

COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 14, 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. 09-555

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 11, 2009:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 11, 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

RESOLUTION NO. 09-556

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0513:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0513 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R0904532	STARR COMMONWEALTH	RESIDENTIAL TREATMENT FY10	22511607 - 5342	\$75,000.00	0001
R0904533	ADVANTAGE ADOPTION & FOSTER CARE LTD	RESIDENTIAL TREATMENT FY10	22511607 - 5342	\$50,000.00	0001
R0904534	MARYHAVEN INC	RESIDENTIAL TREATMENT FY10	22511607 - 5342	\$35,000.00	0001
R0904536	SOJOURNERS CARE NETWORK	RESIDENTIAL TREATMENT FY10	22511607 - 5342	\$25,000.00	0001

Vendor	Description	Account	Amount
PO'S Increases			
Delaware Motive	Parts	10011106-5228	\$ 4,500.00
Kiddie Academy	Day Care	22411610-5348	\$ 50,000.00
Kindercare Innovation Dr.	Day Care	22411610-5348	\$ 20,000.00
Liberty Community	Day Care	22511607-5348	\$ 2,000.00
Sherry Hughes Webb	Board and Care/line	22511607-5350	\$ 5,000.00
Doug and Terri Swan	Board and Care	22511607-5350	\$ 5,000.00
JFS Utilities	Utility Program	22411602-5348	\$ 5,000.00
Delaware Areas Career	Training Program	22411602-5348	\$ 5,000.00
Lapetite	Day Care	22411610-5348	\$ 20,000.00
Beems BP	Gasoline	10011106-5228	\$ 35,000.00
Trident	Security	10011102-5301	\$ 100,000.00

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Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye
Commissioner O'Brien recused himself from the following resolution

RESOLUTION NO. 09-557

IN THE MATTER OF A NEW LIQUOR LICENSE REQUEST FROM LILMANS LLC DBA LILMANS 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. Thompson to approve the following resolution:

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Berlin Township Trustees that Lilmans LLC DBA Lilmans has requested new D2 permit located at 5277 Columbus Pike Berlin Township Lewis Center, Ohio 43035, and

Whereas, the Berlin Township Trustees have stated they have no 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. Hanks Aye Mr. Thompson Aye Mr. O'Brien Absent

RESOLUTION NO. 09-558

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The GIS Department is requesting that Shoreh Elhami and Megan Winnenberg attend the 29th Annual ESRI Users Conference in San Diego, California July 13-17, 2009, at the cost of \$2,120.00. (REA Funds).

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

RESOLUTION NO. 09-559

IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR PREMWOOD SUBDIVISION:

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

WHEREAS, on May 6, 2009 a Ditch Maintenance Petition for the Premwood Subdivision was filed with the Board of Commissioners of Delaware County (the "Board"); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within the subdivision; and

WHEREAS, the Petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the Petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

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The cost of the drainage improvements being \$11,271.00 for the benefit of a total of four (4) lots, the basis for calculating the assessment for each lot is, therefore, \$2,817.75 per lot. An annual maintenance fee equal to two percent (2%) of this basis (\$56.36) shall be collected for each lot. The basis for calculating the maintenance assessment shall be reviewed and subject to revision every six (6) years. The first year's assessment for all of the lots in the amount of \$225.42 has been paid to Delaware County, receipt of which is hereby acknowledged.

Section 3. This Board finds and determines that all formal actions taken by 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 that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

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

Mr. O'Brien's Motion to approve the following resolution died for lack of a second

***IN THE MATTER OF SETTING DATES AND TIMES FOR PUBLIC HEARINGS FOR THE
ALLOCATION AND ADMINISTRATION OF COUNTY SALES AND USE TAX REVENUES:***

RESOLUTION NO. 09-560

**SETTING DATE AND TIME FOR THE REQUEST FOR PROPOSALS FOR ACQUISITION OF
VERIFICATION OF ADDRESS INVENTORY AND GEO REFERENCED DIGITAL STRUCTURE
PHOTOGRAPHY FOR DELAWARE COUNTY, OHIO:**

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

**Legal Notice
Of
Request for Proposal/Request for Bids
For Acquisition of Verification of Address Inventory and Geo
Referenced Digital Structure Photography
For Delaware County, Ohio**

Sealed bids for acquisition of Verification of Address Inventory and Geo-Referenced Digital Structure Photography for Delaware County, Ohio will be received by George Kaitsa, Auditor of Delaware County, Ohio (hereinafter "Auditor") on behalf of the Board of Delaware County Commissioners, Delaware County, Ohio (hereinafter "Board"), c/o Shoreh Elhami, GIS Director, during regular business hours (8:00 am. to 5:00 p.m. Monday through Friday) until **2:00 p.m. Eastern Daylight Savings Time (hereinafter "EDST") on June 1, 2009 at the Delaware County Administrative Services Building (Rutherford B. Hayes Building), GIS Office, 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015.** At 2:00 p.m. EDST on June 1, 2009 in Conference Room G22 of the Delaware County Administrative Services Building (Rutherford B. Hayes Building), 140 North Sandusky Street, Delaware, Ohio 43015 bids will be publicly opened and read aloud. All bids shall be considered valid until sixty (60) days after the bid opening date although not accepted or rejected.

The terms and conditions of this contract generally consist of the provision of all labor and material necessary to complete the Verification of Address Inventory and Geo-Referenced Digital Structure Photography Project for all of Delaware County, Ohio in accordance with the provisions of the Request for Proposal/Bid Package.

A Request for Proposal/Bid Package (hereinafter "RFP") containing the terms and conditions of the Verification of Address Inventory and Geo-Referenced Digital Structure Photography contract, together with detailed technical specifications and other related documents and items, can be obtained during regular business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) until 2:00 p.m. EDST on June 1, 2009 at the Delaware County Administrative Services Building (Rutherford B. Hayes Building), GIS Office, 140 North Sandusky Street, First Floor, Delaware, Ohio 43015 or by contacting Shoreh Elhami, GIS Director, at (740) 833-2070.

The RFP is also available and may be obtained from the Delaware County, Ohio Auditor's GIS Office Internet web site at: <http://www.dalisproject.org/ages/contracts.htm>

Bids must be submitted on bid forms contained in the RFP mentioned, and shall be enclosed in sealed opaque envelopes addressed to George Kaitsa, Delaware County, Ohio Auditor, c/o Shoreh Elhami, GIS Director, Delaware County Administrative Services Building (Rutherford B. Hayes Building), GIS Office, 140 North Sandusky Street, 1st Floor, Delaware, Ohio 43015, marked: "Proposal/Bid for Verification of Address Inventory and Geo-Referenced Digital Structure Photography Project for Delaware County, Ohio."

Each bid, as bid security, in accordance with Sections 307.88 and 153.54, at seq. of the Ohio Revised Code,

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shall be accompanied by a bond or certified check, cashiers check, or money order on a solvent bank or savings and loan association in the amount of five per cent (5%) of the bid, conditioned that the bidder, if the bidder's bid is accepted, shall execute a contract in conformity to the invitation and the bid. Bid security shall be furnished in the name of the Board of Delaware County Commissioners, Delaware County, Ohio. Bid security furnished in Bond form shall be issued by a surety company or corporation licensed in the State of Ohio to provide said surety

Within ten (10) days from date of the award, the bidder whose bid is accepted shall, in accordance with Sections 307.89 and 153.54, et seq., of the Ohio Revised Code, as a condition to entering the contract, furnish a bond, with good and sufficient surety, in the full/one hundred percent (100%) amount of the bid conditioned on the faithful performance of all things to be done under the contract. The performance bond shall be in the name of the Board of Delaware County Commissioners, Delaware County, Ohio. The performance bond shall be issued by a surety company or corporation licensed in the State of Ohio to provide said surety.

Each proposal/bid must contain the full name of the party or parties submitting the proposal/bid and all persons interested therein. The Delaware County Auditor requires that the proposal will include the date of delivery of Verification of Address Inventory and Geo-Referenced Digital Structure Photography products for Delaware County, Ohio.

In the event that the selected contractor, within ten (10) days after written notice by Delaware County of a default or breach of any non-voidable term or condition of the contract, fails to cure such default or breach, the selected contractor agrees to reimburse Delaware County for any actual and direct losses incurred by Delaware County. In the event that the direct losses or direct damages are uncertain or difficult to ascertain by Delaware County, the selected contractor agrees to pay Delaware County liquidated damages in the amount of Two Hundred and Fifty Dollars (\$250.00) per each and every day that such default or breach continues and is not cured.

Each prospective bidder shall be an equal opportunity employer.

To be eligible for consideration of award, a bidder must not have a disqualifying unresolved finding for recovery, as provided in Ohio Revised Code Section 9.24.

Per Ohio Revised Code Section 2909.33, the successful bidder will be required to certify that it does not provide material assistance to any organization on the United States Department of State Terrorist Exclusion List, which list may be found on the Ohio Homeland Security web site at: <http://www.homelandsecurity.ohio.gov/>. Certification shall be made by completing a "Declaration Regarding Material Assistance/No Assistance to a Terrorist Organization" form.

The successful bidder will also be required to certify compliance with Ohio Revised Code Section 3517.13 (contributions to office holders and/or campaign committee.) Certification shall be made by completing a "Certification/Affidavit in Compliance with O.R.C. Section 3517.13."

The Auditor and the Board reserve the right to select the bidder deemed to be the lowest and best bidder, as determined solely by the Auditor and the Board and/or its representative(s), to reject any and/or all bids, or any portion of any and/or all bids, to waive informalities or irregularities that do not affect the substance of the specifications and contents of the RFP and to award the bid in the manner deemed to be in the best interest of the Auditor, the Board, and Delaware County, Ohio.

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

RESOLUTION NO. 09-561

IN THE MATTER OF APPROVING TRANSFER OF FUNDS FOR JOB AND FAMILY SERVICES:

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

Transfer of Funds

From	To	
22311611-5801	22411603-4601	
Workforce Investment Act/Transfers	JFS Workforce/Interfund Revenue	\$ 188,978.75
22511607-5801	22411604-4601	
Children Services/Transfers	JFS Children Services/Interfund Revenue	\$ 443,365.94

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

RESOLUTION NO. 09-562

IN THE MATTER OF AMENDING THE CHILD CARE PROVIDER CONTRACTS BETWEEN THE

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DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS AS LISTED:

It was moved by Mr. O'Brien, seconded by Mr. Hanks 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:

Kathy Dudding (formally McKee)

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT
AMENDMENT NO. 1

This amendment, effective April 20, 2009, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Kathy McKee entered into on the 1st day of January, 2009.

CHANGE NAME:

From: Kathy McKee
To: **Kathy Dudding**

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

RESOLUTION NO. 09-563

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. O'Brien, seconded by Mr. Hanks 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

Erin Tope
17 Blymer St.
Delaware, Oh 43015

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

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\$130.73 \$ 94.89 \$ 6.08

Oxford School
5700 Blazer Pkwy.
Dublin, Oh 43017

Full Time	Part Time	Hourly		
	Infants	\$ 213.90	\$ 157.15	\$ 8.76
	Toddlers	\$ 187.40	\$ 132.80	\$ 8.15
	Preschoolers	\$ 159.44	\$ 102.58	\$ 5.84
	School Age	\$ 106.58	\$ 78.32	\$ 5.47
	Summer School Age	\$ 153.80	\$ 104.31	\$ 6.40
	Before & After	\$ 63.95	\$ 63.95	\$ 5.47

(A copy of each of these contracts is available in the Commissioners' Office until no longer of administrative value).

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

RESOLUTION NO. 09-564

IN THE MATTER OF AMENDING THE CHILD PLACEMENT SERVICES CONTRACTS BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND THE BUCKEYE RANCH, INC:

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

Whereas, Delaware County contracts with Child Care Placement 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 Placement providers:

The Buckeye Ranch, Inc

AMENDMENT TO CONTRACT
For
Child Placement and Related Services

AMENDMENT NO. 3

This Amendment, effective May 4, 2009, is to amend the Contract for Child Placement and Related Services between the Delaware County Department of Job and Family Services, a department of the Delaware County Commissioners, and The Buckeye Ranch, Inc., entered into on the 1st day of July, 2008.

- I. Article IV. Reimbursement for Placement Services: Changes the amount reimbursable under the contract from \$90,000.00 to \$120,000.00.

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

RESOLUTION NO. 09-565

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

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

Whereas, Delaware County contracts with Child Care Placement 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 Placement providers:

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Child Placement Service	Per diem cost and per diem reimbursement for the following categories
The Village Network P.O. Box 518 Smithville, Ohio 44677	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Tri State Academy 7130 County Road 121 Chesterville, Ohio 43317	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Adriel School P.O. Box 188 West Liberty, Ohio 43357	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Sojourners P.O. Box 312 McArthur, Ohio	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Oesterlen Services For Youth 1918 Mechanicsburg Road Springfield, Ohio 45503	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Maryhaven 1791 Alum Creek Drive Columbus, Ohio 43207	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Advantage Foster Care 43 E. 4 th Street Mansfield, Ohio 44902	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care)

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	F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
Starr Commonwealth 301Obetz Road Columbus, Ohio 43207	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)

(A copy of each of these contracts is available in the Commissioners' Office until no longer of administrative value).

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
Attended Central Ohio Youth Center Meeting-

Commissioner Hanks
-questions on resolution 09-519
-questions on meeting times
-local Carriage Town made the cut will not close
-memo from Chad (Antle); development on east side of 36/37/71

Commissioner Thompson
-attend Board of Revision

RESOLUTION NO. 09-566

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:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 8:00PM.

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

RESOLUTION NO. 09-567

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 8:30PM.

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

RESOLUTION NO. 09-568

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

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Todd Hanks

Ken O'Brien

Tommy Thompson

Letha George, Clerk to the Commissioners