

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 7, 2009

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

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

RESOLUTION NO. 09-524

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 4, 2009:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 4, 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 Absent Mr. Hanks Aye

PUBLIC COMMENT

RESOLUTION NO. 09-525

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0506, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0506:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0506, memo transfers in batch numbers MTAPR0506, and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R0904177	INFILCO DEGREMONT INC	UV LAMPS SEASONAL UV OPERATIONS AND MAINTENANCE	66290706 - 5270	\$910.20	0001
R0904177	INFILCO DEGREMONT INC	COOLING FAN UV LAMPS BALLAST	66290306 - 5270	\$10,662.31	0002
R0904177	INFILCO DEGREMONT INC	COOLING FAN UV LAMPS UV BALLAST	66290406 - 5270	\$10,359.38	0003
R0904205	REPUBLIC WASTE SERVICES INC	TRASH PICK UPS FOR COLLECTIONS	66290305 - 5338	\$2,900.00	0001
R0904205	REPUBLIC WASTE SERVICES INC	TRASH PICK UPS FOR COLLECTIONS	66290405 - 5338	\$2,900.00	0002
R0904312	COUNTY RISK SHARING AUTHORITY	MICHAEL GREEN SETTLEMENT	60111901 - 5370	\$100,000.00	0001

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R0904380	TOPE,ERIN E	DAY CARE	22411610 - 5348	\$40,000.00	0001
R0904409	VILLAGE NETWORK,THE	RESIDENTIAL TREATMENT	22511607 - 5342	\$457,500.00	0001
R0904411	ADRIEL SCHOOL INC	RESIDENTIAL TREATMENT	22511607 - 5342	\$30,000.00	0001
R0904444	EMERGENCY COMMUNICATIONS	CODERED WEATHER WARNING FOR 5-22-09 THROUGH	21411306 - 5320	\$18,750.00	0001

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

**RESOLUTION NO. 09-526**

**IN THE MATTER OF PROCLAIMING MAY 7, 2009 TO BE DELAWARE COUNTY NATIONAL CHILDREN'S MENTAL HEALTH AWARENESS DAY:**

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

**National Children's Mental Health Awareness Day Proclamation**

WHEREAS addressing the complex mental health needs of children, youth, and families today is fundamental to the future of DELAWARE COUNTY;

WHEREAS the need for comprehensive, coordinated mental health services for children, youth, and families places upon our community a critical responsibility;

WHEREAS it is appropriate that a day should be set apart each year for the direction of our thoughts toward our children's mental health and well-being;

WHEREAS DELAWARE-MORROW MENTAL HEALTH & RECOVERY SERVICES BOARD through its unique approach to serving children and adolescents, is effectively caring for the mental health needs of children, youth, and families in our community;

NOW, THEREFORE, THE DELAWARE COUNTY COMMISSIONERS do hereby proclaim MAY 7, 2009 to be DELAWARE COUNTY National Children's Mental Health Awareness Day and urge our citizens and all agencies and organizations interested in meeting every child's mental health needs to unite on that day in the observance of such exercises as will acquaint the people of DELAWARE COUNTY with the fundamental necessity of a year-round program for children and youth with mental health needs and their families.

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

**RESOLUTION NO. 09-527**

**IN THE MATTER OF DESIGNATE THE WEEK OF MAY 10– 16, 2009 AS DELAWARE COUNTY SAFETY AWARENESS WEEK:**

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

**Whereas**, Delaware County Ohio is a leader in supporting safety programs at highway-rail intersections and along railways; and

**WHEREAS**, in Ohio, **554** highway-rail intersection crashes over the past five years resulted in **57** persons killed and **174** persons injured in the State of Ohio and the State of Ohio ranks 7<sup>th</sup> in the USA for pedestrian trespass fatalities on railroad property; and

**WHEREAS**, such crossing collisions are more severe than highway collisions and are **20 times** more likely to result in death and injury; and

**WHEREAS**, many of these collisions could have been prevented by increased awareness of the crossings dangers and appropriate driving behavior; and

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**WHEREAS**, Operation Lifesaver and the Delaware County Railroad Crossing Task Force are the foremost public information and education programs dedicated to preventing highway-rail intersection crashes and pedestrian trespass incidents along the railways in Delaware County; and

**WHEREAS**, The Delaware County Railroad Crossing Task Force conducts Operation Lifesaver awareness training at no charge for any group interested by calling 740-833-2400; and

**WHEREAS**, Delaware County Safety Awareness Week is a time to raise safety awareness and prevent highway-rail grade crossings and pedestrian trespass incidents; and

**WHEREAS**, practicing Operation Lifesaver's slogan, LOOK, LISTEN & LIVE at highway-rail crossings will prevent fatalities and injuries.

**NOW, THEREFORE, the Delaware County Board of Commissioners** do hereby designate the week of **May 10 – 16, 2009** as

**DELAWARE COUNTY SAFETY  
AWARENESS WEEK**

Throughout Delaware County and the State of Ohio, join the Delaware County Railroad Crossing Task Force in urging all citizens to take added caution when approaching a highway-rail intersection and pedestrians cross tracks only at approved locations during this week and throughout the year.

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

**RESOLUTION NO. 09-528**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

The Director of the Child Support Enforcement Agency Recommends to accept the resignation of Nicole Pounds; effective April 30, 2009.

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

**RESOLUTION NO. 09-529**

**IN THE MATTER OF APPROVING A REVISED JOB DESCRIPTION FOR THE 911 COMMUNICATIONS DIRECTOR:**

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

**DELAWARE COUNTY  
Emergency Services Department**

**TITLE:** 911 Communications Director

**JOB OBJECTIVES:** Individual has the responsibility of overseeing and ensuring the efficient operation of all 911 communication services to include personnel, program compliance, and budgeting. Individual reports to the 911 Board and works closely with the County Administrator and the Board of County Commissioners as indicated in the 911 Consolidation Agreement.

**ESSENTIAL JOB FUNCTIONS**

- \* Manage the County's Emergency Communication functions in the most efficient and expeditious manner possible;
- \* Consistently work to consolidate County and City emergency dispatch units into one cohesive 911 unit;
- \* Assure that all systems are designed and function to meet the needs of fire, EMS and law enforcement;
- \* Establish procedures to assure that all emergency and non-emergency requests for service are processed appropriately and in accordance with laws, standards and applicable policies and procedures;
- \* Consistently demonstrate the ability to apply progressive management principles; plan and

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implement department goals and objectives;

- \* Prepare and submit an annual budget to the 911 Board for review and ultimate approval by the County Administrator and Board of Commissioners;
- \* Accurately project requirements and control expenditures within budgeting guidelines; Verify expenditures and process purchase requisitions; approve invoices for payment in accordance with County Commissioners' policies;
- \* Develop, recommend, administer and enforce departmental policies and procedures;
- \* Oversee personnel selection and review processes including internal promotions and make recommendations to the 911 Board for ultimate approval by the County Administrator and Board of Commissioners;
- \* Plan and recommend purchases of all departmental needs such as infrastructure improvement, radio and telephone equipment, office equipment and supplies, service contracts, etc. in accordance with Board of Commissioners purchasing policies;
- \* Recommend and submit all proposed contracts, requests for transfer of funds, supplemental appropriations or non-budgeted items to the 911 Board for ultimate approval by the County Administrator and the Board of Commissioners;
- \* Develop emergency plans to deal with catastrophic failures of the County's 911 Communications Center;
- \* Define and solve problems; to collect data, establish facts, and draw valid conclusions and complete reports using practical judgment and analytical skills;
- \* Lead short term and long term planning processes; and
- \* Any other duties as assigned.

**JOB REQUIREMENTS**

**Equipment:** Ability to operate a variety of machinery and office equipment such as computer, copier, typewriter, telephone, radio, pager, calculator, FAX machine, VCR, and other equipment necessary to perform duties.

**Critical Skills/Expertise:**

- \* Maintain a comprehensive and professional knowledge of public safety; fire, and emergency medical services response protocols;
- \* Possess thorough knowledge of the conceptions principles, practices and methods of organization, management, staffing and supervision;
- \* Quickly and objectively evaluate program effectiveness and make necessary changes to meet County, local, state, and federal requirements;
- \* Possess sufficient understanding of technology to allow for successful oversight of the operation;
- \* Demonstrate and maintain proficiency in subject area through professional continuing education;
- \* Establish and maintain positive working relationships with all response entities;
- \* Supervise staff involved with communications including but not limited to assigning work, monitoring performance, training, evaluations, resolving problems, grievances, personnel situations; implement and enforce collective bargaining agreement;
- \* Ability to motivate and counsel staff and clients. Appropriately handle client complaints and public inquiries;
- \* Ability to define, analyze and draw valid conclusions in solving problems;
- \* Ability to work independently in organizing and maintaining systems and structures;
- \* Thorough and expert knowledge of related governmental policies and procedures, to include

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federal, state, and local rules and regulations;

- \* Ability to communicate effectively, both orally and in writing;
- \* Ability to work independently, under pressure, to achieve goals; to create a supportive work environment that encourages self-motivation; and
- \* Capable of effectively planning independently and in collaboration with other staff units and outside agencies.

**Job Standards:** Bachelor's Degree in Telecommunications, Management Information Systems or related field plus a minimum of five (5) years of experience preferred; or a high school diploma plus ten (10) years relevant work experience. Individual must demonstrate competency in management within a public safety communications position. Individual must possess or shall be able to obtain within thirty (30) days a valid Ohio Motor Vehicle License. Must meet and maintain qualifications for driving on county business at all times.

#### **DIFFICULTY OF WORK**

Work consists of complex, varied, standardized and non-standardized tasks requiring application of numerous laws, rules, regulations, and procedures. The 911 Communications Director is required to provide technical assistance to staff personnel on programs, policies and the interrelationship of programs, the computer system and the application of this under extremely complex and difficult situations. It requires the individual to be continually aware of changes occurring which must be learned and passed on to staff. Function generally requires the resolution of involved or controversial problems and decision-making within the scope of his/her authority.

#### **RESPONSIBILITY**

The Individual supervises subordinates, assigning projects, checking on progress of work and evaluating results. Individual makes choices and decisions on daily activities such as staffing, scheduling appointments, establishing priorities, making agency referrals, developing contracts with businesses and agencies and forming collaborative relationships in accordance with County policy. Individual shall be responsible for departmental strategic planning. Decisions and activities of this position have a direct and significant impact on a major segment of the economy, the public, and the management of Delaware County Government. Errors in judgment, inaction, diminished proficiency in emergency services administration issues and solutions, and inattentiveness to County interests could be devastating to the public health, safety, and welfare and interests of the County. Decisions are made based upon laws and regulations and policies of the Board of Commissioners.

#### **PERSONAL WORK RELATIONSHIPS**

The individual has daily and frequent contact with co-workers, public officials, employees from other public sector organizations, employees from the private sector and the general public. The purpose of these contacts is to guide and direct, review and assure progress of work assigned, coordinate services, manage job development and referrals, and handle questions about the department, programs and client concerns. Individual must assure that the Board of Commissioners and the County Administrator are fully aware of all matters affecting the department, actions of the department, and issues that impact upon the Board of Commissioners as the appointing authority.

#### **PHYSICAL EFFORT AND WORK ENVIRONMENT**

##### **Physical**

##### **Requirements:**

Individual performs sedentary work, which may require the lifting of up twenty-five (25) pounds occasionally and two (2) pounds regularly.

##### **Physical Activity:**

The physical activity of the position is fingering, talking, hearing, listening, reaching, walking and standing for prolonged periods of time. Individual must be able to coordinate eyes and hands rapidly and accurately in using communications equipment.

##### **Visual Activity:**

Individual performs work where the seeing job is close to the eyes and at or within arm's reach and also at varying distances. Requires the individual to have the ability to differentiate between colors and shades of colors.

##### **Job Location:**

The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions.

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**FLSA Status:** Exempt  
**Civil Service Class:** Unclassified

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

**RESOLUTION NO. 09-530**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS AND A NEW ORGANIZATIONAL KEY:**

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

**Create New Organizational Key**

10040421 Road & Bridge Projects

**Supplemental Appropriations**

Safety	10011302	5001	Compensation	\$ (16,109.20)
Safety	10011302	5101	Health Insurance	\$ (1,778.00)
Safety	10011302	5102	WC	\$ (19.64)
Safety	10011302	5120	PERS	\$ (2,255.23)
Safety	10011302	5131	Medicare	\$ (235.51)
Safety	10011302	5215	Program Supplies	\$ (100.00)
Safety	10011302	5238	Safety & Security Supplies	\$ (250.00)
Safety	10011302	5305	Training	\$ (350.00)
Safety	10011302	5308	Membership	\$ (290.00)
Safety	10011302	5315	Aircard	\$ (845.00)
Safety	10011302	5332	Cell Phone	\$ (193.72)
Safety	10011302	5340	Lab & Testing Services	\$ (100.00)
Map Department	10040401	5001	Compensation	\$ (115,950.15)
Map Department	10040401	5101	Health Insurance	\$ (35,392.00)
Map Department	10040401	5102	WC	\$ (136.40)
Map Department	10040401	5120	PERS	\$ (16,232.97)
Map Department	10040401	5131	Medicare	\$ (1,995.87)
Map Department	10040401	5201	General Supplies	\$ (1,500.00)
Map Department	10040401	5260	Equip < \$5,000	\$ (1,000.00)
Map Department	10040401	5305	Training	\$ (290.00)
Map Department	10040401	5308	Memberships	\$ (325.00)
Map Department	10040401	5310	Travel	\$ (318.40)
Map Department	10040401	5313	Printing	\$ (500.00)

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Map Department	10040401	5325	Maint Contracts	\$ (150.00)
Map Department	10040401	5325	Repair Services	\$ (465.00)
M & G Safety	29214007	5001	Compensation	\$ 16,109.20
M & G Safety	29214007	5101	Health Insurance	\$ 1,778.00
M & G Safety	29214007	5102	WC	\$ 19.64
M & G Safety	29214007	5120	PERS	\$ 2,255.23
M & G Safety	29214007	5131	Medicare	\$ 235.51
M & G Safety	29214007	5215	Program Supplies	\$ 100.00
M & G Safety	29214007	5238	Safety & Security Supplies	\$ 250.00
M & G Safety	29214007	5305	Training	\$ 350.00
M & G Safety	29214007	5308	Membership	\$ 290.00
M & G Safety	29214007	5315	Aircard	\$ 845.00
M & G Safety	29214007	5332	Cell Phone	\$ 193.72
M & G Safety	29214007	5340	Lab & Testing Services	\$ 100.00
M & G Administration	29214001	5001	Compensation	\$115,950.15
M & G Administration	29214001	5101	Health Insurance	\$35,392.00
M & G Administration	29214001	5102	WC	\$136.40
M & G Administration	29214001	5120	PERS	\$16,232.97
M & G Administration	29214001	5131	Medicare	\$1,995.87
M & G Administration	29214001	5201	General Supplies	\$1,500.00
M & G Administration	29214001	5260	Equip < \$5,000	\$1,000.00
M & G Administration	29214001	5305	Training	\$290.00
M & G Administration	29214001	5308	Memberships	\$325.00
M & G Administration	29214001	5310	Travel	\$318.40
M & G Administration	29214001	5313	Printing	\$500.00
M & G Administration	29214001	5325	Maint Contracts	\$150.00
M & G Administration	29214001	5325	Repair Services	\$465.00
General Fund/Road & Bridge Projects	10040421	5420	Road Construction	\$2,000,000.00
General Fund/Road & Bridge Projects	10040421	5425	Bridge Construction	\$2,500,000.00

**\*\* Based on a projection of \$7.1M in road and bridge sales tax revenue, this would leave an unappropriated balance of \$2.6M in the general fund that is reserved and restricted for road and bridge uses which will be**

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**available for road and bridge appropriations in 2010 and subsequent years.**

OSMP/Roadways	29324007	5420	Road Construction	\$	2,500,000.00	
Vote on Motion	Mr. Hanks	Aye	Mr. Thompson	Aye	Mr. O'Brien	Absent

**RESOLUTION NO. 09-531**

**IN THE MATTER OF PROVIDING FOR THE ALLOCATION AND ADMINISTRATION OF COUNTY SALES AND USE TAX REVENUES:**

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

WHEREAS, on November 3, 1998 Delaware County voters approved a Sales and Use Tax, including a portion allocated for Delaware County road and bridge projects; and

WHEREAS, on May 7, 2007, in anticipation of the expiration of the Sales and Use Tax Delaware County voters approved in 1998, the Board of Delaware County Commissioners (the "Board") adopted Resolution No. 07-541 approving a replacement Sales and Use Tax pursuant to Sections 5739.021 and 5741.021 of the Revised Code at the rate of one half of one percent (0.50%) (hereinafter, the "Half Percent Tax"), and pursuant to Sections 5739.026 and 5741.023 of the Revised Code at the rate of one quarter of one percent (0.25%), levied for a continuing period of time; and

WHEREAS, on May 7, 2007, the Board also adopted Resolution No. 07-542 allocating seventy-five percent (75%) of the revenue generated from the Half Percent Tax for the purpose of paying the costs of acquiring, constructing, reconstructing, equipping, maintaining and repairing public highways and bridges and other statutory highway purposes and to pay the principal of, and interest and premium on, and other costs associated with the issuance of, bonds or notes in anticipation of bonds issued pursuant to Chapter 133 of the Revised Code for such purposes; and

WHEREAS, the seventy-five percent (75%) portion of the Half Percent Tax shall hereinafter be referred to as the "Road and Bridge Allocation"; and

WHEREAS, pursuant to Sections 5739.211 and 5741.031 of the Revised Code, revenues derived from the Half Percent Tax shall be deposited in the County General Fund; and

WHEREAS, the first revenues from the Half Percent Tax were received by the Delaware County Auditor in April 2009;

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

Section 1. The tax revenue derived from the Half Percent Tax shall remain in the County General Fund, and the Road and Bridge Allocation shall be reserved within said Fund in a separate organizational key and restricted for use on County Engineer projects, in accordance with the specific uses established in Resolution No. 07-542.

Section 2. The general fund appropriations necessary for and consistent with the Road and Bridge Allocation shall be approved in accordance with Resolution No. 07-542 and Section 1 of this Resolution.

Section 3. Any amount of the Road and Bridge Allocation not expended in the budget year in which it was collected shall remain restricted and available for use in subsequent budget years in accordance with Resolution No. 07-542 and this Resolution.

Section 4. Prior to any consideration by the Board to vacate, replace or alter the Road and Bridge Allocation, the Board shall schedule at least two public hearings, notice of which shall be published in a newspaper of general circulation within Delaware County at least thirty days prior to the first public hearing, to provide the opportunity for public comment. The two public hearings shall be held not less than seven days apart and prior to any related vote by the Board to reallocate the Road and Bridge Allocation.

Vote on Motion	Mr. Thompson	Aye	Mr. O'Brien	Absent	Mr. Hanks	Aye
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**COMMISSIONERS' COMMITTEES REPORTS**

**Refer to CD minutes for entire record**

**Commissioner Hanks  
-economy will turn around; Federal Reserve Chair**

**Commissioner Thompson**



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**-People in Need new facility grand opening**

**RESOLUTION NO. 09-532**

**IN THE MATTER OF ADJOURNING THE MEETING:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to adjourn the meeting.

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

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Todd Hanks

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Ken O'Brien

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Tommy Thompson

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Letha George, Clerk to the Commissioners