY FOR THE TRANSFER OF PUBLIC FUNDS OF THE COUNTY AND AUTHORIZING THE PREPARATION AND FILING OF A PETITION FOR THE TRANSFER OF THOSE FUNDS, ALL IN ACCORDANCE WITH SECTIONS 5705.15 AND 5705.16 OF THE OHIO REVISED CODE:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board") has previously and by proper legislation declared its intentions to construct a new Delaware County EMS Station 11 at the intersection of Africa Road and US Rte 36/State Rte 37 in Berlin Township, Delaware County, Ohio; and

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WHEREAS, the Board heretofore created and maintains the EMS Construction Fund (aka the EMS Capital Projects Fund) (“Fund #40211405”), which is maintained in the Delaware County treasury; and

WHEREAS, there is a total balance of \$2,790,768.69 in Fund #40211405; and

WHEREAS, this Board has determined that no funds on deposit in Fund #40211405 constitute proceeds or balances of loans, bond issues, special levies for the payment of loans or bond issues, the proceeds or balances of funds derived from any excise tax levied by law for a specified purpose, or the proceeds or balances of any license fees imposed by law for a specified purpose; and

WHEREAS, this Board has further determined that its previous intentions to construct a new EMS Station are no longer appropriate, given current budgetary constraints; and

WHEREAS, this Board has further determined that \$2,000,000.00 of the total current balance of Fund #40211405 is no longer required for the purpose for which that amount was originally appropriated to that Fund and that those monies would be more appropriately used to address current budgetary constraints via a transfer from Fund #40211405 to the County General Fund (Fund #10011102); and

WHEREAS, Section 5705.16 of the Revised Code requires that this Board adopt a resolution declaring the necessity for a transfer of funds pursuant to Section 5705.15 of the Revised Code prior to the filing of a petition to transfer the money as set forth herein;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Delaware, State of Ohio, that:

Section 1. This Board hereby finds, determines and declares that (a) no funds on deposit in the Fund constitute proceeds or balances of loans, bond issues, special levies for the payment of loans or bond issues, the proceeds or balances of funds derived from any excise tax levied by law for a specified purpose, or the proceeds or balances of any license fees imposed by law for a specified purpose; (b) its previous intentions to construct a new EMS Station are no longer appropriate, given current budgetary constraints; (c) \$2,000,000.00 of the total current balance of the Fund is no longer required for the purpose for which said amount was originally appropriated to the Fund and that said amount would be more appropriately used to address current budgetary constraints; and (d) \$2,000,000 should be transferred from Fund #40211405 to the County General Fund (Fund #10011102).

Section 2. The County Prosecutor is hereby authorized and directed to prepare, in consultation with the members of this Board and other County officials and employees, as he may deem appropriate, and in accordance with the terms of this Resolution, a Petition to Transfer Funds (the “Petition”), and to submit the Petition, along with a copy of this Resolution, to the State Tax Commissioner for approval of the transfer set forth in Section 1 hereof, in accordance with Section 5705.16 of the Revised Code.

Section 3. Upon approval of the State Tax Commissioner, the County Prosecutor is authorized and directed to file the Petition with the Court of Common Pleas of Delaware County, Ohio (the “Court”).

Section 4. Upon the filing of the Petition with the Court, the Clerk of this Board is hereby authorized and directed to cause notice of the filing, object and prayer of the Petition, and the time when the Petition will be heard by the Court, to be published one time in two newspapers of general circulation in this County.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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

COMMISSIONERS' COMMITTEES REPORTS
Refer to CD minutes for entire record

Commissioner O'Brien
-Regional Planning met last week; had to layoff an employee

Commissioner Hanks
-EMA Meeting Adopted New By-Laws
-met with a Records Storage company
-Congratulations to Andrew Tobias (Gazette Reporter) won an award
-Stock Market

Commissioner Thompson

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-will be attending a JFS Workforce meeting and the 911 Board Meeting

RESOLUTION NO. 09-521

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 COLLECTIVE BARGAINING:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 7:25PM.

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

RESOLUTION NO. 09-522

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn out of Executive Session at 8:22PM.

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

RESOLUTION NO. 09-523

IN THE MATTER OF ADJOURNING THE MEETING:

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

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

Todd Hanks

Ken O'Brien

Tommy Thompson