

**COMMISSIONERS JOURNAL NO. 54 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 17, 2010**

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**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. 10-623**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 13, 2010:**

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 13, 2010; 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

**PUBLIC COMMENT**

**RESOLUTION NO. 10-624**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0514:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0514 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			
Delaware Motive	Auto Parts	10011106-5228	\$ 10,000.00
Beems BP	Gasoline	10011106-5228	\$45,000.00

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

**RESOLUTION NO. 10-625**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0514GC:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0514GC.

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

**RESOLUTION NO. 10-626**

**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The Code Compliance Department is requesting that Chris Bean, John Hickman & Ed Spiers attend a "Provisions of Penetration Protections in Ohio Building Code 2007" seminar; May 25, 2010; in Reynoldsburg, Ohio; at the Cost of \$150.00 (Fund Number 10011301).

Juvenile Court is requesting that Judge Kenneth Spicer attend a 2010 OAPJ Summer Conference in Mason, Ohio June 7-10, 2010, at the cost of \$999.56 (Fund Number 10026201-5305).

Juvenile Court is requesting that Katie Murray, Howard Heston and Lisa Lemaster attend a Site Visit Ohio Parent and Project training in Stark County, Ohio May 24-25, 2010, at the cost of \$425.00 (Fund Number 27826325).

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The Department of Job and Family Services is requesting that Debra Benjamin attend OJFSDA Annual Training Conference in Columbus, Ohio May 26, 2010, at the cost of \$186.61 (Fund Number 22411603).

The Department of Job and Family Services is requesting that Larry Hager attend OJFSDA Annual Training Conference in Columbus, Ohio May 26, 2010, at the cost of \$186.61 (Fund Number 22411603).

The Department of Job and Family Services is requesting that Jacqueline Schonauer attend OJFSDA Annual Training Conference in Columbus, Ohio May 27, 2010, at the cost of \$186.61 (Fund Number 22411603).

The Department of Job and Family Services is requesting that Julie King attend OJFSDA Annual Training Conference in Columbus, Ohio May 27, 2010, at the cost of \$36.61 (Fund Number 22411603).

The Department of Job and Family Services is requesting that Larry Green attend OJFSDA Annual Training Conference in Columbus, Ohio May 26-28, 2010, at the cost of \$339.60 (Fund Number 22411603).

The Engineer's Office is requesting that Jack Jennings attend a 2010 Ohio Land Records Conference in Columbus, Ohio May 18, 2010 at the cost of \$85.00 (Fund Number 29214001).

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

**RESOLUTION NO. 10-627**

**IN THE MATTER OF APPROVING A MAINTENANCE SERVICES AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY SHERIFF AND MORPHOTRAK, INC. FOR THE LIVESCAN SYSTEM AND SOFTWARE:**

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

Whereas, the Sheriff and Sheriff's Office Staff recommends approval of a maintenance services agreement between The Delaware County Commissioners; The Delaware County Sheriff and Morphotrak, Inc. for The Livescan System and Software;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approves a maintenance services agreement between The Delaware County Commissioners; The Delaware County Sheriff and Morphotrak, Inc. for The Livescan System And Software.

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

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

**RESOLUTION NO. 10-628**

**IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR THE INN AT OLENTANGY TRAIL :**

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

WHEREAS, on May 12, 2010 a Ditch Maintenance Petition for the The Inn at Olentangy Trail 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

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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:

The cost of the drainage improvements being \$50,000.00 for the benefit of a total of two (2) lots, the basis for calculating the assessment for each lot is, therefore, \$25,000.00 per lot. An annual maintenance fee equal to two percent (2%) of this basis (\$500.00) 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 \$80.00 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. O'Brien        Aye        Mr. Thompson    Aye        Mr. Hanks        Aye

**RESOLUTION NO. 10-629**

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

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

Whereas the below requests to perform work within the right of way have been reviewed and 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
U10-029	COLUMBIA GAS	LIBERTY	INSTALL GAS MAIN
U10-030	TIME WARNER	PULLMAN DR	INSTALL CABLE ROW
U10-031	AEP	GOODING BLVD	INSTALL CABLE ROW
U10-032	DEL-CO WATER	HARRIS RD	ROAD BORE
U10-033	WIDE OPEN WEST	HARVEST WIND SUBDIVISION	INSTALL CABLE
U10-034	WIDE OPEN WEST	PARK BEND SUBDIVISION	INSTALL CABLE
U10-035	WIDE OPEN WEST	EAGLE TRACE SUBDIVISION	INSTALL CABLE
U10-036	WIDE OPEN WEST	SHERBROOK SUBDIVISION	INSTALL CABLE
U10-037	WIDE OPEN WEST	SHELLBARK RIDGE SUBDIVISION	INSTALL CABLE
U10-038	COLUMBIA GAS	MAXTOWN RD	INSTALL GAS MAIN
U10-039	WIDE OPEN WEST	NORTHERN LAKES SUBDIVISION	INSTALL CABLE
U10-040	WIDE OPEN WEST	TUSSIC STREET/CENTER GREEN BLVD	INSTALL CABLE

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

**RESOLUTION NO. 10-630**

**IN THE MATTER OF AWARDING A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND SHELLY & SANDS, INC. FOR THE 2010 ROAD IMPROVEMENT PROGRAM:**

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

**2010 Road Improvement Program  
Bid Opening of May 4, 2010**

Whereas, as the result of the above referenced bid opening, The Engineer recommends that a bid award be made to Shelly & Sands, Inc, the low bidder for the project. A copy of the bid tabulation is available for your information, and

Whereas, also available are two copies of the Contract with Shelly & Sands for your approval. All necessary documentation for this approval has been received (Certification/Affidavit in Compliance with O.R.C. Section 3517.13, Terrorist Exclusion List, etc.), and

Whereas, the County Engineer recommends approval of the contract between the Delaware County

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Commissioners and Shelly & Sands, Inc For The 2010 Road Improvement Program;

**CONTRACT**

THIS AGREEMENT is made this 17<sup>th</sup> day of May 2010 by and between Shelly and Sands Inc., hereinafter called the "Contractor" and the Delaware County Commissioners, hereinafter called the "Owner".

**Shelly & Sands Inc.  
P.O. Box 2469  
1515 Harmon Ave  
Columbus, Ohio 43216**

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 "**2010 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 **\$2,390,850.64 (Two million, three hundred ninety thousand, eight hundred fifty dollars and sixty four cents)**, 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 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.

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the contract between The Delaware County Commissioners and Shelly & Sands, Inc For The 2010 Road Improvement Program.

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

**RESOLUTION NO. 10-631**

**IN THE MATTER OF APPROVING A DRAINAGE EASEMENT VACATION FOR A PART OF LOT 6606, IN NORTH ORANGE SECTION 1, PHASE 2, PART B IN ORANGE TOWNSHIP, DELAWARE COUNTY, OHIO (OFFICIAL RECORD VOL. 283, PAGE 924):**

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

**Drainage Easement Vacation  
Lot 6606 of North Orange  
Section 1, Phase 2, Part B**

Whereas, a request has been made by the owner of the above referenced lot to vacate the original temporary drainage easement that crossed said lot, and

Whereas, a permanent easement has been granted and recorded for this lot, making the original easement

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unnecessary;

The Engineer therefore, requests that approval be given to vacate the original easement. A resolution approving this vacation is available for your signature.

**Drainage Easement Vacation**

The Engineer has received a request from North Orange Development, LLC, the owner of Lot 6606, North Orange Section 1, Phase 2, Part B, Orange Township, to vacate a portion of a temporary ditch maintenance easement on the North Orange Section 1, Phase 2, Part B plat that crosses the said Lot 6606.

The easement as described on the attached Exhibit A, and as indicated on the attached Exhibit B as "Release of Easement" is located at the northeasterly corner of said Lot 6606, as depicted in Official Record Volume 473, Pages 2443 and 2251, Recorder's Office, Delaware County, Ohio. The original drainage easement that crosses Lot 6606 is no longer required after a permanent drainage easement was granted to replace said temporary easement. Therefore, the Engineer requests your approval to vacate a portion of the easement and to include a marginal reference on Official Record Volume 473, Pages 2443 and 2251 of this action to vacate the easement.

**DRAINAGE EASEMENT  
0.211 ACRE**

Situated in the State of Ohio, County of Delaware, Township of Orange, lying in Farm Lots 4, 5, & 6, Section 2, Township 3, Range 18, United States Military Lands, being on, over, and across Part of Lot 6606 of that subdivision entitled "North Orange Section 1 Phase 2 Part B" of record in Plat Cabinet 3, Slide 304 and 304A, as conveyed to North Orange Development, LLC by deed of record in Official Record 283, Page 924 (all references refer to the records of the Recorder's Office, Delaware County, Ohio), and described as follows:

Beginning, for reference, at the northeasterly corner of said Lot 6606, at the southeasterly corner of Lot 7529 of said "North Orange Section 1 Phase 2 Part B", being on the westerly right-of-way line of U.S. 23;

thence South 69° 27' 39" West, with the line common to said Lots 6606 and 7529, a distance of 29.91 feet to the TRUE POINT OF BEGINNING;

thence across said Lot 6606, the following courses and distances:

South 10° 19' 07" East, a distance of 174.84 feet to a point on the northerly line of an existing Ditch Maintenance Easement of record in Official Record 475, Page 2251 and Official Record 473, Page 2443;

South 50° 50' 29" West, across said existing Ditch Maintenance Easement, a distance of 54.24 feet to a point on the southerly line thereof

North 62° 00' 32" West, a distance of 3.17 feet to a point;

North 10° 19' 07" West, across said existing Ditch Maintenance Easement, a distance of 190.02 feet to a point on the line common to said Lots 6606 and 7529;

thence North 69° 27' 39" East, with said common line, a distance of 50.81 feet to the TRUE POINT OF BEGINNING and containing 0.211 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC. Heather L. King  
Registered Surveyor No. 8307

(Exhibit A, and Exhibit B (map available in the Engineer's Office))

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approves the Drainage Easement Vacation For A Part Of Lot 6606, In North Orange Section 1, Phase 2, Part B In Orange Township, Delaware County, Ohio (Official Record Vol. 283, Page 924)

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

**RESOLUTION NO. 10 -632**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES FUNDS TO ASSIST IN FUNDING THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS AND OTHER AMENITIES FOR THE DKMM MEETING:**

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

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue Expenditure Of Public Funds For Proper "Public Purpose", and

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WHEREAS, The October 20, 2003, State Auditor's ruling on payment of Expenditures Of Public Funds For Proper "Public Purpose" states that for persons who are employees or non-employees of the County, the Commissioners must pre-approve expenditures for the purchase of coffee, meals, refreshments and other amenities.

WHEREAS, the Delaware County Department of Job and Family Services has responsibility for workforce development activities and is party to the DKMM ; and

WHEREAS, such meeting has been scheduled in Delaware County for June 16, 2010; and

WHEREAS, agreement has been made that meetings will rotate among each of the four counties with the hosting county being responsible for food arrangement; and

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED, by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. That the Delaware County Board of Commissioners hereby authorizes the use of Department of Job and Family Services funds in an amount not to exceed \$323.75, to assist in funding the purchase of coffee, meals, refreshments and other amenities for The DKMM board meeting to be held June 16, 2010.

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

**RESOLUTION NO. 10-633**

**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 PROVIDERS AS LISTED:**

It was moved by Mr. Hanks, 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 Job & Family Services recommends approval of the following contract amendments;

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

**House of New Hope**

AMENDMENT TO CONTRACT  
For  
Child Placement and Related Services

AMENDMENT NO. 2

This Amendment, effective April 20, 2010, 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 House of New Hope, entered into on the first day of July, 2009.

- I.            Article IV. Reimbursement for Placement Services: Changes the amount reimbursable under the contract from \$133,000.00 to \$150,000.00.

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

**RESOLUTION NO. 10-634**

**IN THE MATTER OF MODIFYING RESOLUTION NO. 09-1478 (AUTHORIZATION FOR DIRECTOR OF JOB AND FAMILY SERVICES TO ENTER INTO WORKFORCE INVESTMENT CONTRACTS AND AGREEMENTS; ON THE JOB TRAINING, AND OTHER TRAINING AND WORK SUBSIDIES TO EMPLOYERS; INDIVIDUAL TRAINING ACCOUNTS, PRC CONTRACTS AND AGREEMENTS FOR WORK RELATED ACTIVITIES AND EMPLOYER SUBSIDIES; CHILDREN SERVICES INDIVIDUAL CHILD CARE AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING TO DOCUMENT RESPONSIBILITIES FOR REFERRAL PROCESSES AND CORE SERVICES WITH VARIOUS COMMUNITY PARTNERS) TO INCLUDE THAT IN THE ABSENCE OF THE DIRECTOR OF DELAWARE COUNTY JOB AND FAMILY SERVICES, AUTHORIZATION IS GIVEN TO THE ASSISTANT DIRECTOR OF DELAWARE COUNTY JOB AND FAMILY SERVICES:**

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

WHEREAS, in the course of providing services Delaware County Job and Family Services provides services and supports daily operations through various contracts, agreements, and memorandum's of understandings; and

WHEREAS, these various contracts, agreements, and memorandums of understanding include Workforce Investment contracts and agreements; On the Job Training and other Training and work subsidies to employers; Individual Training Accounts; PRC contracts and agreements for work related activities and employer subsidies; Children Services Individual Child Care Agreements and Memorandums of Understandings to document responsibilities for referral processes and core services with various community partners; and

Whereas, an Attorney General's Opinion NO. 2004-031 dated August 25, 2004, affirming that: "a Board of County Commissioners may, by resolution pursuant to R.C. 329.04 (A) (7) and (B) or R.C. 329.05, assign to the County Department of Job and Family Services authority for the County Director of Job and Family Services to enter into contracts and agreements necessary to perform these powers and duties."

AND

Whereas, With Resolution No. 09-1478 On November 30, 2009 The Delaware County Board Of Commissioners Authorized The Director Of Job And Family Services To Enter Into Workforce Investment Contracts And Agreements: On The Job Training, And Other Training And Work Subsidies To Employers; Individual Training Accounts, PRC Contracts And Agreements For Work Related Activities And Employer Subsidies; Children Services Individual Child Care Agreements And Memorandums Of Understanding To Document Responsibilities For Referral Processes And Core Services With Various Community Partners; and

Whereas, there are times when The Director Of Delaware County Job And Family Services is absence;

Therefore Be it resolved, that in the absence of The Director Of Delaware County Job And Family Services, authorization is given to The Assistant Director Of Delaware County Job And Family Services to enter Workforce Investment contracts and agreements: on the Job Training and other Training and work subsidies to employers, Individual Training Accounts, PRC agreements for work related activities and employer subsidies; Children Services Individual Child Care Agreements and Memorandums of Understandings to document referral process and core services with community partners.

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

**RESOLUTION NO. 10-635**

**IN THE MATTER OF GRANTING SIGNATURE AUTHORITY FOR APPLICATIONS AND REPORTS WITH THE FARM SERVICES AGENCY (FSA):**

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

Whereas, Delaware County has farmland which is enrolled in various programs with the FSA Office which require certifications and renewal forms to be signed annually; and

Whereas, Delaware County leases out its farmland and it is beneficial for the operator for the farmland be enrolled in these various programs with the FSA Office; and

Whereas, FSA Office requires a Power of Attorney form on file for the signature authority for the Board of Commissioners;

Now Therefore be it resolved, that the Board of County Commissioners of Delaware County, State of Ohio, grant signature authority for programs and transactions with the FSA Office to the Delaware County Facilities Supervisor.

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

**RESOLUTION NO. 10-636**

**IN THE MATTER OF APPROVING A JOB DESCRIPTION FOR THE COUNTY ADMINISTRATOR:**

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

**DELAWARE COUNTY  
County Commissioners**

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**TITLE:** County Administrator

**JOB OBJECTIVES:** Individual is responsible for overseeing and directing the general operations of Delaware County and implementing the policies of the Board of County Commissioners. Individual reports directly to the Board of County Commissioners.

**ESSENTIAL JOB FUNCTIONS:**

- \* Assists in the administration, enforcement, and execution of the policies and resolutions of the Board;
- \* Demonstrates a comprehensive and professional knowledge of public administration, government structure and process, employee relations; office practices and procedures and public relations;
- \* Supervises and directs the activities of the divisions of County government under the control or jurisdiction of the Board;
- \* Attends all meetings of the Board where attendance is required;
- \* Recommends measures for adoption to the Board;
- \* Continues proficiency in subject area through professional continuing education;
- \* Consistently demonstrates the ability to apply progressive management principles to plan and implement department goals and objectives;
- \* Accurately projects requirements and controls expenditures within budgeting guidelines;
- \* Works independently, under pressure, to achieve goals and to create a supportive work environment that encourages self-motivation and team work amongst subordinates;
- \* Instructs and counsels staff and clients to ensure departmental organization and maintenance of information and documentation, and to effectively plan independently and in collaboration with other staff units and outside agencies;
- \* Prepares and submits reports as required by the body, or as the individual deems advisable;
- \* Keeps the Board fully advised on the financial conditions of the County;
- \* Researches complaints from citizens and addresses public inquiries;
- \* Prepares, reviews and submits budgets; and
- \* Performs such additional duties as the Board may determine

**NON-ESSENTIAL JOB FUNCTIONS**

Performs related Essential/Non-Essential functions as required.

**I. JOB REQUIREMENTS**

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

**Critical Skills/Expertise:**

Thorough and expert knowledge of and experience with relevant federal, state, and local laws, rules and regulations, including but not limited to, the Ohio Revised Code, Ohio Administrative Code, Delaware County policies and procedures and ; and legal processes and remedies;

- ? Superior knowledge of government structure and process, public administration; management; employee relations; office practices and procedures, budgeting and public relations;
- ? Ability to direct and manage the work of others through teamwork, cooperation and mentoring;



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- A. Ability to apply management principles and supervisory skills to work situations, to direct, motivate and manage subordinate personnel, to plan and implement department goals and objectives, to develop and implement programs and projects, to develop collaborative relationships and to initiate and recommend corrective action;
- B. Ability to effectively delegate duties and responsibility where necessary;
- \* Ability to write effective technical reports and procedures;
- C. Ability to communicate effectively, both orally and written;
- D. Excellent interpersonal communication and public speaking skills;
- \* Aptitude for developing and maintaining positive and effective working relationships with supervisors, employees, elected officials, and the general public;
- \* Capable of analyzing and interpreting data and a wide variety of technical reports and journals;
- \* Ability to exercise sound judgment; plan and implement goals and projects;
- \* Ability to define problems, establish facts and draw valid conclusions; and
- \* Extensive knowledge of labor relations/human resources fundamentals, labor laws; public lobbying and staff development.

**Job Standards:** Bachelor's Degree in Public Administration, Finance, Business or related field and post-graduate experience is required.,; Must have related work experience demonstrating competence in long term planning, management and prior supervisory experience. At least five (5) years as a manager or assistant manager in government preferred. Must possess a valid Ohio driver's license and an acceptable driving record. Must meet and maintain all required licenses and certifications as a continued condition of employment.

## **II. DIFFICULTY OF WORK**

This position exists primarily to determine long range planning, identify trends, and oversee proposals of Department managers and supervisors; managing the Division's fiscal, maintenance, personnel, and operational functions; evaluating program effectiveness and making necessary changes to ensure quality and reliability of services; and interfacing with other County departments and elected officials with regard to development of the County. Decisions and activities of this position have a direct and significant impact on a major segment of the economy, the public or the management of Delaware County Government. The position has considerable decision-making latitude and authority to implement such decisions. Decisions are made based upon laws, regulations and policies of the Board of County Commissioners. Authority, unless established by statute, is delegated by the Board of County Commissioners.

## **III. RESPONSIBILITY**

The County Administrator is required to direct highly complex activities that are broad in scope with a number of major program responsibilities. Function generally requires the resolution of involved or controversial problems and decision-making within the scope of his/her authority. Errors in judgment, inaction, diminished proficiency in governmental administration issues and solutions, and inattentiveness to County interests could be devastating to the County and the public.

## **IV. PERSONAL WORK RELATIONSHIPS**

The County Administrator has daily and frequent contact with co-workers, public officials, employees from other public and private sector organizations, 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 is fully aware of all matters affecting the County within the scope of the Board's authority, including but not limited to actions of the department, and issues that impact upon the Board of Commissioners' capacity to oversee the department.

## **V. Physical**

### **Requirements:**

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

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**Physical Activity:** The physical activity of the position includes manual dexterity, hearing, talking, reaching, and walking.

**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.

**Job Location:** The minimum work conditions for the position indicate that the individual is not exposed to adverse environmental conditions; however, the individual could be exposed to adverse environmental conditions while overseeing County operations.

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

**RESOLUTION NO. 10-637**

**IN THE MATTER OF APPROVING A JOB DESCRIPTION FOR THE DIRECTOR OF ENVIRONMENTAL SERVICES:**

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

**DELAWARE COUNTY  
Environmental Services Division**

**TITLE:** Director of Environmental Services

**JOB OBJECTIVES:** Individual is responsible for directing the general operations of the Code Compliance, Regional Sewer District, and Solid Waste Departments. Individual reports to the County Administrator.

**I ESSENTIAL JOB FUNCTIONS:**

- \* Demonstrates a comprehensive and professional knowledge of governmental policies and procedures; federal, state and local environmental and safety rules and regulations; principles of water treatment and basic sanitary engineering procedures; solid waste transfer facilities; and residential and commercial building regulations and zoning codes;
- \* Continues proficiency in subject area through professional continuing education;
- \* Develops, implements and evaluates programs and projects making changes to ensure quality and reliability of services;
- \* Determines long range planning and identify trends to remain congruent with county growth and development;
- \* Applies progressive management principles and supervisory skills to work situations, to effectively direct, motivate and manage subordinate personnel, to plan and implement department goals and objectives, to develop and implement programs and projects, to delegate duties, to develop collaborative relationships and to initiate and recommend corrective action;
- \* Accurately project requirements and controls expenditures within budgeting guidelines; to define and solve problems; to collect data, establish facts, and draw valid conclusions using practical judgment and analytical skills;
- \* Works independently, under pressure, to achieve goals and to create a supportive work environment that encourages self-motivation and team work amongst subordinates; and
- \* Instructs and counsels staff and clients to ensure departmental organization and maintenance of information and documentation, and to effectively plan independently and in collaboration with other staff units and outside agencies.

**NON-ESSENTIAL FUNCTIONS:**

Performs related Essential/Non-Essential as required.

**I JOB REQUIREMENTS**

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

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duties.

**Critical Skills/Expertise:**

- \* Thorough and expert knowledge of related governmental policies and procedures, to include federal, state, and local laws, rules and regulations, including, but not limited to, the Ohio Revised Code, Ohio Administrative Code, Ohio EPA regulations, Ohio Building Code and the Residential Code of Ohio, as related to assigned tasks;
- \* Thorough and expert knowledge of and the ability to apply progressive management principles to plan and implement department goals and objectives;
- ? Ability to accurately project requirements and control expenditures within budgeting guidelines;
- ? Excellent interpersonal communication skills, both oral and written;
- ? Excellent public speaking skills;
- ? Ability to deal with many variables, define and solve problems, collect, analyze and interpret data, establish facts and determine specific action, evaluate and improve process and/or program efficiency / effectiveness;
- ? Ability to organize and maintain large volumes of information and paperwork;
- ? Thorough knowledge of and ability to apply program policies and procedures to assist staff in their job performance;
- ? Knowledge of general accounting and bookkeeping fundamentals and procedures;
- ? Ability to work effectively with clients who may be upset, distraught, irate, emotionally or mentally or otherwise unable to function within reasonable range of constructive behaviors;
- ? Knowledge and ability to effectively resolve complaints from citizens and address public inquiries;
- ? Thorough knowledge of government structure, operations, functions, practices and procedures; and
- ? Knowledge of strategic and long term planning, program planning and development, financial/budgetary planning/management and personnel management.

**Job Standards:** Bachelor's degree in Civil Engineering, Environmental Engineering, or related area plus five (5) or more years related work experience demonstrating competence in management and prior supervisory experience. Prior experience managing staff under collective bargaining agreements preferred.

Ohio registered Professional Engineering license preferred. Must possess a valid Ohio driver's license and acceptable driving record. Must meet and maintain qualifications for driving on county business at all times. All required licenses and certifications must be maintained as a continued condition of employment.

**II. DIFFICULTY OF WORK**

The Director of Environmental Services is required to direct highly complex activities that are broad in scope with a number of major program responsibilities. Function generally requires the resolution of involved or controversial problems and decision-making within the scope of his/her authority.

**III. RESPONSIBILITY**

This position exists primarily to determine long range planning, identify trends, and oversee proposals of Department managers and supervisors; managing the Division's fiscal, maintenance, personnel, and operational functions; evaluating program effectiveness and making necessary changes to ensure quality and reliability of services; and interfacing with other County departments including but not limited to the County Engineer's Office and Regional Planning Commission with regard to the overall development of the County. Decisions and activities of this position have a direct and significant impact on a major segment of the economy, the public or the management of Delaware County Government. Errors in judgment, inaction, diminished proficiency in governmental administration issues and solutions, and inattentiveness to County interests could be devastating to the County and the public. Decisions are made based upon laws, regulations and policies of the Board of County Commissioners. Authority, unless established by statute, is delegated by the Board of County Commissioners through the County Administrator.

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**IV. PERSONAL WORK RELATIONSHIPS**

The Director has daily and frequent contact with co-workers, public officials, employees from other public and private sector organizations, and the general public. The purpose of these contacts is to guide and direct, review and assure progress of work assigned, coordinate services, and handle questions about the Division, programs and client concerns. Individual must assure that the Board of Commissioners through the County Administrator, is fully aware of all matters affecting the Division, actions of the departments, and issues that impact upon the Board of Commissioners' capacity to oversee the Division.

**V. PHYSICAL EFFORT AND WORK ENVIRONMENT****Physical****Requirements:**

Individual performs heavy work, which may require the lifting of up to twenty-five (25) pounds.

**Physical Activity:**

The physical activity of the position is fingering, talking, hearing, listening, reaching, and walking.

**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.

**Job Location:**

The minimum work conditions for the position indicate that the individual will likely be exposed to adverse environmental conditions while overseeing departmental operations.

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

**RESOLUTION NO. 10-638****IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE O'BRIEN DITCH PETITION PROJECT:**

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

**Supplemental Appropriation**

40311431-4802	O'Brien Ditch /Bond Proceeds	\$ (379,000.00)
40311431-4230	O'Brien Ditch /Charges Services A	\$ 547,200.00
40311431-5370	OBRIEN DITCH #440/Claims Damages	\$ 8,200.00
40311431-5328	OBRIEN DITCH #440/Maint & Repair	\$ 556,000.00

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

**CHRIS FRANZMANN SQUIRE, SANDERS & DEMPSEY L.L.P.  
BOND COUNSEL BRIEFING****COMMISSIONERS' COMMITTEES REPORTS  
(Refer To Cd Minutes For Entire Record)****Commissioner O'Brien**

-Attended CEBCO -Usage Is Down

**Commissioner Hanks**

-Transfer Gains

**Commissioner Thompson**

-Arts Festival This Past Weekend Had The Most Exhibits In Its History

-Clean Energy Article: Local Company Nex-Tech

**RESOLUTION NO. 10-639****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 PENDING OR IMMINENT LITIGATION:**

It was moved by Mr. Hanks, seconded by Mr. Thompson to adjourn into Executive Session at 10:00AM.

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

**RESOLUTION NO. 10-640**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by , seconded by to adjourn out of Executive Session at AM.

Vote On Motion Mr. Hanks Mr. O'Brien Mr. Thompson

**RESOLUTION NO. 10-641**

**IN THE MATTER OF DESIGNATING AN ACTING COUNTY ADMINISTRATOR:**

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

WHEREAS, on April 26, 2010, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 10-533, Section 2 of which designated the Chairman of the Board to serve as the acting Delaware County Administrator; and

WHEREAS, pursuant to Section 305.29 of the Revised Code, in the event of the county administrator's removal from office, the chairman of the board or a qualified person designated by him with the approval of the board shall act as county administrator and perform all duties of the office, until such time as the board appoints a new county administrator; and

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

Section 1. The Board hereby approves the Chairman of the Board designating Deborah Martin as Acting Delaware County Administrator, said individual being deemed fully qualified, to act as county administrator and perform all duties of the office, effective immediately upon adoption hereof.

Section 2. The acting county administrator appointed in Section 1 shall serve at the pleasure of the Board until such time as the Board appoints a new county administrator.

Section 3. The Board hereby sets the Acting County Administrator's compensation at \$85,000.00 per annum prorated for three months.

Section 4. The Board hereby finds and determines that approval of this Resolution and all deliberations thereon are in compliance with the laws of the State of Ohio, including specifically Section 121.22 of the Revised Code.

Section 5. The Board hereby orders that this Resolution shall take full force and effect immediately upon passage.

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

**RESOLUTION NO. 10-642**

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

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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