

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

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

Present:  
Dennis Stapleton, President  
Ken O’Brien, Vice President  
Tommy Thompson, Commissioner

RESOLUTION NO. 11-422

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 25, 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 April 25, 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. Thompson   Aye   Mr. Stapleton   Aye   Mr. O'Brien   Aye

RESOLUTION NO. 11-423

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM WORK SESSION HELD APRIL 25, 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 a work session on April 25, 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 work session 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 work session.

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

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 11-424

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0427 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0427:

It was moved by Mr. O’Brien, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0427 and memo transfers in batch numbers MTAPR0427 and Purchase Orders as listed below:

<u>Vendor</u>		<u>Description</u>	<u>Account</u>	<u>Amount</u>	
<b>PO’ Increase</b>					
Beem’s		Gasoline	10011106-5228	\$75,000.00	
<b>PR Number</b>	<b>Vendor Name</b>	<b>Line Desc</b>	<b>Line Account</b>	<b>Amount</b>	<b>Line Number</b>
R1103835	LIBERTY TWP	1ST	10011303 - 5345	\$49,164.91	0001
	FIRE DEPT	QUARTER			
		EMS RUNS			

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

R1104033	CITY OF DELAWARE	1ST QUARTER EMS RUNS	10011303 - 5345	\$147,913.97	0001
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Vote on Motion   Mr. O'Brien   Aye   Mr. Thompson   Aye   Mr. Stapleton   Aye

RESOLUTION NO. 11-425

IN THE MATTER OF A NEW LIQUOR LICENSE REQUEST FROM COLUMBUS HOSPITALITY LLC, AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Orange Township Trustees that Columbus Hospitality LLC. has requested a new D5A permit located at 9243 Columbus Pike Orange Township Lewis Center, Ohio 43035; and

Whereas, the Delaware County Board of Commissioners has found no reason to file an objection;

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

RESOLUTION NO. 11-426

IN THE MATTER OF APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN DELAWARE COUNTY, OHIO, ON BEHALF OF DELAWARE COUNTY JUVENILE AND PROBATE COURT AND COURTVIEW JUSTICE SOLUTIONS, INC.:

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

Whereas, The Juvenile/Probate Court Judge And Court Administrator, recommend approval of Amendment No. 1 to the Professional Services Agreement between Delaware County, Ohio, on behalf of Delaware County Juvenile and Probate Court and CourtView Justice Solutions, Inc.:

Now Therefore Be It Resolved That The Delaware County Board Of Commissioners approve Amendment No. 1 to the Professional Services Agreement between Delaware County, Ohio, on behalf of Delaware County Juvenile and Probate Court and CourtView Justice Solutions, Inc.:

AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT

This Amendment No. 1 to the Professional Services Agreement is entered into this 28th day of April, 2011, by and between Delaware County, Ohio, on behalf of Delaware County Juvenile and Probate Court, whose offices are located at 140 North Sandusky Street, Delaware, Ohio 43015 ("Customer") and CourtView Justice Solutions, Inc., a Delaware Corporation, whose office is located at 5399 Lauby Road, North Canton, Ohio 44720 ("CJS"), pursuant to the Professional Services Agreement entered into on October 7, 2010 (the "Agreement").

RECITALS

WHEREAS, the Agreement requires CJS conversion of Customer's existing Henchen legacy data; and

WHEREAS, at the time of CJS estimation of the conversion effort, CJS assumed that the Henchen legacy data would be provided in the same format and structure as previously encountered in conversion of Henchen legacy data, thus allowing CJS to leverage, to the extent possible, previously developed conversion scripts; and

WHEREAS, in the course of the conversion, CJS identified a number of database tables not previously encountered in converting Henchen legacy data (see list from November 30, 2010 email, attached hereto as Exhibit 1 and, by this reference, fully incorporated herein); and

WHEREAS, in order to convert these additional database tables, new conversion scripts need to be developed and additional tables converted; and

WHEREAS, the Customer has also requested additional training time to handle the additional tables found and take advantage of new functionality; and

WHEREAS, CJS initially estimated the level of effort to complete the conversion of the legacy data at 400 hours and

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

Onsite CourtView Train the Trainer at 216 hours (see Exhibit “B” of the Professional Services Agreement); and

WHEREAS, pursuant to Section 4(a) and 4(d) of the Agreement, should the actual effort exceed the CJS good faith estimate, the Parties may, by mutual agreement, increase the price so that CJS may expend the additional effort needed to complete the conversion of the legacy data and On-site CourtView Train the Trainer;

NOW, THEREFORE, the Parties hereto agree as follows:

1. The price estimate table in Exhibit B of the Agreement shall be deleted and replaced with the following:

Professional Services	Est. Hours	Hourly Rate	Total
1.0 Baseline Services			
1.1 Project Management	60	\$175.00	\$10,500.00
1.2 Remote Software			\$5,000.00
1.3 Data Conversion	600	\$175.00	\$105,000.00
1.4 Technical Services	16	\$175.00	\$2,800.00
1.5 Training Preparation	48	\$175.00	\$8,400.00
1.6 CourtView Train the Trainer	266	\$175.00	\$46,550.00
1.7 On site go live	64	\$175.00	\$11,200.00
1.8 Dashboard training	6	\$175.00	\$1,050.00
1.9 Project Management	2	\$175.00	\$350.00
Subtotal	1062		\$190,850.00
Discount		\$25.00	\$26,550.00
Net Professional Services			\$164,300.00
Travel Costs			\$7,000.00
Total			\$171,300.00

2. All other terms and conditions of the Agreement not specifically amended herein shall remain in full force and effect.

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

RESOLUTION NO. 11-427

IN THE MATTER OF APPROVING AN ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE OHIO DEPARTMENT OF PUBLIC SAFETY/OHIO HOMELAND SECURITY DIVISION  
AND THE DELAWARE COUNTY SHERIFF’S OFFICE FOR THE BUCKEYE STATE SHERIFF’S  
ASSOCIATION (BSSA) LIAISON OFFICER:

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

Memorandum of Understanding (addendum “A”)  
Between The  
Ohio Department of Public Safety/  
Ohio Homeland Security Division  
And  
Delaware County Sheriff's Office

By mutual consent of both parties, the existing Memorandum of Understanding (MOU) which became effective January 5, 2009, is hereby amended as follows:

Exhibit 1  
Scope of Work  
The Buckeye State Sheriff's Association (BSSA) Liaison Officer

The BSSA Liaison Officer will be expected to:

- Assist with the watch component in the Strategic Analysis and Information Center (SAIC) to maintain a situational awareness regarding Priority Intelligence Requirements (PUts).
- Attend meetings that plan for, develop, and improve information/intelligence sharing in support of the Ohio Homeland Security mission.
- Plan for the prevention, protection, response, and recovery from incidents of terrorism through meetings, trainings, and Law Enforcement Terrorism Prevention Program (LETPP) funding.
- Develop, implement, and support homeland security programs (e.g., Terrorism Liaison Officer (TLO), National

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

Incident Management System (NIMS), Suspicious Activity Report (SAR), Law Enforcement Response Plan (LERP), and See Something, Say Something).

- Establish or enhance mutual aid agreements.
- Serve as the liaison with the BSSA and local law enforcement community.  
Develop and conduct related terrorism awareness and prevention, public education, and outreach campaigns. Plan for, develop, and enhance information/ intelligence sharing relationships across law enforcement, EMS, EMA, public, and private sector areas.
- Prepare and give intelligence briefs as relevant for the information being briefed. • Utilize law enforcement relationships to assist SAIC analyst staff in their research. • Refer intelligence to appropriate entity for thither investigation.

Those items not specifically addressed in the above amendment but which appear in the original MOU shall remain the same and in lull force and effect

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

RESOLUTION NO. 11-428

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR THE SHERIFF’S OFFICE:

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

Transfer of Appropriation		
From	To	
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5201 DC Justice & Mental Health/General Supplies	1,755.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5217 DC Justice & Mental Health/Books & Periodicals	2,000.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5225 DC Justice & Mental Health/Protective Equipment	200.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5250 DC Justice & Mental Health/Minor Tools	4,589.27
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5260 DC Justice & Mental Health/Inventoried Tools	1,342.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5301 DC Justice & Mental Health/Professional Services	11,625.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5305 DC Justice & Mental Health/Training	1,000.00
24631330-5001 DC Justice & Mental Health/Compensation	24631330-5332 DC Justice & Mental Health/Cell Phone	240.00

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

RESOLUTION NO. 11-429

IN THE MATTER OF ENDORSING A SPECIAL ASSISTANCE GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR OHIO MULCH SUPPLY, INC.

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

WHEREAS, the Ohio Department of Natural Resources (ODNR), Division of Recycling and Litter Prevention,

**COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011**

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offers Special Assistance Grants for the purpose of advancing the recycling goals of the Division; and

WHEREAS, a major goal of ODNR is the diversion of organic wastes, specifically food wastes away from landfills and into compost facilities to create products of value and create economic development opportunities; and

WHEREAS, the ODNR as a matter of policy requires the Special Assistance Grants to be sponsored and administered by local government agencies in which the funds received from ODNR are passed through to the awarded entities for their approved projects; and

WHEREAS, Ohio Mulch Supply, Inc., has requested that the Delaware County Board of Commissioners sponsor their application to ODNR for a Special Assistance Grant to increase food waste diversion by way of a newly developed Class II compost facility located at the intersection of U.S. 42 and Short Cut Road in Delaware County and administer the grant should it be approved by ODNR; and

WHEREAS, if approved by ODNR, the Delaware County Board of Commissioners subject to additional authorization may enter into grant agreements with ODNR and Ohio Mulch Supply, Inc. for the proposed project; and

WHEREAS, the estimated project cost is \$500,000 and a 100% match is required from Ohio Mulch Supply, Inc., which results in a grant request of \$250,000; and

WHEREAS, Ohio Mulch Supply, Inc., will pay the Delaware County Board of Commissioners the total sum of \$1000 (One Thousand Dollars) in order to cover the direct costs of processing and administering this pass through grant; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio, to authorize Dennis Stapleton, President of the Board, to sign the 2011 Special Assistance Grant Endorsement Page on a form required by ODNR as follows:

**2011 SPECIAL ASSISTANCE GRANT ENDORSEMENT PAGE**

I, the undersigned Authorized Official, hereby authorize the below-named grant applicant to file a grant application with the Ohio Department of Natural Resources to acquire 2011 Market Development Grant funds pursuant to Chapter 1502 of the Ohio Revised Code. I further certify:

That the Delaware County Board of Commissioners is authorized to enter into an agreement with the Ohio Department of Natural Resources to implement said Special Assistance Grant program;

That these funds, if awarded, will be used locally to supplement and not replace existing funding;

That these funds, if awarded, will be used to provide services that the Authorized Official has determined are needed locally;

That, if these funds are awarded and the grant agreement is fully executed, the required local match necessary to implement said grant program will be provided;

That other state grant funds will not be used as match for the Special Assistance Grant award and that this grant's local match is not used for any other state grants;

Pursuant to ORC 2909.33, the grant applicant, and cooperating enterprise if applicable, has not provided material assistance to an organization listed on the Terrorist Exclusion List of the State Department of the United States;

Pursuant to ORC 9.24 the grant applicant does not owe delinquent taxes nor past due monies to the State of Ohio or any political subdivision of the state, nor owe monies to the State of Ohio for the administration or enforcement of environmental laws; and,

The Grantee affirms to have read and understands Executive Order 2011-09S issued by Ohio Governor Ted Strickland and shall abide by those requirements in the performance of this Grant, and shall perform no services required under this Grant outside of the United States. The Executive Order is available at the following website: <http://www.governor.ohio.gov/Default.aspx?tabid=1495>).

That Dennis Stapleton, is designated as the grant application's  
(Authorized Official's name – type or print)

Authorized Official, and is authorized to request revision to this application as allowed by the Ohio Department of Natural Resources, and to sign all grant documents.

I, the undersigned Authorized Official of the grant applicant, certify that the applicant possesses all necessary

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

authority to undertake the proposed activities identified in this application. I further certify that the information in this grant application is true, accurate and complete.

*(Authorized Official’s signature)* \_\_\_\_\_ *(Date)*

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

RESOLUTION NO. 11-430

IN THE MATTER OF AMENDING RESOLUTION 11-419:

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

Whereas the Advance of Funds of \$280.20 should have been a permanent transfer of funds,

Therefore, it is necessary to amend Resolution 11-419 to reflect the following

Transfer of Funds		
From	To	
10011102-5801	20210108-4601	\$ 280.20
Comm General/Transfers	Bureau of Motor Vehicles/Interfund Revenue	
Return Advance		
From	To	
24531326	10011102	\$ 21,897.00
Sheriff ARRA Servers	Commissioners General	
20210108	10011102	\$ 30,600.00
Bureau of Motor Vehicles	Commissioners General	

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

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner O’Brien  
-No Additional Comments

Commissioner Thompson  
-On Tuesday Attend The Executive DKMM Meeting In Mt. Vernon; Reviewed Revenues, Still Working On Director’s Evaluation

Commissioner Stapleton  
-A Thank-You To The Fire Chiefs For The Work session On Monday  
-Ohio House And CCAO Working On Bill 153

RESOLUTION NO. 11-431

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

It was moved by Mr. O’Brien, seconded by Mr. Thompson to adjourn into Executive Session at 10:35AM.

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

RESOLUTION NO. 11-432

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Thompson, seconded by Mr. Stapleton to adjourn out of Executive Session at 12:08PM.

Vote On Motion   Mr. Stapleton   Aye   Mr. O'Brien   Absent   Mr. Thompson   Aye

There being no further business, the meeting adjourned.

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 28, 2011

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Ken O'Brien

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Dennis Stapleton

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Tommy Thompson

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Jennifer Walraven, Clerk to the Commissioners