

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 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. 09-872

IN THE MATTER OF AMENDING RESOLUTION NUMBER 09-847 (DECLARING THE INTENT OF THE DELAWARE COUNTY COMMISSIONERS TO PROCEED WITH THE BIDDING, INSTALLING AND OPERATING A FIBER OPTIC NETWORK):

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

Whereas, Resolution Number 09-847 Declared The Intent Of The Delaware County Commissioners To Proceed With The Bidding, Installing And Operating A Fiber Optic Network, And

Whereas, it is recommended to make an addition and clarification to the resolution regarding the RFP language;

Therefore Be It Resolved, that the Commissioners approve amending part 6 in Resolution NO. 09-847 to the following:

The County Administrator and the Data Center Director will work with the Board of County Commissioners to establish the Delaware County Fiber Optic Steering Committee composed of members appointed by the Board of Commissioners. The Steering Committee will make policy recommendations to the Board of Commissioners, assist with the planning of the fiber optic network for Delaware County, and assist with the development of an RFP to expand the fiber optic network in Delaware County. The development of a fiber optic network extending along the Rte. 23 corridor to Greif Park will be given priority consideration in the RFP. The Steering Committee will be co-chaired by the County Administrator and the Data Center Director.

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

RESOLUTION NO. 09-873

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 16, 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 July 16, 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. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-874

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 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 July 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. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

**COMMISSIONERS JOURNAL NO. 52 - DELAWARE COUNTY
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RESOLUTION NO. 09-875

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM JOINT DELAWARE COUNTY/DELAWARE CITY MEETING HELD JULY 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 joint session with the Delaware City Council on July 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**RESOLUTION NO. 09-876**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0722 AND PROCUREMENT CARD PAYMENTS IN BATCH NUMBER PCAPR0722:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0722 Procurement Card Payments in batch number PCAPR0722 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO			
Delaware City	Law Library Reimbursement	10029203-5319	\$ 77,096.00
PO's Increase			
Jobs For Ohio Grads	JFS Program	22311614-5348	\$ 50,000.00
Village Network	Residential Treatment	22511607-5342	\$ 3,000.00
LHS	Residential Treatment	22511607-5342	\$ 8,200.00
Barr Foundation	Residential Treatment	22511607-5342	\$ 5,000.00
Kindercare Neverland	Child Care	22411610-5348	\$ 50,000.00
Lapetite Sawmill	Child Care	22411610-5348	\$ 15,000.00
Lilly Pad/Goddard	Child Care	22411610-5348	\$ 10,000.00
Noah's Ark	Child Care	22411610-5348	\$ 25,000.00
YMCA SACC	Child Care	22411610-5348	\$ 5,000.00
Delaware Area Career Center	ABLE Program	22411601-5348	\$ 7,000.00
Trucco Construction	Change Orders 15 & 16	66711903-5415	\$ 21,077.26
Decrease			
Road Master Drivers School	Tuition for JFS Program	22311614-5348	\$ 10,000.00
Delaware Area Career Center	Tuition for JFS Program	22311614-5348	\$ 20,000.00
University of Phoenix	Tuition for JFS Program	22311614-5348	\$ 2,500.00
Marion Tech College	Tuition for JFS Program	22311614-5348	\$ 5,000.00
Building Trades Ins.	Tuition for JFS Program	22311614-5348	\$ 15,000.00

Vote on Motion	Mr. O'Brien	Aye	Mr. Thompson	Aye	Mr. Hanks	Aye
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RESOLUTION NO. 09-877

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0722BR:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0722BR, Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO's Increase			
Buckeye Ranch	Residential Treatment	22511607-5342	\$ 4,000.00

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

RESOLUTION NO. 09-878

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to hire Robert R. Greenlaw as the 911 Communications Director effective August 17, 2009.

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

RESOLUTION NO. 09-879

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR PERMANENT IMPROVEMENT:

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

Transfer of Appropriation		Amount
From	To	
40111402-5410	40111402-5268	
Perm Improve/Building	Perm Improve/Building	
Improvements.>25,000	Improvements <25,000	\$12,000.00

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

RESOLUTION NO. 09-880

IN THE MATTER OF AUTHORIZING THE LIBERTY TOWNSHIP TRUSTEES TO ACT AS THE DELAWARE COUNTY BOARD OF COMMISSIONERS AUTHORIZED REPRESENTATIVE FOR INSPECTION AND ENFORCEMENT OF THE ODNR CONSERVATION EASEMENT/Common AREAS/TREE PRESERVATION EASEMENTS (NO-CUT ZONES) IN ACCORDANCE WITH THE FINAL PLAT OF THE RIVER RUN SUBDIVISION SITUATED IN LIBERTY TOWNSHIP, OHIO:

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

Whereas, The River Run Subdivision plat was recorded at the Delaware County Recorder's Office on November 6, 2007 in Volume 816, Page 1498 - 1501, and

Whereas, language on the recorded subdivision plat provide for the protection and preservation of designated areas within the River Run Subdivision, and

Whereas, Item #12 on page 2 of 4, of the recorded River Run Subdivision plat provides for the following in regards to the ODNR Conservation Easements/Common Areas/Tree Preservation Easements (No-Cut Zones): "The Ohio Department of natural Resources and Delaware County and/or their authorized representatives reserve the right to periodically inspect the easement property for violations of this easement. If upon sixty (60) days advance written notice the grantor has not eliminated said violations, the department and/or Delaware County may remove or eliminate, at the expense of the landowner, any violation by the Grantor of the easement. The Director of the Department of Natural Resources and/or Delaware County and/or their representatives may enter said lands for the purpose of inspection."

Whereas, the Delaware County Board of Commissioners have an interest in protecting and preserving the established conservation easement.

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

1. The Delaware County Board of Commissioners authorizes the Liberty Township Trustees to act as its authorized representative for inspecting and enforcing the ODNR Conservation Easement/Common Areas/Tree Preservation Easements (No-Cut Zones) in accordance with the Final Plat of the River Run Subdivision situated in Liberty Township, Ohio.
2. The Delaware County Board of Commissioners shall be notified in writing, by the Liberty Township Trustees, of any action taken pursuant to this resolution.

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

COMMISSIONERS' COMMITTEES REPORTS
Refer to CD minutes for entire record

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Commissioner O'Brien

- the Central Ohio Youth Center meeting has been canceled
- attended the 911 Board meeting; set up rules for public comment

Commissioner Hanks

- had a meeting with County Engineer; discussed transportation issues
- acknowledged the letter to the Editor of the Gazette from Scott Murphy praising County EMS
- Report, the Polaris Mall is being affected by the economy but not as hard as other malls
- Monday's article in the Dispatch from the AP on the rescission
- state unemployment rate is 11.1%; Delaware County's is still the lowest in the state, but it went up.

Commissioner Thompson

- attended Port Authority meeting; they will be acting as the screening committee for the County's Economic Development Revolving Loan Fund.
- attended a meeting at Delaware City Hall; on possible establishing a local Arts Council

RESOLUTION NO. 09-881

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF PENDING OR IMMINENT LITIGATION:

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 10:05AM.

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

RESOLUTION NO. 09-882

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 11:15AM.

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

RESOLUTION NO. 09-883

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

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Letha George, Clerk to the Commissioners