

COMMISSIONERS JOURNAL NO. 57 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 31, 2012

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

**Present:**  
Ken O'Brien, Vice President  
Tommy Thompson, Commissioner

**Absent:**  
Dennis Stapleton, President

**RESOLUTION NO. 12-525**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 24, 2012:**

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 24, 2012; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.12 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 Absent Mr. O'Brien Aye

**PUBLIC COMMENT**

**ELECTED OFFICIAL COMMENT**

- Phil Panzarella, Berlin Township Trustee**  
 1) A Thank-You To The Commissioners For Supporting The County Engineer's Contracts That Extends Rates For Supplies To The Townships. It Is A Cost Savings For The Townships  
 2) Concerns On Shale Drilling That Is Moving Into Ohio; Suggested The Idea Of Forming A Task Force

**RETIRING TRIBUTES**

- Joe Scherler, Code Compliance
- Mary Pallotta, Job and Family Services

**RESOLUTION NO. 12-526**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0530, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0530:**

It was moved by Mr. Thompson, seconded by Mr. O'Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0530, memo transfers in batch numbers MTAPR0530 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>		
<b>PO' Increase</b>					
Callos Companies	Job and Family Staffing Services	22411601-5301	\$156,000.00		
<b>PR Number</b>	<b>Vendor Name</b>	<b>Line Desc</b>	<b>Line Account</b>	<b>Amount</b>	<b>Line</b>
R1204148	POGGEMEYER DESIGN GROUP INC	HOUSING ACTIVITY	23011708 - 5365	\$6,000.00	0001
R1204259	XYLEM WATER SOLUTIONS USA INC	REPLACE FLYGHT BACKWASH PUMP #4 AT ALUM CREEK	66211904 - 5450	\$5,190.00	0001
R1204263	JWC ENVIRONMENTAL LLC	PARTS TO INSTALL GRINDER AT MAXTOWN	66611904 - 5410	\$14,600.00	0001
R1204264	XYLEM WATER SOLUTIONS USA INC	PUMPS FOR SAND FILTER REHAB PROJECT AT OECC	66611903 - 5450	\$17,886.50	0001

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R1204264	XYLEM WATER SOLUTIONS USA INC	PUMPS FOR SAND FILTER REHAB PROJECT AT ALUM CREEK	66611904 - 5450	\$17,886.50	0002
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Vote on Motion Mr. Stapleton Absent Mr. Thompson Aye Mr. O'Brien Aye

**RESOLUTION NO. 12-527**

**IN THE MATTER OF AMENDING RESOLUTION NO. 12-193, FINDING THE NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILE FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:**

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

WHEREAS, on February 23, 2012, the Board of Commissioners of Delaware County, Ohio (the "Board") adopted Resolution No. 12-193, finding that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the Delaware County Sheriff or his employees; and

WHEREAS, the Board has before it a request from the Sheriff's Office to alter the type and number of vehicles to be purchased; and

WHEREAS, pursuant to Resolution No. 12-193, the Sheriff has purchased three (3) 2012 Dodge Charger Police vehicles at a cost of \$27,131.00 per vehicle; and

WHEREAS, the Acting Sheriff is recommending that the purchase of one (1) 2012 Ford Utility Police Interceptor be canceled and that, in its place, an additional 2012 Dodge Charger Police vehicle be purchased;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. The Board hereby amends Section 2 of Resolution No. 12-193 by changing the purchase of "one (1) 2012 Ford Utility Police Interceptor at a cost of \$28,627.00" to the purchase of "one (1) 2012 Dodge Charger Police vehicle at a cost of \$27,131.00."

Section 2. All other Sections of Resolution No. 12-193 shall remain in full force and effect except as specifically amended by this Resolution.

Section 3. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

Section 4. This Resolution shall take effect immediately upon adoption.

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

**RESOLUTION NO. 12-528**

**IN THE MATTER OF AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG):**

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

Grant# 2012-JG-Delaware County Juvenile Court-00361  
Source: OCJS  
Grant Period: 1-1-13 thru 12-31-13

Grant Request:	\$112,423.72
County Match	<u>\$ 37,474.57</u>
Total	\$149,898.29

This grant if funded will provide funding for 2.2 FTE for Delaware County Juvenile Courts Drug court.

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

**RESOLUTION NO. 12-529**

**IN THE MATTER OF APPROVING AN ADVANCE OF FUNDS FOR JUVENILE/PROBATE COURT GRANT:**

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

**Advance of Funds**

<b>From</b>	<b>TO</b>	<b>Amount</b>
10011102	27426313	\$300.00
Comm General	Victim Crime Grant	

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

**RESOLUTION NO. 12-530**

**IN THE MATTER OF AMENDING THE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND THE CALLOS COMPANIES FOR THE CHORE CREW PROGRAM:**

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

Whereas, the Director of Job & Family Services recommends approval of the following amendment;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following amendment with the Callos companies for the chore crew program.

**AMENDMENT TO COA CHORE CREW AGREEMENT  
AMENDMENT NO. 1**

This amendment, effective June 1, 2012, is to amend the COA CHORE CREW Agreement between the Delaware County Department of Job and Family Services and The Callos Companies entered into on the 7th day of May, 2012.

Amendment will add TANF Summer Youth Program in the amount of \$156,000.00 (see proposal) for a total amount of \$196,000.00.

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

**RESOLUTION NO. 12-531**

**IN THE MATTER OF AMENDING THE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND ADRIEL SCHOOL, INC. FOR RESIDENTIAL TREATMENT:**

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

Whereas, the Director of Job & Family Services recommends approval of the following amendment;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following amendment with Adriel School, Inc. for Residential Treatment.

**AMENDMENT TO CONTRACT  
For  
Child Placement and Related Services**

**AMENDMENT NO. 1**

This Amendment, effective May 9, 2012, 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 Adriel School, Inc., entered into on the first day of July, 2011.

- I. Article IV. Reimbursement for Placement Services: Changes the amount reimbursable under the contract from \$50,000.00 to \$111,300.00.

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

**RESOLUTION NO. 12-532**

**IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR A DRUG PROSECUTOR IN 2013:**

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

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Grant #: 2012-JG-A02-00545  
Source: Ohio Office of Criminal Justice Services  
Grant Period: January 1, 2013 – December 31, 2013

State Grant Amount: \$56,297.05  
Local Match: \$18,765.67  
Total Grant Amount: \$75,062.72

The Grant would allow the Prosecutor's Office to retain Peter Ruffing as our current drug Prosecutor for Delaware County. This would then help to reduce the impact of drug and firearm traffickers, gangs, pharmaceutical diversion, and other organized criminal activity.

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

**RESOLUTION NO. 12-533**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

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

The Director of Environmental Services recommends accepting the resignation of Joseph Scherler from the Code Compliance Department; effective date May 31, 2012;

Therefore Be It Resolved, that the Board of Commissioners accept the resignation of Joseph Scherler from the Code Compliance Department; effective date May 31, 2012.

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

**RESOLUTION NO. 12-534**

**IN THE MATTER OF ADOPTING THE DANGEROUS DOG REQUIREMENTS FOR THE DELAWARE COUNTY DOG WARDEN'S DEPARTMENT:**

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

Whereas, the Delaware County Director of Administrative Services recommends Adopting The Dangerous Dog Requirements For The Delaware County Dog Warden's Department;

Therefore Be It Resolved, That The Board Of Commissioners approve The Dangerous Dog Requirements For The Delaware County Dog Warden's Department.

**Delaware County Dog Warden**

DANGEROUS DOG REGISTRATION

PURSUANT TO SECTION 955.22(E)(2) ORC

THE OWNER, KEEPER, OR HARBORER OF A DANGEROUS OR VICIOUS DOG AS DEFINED UNDER SECTIONS 955.11(A)(1)(a) AND 955.11(A)(6)(a) ORC SHALL NOT FAIL TO OBTAIN A DANGEROUS DOG REGISTRATION CERTIFICATE FROM THE COUNTY AUDITOR PURSUANT TO SECTION 955.22(I) ORC AND AFFIX THE DANGEROUS DOG TAG TO THE DOG'S COLLAR AND ENSURE THAT THE DOG WEARS THE COLLAR AND TAG AT ALL TIMES.

TO OBTAIN A DANGEROUS DOG REGISTRATION CERTIFICATE AND TAG YOU MUST PROVIDE THE DELAWARE COUNTY AUDITOR WITH THE FOLLOWING:

1. PROOF OF OWNERSHIP OF THE DOG: A CURRENT OHIO COUNTY DOG LICENSE OR REGISTRATION CERTIFICATE
2. PROOF OF BEING 18 YEARS OF AGE OR OLDER
3. A \$50.00 REGISTRATION FEE
4. THE OWNER'S NAME, ADDRESS, PHONE NUMBER AND OTHER APPROPRIATE MEANS TO CONTACT THE OWNER
5. SATISFACTORY EVIDENCE OF THE DOG'S CURRENT RABIES VACCINATION OR A STATEMENT FROM A LICENSED VETERINARIAN THAT A RABIES VACCINATION IS MEDICALLY CONTRAINDICATED FOR THE DOG
6. SATISFACTORY EVIDENCE THAT THE DOG HAS BEEN NEUTERED OR SPAYED OR A STATEMENT FROM A LICENSED VETERINARIAN THAT NEUTERING OR SPAYING THE DOG IS MEDICALLY CONTRAINDICATED
7. SATISFACTORY EVIDENCE THAT THE OWNER, KEEPER, AND HARBORER HAVE POSTED AND WILL CONTINUE TO POST CLEARLY VISIBLE SIGNS AT THE PERSON'S RESIDENCE WARNING BOTH MINORS AND ADULTS OF THE PRESENCE OF A DANGEROUS DOG ON THE PROPERTY
8. SATISFACTORY EVIDENCE THAT THE DOG HAS BEEN PERMANENTLY IDENTIFIED BY MEANS OF A MICROCHIP AND THE MICROCHIP NUMBER

THE DELAWARE COUNTY AUDITOR IS LOCATED ON THE FIRST FLOOR OF THE RUTHERFORD B HAYES BUILDING AT 140 N. SANDUSKY ST, DELAWARE, OH 43015 AND CAN BE REACHED AT 740-833-2900.

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PURSUANT TO SECTION 955.22(I)(2) ORC

THE DANGEROUS DOG REGISTRATION CERTIFICATE MUST BE RENEWED ANNUALLY IN THE SAME MANNER AND FOR THE SAME FEE IN THE COUNTY THE DANGEROUS DOG CURRENTLY RESIDES IN.

PURSUANT TO SECTION 955.22(I)(3) ORC

IF THE OWNER OF A DANGEROUS DOG FOR WHOM A REGISTRATION CERTIFICATE HAS PREVIOUSLY BEEN OBTAINED RELOCATES TO:

- 1. A NEW ADDRESS WITHIN THE SAME COUNTY, THE OWNER SHALL PROVIDE NOTICE OF THE NEW ADDRESS TO THE COUNTY AUDITOR WITHIN TEN DAYS OF RELOCATING TO THE NEW ADDRESS.
2. A NEW ADDRESS WITHIN ANOTHER COUNTY, THE OWNER SHALL DO BOTH OF THE FOLLOWING WITHIN TEN DAYS OF RELOCATING TO THE NEW ADDRESS:
- PROVIDE WRITTEN NOTICE OF THE NEW ADDRESS AND A COPY OF THE ORIGINAL DANGEROUS DOG REGISTRATION CERTIFICATE TO THE COUNTY AUDITOR OF THE NEW COUNTY.
- PROVIDE WRITTEN NOTICE OF THE NEW ADDRESS TO THE COUNTY AUDITOR OF THE COUNTY WHERE THE OWNER PREVIOUSLY RESIDED.

PURSUANT TO SECTION 955.22(I)(4) ORC

THE OWNER OF A DANGEROUS DOG SHALL PRESENT THE DANGEROUS DOG REGISTRATION CERTIFICATE UPON BEING REQUESTED TO DO SO BY ANY LAW ENFORCEMENT OFFICER, DOG WARDEN, OR PUBLIC HEALTH OFFICIAL CHARGED WITH ENFORCING SECTION 955.22 ORC.

PURSUANT TO SECTION 955.01 ORC

IN ADDITION TO THE DANGEROUS DOG REGISTRATION OUTLINED ABOVE, DANGEROUS AND VICIOUS DOGS THAT ARE THREE MONTHS OF AGE OR OLDER MUST BE REGISTERED ANNUALLY WITH THE AUDITOR OF THE COUNTY IN WHICH THE DOG RESIDES UPON PAYING THE REGISTRATION FEE.

NOTICE OF DESIGNATION

DATE BREED
NAME SEX
ADDRESS COLOR
CITY STATE ZIP AGE
PHONE NUMBER DOG LICENSE
DRIVER'S LICENSE DOG NAME

THE DOG IDENTIFIED ABOVE AND OWNED, KEPT, OR HARBORED BY THE PERSON LISTED ABOVE HAS BEEN DESIGNATED AS ONE OF THE FOLLOWING:

A NUISANCE DOG: 955.11(A)(3)(a) ORC

SUBJECT TO 955.11(A)(3)(b), NUISANCE DOG MEANS A DOG THAT WITHOUT PROVOCATION AND WHILE OFF THE PREMISES OF ITS OWNER, KEEPER, OR HARBORER HAS CHASED OR APPROACHED A PERSON IN EITHER A MENACING FASHION OR AN APPARENT ATTITUDE OF ATTACK OR HAS ATTEMPTED TO BITE OR OTHERWISE ENDANGER ANY PERSON.

A DANGEROUS DOG: 955.11(A)(1)(a) ORC

SUBJECT TO 955.11(A)(1)(b), DANGEROUS DOG MEANS A DOG THAT, WITHOUT PROVOCATION, HAS DONE ANY OF THE FOLLOWING:

- (i) CAUSED INJURY, OTHER THAN KILLING OR SERIOUS INJURY, TO ANY PERSON
(ii) KILLED ANOTHER DOG
(iii) BEEN THE SUBJECT OF A THIRD OR SUBSEQUENT VIOLATION OF DIVISION (C) OF SECTION 955.22 OF THE REVISED CODE

A VICIOUS DOG: 955.11(A)(6)(a) ORC

SUBJECT TO 955.11(A)(6)(b), VICIOUS DOG MEANS A DOG THAT, WITHOUT PROVOCATION, HAS KILLED OR CAUSED SERIOUS INJURY TO ANY PERSON.

IF THE OWNER, KEEPER, OR HARBORER OF THE DOG DISAGREES WITH THE DESIGNATION OF THE DOG AS INDICATED ABOVE, THE OWNER, KEEPER, OR HARBORER, NOT LATER THAN TEN DAYS AFTER RECEIVING NOTIFICATION OF THE DESIGNATION, MAY REQUEST A HEARING REGARDING THE DETERMINATION IN WRITING AND FILE THE REQUEST WITH THE FOLLOWING MUNICIPAL COURT:

DELAWARE MUNICIPAL COURT
70 N. UNION ST
DELAWARE, OH 43015
740-203-1550

IF THE DOG IDENTIFIED ABOVE IS CONFINED AT THE DELAWARE COUNTY DOG SHELTER, THE OWNER, KEEPER, OR HARBORER MUST PAY TO THE DELAWARE COUNTY DOG SHELTER A SECURITY FEE IN THE AMOUNT OF ONE HUNDRED DOLLARS WITHIN TEN DAYS OF THE CONFINEMENT OF THE DOG TO SECURE PAYMENT OF ALL REASONABLE EXPENSES IN HOUSING AND CARING FOR THE DOG PENDING THE DETERMINATION AND ANY APPEALS. IF THE OWNER, KEEPER, OR HARBORER DOES NOT PAY THE SECURITY FEE WITHIN TEN DAYS OF THE CONFINEMENT OF THE DOG, THE DOG IS

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FORFEITED TO THE DELAWARE COUNTY DOG SHELTER.

NOT MORE THAN TEN DAYS AFTER THE COURT MAKES A FINAL DETERMINATION, THE DELAWARE COUNTY DOG SHELTER WILL PROVIDE THE OWNER, KEEPER, OR HARBORER OF THE DOG WITH THE ACTUAL COST OF HOUSING AND CARING FOR THE DOG. IF THE SECURITY PROVIDED IS LESS THAN THE ACTUAL COST OF HOUSING AND CARING FOR THE DOG, THE OWNER, KEEPER, OR HARBORER SHALL REMIT THE DIFFERENCE BETWEEN THE SECURITY PROVIDED AND THE ACTUAL COST TO THE DELAWARE COUNTY DOG SHELTER WITHIN THIRTY DAYS AFTER THE COURT'S DETERMINATION.

SIGNATURE \_\_\_\_\_

DOG WARDEN \_\_\_\_\_ NOTICE SERVED: IN PERSON  CERTIFIED MAIL

DANGEROUS DOG REQUIREMENTS

PURSUANT TO SECTION 955.22(D) ORC  
EXCEPT WHEN A DANGEROUS DOG IS LAWFULLY ENGAGED IN HUNTING OR TRAINING FOR THE PURPOSE OF HUNTING AND IS ACCOMPANIED BY THE OWNER, KEEPER, HARBORER, OR HANDLER OF THE DOG, NO OWNER, KEEPER, OR HARBORER OF A DANGEROUS DOG SHALL FAIL TO DO EITHER OF THE FOLLOWING:

1. WHILE THAT DOG IS ON THE PREMISES OF THE OWNER, KEEPER, OR HARBORER, SECURELY CONFINED IT AT ALL TIMES IN A LOCKED PEN THAT HAS A TOP, LOCKED FENCED YARD, OR OTHER LOCKED ENCLOSURE THAT HAS A TOP.
2. WHILE THAT DOG IS OFF THE PREMISES OF THE OWNER, KEEPER, OR HARBORER, KEEP THAT DOG ON A CHAIN-LINK LEASH OR TETHER THAT IS NOT MORE THAN SIX FEET IN LENGTH AND ADDITIONALLY DO AT LEAST ONE OF THE FOLLOWING:
  - KEEP THAT DOG IN LOCKED PEN THAT HAS A TOP, LOCKED FENCED YARD, OR OTHER LOCKED ENCLOSURE THAT HAS A TOP
  - HAVE THE LEASH OR TETHER CONTROLLED BY A PERSON WHO IS OF SUITABLE AGE AND DISCRETION OR SECURELY ATTACH, TIE, OR AFFIX THE LEASH OR TETHER TO THE GROUND OR A STATIONARY OBJECT OR FIXTURE SO THAT THE DOG IS ADEQUATELY RESTRAINED AND STATION SUCH A PERSON IN CLOSE ENOUGH PROXIMITY TO THAT DOG SO AS TO PREVENT IT FROM CAUSING INJURY TO ANY PERSON
  - MUZZLE THAT DOG

PURSUANT TO SECTION 955.22(E) ORC  
THE OWNER, KEEPER, OR HARBORER OF A DANGEROUS OR VICIOUS DOG SHALL NOT FAIL TO DO THE FOLLOWING:

1. OBTAIN LIABILITY INSURANCE WITH AN INSURER AUTHORIZED TO WRITE LIABILITY INSURANCE IN THIS STATE PROVIDING COVERAGE IN EACH OCCURRENCE BECAUSE OF DAMAGE OR BODILY INJURY TO OR DEATH OF A PERSON CAUSED BY THE DANGEROUS DOG IF SO ORDERED BY A COURT AND PROVIDE PROOF OF THAT LIABILITY INSURANCE UPON REQUEST TO ANY LAW ENFORCEMENT OFFICER, COUNTY DOG WARDEN, OR PUBLIC HEALTH OFFICIAL CHARGED WITH ENFORCING SECTION 955.22 ORC.
2. NOTIFY THE LOCAL DOG WARDEN IMMEDIATELY IF ANY OF THE FOLLOWING OCCURS:
  - THE DOG IS LOOSE OR UNCONFINED
  - THE DOG BITES A PERSON, UNLESS THE DOG IS ON THE PROPERTY OF THE OWNER OF THE DOG, AND THE PERSON WHO IS BITTEN IS UNLAWFULLY TRESPASSING OR COMMITTING A CRIMINAL ACT WITHIN THE BOUNDARIES OF THAT PROPERTY
  - THE DOG ATTACKS ANOTHER ANIMAL WHILE THE DOG IS OFF THE PROPERTY OF THE OWNER OF THE DOG
3. NOTIFY THE COUNTY AUDITOR WITHIN TEN DAYS OF THE SALE, TRANSFER, OR DEATH OF THE DOG.
4. OBTAIN A DANGEROUS DOG REGISTRATION CERTIFICATE FROM THE COUNTY AUDITOR PURSUANT TO SECTION 955.22(I) ORC AND AFFIX THE DANGEROUS DOG TAG TO THE DOG'S COLLAR AND ENSURE THAT THE DOG WEARS THE COLLAR AND TAG AT ALL TIMES.

PURSUANT TO SECTION 955.22(F) ORC  
NO PERSON SHALL DO ANY OF THE FOLLOWING:

1. DEBARK OR SURGICALLY SILENCE A DOG THAT THE PERSON KNOWS OR HAS REASON TO BELIEVE IS A DANGEROUS DOG
2. POSSESS A DANGEROUS DOG IF THE PERSON KNOWS OR HAS REASON TO BELIEVE THAT THE DOG HAS BEEN DEBARKED OR SURGICALLY SILENCED
3. FALSELY ATTEST ON A WAIVER FORM PROVIDED BY THE VETERINARIAN UNDER DIVISION (G) OF SECTION 955.22 THAT THE PERSON'S DOG IS NOT A DANGEROUS DOG OR OTHERWISE PROVIDE FALSE INFORMATION ON THAT WRITTEN WAIVER FORM.

PURSUANT TO SECTION 955.54 ORC  
NO PERSON WHO IS CONVICTED OF OR PLEADS GUILTY TO A FELONY OFFENSE OF VIOLENCE COMMITTED ON OR AFTER MAY 22, 2012 OR A FELONY VIOLATION OF ANY PROVISION OF CHAPTER 959, 2923, OR 2925 OF THE ORC COMMITTED ON OR AFTER MAY 22, 2012 SHALL KNOWINGLY OWN, POSSESS, HAVE CUSTODY OF, OR RESIDE IN A RESIDENCE WITH EITHER OF THE FOLLOWING FOR A PERIOD OF THREE YEARS:

1. AN UNSPAVED OR UNNEUTERED DOG OLDER THAN TWELVE WEEKS OF AGE
2. ANY DOG THAT HAS BEEN DETERMINED TO BE A DANGEROUS DOG UNDER CHAPTER 955 OF THE REVISED CODE

THE CONVICTED FELON SHALL MICROCHIP FOR PERMANENT IDENTIFICATION ANY DOG OWNED, POSSESSED BY, OR IN THE CUSTODY OF THE PERSON. THIS SECTION DOES NOT APPLY TO ANY PERSON WITH RESPECT TO ANY DOG THAT THE PERSON OWNED, POSSESSED, HAD CUSTODY OF, OR RESIDED IN A RESIDENCE WITH PRIOR TO MAY 22, 2012.

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PURSUANT TO SECTION 955.222(E) ORC
THE OWNER, KEEPER OR HARBORER OF A VICIOUS DOG AS DEFINED UNDER SECTION 955.11(A)(6)(a) MUST COMPLY WITH
DIVISIONS (D) TO (I) OF SECTION 955.22 ORC AS IF THE DOG WERE A DANGEROUS DOG.

WRITTEN NOTICE OF VIOLATION

DOG RUNNING AT LARGE: 955.22(D) ORC

EXCEPT WHEN A DANGEROUS DOG IS LAWFULLY ENGAGED IN HUNTING OR TRAINING FOR THE PURPOSE OF
HUNTING AND IS ACCOMPANIED BY THE OWNER, KEEPER, HARBORER, OR HANDLER OF THE DOG, NO OWNER,
KEEPER, OR HARBORER OF A DANGEROUS DOG SHALL FAIL TO DO EITHER OF THE FOLLOWING:

- (1) WHILE THAT DOG IS ON THE PREMISES OF THE OWNER, KEEPER, OR HARBORER, SECURELY CONFINE
IT AT ALL TIMES IN A LOCKED PEN THAT HAS A TOP, LOCKED FENCED YARD, OR OTHER LOCKED
ENCLOSURE THAT HAS A TOP.
(2) WHILE THAT DOG IS OFF THE PREMISES OF THE OWNER, KEEPER, OR HARBORER, KEEP THAT DOG ON
A CHAIN-LINK LEASH OR TETHER THAT IS NOT MORE THAN SIX FEET IN LENGTH AND ADDITIONALLY
DO AT LEAST ONE OF THE FOLLOWING:
(a) KEEP THAT DOG IN A LOCKED PEN THAT HAS A TOP, LOCKED FENCED YARD, OR OTHER
LOCKED ENCLOSURE THAT HAS A TOP.
(b) HAVE THE LEASH OR TETHER CONTROLLED BY A PERSON WHO IS OF SUITABLE AGE AND
DISCRETION OR SECURELY ATTACH, TIE, OR AFFIX THE LEASH OR TETHER TO THE GROUND OR A
STATIONARY OBJECT OR FIXTURE SO THAT THE DOG IS ADEQUATELY RESTRAINED AND STATION
SUCH A PERSON IN CLOSE ENOUGH PROXIMITY TO THAT DOG SO AS TO PREVENT IT FROM
CAUSING INJURY TO ANY PERSON.
(c) MUZZLE THAT DOG.

LIABILITY INSURANCE: 955.22 (E)(1) ORC

NO OWNER, KEEPER, OR HARBORER OF A DANGEROUS DOG SHALL FAIL TO OBTAIN LIABILITY INSURANCE
WITH AN INSURER AUTHORIZED TO WRITE LIABILITY INSURANCE IN THIS STATE PROVIDING COVERAGE IN
EACH OCCURRENCE BECAUSE OF DAMAGE OF BODILY INJURY TO OR DEATH OF A PERSON CAUSED BY THE
DANGEROUS DOG IF SO ORDERED BY A COURT.

DANGEROUS DOG REGISTRATION: 955.22 (E)(2) ORC

NO OWNER, KEEPER, OR HARBORER OF A DANGEROUS DOG SHALL FAIL TO OBTAIN A DANGEROUS DOG
REGISTRATION CERTIFICATE FROM THE COUNTY AUDITOR PURSUANT TO DIVISION (I) OF SECTION 955.22, AND
AFFIX A TAG THAT IDENTIFIES THE DOG AS A DANGEROUS DOG TO THE DOG'S COLLAR AND ENSURE THAT
DOG WEARS THE COLLAR AND TAG AT ALL TIMES.

DOG LICENSE: 955.21 ORC

EVERY PERSON WHO OWNS, KEEPS, OR HARBORS A DOG MORE THAN THREE MONTHS OF AGE, SHALL, BEFORE
THE THIRTY FIRST DAY OF JANUARY OF EACH YEAR, FILE IN THE OFFICE OF THE COUNTY AUDITOR OF THE
COUNTY IN WHICH THE DOG IS KEPT OR HARBORED, AN APPLICATION FOR REGISTRATION.

YOU MUST PURCHASE CURRENT DOG LICENSES OR KENNEL LICENSES BY:
IF YOU FAIL TO DO SO BY THE STATED DATE, CITATIONS MAY BE ISSUED.

NAME PHONE
ADDRESS S.S.N.
CITY STATE ZIP D.L.N.
SIGNATURE D.O.B.
BREED COLOR(S) AGE M F LICENSE #
BREED COLOR(S) AGE M F LICENSE #
BREED COLOR(S) AGE M F LICENSE #
BREED COLOR(S) AGE M F LICENSE #
DATE TIME DEPUTY

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

RESOLUTION NO. 12-535

IN THE MATTER OF APPROVING THE DELAWARE COUNTY VOLUNTEER HANDBOOK:

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

Whereas, the Delaware County Director of Administrative Services recommends approving the Delaware County
Volunteer Handbook;

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Therefore Be It Resolved, That The Board Of Commissioners approve the Delaware County Volunteer Handbook.

Delaware County Volunteer Handbook

**SECTION I**

DEFINITION

A Volunteer is one who enters into service of their own free will without remuneration.

PURPOSE

The purpose of this handbook is to provide overall direction to volunteers and staff involved with volunteer and management efforts. Delaware County reserves the right to change any of these guidelines.

VOLUNTEER REGISTRATION

Only registered volunteers may participate in the Volunteer Programs for Delaware County.

- All volunteers must complete a *Volunteer Application* Form during the interview process and then again each year during the month of January.
- Volunteers must be at least 18 years of age.
- Recognized organizations and individuals who participate in volunteer activities must sign and submit a *Hold Harmless Agreement* before beginning the activity, and the individuals of recognized organizations must be registered volunteers.

VOLUNTEER PROTECTION LAWS

The Federal Volunteer Protection Act of 1997 provides immunity for harm caused by the volunteer's acts or omissions if 1) the volunteer was acting within the scope of his/her responsibility at the time of act/omission, 2) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct or a "conscious, flagrant indifference" to the rights or safety of the individual harmed by the volunteer and 3) the harm was not caused by the operation of a motor vehicle, aircraft, or other vehicle for which an operator's license or insurance is required by the state.

State law provides civil immunity for volunteers unless the volunteer actively and knowingly participates with the action or omission of an officer, employee, trustee, or other volunteer, or if the volunteer ratifies the act or omission of another after it is done, or if the act or omission of the volunteer constitutes willful or wanton misconduct or intentionally tortuous conduct.

Federal and state laws allow criminal records check of volunteers who work with older adults or children.

VOLUNTEER RIGHTS

Delaware County will provide information needed for successful completion of the assignment.

- Volunteers who feel they have not been given the proper amount of instruction or the information needed in order to perform the job assignment have the right to request more training and guidance.
- Volunteers have the right at anytime to request an evaluation of their service performance by contacting the volunteer coordinator.
- Volunteers have the right to express ideas and comments to any staff member regarding their service.

**SECTION II**

INTERVIEWING AND PLACEMENT

Interviewing potential volunteers helps determine interest and abilities of the potential volunteer and their suitability to a particular job. Volunteers will be placed in an assignment that utilizes skills, interests, abilities and experience, and will be provided with a job description of the accepted assignment.

TRAINING



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Volunteers will be provided the training necessary for the volunteer to successfully fulfill the volunteer job duties to which they are assigned.

CONDUCT

Volunteers are required to maintain high standards of good behavior and efficient service in the performance of their assignments, based on reasonable standards of performance and conduct.

Volunteers must:

- follow all applicable policies and procedures as indicated in this volunteer handbook as well as applicable policies and procedures within the Delaware County Handbook and Standard Operating Procedures Manual
- be willing to be trained and guided during their time of service
- remain objective with customer and other community members when representing Delaware County as a volunteer
- be careful not to solicit political, religious or other personal opinions
- be on time
- do their best to complete all accepted assignments and if for any reason are unable to do so, to advise a program supervisor
- contact the program supervisor or department staff member, informing them of any absences (supervisor contact information will be provided).

CODE OF ETHICS

All volunteers are expected to maintain the highest ethical standards and to conduct themselves in a manner above reproach at all times following the Delaware County adopted Code of Ethics / Standard of Conduct policy.

Volunteers who have direct dealings with customers shall treat those individuals with courtesy and in a respectful manner.

Volunteers must:

- communicate any concern or questions to a staff member as soon as possible, especially on matters of personal or customer safety;
- respect all property belonging to Delaware County, special event sites, and property belonging to other volunteers, staff, and customers;
- wear proper clothing appropriate to the assignment for health and safety practices, as approved by the program supervisor and within the adopted dress code policy.

The above list is not intended to be all inclusive.

HEALTH AND MEDICAL

On a scheduled day, volunteers who are unable to complete their assignments are requested to notify the program supervisor as soon as possible to ensure continuity of the program. Continued or prolonged absence may result in discontinuation of the assignment. In addition,

- Communicable health conditions must be reported to the program supervisor and/or volunteer coordinator before reporting for service.
- Personal injuries occurring while volunteering must be reported immediately to the program supervisor utilizing the county incident reporting form.
- Witnessing an injury or accident must be reported immediately to the program supervisor. Witness statements may also be requested and obtained through the county incident reporting form.

CONFIDENTIALITY

To the extent permitted by law, volunteers are responsible for maintaining the confidentiality of all information to which they are exposed while serving as a volunteer for Delaware County, whether this information involves a

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customer, the customer's family, staff member, volunteer or other person or program business.

Volunteers may not use or release information acquired as a result of their volunteer service if it is confidential by statutory provision or officially designated as confidential.

Upon leaving a voluntary position for any reason, all property of the county, including, but not limited to, all proprietary and confidential information, must be returned.

EVALUATIONS

Volunteers are assigned jobs and provided with job descriptions, and will be evaluated on their performance of their assigned job.

Evaluation on volunteer performance will be given at least once per year to maintain the most positive work environment for the volunteer, staff and clients.

TERMINATION

- Delaware County reserves the right to determine when a volunteer assignment has been completed.
- Any volunteer found to have violated any portion of the Volunteer Code of Conduct may be terminated from the volunteer program.

SECTION III

SAFETY

Delaware County has adopted methods and procedures reasonably necessary to protect the life, health, safety and welfare of the employees, volunteers and general public working in or on or frequenting county buildings and property.

It is the responsibility of all volunteers to properly use the safety equipment provided by the county and to report unsafe working conditions or practices to the program supervisor.

NON-HARASSMENT

The Delaware County does not tolerate discrimination or harassment by anyone towards the staff, volunteers, or customers. Any concern should be reported to the department director, volunteer coordinator or program supervisor immediately.

All volunteers are subject to the Discrimination Prohibited policy adopted by the Board of Commissioners. All volunteers must read and sign the applicable policy receipt form

Corrective actions will be taken against the offender if the complaint is determined to be founded, or against anyone knowingly filing a false complaint.

DRIVER ELIGIBILITY GUIDELINES

Volunteers shall not operate a county vehicle. Volunteers are not authorized to drive their own vehicle or any other type of motorized equipment. Volunteers may ride as a passenger in county owned vehicles for legitimate business purposes only.

INCIDENT/ACCIDENT REPORTING

All incidents and accidents are to be reported immediately to the department director, program supervisor, or volunteer coordinator.

Incidents and accidents include:

- Injury to the volunteer or another person
- Vehicle accidents
- Damaged, lost or stolen property
- Other occurrences, no matter how minor

Volunteers are covered under Delaware County's Self Insured Workers' Compensation program while performing their volunteer assignment.

IDENTIFICATION OF VOLUNTEERS

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Volunteers may be issued an identification card which will distinguish them as a volunteer for Delaware County.

CLOSING OF COUNTY BUILDINGS

Volunteers notified that a building or site is closed shall not report to work and shall leave the building if a closing is announced. Emergency announcements during non-working hours are broadcast on television stations and radio stations throughout the area. If in doubt, telephone the program supervisor before attempting to travel.

SECTION IV.

FORMS

1. Verification of Receipt of Volunteer Handbook
2. Hold Harmless Agreement
3. Delaware County Background Check Consent Form (Volunteer)
4. Volunteer Opportunity Release and Waiver Form

VERIFICATION OF RECEIPT OF *VOLUNTEER HANDBOOK*

Delaware County  
VERIFICATION OF RECEIPT

I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THE DELAWARE COUNTY *VOLUNTEER HANDBOOK* AND READ ITS CONTENTS. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO COMPLY WITH THE POLICIES, PRACTICES AND RULES OF THE VOLUNTEER HANDBOOK AND APPLICABLE DELAWARE COUNTY POLICIES / PROCEDURES. I UNDERSTAND THAT THE DELAWARE COUNTY HANDBOOK AND STANDARD OPERATING PROCEDURES MANUAL FOR WHICH I AM EXPECTED TO FOLLOW ARE AVAILABLE ON THE DELAWARE COUNTY WEBISTE AT [www.co.delaware.oh.us](http://www.co.delaware.oh.us).

\_\_\_\_\_  
Volunteer Signature

\_\_\_\_\_  
Volunteer Name (Please Print)

\_\_\_\_\_  
Date

**old Harmless Agreement**  
**For Organizations Who Participate in Volunteer Activities**

\_\_\_\_\_, individually, if the undersigned is a corporation or other entity, its officers, employees, and members shall, through the signing of this agreement, indemnify, hold harmless and defend Delaware County and its agents and employees from all suits and actions, including reasonable attorney's fees and all costs of litigation and judgment of every name and description against the county as a result of loss, damage, or injury to person or property by reason of any action or omission by \_\_\_\_\_, its agents or employees for the following activities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

**DELAWARE COUNTY BACKGROUND CHECK  
CONSENT FORM  
(Volunteer)**

Having read and understood the Delaware County Background Check Policy, I hereby authorize Delaware County to conduct a job-related background check and obtain a background check for the volunteer position for which I am

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applying or currently hold. I authorize Delaware County to obtain any information that may be sought concerning me and my work, my habits, character and skill, and I hereby waive any privileges and release Delaware County and all referring entities from any liability involved in producing this information.

I further authorize Delaware County to make any lawful examination of my criminal conviction record, and I release any police or law enforcement agency, and all individuals connected therewith, from all liability in providing such information. I authorize Delaware County to forward my fingerprints to the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation for the purpose of obtaining any criminal records maintained on me.

I understand that any volunteer opportunity with Delaware County, will be contingent upon the result of any background check that I have so authorized. I understand that false or inaccurate statements on my volunteer application will be cause for the refusal of this volunteer opportunity.

Print Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

***Volunteer Opportunity***  
**Release and Waiver Form**

1. I, undersigned give my permission to the Delaware County, Ohio Board of County Commissioners, its members, its officeholders, and its employees and agents to contact my references and perform a background check to learn about my employment and criminal history.
2. I, undersigned applicant for volunteer opportunities with the Delaware County, Ohio Board of County Commissioners, a County Department, or an Elected County Official, for consideration as a volunteer for which I am qualified, forever release and waive any and all claims I may have against the Delaware County, Ohio Board of County Commissioners, its members, elected County Officials, and other employees and agents of Delaware County, Ohio for inquires made of my prior or current employers or other volunteer positions for which I have held.
3. I also forever release and waive any claims against any and all of my prior or current employers (including, volunteer or paid positions) for their disclosure of information to Delaware County, Ohio Board of County Commissioners, its members, its elected County Officials, or any of their agents and employees.
4. I have reviewed and read this Release and Waiver Form and have had an opportunity to review it, if I choose to, with my own attorney before signing it. If I choose not to review with my attorney, I sign this Release and Waiver Form of my own free will as of

\_\_\_\_\_, \_\_\_\_\_  
(Date) (Year)

Applicant's signature

Human Resources Representative

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

**RESOLUTION NO. 12-536**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY FUNDS TO ASSIST IN FUNDING THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS AND OTHER AMENITIES FOR A RECEPTION:**

It was moved by Mr. Thompson, seconded by Mr. O'Brien 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

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, Sheriff Elect Martin's Swearing Ceremony is on Monday June 4, 2012 at 10:00AM at the Delaware County Commissioners' Office; and

Whereas, the Board of Delaware County Commissioners is hosting a Reception for Sheriff Martin in The

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Commissioners' Meeting Room following the Swearing Ceremony;

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 county funds in an amount not to exceed \$300.00, to assist in funding the purchase of coffee, meals, refreshments and other amenities for a Reception for Sheriff Martin's Swearing Ceremony.

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

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Thompson  
-No Reports Today

Commissioner O'Brien  
-An Electronic Recycling Event Is Happening On June 2<sup>nd</sup> 10:00am-3:00pm At The Council For Older Adults; Computers, Phones, Televisions (For A \$15.00 Fee)

RESOLUTION NO. 12-537

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT, DISCIPLINE, PROMOTION, 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. Thompson, seconded by Mr. O'Brien to adjourn into Executive Session at 10:53AM.

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

RESOLUTION NO. 12-538

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Thompson, seconded by Mr. O'Brien to adjourn out of Executive Session at 12:00PM.

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

There being no further business, the meeting adjourned.

\_\_\_\_\_  
Ken O'Brien

\_\_\_\_\_  
Dennis Stapleton

\_\_\_\_\_  
Tommy Thompson