

COMMISSIONERS JOURNAL NO. 54 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JUNE 21, 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

9:30 AM Public Hearing # 2 For Delaware County's Formula 2010 CDBG Grant

RESOLUTION NO. 10-805

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 17, 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 June 17, 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 Abstain

PUBLIC COMMENT

RESOLUTION NO. 10-806

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0618, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0618:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0816, memo transfers in batch numbers MTAPR0618 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R1004012	CHRISTIAN CHILDRENS HOME OF OHIO INC	RESIDENTIAL TREATMENT	22511607 - 5342	\$30,000.00	0001
R1004016	KIDS COUNT TOO INC	RESIDENTIAL TREATMENT	22511607 - 5342	\$16,000.00	0001
R1004018	LHS FAMILY & YOUTH SRVCS INC	RESIDENTIAL TREATMENT	22511607 - 5342	\$75,000.00	0001
R1004023	SOJOURNERS CARE NETWORK	RESIDENTIAL TREATMENT	22511607 - 5342	\$10,000.00	0001
R1004651	ZIMMERMAN & CO INC	BALANCE TO COMPLETE REPAIRS ON DRIVEWAY AT DEER	66611903 - 5401	\$5,500.00	0001
R1004817	SMITH AND ASSOC EXCAVATING INC	INSTALL OSHA REQUIRED RAILINGS - 194' OF DOUBLE	66211904 - 5328	\$10,879.55	0001
R1004836	TREASURER, DELAWARE COUNTY	RETAINER FOR CHESHIRE ELEMENTARY SEWER PROJECT	66711905 - 5415	\$41,431.08	0001

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

RESOLUTION NO. 10-807

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0618GC:

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It was moved by Mr. Hanks, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0618GC and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R1004844	POMANTE CONTRACTORS INC	DCHIP HOME REPAIR	23111711 - 5365	\$7,500.00	0001

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

**RESOLUTION NO. 10-808**

**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 Duane Matlack and Fred Fowler attend a Central Ohio Code Officials Association "A Team To Build A Building" Seminar in Reynoldsburg, Ohio July 1, 2010 at no cost.

The Economic Development Department is requesting that Gus Comstock attend an International Economic Development Annual Conference in Columbus, Ohio Sept 26-29, 2010, at the cost of \$695.00 (Fund Number 21011113).

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

**RESOLUTION NO. 10-809**

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

It was moved by Mr. O'Brien, seconded by Mr. Hanks 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
U10-048	WIDE OPEN WEST	ORCHARD LAKES SUBDIVISION	INSTALL CABLE
U10-049	WIDE OPEN WEST	BIG WALNUT RD	INSTALL CABLE
U10-050	WIDE OPEN WEST	HIGHLAND LAKES NORTH	INSTALL CABLE
U10-051	WIDE OPEN WEST	OAKS AT HIGHLAND LAKES	INSTALL CABLE
U10-052	WIDE OPEN WEST	BLACKHAWK FORREST	INSTALL CABLE
U10-053	WIDE OPEN WEST	HIGHLAND LAKES ESTATES	INSTALL CABLE
U10-054	WIDE OPEN WEST	MEDALLION ESTATES	INSTALL CABLE
U10-055	WIDE OPEN WEST	GENOA FARMS	INSTALL CABLE
U10-056	WIDE OPEN WEST	HIGHLAND LAKES EAST SEC 4,6,12 HIGHLAND LAKES EAST SEC	INSTALL CABLE
U10-057	WIDE OPEN WEST	10,11,14 HIGHLAND LAKES EAST SEC 1,3,5	INSTALL CABLE
U10-058	WIDE OPEN WEST	NORTHERN LAKES SHERBROOK	INSTALL CABLE
U10-059	WIDE OPEN WEST	COUNTY RD 605	INSTALL CABLE
U10-060	WIDE OPEN WEST	TRENTON RD	INSTALL CABLE
U10-061	CENTURY LINK		PLACE BURIED FIBER
U10-062	CONSUMERS GAS		INSTALL GAS LINE

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

**RESOLUTION NO. 10-810**

**IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARD FOR THE ENGINEER'S OFFICE:**

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

WHEREAS, pursuant the Ohio Revised Code Section 301.29, the Board of Commissioners of Delaware County by Resolution No. 04-1193 dated September 30<sup>th</sup>, 2004, has adopted a policy for the

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use of County Procurement Cards. And;

WHEREAS, the appointing authority for the procurement card being the County Engineer, Chris Bauserman, has adopted the procurement card policy for the use of the card to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant ORC 301.29 (F)(2).

NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, authorize the use of the following procurement cards to the limits indicated and for specific work related expenses designated in the Procurement Card Policy without submitting a monthly estimate of expenses:

Appointing Authority:	County Engineer Chris Bauserman
Office/Department:	Engineer/County Engineer
Daily spending per card:	\$5,000
Monthly spending per card:	\$10,000
Single transaction limit:	\$5,000
Daily number of transactions per card:	10
Monthly number of transactions per card:	50
Name on Card:	Robert Riley

Sue Davis is the Department Coordinator for The Engineer's Office.

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

**RESOLUTION NO. 10-811**

**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS O'BRIEN #440 DRAINAGE IMPROVEMENT PROJECT:**

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

Whereas, the County Engineer recommends approval of the Plans, Estimate, Bid Specifications And Bid Opening Date And Time For The O'Brien #440 Drainage Improvement Project;

Whereas Resolution Number 10-460 declared the necessity for and initiated the improvement known as O'Brien #440 Drainage Improvement Project, and:

Whereas the County Engineer has prepared plans, specifications and estimates for the Improvement, and;

Whereas the County Engineer has estimated the construction cost of the Improvement to be \$461,845.12;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

Section 1: The plans, specifications and estimate for the project known as O'Brien #440 Drainage Improvement Project are hereby approved, and;

Section 2: The County Engineer is authorized to advertise for and receive bids on behalf of the Board in accordance with the following Invitation to Bid:

Sealed bids will be received at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:30 a.m. July 13, 2010, at which time they will be publicly opened and read aloud, for the project known as O'Brien #440 Drainage Improvement Project.

The proposals must be made on the forms provided in the Contract Documents or a copy thereof and shall contain the full name and address of the bidder. All bids shall be sealed and plainly marked "SEALED BID FOR O'BRIEN #440 DRAINAGE IMPROVEMENT PROJECT". Bid shall be accompanied by a Bid Security in the form of a bid bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a one (1) year Maintenance/Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost, and may be submitted with the Bid Proposal.

Copies of the plans and specifications must be obtained from the Delaware County Engineer's Office, 50 Channing Street, Delaware, Ohio 43015. Cost for printed copies of each set of plans and specifications is No Charge. Plans and specifications may also be downloaded, free of charge, from the Delaware County Engineer's website at [www.co.delaware.oh.us/ebids](http://www.co.delaware.oh.us/ebids). All bidders must register as a plan holder with the Delaware County Engineer's Office in person or through the website.

The Owner requires that all work associated with the project be completed before November 25, 2010. The

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estimated commencement work date is July 26, 2010.

Delaware County must abide by the Ohio Revised Section 6131.40 in lieu of Section 103.02 of the CMS. The contract shall be awarded to the "Lowest and Best" bidder. Per Ohio Revised Code Section 6131.40, no bid shall be accepted for any part or thing that exceeds the estimate of the engineer. Bidders shall comply with all applicable provisions.

The engineer's estimate for this project is \$439,852.50

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4111 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. Bidders shall comply with all applicable provisions..

No bids shall be withdrawn for a period of sixty (60) days after the opening thereof. Awarding of the contract shall be to the Lowest and Best bidder as determined by the Delaware County Board of Commissioners in the best interest of the County. The Board reserves the right to reject any or all bids.

Delaware Gazette Advertisement Dates:  
June 25, 2010. July 2, 2010

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

**RESOLUTION NO. 10-812**

**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 Emergency Medical Services recommends accepting the resignation of Amber Murphy as a part-time paramedic with the EMS Department; last day worked May 31, 2010.

Therefore Be It Resolved, that the Commissioners accept the resignation of Amber Murphy as a part-time paramedic with the EMS Department; last day worked May 31, 2010.

The Director of Emergency Medical Services recommends accepting the resignation of James Jones as a part-time paramedic with the EMS Department; last day worked May 8, 2010 .

Therefore Be It Resolved, that the Commissioners accept the resignation of James Jones as a part-time paramedic with the EMS Department; last day worked May 8, 2010.

The Director of Emergency Medical Services recommends that Pat Pennington serve a working paid suspension on June 22, June 25 and June 28, 2010.

Therefore Be It Resolved, that the Commissioners approve Pat Pennington serving a working paid suspension on June 22, June 25 and June 28, 2010.

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

**RESOLUTION NO. 10-813**

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

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

Child Placement Service	Per diem cost and per diem reimbursement for the following categories
Kids Count Too 1616 E. Wooster Street Unit #3	A. Maintenance B. Administration

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<p><b>Bowling Green, Ohio 43402</b></p>	<p>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)</p>
<p><b>NYAP 1445 Summit Street Columbus, Ohio 432101</b></p>	<p>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)</p>

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

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

**RESOLUTION NO. 10-814**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR ADULT COURT SERVICES:**

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

**Supplemental Appropriation**  
25422301-5332 Community Based Corrections Grant/Cell Phone \$ 240.00

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

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

- Commissioner Hanks**  
-Conveyance Fees are up  
-Articles in Dispatch:  
    -Columbus State Community College In Delaware County  
    -Grief Now Has An Overseas Location

- Commissioner O'Brien**  
-Conveyance Fees  
-Columbus State; Ceremony On June 28,  
-911 Discussions On Potential Of Levy

- Commissioner Thompson**  
-Delaware Marina Expansion At State Park  
- The Ground Breaking For The Delaware City Recreation Center

**RESOLUTION NO. 10-815**

**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 COLLECTIVE BARGAINING:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn into Executive Session at 9:17AM.

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

**RESOLUTION NO. 10-816**

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

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It was moved by Mr. O'Brien, seconded by Mr. Hanks to adjourn out of Executive Session at 9:33AM.

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

**RESOLUTION NO. 10-817**

**9:30AM - IN THE MATTER OF OPENING PUBLIC HEARING # 2 FOR DELAWARE COUNTY'S FORMULA 2010 CDBG GRANT:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to open the hearing.

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

**RESOLUTION NO. 10-818**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING # 2 FOR DELAWARE COUNTY'S FORMULA 2010 CDBG GRANT:**

It was moved by Mr. O'Brien, seconded by Mr. Hanks to close the hearing.

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

**RESOLUTION NO. 10-819**

**IN THE MATTER OF AUTHORIZING AN AGREEMENT BETWEEN THE OHIO REGIONAL DEVELOPMENT CORPORATION AND THE DELAWARE COUNTY COMMISSIONERS FOR THE PROVISION OF CDBG FORMULA 2010 FAIR HOUSING CONSULTING SERVICES, CONTINGENT THAT DELAWARE COUNTY RECEIVES THE CDBG FORMULA 2010 FUNDS FROM OHIO DEPARTMENT OF DEVELOPMENT:**

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

WHEREAS, the Ohio Department of Development provides financial assistance to local governments under the Community Development Block Grant (CDBG) Formula Program to Delaware County, and

WHEREAS, participation in the CDBG program requires that efforts be made to affirmatively further fair housing locally, and

WHEREAS, Delaware County is applying for Six Thousand One Hundred Dollars (\$6,100) through the FY10 CDBG Formula Program for Fair Housing activities.

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 Board of Commissioners authorizes the President of the Board to execute an Agreement for Fair Housing Consulting Services with The Ohio Regional Development Corporation in an amount not to exceed Six Thousand One Hundred Dollars (\$6,100) contingent on Delaware County receiving approval of the FY 2010 Grant from the Ohio Department of Development.

Section 2. That this Resolution shall take effect and be in force immediately after the Ohio Department of Development awards the FY 2010 Grant to Delaware County.

**FAIR HOUSING  
AGREEMENT**

The purpose of this agreement is to outline the responsibilities of Delaware County and Ohio Regional Development Corporation (ORDC) in complying with the Fair Housing requirements in conjunction with the Delaware County FY 2010 CDBG Formula Program in a timely and professional manner as follows:

**General Information:**

ORDC's full time Housing Coordinator and staff will be available to receive and handle fair housing questions and complaints. In this regard an ORDC 1-800 telephone line has been established and published. The 1-800 telephone line will ring into this office and we will take calls five days a week from 8:00 am to 4:00 pm, excluding the lunch hour, daily. The lunch hour is scheduled from 12:00 noon to 1:00 pm. A voice mail system is also in place to receive messages and inquiries during also the lunch hour and after regular business hours. ORDC will spend time with callers to discuss their Fair Housing concerns. A system to record the nature of the calls, the actions taken on each call and the result of the action taken

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has been established. A tracking system of calls received by area has also been established.

**Fair Housing Complaint Intake and Referral:**

Complaints that are received that are not fair housing complaints will be referred to the appropriate person or office. If the complaint could be a potential fair housing complaint, the Fair Housing Coordinator will inform the complainant of his/her rights to fair housing, of remedies that are available, offer written literature, offer an appointment to discuss the complaint and to help a complainant file a written complaint or offer to mail a complaint form to them to complete the form themselves. If the complainant prefers to deal directly with the Ohio Civil Rights Commission (OCRC), the Fair Housing Coordinator will offer the address and telephone number of the regional Ohio Civil Rights Office. If a complainant requires a "face to face" meeting with a staff person, ORDC will meet them in Delaware County at a convenient place and an acceptable and reasonable time for all parties concerned. ORDC will receive and log all complaints and handle all necessary paper work.

**Training:**

Seminars will be conducted to fulfill all Fair Housing requirements for your individual program. Each seminar will generally follow ORDC's "Fair Housing Seminar Format", and will be tailored for Delaware County's audience.

**Outreach:**

At a minimum, the number of copies of current Fair Housing brochures identified in the fair housing program will be distributed in places that will benefit the target area as specified in the program. Additional copies, as requested by agencies, will be provided at no additional charge. ORDC literature identifies the telephone number for the speech/hearing impaired. It also identifies a local contact number. ORDC will take whatever reasonable measures are needed to meet guidelines.

**Reports:**

A fair housing report will be issued for Delaware County on a semi-annual basis as well as a final report at the end of the grant period. The reports will contain information on the number of meetings, number of complaints and their outcomes (if known or available), number of brochures and posters distributed and the locations, and general information on the progress of the activities. All required forms will be maintained within the records and made available as needed, as they relate to the Fair Housing Program. All pertaining State and Federal guidelines will be followed.

**Time of Performance**

The services of the ORDC coincide with the grant period of September 1, 2010 until August 31, 2010.

**Cost and Method of Payment**

The cost including all overhead, travel and other expenses will be \$6,100. ORDC will invoice for work completed according to an agreed upon schedule.

**Termination of Contract**

If, through any cause, ORDC shall fail to fulfill in a timely and proper manner his obligations under this contract, or if ORDC shall violate any of the covenants, agreements or stipulations of this contract, the agency shall thereupon have the right to terminate this contract by giving written notice to the ORDC of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by ORDC under this contract shall, at the option of the Agency, become its property and ORDC shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder. Notwithstanding the above, ORDC shall not be relieved of liability to the Agency for damages sustained by the Agency, by virtue of any breach of the contract by ORDC, and the Agency may withhold any payments to ORDC, for the purpose of set-off until such time as the exact amount of the damages due the Agency from ORDC is determined.

Either party may terminate the Agreement at any time by giving written notice of such termination and specifying the effective date thereof, at least fifteen (15) days before the effective date of such termination. In the event, all finished or unfinished documents and other materials shall, at the option of the Agency, become its property. If the Agreement is terminated by the Agency as provided herein, ORDC will be paid an amount based on the time and expenses incurred by ORDC prior to the effective date of such termination.

**General Conditions**

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- A) Governing Law: This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Agreement shall be filed in and heard before the courts of Delaware County, Ohio.
- B) Severability: If any item, condition, portion, or section of this Agreement or the application thereof to any person, premises, or circumstance shall to any extent, be held to be invalid or unenforceable, the remainder hereof and the application of such term, condition, provision, or section to persons, premises, or circumstances other than those as to whom it shall be held invalid or unenforceable shall not be affected thereby, and this Agreement and all the terms, conditions, provisions, or sections hereof shall, in all other respects, continue to be effective and to be complied with.
- C) Findings for Recovery: ORDC certifies that it has no outstanding findings for recovery pending or issued against it by the State of Ohio.
- D) Campaign Finance – Compliance with R.C. 3517.13: Ohio Revised Code Section 3517.13 I(3) and J(3) requires that no agency or department of this state or any political subdivision shall enter into any contract for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars with a corporation, individual, partnership or other unincorporated business, association, including, without limitation, a professional association organized under Chapter 1785 of the Revised Code, estate, or trust unless the contract includes a certification that the individuals named in Revised Code Sections 3517.13(I)(1) and (J)(1) are in compliance with the aforementioned provisions. The Contractor/Provider, therefore, is required to complete the attached certificate/affidavit entitled “Certification/Affidavit in Compliance With O.R.C. Section 3517.13.” Failure to complete and submit the required aforementioned certificate/affidavit with the Contract will prohibit the County from entering, proceeding, and/or performing the Contract. Such certification is attached to this Contract and by this reference made a part of this Contract.

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

**RESOLUTION NO. 10-820**

**IN THE MATTER OF APPROVING THE ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR LOCAL GOVERNMENTS CONTINGENT THAT DELAWARE COUNTY RECEIVES THE CDBG FORMULA 2010 GRANT FROM THE OHIO DEPARTMENT OF DEVELOPMENT:**

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

WHEREAS, the Ohio Department of Development (ODOD) has allocated \$166,000 in the Fiscal Year 2010 Small Cities Community Development Block (CDBG) grant funds under the Formula Program to Delaware County; and

WHEREAS, Delaware County is submitting an application to ODOD for the CDBG Formula 2010 Program; and

WHEREAS, ODOD requires an Anti-Displacement and Relocation Plan by all grantees prior to funding, regardless of whether or not demolition activities are planned; and

WHEREAS, this Anti-Displacement and Relocation Plan was developed as a strategy to assist low- and moderate-income dwelling units demolished or converted to a use other than low- and moderate-housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974; and

WHEREAS, Delaware County will provide relocation assistance, as described in 24 CFR 570.488, to each low- and moderate-income household displaced by the demolition of housing or conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

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

SECTION I. The Board of Commissioners authorizes the approval of the Anti-Displacement and Relocation Assistance Plan as part of the Formula 2010 grant.

**Anti-Displacement and Relocation Assistance Plan for Local Governments**

The effective date of this plan and certification is June 21, 2010.

Delaware County will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than low- and moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR 570.488. HUD regulations have extended this requirement to the HOME program as well.



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All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, Delaware County will make public and submit to the Office of Housing and Community Partnerships (OHCP) the following information in writing:

1. A description of the proposed assisted activity;
2. The location of each site on a map and the number of dwelling units by bedroom size that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by bedroom size that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low- and moderate-income unit for at least 10 years for the date of initial occupancy;
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not; and
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered a low- and moderate-income unit.

Delaware County will provide relocation assistance, as described in 24 CFR 570.488, to each low- and moderate-income household displaced by the demolition of housing or conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives under the Act, Delaware County agrees to provide substantial levels of assistance to persons displaced by HUD-assisted programs and will further seek to minimize displacement of persons as a result of assisted activities.

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

**RESOLUTION NO. 10-821**

**IN THE MATTER OF AUTHORIZING THE FISCAL YEAR 2010 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO BE FILED WITH THE OHIO DEPARTMENT OF DEVELOPMENT:**

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

WHEREAS, the Ohio Department of Development has allocated \$166,000 in the Fiscal Year 2010 Small Cities Community Development Block (CDBG) grant funds under the Formula Program to Delaware County, and

WHEREAS, Delaware County has conducted its first public hearing on February 8, 2010, concerning the CDBG program and has conducted a second public hearing on the proposed application on June 21, 2010. Such hearings indicate significant need and interest in utilizing these funds to assist the communities within the County with necessary and useful programs, which are responsive to the State and national program objectives and qualification criteria for this program.

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. The Economic Development Director is hereby authorized to make application for \$166,000 of CDBG Small Cities Formula Program funds, \$50,100 of which shall be used for Street Improvements in the Village of Ashley; \$63,400 of which shall be used for Sidewalk Improvements in the Village of Ostrander; \$24,900 of which shall be used for Public Service (Family Promise Van); \$6,100 of which is to be used for Fair Housing educational activities throughout the County; and \$21,500 of which is to be used for Program Administration. All necessary program assurances will be included with the application.

Section 2. This resolution shall take effect and be in force immediately after passage.

Section 3. The funding for the projects for the FY 2010 Grant is indicated below:

	Proposed Project	Total Project Cost	Proposed CDBG Formula	Proposed RLF Funding	Proposed Other Funding	Description of Other Funding

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1. Village of Ashley	Street Improvements	\$50,100	\$50,100	0	0	
2. Village of Ostrander	Sidewalk Improvements	\$75,400	\$63,400	0	\$12,000	Village – Engineering & Project cost
3. Family Promise –Public Service	Countywide	\$ 30,400	\$24,900	\$5,500		
4. Fair Housing	Countywide	\$ 6,100	\$ 6,100			
5. Administrative	General	\$ 21,500	\$ 21,500			
<b>Totals</b>		<b>\$183,500</b>	<b>\$166,000</b>	<b>\$5,500</b>	<b>\$12,000</b>	

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

**RESOLUTION NO. 10-822**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY REVOLVING LOAN FUNDS (RLF) TO ASSIST IN FUNDING THE FAMILY PROMISE PUBLIC SERVICE ACTIVITY FOR ADDITIONAL FUNDS ALLOCATED THROUGH THE FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES FORMULA PROGRAM CONTINGENT THAT DELAWARE COUNTY RECEIVES THE CDBG FORMULA 2010 FUNDS FROM OHIO DEPARTMENT OF DEVELOPMENT:**

It was move by Mr. Hanks, seconded by Mr. Thompson to authorize the following;

WHEREAS, Delaware County has applied for \$166,000 in the Fiscal Year 2010 Small Cities Community Development Block Grant (CDBG) funds under the Formula Program for various improvement and planning projects in the County, and

WHEREAS, the total cost of these projects is estimated to be \$183,500; and

WHEREAS, it is anticipated that a funding gap exists between the total cost of said projects and the amount of funds available to totally fund these projects from the FY’ 10 CDBG Small Cities Formula Program; and

WHEREAS, Delaware County has established a Revolving loan Fund (RLF) capitalized with the payback from CDBG loans to local businesses; and

WHEREAS, the CDBG funds to be utilized to assist said various projects will meet the needs of the community’s low-to-moderate income households and the National Objectives established for the CDBG Program.

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. The Delaware County Board of Commissioners hereby approves an RLF infrastructure grant in the amount of \$5,500 to further assist in the Public Service Activity for Family Promise associated with the FY’ 10 CDBG Project.

Section 2. The Delaware County Board of Commissioners hereby approves an RLF grant in the amount of \$5,500 to further assist Family Promise Public Service Activity to purchase a van to transport homeless families.

Section 3. That this Resolution shall take effect and be in force immediately after the Ohio Department of Development awards the FY 2010 Grant to Delaware County.

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

**RESOLUTION NO. 10-823**

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