

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 4, 2010**

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. 10-01

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 30, 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 December 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. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 10-02

IN THE MATTER OF APPOINTING FOR YEAR 2010 THE CLERK AND DEPUTY CLERKS FOR THE BOARD OF COMMISSIONERS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to appoint Letha George, Clerk; Jennifer Walraven and Dottie Brown Deputy Clerks to the Board of Commissioners for the year 2010.

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

PUBLIC COMMENT

RESOLUTION NO. 10-03

IN THE MATTER OF APPOINTING GUS COMSTOCK AS THE DELAWARE BOARD OF COUNTY COMMISSIONERS' REPRESENTATIVE TO THE DELAWARE COUNTY CONVENTION AND VISITORS BUREAU:

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

Whereas, The Board of Commissioners of Delaware County is responsible to make appointments from the public to various boards, councils and committees, and

Whereas, The Board of Commissioners of Delaware County shall appoint an individual to the Delaware County Convention and Visitors Bureau. Gus Comstock is recommended for appointment as the Delaware County Commissioner's representative to serve on the Delaware County Convention and Visitors Bureau, term beginning January 1, 2010, ending December 31, 2012; and

Therefore, be it resolved that the Board of Commissioners at Delaware County, State of Ohio, hereby appoint Gus Comstock as their representative to the Delaware County Convention and Visitors Bureau, term beginning January 1, 2010, ending December 31, 2012.

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

RESOLUTION NO. 10-04

IN THE MATTER OF APPROVING A SETTLEMENT AGREEMENT IN THE MATTER OF CHARLES GANNON V. DELAWARE COUNTY, ET AL., COMMON PLEAS COURT CASE NUMBER: 09-CVD-0941:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the settlement agreement and payment by the Ohio Bureau of Workers' Compensation for Charles Gannon vs. Delaware County, Ohio Board of Commissioners, Delaware County Common Pleas Court Case number 09-CVD-0941.

(A copy of the agreement is available in the Commissioners' Office until no longer of Administrative value).

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

RESOLUTION NO. 10-05

IN THE MATTER OF MODIFYING THE CURRENT TERMS FOR DELAWARE COUNTY TRANSIT BOARD MEMBERS:

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

Whereas, the Delaware County Commissioners appoint members to the Delaware County Transit Board according to R.C. § 306.02 and,

Whereas, R.C. § 306.02 states that vacancies shall be filled for the unexpired term and,

Whereas, previous vacancy appointments were not made to fill the unexpired terms and have caused the appointments to expire in close proximity to each other and,

Whereas, the Delaware County Transit Board has established by-laws to allow for members to serve an additional two three-year terms beyond their initial appointment if the initial appointment was to fill a vacancy; and

Whereas, the DCTB has requested that the Delaware County Commissioners revise the current membership schedule of the Transit Board; and

Now therefore be it resolved that the Delaware County Commissioners revise the current membership of the Delaware County Transit Board as follows:

- a. Merlin (Boots) Sheets term effective January 1, 2010, term to end December 31, 2012;
- b. Gary Dougherty, designated as Chair term effective January 1, 2010, term to end December 31, 2010 with no additional concurrent eligibility for reappointment;
- c. Joe Clase's term effective January 1, 2010, term to end December 31, 2010;
- d. Roger VanSickle's term effective January 1, 2010, term to end December 31, 2012.

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

RESOLUTION NO. 10-06

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 EMS recommends accepting the resignation of part-time paramedic Erin Yoakam with the EMS Department; effective date October 18, 2009.

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

RESOLUTION NO. 10-07

IN THE MATTER OF AUTHORIZING EXECUTION OF CONTRACT WITH DAN CURTIS FOR APIARY INSPECTION SERVICES:

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

This contract is made this 4th day of January 2010, by and between Delaware County by the Delaware County Commissioners and Dan Curtis, the Contractor.

1. Delaware County requires the services of an Apiary Inspector for calendar year 2010.
2. Dan Curtis, contractor, agrees to provide the services and supplies necessary to perform the tasks as determined by the Commissioners including and limited to providing those services pertaining to apiary inspections.
3. For the services performed by Dan Curtis, the Commissioners agree to pay him a stipend, not to exceed \$5,000.00 for the year 2010. Payment will be computed on a monthly basis.
4. The relationship of the County and the County Commissioners to Dan Curtis, shall be that of an independent contractor and Mr. Curtis shall be responsible for all Federal, State and Local, and Social Security taxes and all insurance and all workers compensation obligations.

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- 5. Either party may terminate this contract by providing the other party 60-day advance notice.
- 6. This contract constitutes the entire agreement between the parties with respect to the subject matter hereof and may not be modified, changed or amended except in writing signed by each of the parties.

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

RESOLUTION NO. 10-08

IN THE MATTER OF GRANTING SIGNATURE AUTHORITY FOR PURCHASE ORDER AND VOUCHER REQUESTS AND/OR APPROVAL:

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

- Whereas, Chapter 5705 of the Ohio Revised Code governs expenditure procedures for county governments, and
- Whereas, the Board of County Commissioners are required to make annual appropriations to fund the various expenditures of county government, and
- Whereas, Ohio Revised Code 305.30 permits a Board of Commissioners to delegate authority to the County Administrator to allow and pay claims for goods received and services rendered within limits provided by resolution of the board provided that the county department receiving those goods or services certifies their receipt before the administrator allows the claim, and

Now Therefore be it resolved, that the Board of County Commissioners of Delaware County, State of Ohio, grant signature authority to the following list of individuals to request expenditure of the indicated funds within the appropriated amounts,

		<u>Authorized to Request</u>		
		<u>Payroll</u>	<u>P.O.</u>	<u>Vouchers</u>
ADMINISTRATIVE SERVICES				
<u>Human Resources</u>				
	Director of Administrative Services	X	X	X
#10011108	Personnel Coordinator	X	X	X
#10011109	Personnel Coordinator		X	X
<u>Insurance & Risk</u>				
	Director of Administrative Services	X	X	X
	Personnel Coordinator	X	X	X
#602	Insurance & Risk Technician		X	X
#601	Insurance & Risk Technician		X	X
#613	WC Coordinator		X	X
#750	Insurance & Risk Technician		X	X
#751	Insurance & Risk Technician		X	X
<u>Safety</u>				
	Director of Administrative Services	X	X	X
	Personnel Coordinator	X	X	X
#10011302	Safety Officer	X	X	X
<u>Animal Control (Dog & Kennel)</u>				
	Director of Administrative Services	X	X	X
	Personnel Coordinator	X	X	X
#20411305	Dog Warden	X	X	X
<u>Records Center</u>				
	Director of Administrative Services	X	X	X
	Personnel Coordinator	X	X	X
#10011103	Records Center Coordinator	X	X	X
ECONOMIC DEVELOPMENT				
#210	Director of Economic Development	X	X	X
	ED Specialist		X	X
#230	Director of Economic Development		X	X
	ED Specialist		X	X

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#231	Director of Economic Development		X		X	
	ED Specialist			X		X
#408	Director of Economic Development		X		X	
	ED Specialist			X		X

EMERGENCY SERVICES9-1-1 Center

#214	911 Director		X		X	
#10011304	911 Director		X		X	

EMA

#216	EMA Supervisor			X		X
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EMS

	Director of EMS		X		X	
#10011303	EMS Asst. Director		X		X	

EMS Construction

	Director of Emergency Services				X	
#402	Facilities Supervisor				X	

ENVIRONMENTAL SERVICESCode Compliance

	Director of Environmental Services		X		X	
#10011301	Code Compliance Supervisor		X		X	
#10011107	Code Compliance Supervisor		X		X	

Sanitary Engineering

	Director of Environmental Services	X		X		X
#662	Lead Project Engineer	X		X		X
#663	Lead Project Engineer			X		X
#664	Lead Project Engineer			X		X
#665	Lead Project Engineer			X		X
#666	Lead Project Engineer	X		X		X
#667	Lead Project Engineer			X		X

Transfer Station

#680	Director of Environmental Services	X		X		X
	Lead Project Engineer		X		X	

Maintenance Bond Fund

#765	Director of Environmental Services				X	
	Lead Project Engineer					X

FACILITIESBuilding & Grounds

	Facilities Supervisor		X		X	
#10011105	Maintenance Supervisor		X		X	

Service Center

	Facilities Supervisor		X		X	
#10011106	Lead Mechanic				X	

JOB AND FAMILY SERVICES

	Director of Job and Family Services	X		X		X
#10011110	Asst. Director of Job and Family Services	X		X		X
	Fiscal Supervisor		X		X	
#10011501	Asst. Director of Job and Family Services	X		X		X
	Fiscal Supervisor		X		X	
#223	Asst. Director of Job and Family Services	X		X		X

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	Fiscal Supervisor	X	X	
#224	Asst. Director of Job and Family Services	X	X	X
	Fiscal Supervisor	X	X	
#225	Asst. Director of Job and Family Services	X	X	X
	Fiscal Supervisor	X	X	
#228	Asst. Director of Job and Family Services		X	X
	Fiscal Supervisor		X	X
#701	Asst. Director of Job and Family Services		X	X
	Fiscal Supervisor		X	X
CSEA				
#237	Dir. Child Support Enforcement Agency	X	X	X
	Fiscal Supervisor	X	X	X
COMMISSIONERS				
<u>Administrative</u>				
#10011101	Clerk to Commissioners	X	X	X
	Asst. Clerk to Commissioners		X	X
<u>General</u>				
#10011102	Clerk to Commissioners	X	X	X
	Asst. Clerk to Commissioners		X	X
<u>County Home</u>				
#10011501	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
CORONER				
#10030301	Clerk to Commissioners	X	X	X
	Asst. Clerk to Commissioners	X	X	X
with Coroner approval for processing vendor payments				
<u>Clean Ohio Trails Fund</u>				
#238	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
PERMANENT IMPROVEMENT				
#401	Facilities Supervisor		X	X
	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
CAPITAL PROJECTS				
#404	Facilities Supervisor		X	X
	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
#412	Facilities Supervisor		X	X
	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
#414	Facilities Supervisor		X	X
	Clerk to Commissioners		X	X
	Asst. Clerk to Commissioners		X	X
COURTS				
#10029202	Clerk to Commissioners	X	X	
	Asst. Clerk to Commissioners	X	X	
	Auditor's Fiscal Dept			X
#10029203	Clerk to Commissioners	X	X	
	Asst. Clerk to Commissioners	X	X	
	Auditor's Fiscal Dept			X
PUBLIC DEFENDER				
#10011202	Clerk to Commissioners	X	X	

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	Public Defender Secretary	X	X
BOND RETIREMENT			
#501	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#502	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#503	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#504	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#505	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#506	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#507	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#508	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#509	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#510	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#511	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#512	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#513	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#514	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#515	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#516	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
#517	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
MARRIAGE LICENSES			
#24911311	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
DRAINAGE IMPROVEMENT			
#403	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
DITCH MAINTENANCE			
#219	Clerk to Commissioners	X	X
	Asst. Clerk to Commissioners	X	X
LODGING FUND			
#730	Auditor's Fiscal Dept		X

The County Administrator may make purchase order and/or voucher requests from any of the above listed funds, and in the absence of the County Administrator, the Director of Administrative Services or the Assistant to the County Administrator shall become the acting County Administrator; for the specific purpose of this resolution to make purchase order and/or voucher requests, and

Further be it resolved, that the Board of Commissioners of Delaware County, State of Ohio, grant signature authority to the following list of individuals to approve purchase orders not requested by the same individual,

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at the indicated amounts:

- A. County Administrator up to \$5,000.00
- B. In the absence of the County Administrator, the Director of Administrative Services or the Assistant to the County Administrator will become acting County Administrator to approve purchase orders and expenditure vouchers up to \$5,000.00
- C. Grant Funds shall be administered by the Appointing Authority as designed in the grant award.
- D. Soil & Water Conservation District shall administer the Ditch Maintenance Fund in accordance with the annual agreement, with the exception of any reimbursement made from the Ditch Maintenance Fund to the Soil & Water Conservation District.
- E. The County Auditor shall be authorized to release payroll warrants upon approval of electronically submit payrolls and submission of the hard copy payroll reports.

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

RESOLUTION NO. 10-09

IN THE MATTER OF DELEGATING AUTHORITY TO SPECIFIC STAFF FOR THE ADMINISTRATION OF PERSONNEL MATTERS, PAYROLL ITEMS, AND VARIOUS AGREEMENTS:

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

- Whereas, under Ohio Revised Code Section 305.30 the Board of County Commissioners may delegate contracting authority, authority to pay claims for goods received and services rendered, and authority to perform any and all personnel functions otherwise conferred or incumbent upon the board of commissioners, and
- Whereas, first year employees of Delaware County, who are not eligible for vacation, request unpaid leaves of absence from time-to-time for personal matters, and
- Whereas, the Family & Medical Leave Act (FMLA) requires employers to provide up to twelve weeks of unpaid leave to employees who meet the requirements of the FMLA, and
- Whereas, the Delaware County Auditor's Office allows offices to electronically submit payrolls which requires timeliness of approval and submission of the hard copy, and
- Whereas, many contracts and agreements are administrative in nature and need timely execution to achieve the optimal result,

Now Therefore be it resolved, that the Board of County Commissioners of Delaware County, State of Ohio, grant authority to the County Administrator to:

- I. Approve departmental payrolls for all departments under the Board of Commissioners.
- II. In the absence of the County Administrator, the Director of Administrative Services or the Assistant to the County Administrator shall become acting County Administrator for the specific purpose of this resolution:
- III. Approve unpaid leaves of absence for up to 2 weeks. The County Administrator, or in the absence of the County Administrator, the Director of Administrative Services, may place employees on Paid Administrative Leave for up to 10 Days.
- IV. Negotiate, approve, and execute contracts and agreements and change orders under \$5,000 and for one (1) year or less.
- V. The County Administrator shall have the authority, and in the absence of the County Administrator, the Director of Administrative Services or the Assistant to the County Administrator shall have the authority to approve the specific purpose of this resolution:
 - 1. Workers compensation settlement agreements for amounts less than or equal to \$5,000
 - 2. Property and liability claim settlement agreements for amounts less than or equal to \$5,000
 - 3. Merit, Educational, Certification, Probationary, Bargaining Unit Agreement, Market Review wage increases or otherwise that have been approved indirectly by the Board of Commissioner resolution
 - 4. Mortgages Final Payment

Further be it resolved that the Board of Commissioners of Delaware County, State of Ohio, assign the following individuals the duty of prevailing wage officer for the assigned areas:

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- I. Delaware County Engineer for Motor & Gas Fund and Road & Bridge Projects
- II. Director of Environmental Services for Environmental Services Funds Projects
- III. Director of Economic Development for all Economic Development Grants and Funds
- IV. Facilities Supervisor for all other Funds

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

COMMISSIONERS' COMMITTEES REPORTS
(Refer To CD Minutes For Entire Record)

Commissioner O'Brien
-Attended EMA Meeting

Commissioner Hanks
-Treasurer Numbers
-Interest Rates
-Bee Keeper
-Las Vegas Court House Shooting
-Powell Incubator Program Approved
-Rabid Bat Claim
-Port Authority(S)
-Fiber Optic RFP

Commissioner Thompson
-Tax Increase Article In Gazette
-DKMM Still Working On New Director

RESOLUTION NO. 10-10

IN THE MATTER OF ADJOURNING THE MEETING:

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

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

Todd Hanks

Ken O'Brien

Tommy Thompson

Letha George, Clerk to the Commissioners