

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 27, 2011

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present: Ken O’Brien, Dennis Stapleton, Tommy Thompson

RESOLUTION NO. 11-92

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 24, 2011:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on January 24, 2011; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion: Mr. O'Brien Aye Mr. Thompson Aye Mr. Stapleton Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 11-93

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBER CMAPR0126 :

It was moved by Mr. O’Brien, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch number CMAPR0126 and Purchase Orders as listed below:

	TRI STATE YOUTH			
R1101998	AUTHORITY	RESIDENTIAL TREATMENT	22511607 - 5342	\$60,814.19
R1102000	YOUTH ADVOCATE SERVICES	RESIDENTIAL TREATMENT	22511607 - 5342	\$22,597.85
R1102006	LIFE START INC	RESIDENTIAL TREATMENT	22511607 - 5342	\$20,000.00
R1102016	SOJOURNERS CARE NETWORK	RESIDENTIAL TREATMENT	22511607 - 5342	\$20,000.00
R1102035	AMERICAN ELECTRIC POWER	ELECTRIC -- MEDICS 1, 2, 3, 9	10011303 - 5338	\$13,000.00
R1102038	HP PRODUCTS CORP	JANITORIAL SUPPLIES	10011303 - 5201	\$10,000.00
R1102045	ALLIED WASTE SERVICES INC	TRASH REMOVAL -- 2, 3, 4, ,8	10011303 - 5338	\$ 5,700.00
	KEMIRA WATER SOLUTIONS	CHEMICAL - FERRIC	66211903 - 5290	
R1102061	INC	CHLORIDE		\$16,000.00
R1102066	K O K PRODUCTS INC	OECC	66211903 - 5290	\$ 5,000.00
R1102066	K O K PRODUCTS INC	ALUM CREEK	66211904 - 5290	\$ 4,000.00
R1102071	LOEB ELECTRIC CO	GENERAL SUPPLIES & PARTS	66211903 - 5201	\$ 4,500.00
R1102071	LOEB ELECTRIC CO	GENERAL SUPPLIES & PARTS	66211904 - 5201	\$ 4,000.00
R1102071	LOEB ELECTRIC CO	MINOR TOOLS - OECC	66211903 - 5250	\$ 250.00
		MINOR TOOLS - ALUM		
R1102071	LOEB ELECTRIC CO	CREEK	66211904 - 5250	\$ 250.00
R1102071	LOEB ELECTRIC CO	TARTAN	66211906 - 5201	\$ 1,000.00
R1102071	LOEB ELECTRIC CO	GENERAL SUPPLIES & PARTS	66211907 - 5201	\$ 1,000.00
R1102071	LOEB ELECTRIC CO	GENERAL SUPPLIES & PARTS	66211908 - 5201	\$ 100.00
R1102071	LOEB ELECTRIC CO	HOOVERWOODS	66211909 - 5201	\$ 500.00
R1102071	LOEB ELECTRIC CO	SCIOTO HILLS	66211910 - 5201	\$ 500.00
R1102071	LOEB ELECTRIC CO	NORTHSTAR	66211911 - 5201	\$ 500.00
R1102074	MOYNO INC	REBUILD PARTS FOR PUMPS	66211903 - 5201	\$ 5,000.00
R1102074	MOYNO INC	REBUILD PARTS FOR PUMPS	66211904 - 5201	\$ 1,000.00
	MARION INDUSTRIAL			
R1102077	ELECTRICAL SUPPLY INC	EQUIPMENT PARTS - OECC	66211903 - 5201	\$ 4,000.00
	MARION INDUSTRIAL			
R1102077	ELECTRICAL SUPPLY INC	EQUIPMENT REPAIRS - OECC	66211903 - 5328	\$ 2,500.00
	MARION INDUSTRIAL	EQUIPMENT PARTS - ALUM		
R1102077	ELECTRICAL SUPPLY INC	CREEK	66211904 - 5201	\$ 4,500.00
	MARION INDUSTRIAL	EQUIPMENT REPAIRS -		
R1102077	ELECTRICAL SUPPLY INC	ALUM CREEK	66211904 - 5328	\$ 2,500.00
R1102077	MARION INDUSTRIAL	EQUIPMENT PARTS -	66211906 - 5201	\$ 1,000.00

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	ELECTRICAL SUPPLY INC	TARTAN		
	MARION INDUSTRIAL	EQUIPMENT PARTS - SCIOTO		
R1102077	ELECTRICAL SUPPLY INC	RESERVE	66211907 - 5201	\$ 1,000.00
	MARION INDUSTRIAL	EQUIPMENT PARTS -		
R1102077	ELECTRICAL SUPPLY INC	BENTTREE	66211908 - 5201	\$ 500.00
	MARION INDUSTRIAL	EQUIPMENT PARTS -		
R1102077	ELECTRICAL SUPPLY INC	HOOVERWOODS	66211909 - 5201	\$ 500.00
	MARION INDUSTRIAL	EQUIPMENT PARTS - SCIOTO		
R1102077	ELECTRICAL SUPPLY INC	HILLS	66211910 - 5201	\$ 500.00
	MARION INDUSTRIAL	EQUIPMENT PARTS -		
R1102077	ELECTRICAL SUPPLY INC	NORTHSTAR	66211911 - 5201	\$ 500.00
R1102083	MCNAUGHTON MCKAY INC	EQUIPMENT PARTS - OECC	66211903 - 5201	\$ 5,000.00
R1102083	MCNAUGHTON MCKAY INC	EQUIPMENT REPAIRS - OECC	66211903 - 5328	\$ 2,000.00
		EQUIPMENT PARTS - ALUM		
R1102083	MCNAUGHTON MCKAY INC	CREEK	66211904 - 5201	\$ 5,000.00
		EQUIPMENT REPAIRS -		
R1102083	MCNAUGHTON MCKAY INC	ALUM CREEK	66211904 - 5328	\$ 2,000.00
		EQUIPMENT PARTS -		
R1102083	MCNAUGHTON MCKAY INC	TARTAN	66211906 - 5201	\$ 500.00
		EQUIPMENT PARTS - SCIOTO		
R1102083	MCNAUGHTON MCKAY INC	RESERVE	66211907 - 5201	\$ 500.00
R1102092	NORTH SOUTH TOWING INC	ALUM CREEK	66211904 - 5328	\$ 5,000.00
		LARGE VEHICLE TOWING		
R1102092	NORTH SOUTH TOWING INC	AND REPAIRS	66211906 - 5328	\$ 2,500.00
		LARGE VEHICLE TOWING		
R1102092	NORTH SOUTH TOWING INC	AND REPAIRS	66211907 - 5328	\$ 2,500.00
R1102094	NCL OF WISCONSIN INC	LAB SUPPLIES - OECC	66211903 - 5201	\$ 1,000.00
		LAB SUPPLIES - ALUM		
R1102094	NCL OF WISCONSIN INC	CREEK	66211904 - 5201	\$ 5,000.00
		ELECTRIC SERVICE TO		
		TARTAN FIELD AND PUMP		
R1102103	OHIO EDISON CO	STATIONS	66211906 - 5338	\$41,000.00
		FURNACE FILTERS FOR		
R1102105	FILTER TECHNOLOGY INC	COUNTY OFCS.	10011105 - 5201	\$ 9,106.04
		SHIPPING & HANDLING		
R1102105	FILTER TECHNOLOGY INC	FURNACE FILTERS	10011105 - 5331	\$ 250.00
R1102109	POLYDYNE INC	CHEMICAL - POLYMER	66211903 - 5290	\$60,000.00
R1102109	POLYDYNE INC	CHEMICAL - POLYMER	66211904 - 5290	\$30,000.00
R1102121	REPUBLIC WASTE SERVICES I	TRASH PICK UP OECC	66211903 - 5338	\$ 4,000.00
		TRASH PICK UP ALUM		
R1102121	REPUBLIC WASTE SERVICES I	CREEK	66211904 - 5338	\$ 3,000.00
		GAS HEAT SERVICE TO		
R1102133	SUBURBAN NATURAL GAS C	ALUM CREEK	66211904 - 5338	\$12,000.00
R1102138	TRACTOR SUPPLY COMPANY	GENERAL SUPPLIES - OECC	66211903 - 5201	\$ 2,000.00
		GENERAL SUPPLIES - ALUM		
R1102138	TRACTOR SUPPLY COMPANY	CREEK	66211904 - 5201	\$ 2,000.00
		PROTECTIVE EQUIPMENT -		
R1102138	TRACTOR SUPPLY COMPANY	OECC	66211903 - 5225	\$ 1,500.00
		PROTECTIVE EQUIPMENT -		
R1102138	TRACTOR SUPPLY COMPANY	ALUM CREEK	66211904 - 5225	\$ 1,500.00
R1102138	TRACTOR SUPPLY COMPANY	MINOR TOOLS - OECC	66211903 - 5250	\$ 500.00
		MINOR TOOLS - ALUM		
R1102138	TRACTOR SUPPLY COMPANY	CREEK	66211904 - 5250	\$ 500.00
R1102141	BOUND TREE MEDICAL LLC	EMS MEDICAL SUPPLIES	10011303 - 5243	\$20,000.00
R1102147	USA BLUEBOOK	GENERAL SUPPLIES - OECC	66211903 - 5201	\$ 3,000.00
		GENERAL SUPPLIES - ALUM		
R1102147	USA BLUEBOOK	CREEK	66211904 - 5201	\$ 3,000.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	TARTAN	66211906 - 5201	\$ 500.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	SCIOTO RESERVE	66211907 - 5201	\$ 500.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	BENTTREE	66211908 - 5201	\$ 300.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	HOOVERWOODS	66211909 - 5201	\$ 300.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	SCIOTO HILLS	66211910 - 5201	\$ 300.00
		GENERAL SUPPLIES -		
R1102147	USA BLUEBOOK	NORTHSTAR	66211911 - 5201	\$ 350.00
R1102147	USA BLUEBOOK	MISC EQUIPMENT - TARTAN	66211906 - 5260	\$ 1,000.00
		MISC EQUIPMENT - SCHIOTO		
R1102147	USA BLUEBOOK	RESERVE	66211907 - 5260	\$ 1,000.00
R1102150	LEO MEYERS UNIFORMS INC	EMS UNIFORM PURCHASES	10011303 - 5225	\$30,000.00
R1102158	DELAWARE CAB CO INC	transportation	22411601 - 5355	\$10,000.00
		OPERATING SUPPLIES -		
R1102173	HART INDUSTRIES INC	MAINTENANCE - OECC	66211903 - 5201	\$ 3,500.00

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		OPERATING SUPPLIES -		
		MAINTENANCE - ALUM		
		CREEK	66211904 - 5201	\$ 3,500.00
R1102173	HART INDUSTRIES INC			
	DELAWARE AREA CAREER			
R1102217	CTR	ABLE	22411601 - 5348	\$53,047.50
R1102260	ADRIEL SCHOOL INC	residential treatment	22511607 - 5342	\$45,000.00
R1102338	TREASURER,STATE OF OHIO	DISCHARGE PERMIT FEE	66211903 - 5316	\$ 5,200.00
R1102338	TREASURER,STATE OF OHIO	DISCHARGE PERMIT FEE	66211904 - 5316	\$ 5,200.00
R1102338	TREASURER,STATE OF OHIO	PERMIT FEE - BENTTREE	66211908 - 5316	\$ 200.00
R1102338	TREASURER,STATE OF OHIO	DISCHARGE FEE	66211909 - 5316	\$ 200.00
		DISCHARGE FEE - SCIOTO		
R1102338	TREASURER,STATE OF OHIO	HILLS	66211910 - 5316	\$ 200.00
R1102338	TREASURER,STATE OF OHIO	SEWAGE SLUDGE FEE	66211903 - 5316	\$ 1,600.00
R1102338	TREASURER,STATE OF OHIO	SEWAGE SLUDGE FEE	66211904 - 5316	\$ 2,500.00
		DISCHARGE FEE - COUNTY		
R1102338	TREASURER,STATE OF OHIO	HOME	66211903 - 5316	\$ 100.00
		DISCHARGE FEE - COUNTY		
R1102338	TREASURER,STATE OF OHIO	HOME	66211904 - 5316	\$ 100.00
	TREASURER,STATE OF OHIO			
R1102338		SEWAGE SLUDGE FEE	66211910 - 5316	\$ 100.00
		LAND APPLICATION OR		
R1102338	TREASURER,STATE OF OHIO	NPDES PERMIT	66211906 - 5316	\$ 200.00
		LAND APPLICATION OR		
R1102338	TREASURER,STATE OF OHIO	NPDES PERMIT	66211907 - 5316	\$ 200.00
		RELOCATIN OF KARDEX		
R1102361	MID OHIO BUSINESS SYSTEMS	UNIT	40111402 - 5301	\$12,100.00
R1102404	BLUES AUTO SERVICE INC	21-8 STRUCK BY OTHER VEH	60111901 - 5370	\$ 6,400.00
		OHIO CHILDRENS TRUST		
R1102425	HEALTH DEPARTMENT	FUND	22811609 - 5301	\$ 7,612.00
		CONSTRUCTION OF		
	FABRIZI TRUCKING AND	CHESHIRE ELEMENTARY		
R1102428	PAVING CO INC	SEWER PROJECT	66711905 - 5415	\$17,475.36
R1102458	OHIO EDISON CO	ELECTRIC AT MEDIC 4 AND 5	10011303 - 5338	\$ 8,500.00

Vote on Motion: Mr. Thompson Aye Mr. Stapleton Aye Mr. O'Brien Aye

RESOLUTION NO. 11-94

APPROVAL OF THE SURETY COMPANY, THE AMOUNT OF THE BOND, AND PAYMENT OF THE EXPENSE OR PREMIUM OF THE BOND OF DELAWARE COUNTY RECORDER MELISSA JORDAN

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

PREAMBLE

WHEREAS, in accordance with Ohio Revised Code Section 317.02, the board of county commissioners is required to approve the surety company and the amount of the bond of the county recorder; and,

WHEREAS, in accordance with Ohio Revised Code Section 317.02, the expense or premium for the county recorder’s bond shall be paid by the board of county commissioners and charged to the general fund of the county.

NOW THEREFORE, BE IT RESOLVED, as follows:

- Pursuant to Ohio Revised Code Section 317.02, the Board of Delaware County Commissioners (“Board”):
 - Approves Western Surety Company as the surety company providing the bond for Delaware County Recorder, Melissa Jordan; said bond being issued through Hilborn Insurance Agency; and,
 - Approves Ten Thousand Dollars (\$10,000.00) as the amount of the bond for Delaware County Recorder, Melissa Jordan.
- Pursuant to Ohio Revised Code Section 317.02, the expense or premium for the bond for Delaware County Recorder, Melissa Jordan, shall be paid by the Board and charged to the general fund of Delaware County, Ohio.
- All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that

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resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

4. This Resolution shall be in full force and effect immediately upon adoption.

Vote on Motion: Mr. Stapleton Aye Mr. O'Brien Aye Mr. Thompson Aye

RESOLUTION NO. 11- 95

IN THE MATTER OF PROCEEDING WITH THE SUBMISSION OF THE QUESTION OF LEVYING THE REPLACEMENT OF AN EXISTING TAX EXCEEDING THE TEN-MILL LIMITATION FOR THE BOARD OF DEVELOPMENTAL DISABILITIES:

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

PREAMBLE

WHEREAS, on January 24, 2011, the Board of County Commissioners of Delaware County, Ohio (the "Board") adopted Resolution No. 11-72 declaring the necessity of levying the replacement of an existing tax exceeding the ten-mill limitation for the operation of community developmental disabilities programs and services by the Board of Developmental Disabilities and for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities in Delaware County, pursuant to sections 5705.19(L), 5705.192, and 5705.222 of the Revised Code; and

WHEREAS, the Delaware County Auditor has certified to the Board that the estimated dollar amount of revenue that would be generated by 2.1 mills is \$13,735,915.00, based on the current assessed valuation of Delaware County of \$6,379,447,020.00;

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Delaware County, Ohio (the "Board"), a majority of the full membership thereof concurring, that the Board desires to proceed with the submission of the question of levying a replacement of an existing tax, at the same rate, for the benefit of Delaware County for the purpose of the operation of community developmental disabilities programs and services by the Board of Developmental Disabilities and for the acquisition, construction, renovation, financing, maintenance, and operation of developmental disabilities facilities in Delaware County at a rate not exceeding 2.1 mills for each one dollar of tax valuation, which amounts to twenty-one cents (\$0.21) for each one hundred dollars of tax valuation, to the electors of Delaware County, Ohio, said tax being authorized by sections 5705.19(L), 5705.192, and 5705.222 of the Revised Code;

BE IT FURTHER RESOLVED, that the tax levy will be for five (5) years, and such levy will include a levy on the current year's tax list, commencing in 2011, first due in calendar year 2012 after the settlement next succeeding the election, if approved by a majority of the electors voting thereon;

BE IT FURTHER RESOLVED, the question of such tax levy shall be submitted to the electors of Delaware County, Ohio at the special election to be held therein on May 3, 2011;

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to certify, not less than ninety (90) days prior to the election, to the Board of Elections, Delaware County, Ohio, a copy of the resolution of necessity Resolution No. 11-72 adopted on January 24, 2011, and a copy of this Resolution together with the certification of the Delaware County Auditor, and notify the Board of Elections to cause notice of election on the question of levying the tax to be given as required by law.

This Resolution shall be in full force and effect immediately upon adoption.

Vote on Motion: Mr. O'Brien Aye Mr. Thompson Aye Mr. Stapleton Aye

RESOLUTION NO. 11-96

IN THE MATTER OF APPOINTING BETH LEAR AS THE DELAWARE COUNTY BOARD OF COMMISSIONERS REPRESENTATIVE TO THE DELAWARE COUNTY PORT AUTHORITY:

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

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 individuals to the Delaware County Port Authority.

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Whereas, Beth Lear shall be appointed as a citizen member to serve on the Delaware County Port Authority with a term beginning January 1, 2011 and ending December 31, 2014;

Therefore, be it resolved that the Delaware County Board of Commissioners for the State of Ohio appoint Beth Lear as a citizen member to the Delaware County Port Authority with a term beginning January 1, 2011 and ending December 31, 2014.

It was moved by Mr. Thompson to table this item. The motion died for lack of a second

Vote on Motion as Presented Mr. Stapleton Aye Mr. O'Brien Aye Mr. Thompson Aye

COMMISSIONERS' COMMITTEES REPORTS

911 LEVY DISCUSSION

RESOLUTION NO. 11-97

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 : TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND FOR PENDING OR IMMINENT LITIGATION :

It was moved by Mr. O'Brien, seconded by Mr. Stapleton to adjourn into Executive Session at 11:21 AM.

Vote on Motion: Mr. O'Brien Aye Mr. Thompson Aye Mr. Stapleton Aye

RESOLUTION NO. 11-98

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to adjourn out of Executive Session at 11:55 AM.

Vote on Motion: Mr. Thompson Aye Mr. Stapleton Aye Mr. O'Brien Aye

There being no further business, the meeting adjourned.

Ken O'Brien

Dennis Stapleton

Tommy Thompson

Jennifer Walraven, Clerk to the Commissioners