

**COMMISSIONERS JOURNAL NO. 59 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 15, 2013**

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

Present:

Ken O'Brien, President

Dennis Stapleton, Vice President

Gary Merrell, Commissioner

RESOLUTION NO. 13-380

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 11, 2013:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on April 11, 2013; 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. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 13-381

IN THE MATTER OF APPROVING A RESOLUTION FROM THE DELAWARE COUNTY BOARD OF COMMISSIONERS DECLARING APRIL 14 – 20, 2013 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATOR WEEK IN THE COUNTY OF DELAWARE, OHIO:

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

WHEREAS, the Congress of the United States, and the President of the United States have, since 1992, established the second week of April as National Public Safety Telecommunicator Week, and;

WHEREAS, emergencies can occur at anytime, and;

WHEREAS, public safety telecommunicators daily serve the citizens of Delaware County by providing that first and most critical contact between our citizens and their need for a public safety response, and;

WHEREAS, public safety telecommunicators are the single vital communications link for monitoring, dispatching, providing information and ensuring the safety of law enforcement, fire, emergency medical and emergency management responders, and;

WHEREAS, this board believes that the public safety telecommunicators that serve the citizens of Delaware County are a highly trained and dedicated corps of personnel, and;

WHEREAS, the services of public safety telecommunicators is a "silent service" that is seldom observed by the public that deserves recognition, and;

NOW THEREFORE, be it resolved by the Board of County Commissioners, Delaware County, State of Ohio, enthusiastically supports recognition of all our professional public safety telecommunicators declaring the second full week of April as the National Public Safety Telecommunicator Week in Delaware County, and that all our residents are invited to observe this event.

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

RESOLUTION NO. 13-382

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0412:

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve Then And Now Certificates, payment of

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warrants in batch numbers CMAPR0412 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Xylem (line 1)	Pump Station Cheshire	66211904-5201	\$ 6,375.00
Xylem (line 2)	Pump Kits Tartan Fields	62211906-5201	\$ 2,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Desc</u>	<u>Line Account</u>	<u>Line Amount</u>	<u>Line</u>
Permanent Improvement					
R1303597	QUALITY MASONRY CO INC	REGIONAL PLANNING - SANDBLAST FIRE ESCAPE	40111402 - 5410	\$23,900.00	0001
R1303597	QUALITY MASONRY CO INC	COURTHOUSE - SANDBLAST FIRE ESCAPE	40111402 - 5410	\$20,800.00	0002

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

RESOLUTION NO. 13-383

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Administrative Services Department is requesting that Darlene Tommelleo and Alison Miller participate in a Just the Basics Webinar at the Records Center on May 7, 2013; at the cost of \$20.00. (fund number 10011103).

The Delaware County Engineer's Office is requesting that Nate Meyer and Mike Seiter attend the 2013 Ohio Traffic Safety and Roadway Conference in Columbus, Ohio from April 30-May 1, 2013, at the cost of \$392.00 (fund number 29214001).

The Delaware County Engineer's Office is requesting that Ryan Mraz attend the International Bridge Conference in Pittsburg, Pennsylvania from June 2-6, 2013, at the cost of \$1695.00 (fund number 29214001).

The Delaware County Sheriff's Office is requesting that Deputy Todd Barnhart attend the Street Survival Seminar in Cleveland, Ohio from May 15-16, 2013, at the cost of \$416.00 (fund number 10031301).

The Delaware County Sheriff's Office is requesting that Larry Dore attend a North American Police Work Dog Training in Olathe, Kansas from June 3-7, 2013 at the cost of \$1,180.00 (fund numbers 10031337 and 10031301).

The Delaware County Sheriff's Office is requesting that Dave Johnson attend a North American Police Work Dog Training in Olathe, Kansas from June 3-7, 2013 at the cost of \$1,180.00 (fund numbers 10031337 and 10031301).

The Delaware County Sheriff's Office is requesting that Troy Gibson attend a North American Police Work Dog Training in Olathe, Kansas from June 3-7, 2013 at the cost of \$1,180.00 (fund numbers 10031337 and 10031301).

The Juvenile and Probate Court is requesting that R. Lamont Kaiser attend the 2013 OAPJ Annual Conference in Oregon, Ohio (Maumee Bay State Park) from June 11-13, 2013 at the cost of \$487.50 (fund number 27826325-5305).

The Delaware County Sheriff's Office is requesting that Charles C Gannon, Jr. attend the DRE Conference Training in Oklahoma City, Oklahoma from August 5-7, 2013 at the cost of \$1109.56 (fund number 10031301).

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

RESOLUTION NO. 13-384

IN THE MATTER OF ACCEPTING AND APPROVING THE DELAWARE COUNTY SHERIFF'S OFFICE TRANSPORT REPORT FOR THE MONTH OF MARCH 2013:

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

WHEREAS, section 325.07 of the Revised Code requires the County Sheriff to submit monthly expense reports to the Board of County Commissioners; and

WHEREAS, the Delaware County Sheriff has submitted a monthly report for March 2013;

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

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Section 1. The Board hereby accepts and approves the Delaware County Sheriff's Office Transport Report for the month of March 2013.

Section 2. The Board hereby allows the expenses contained in the monthly report.

(Copy available for review at the Commissioners' Office until no longer of administrative value.)

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

RESOLUTION NO. 13-385

SETTING DATE, TIME AND PLACE FOR THE FINAL HEARING BY THE COMMISSIONERS FOR THE CONDOMINIUM AT RIVERBY SITE DRAINAGE PETITION PROJECT:

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

Whereas, the Board of Commissioners of Delaware County on November 26, 2012, held a public hearing and determined the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the reconstruction and improvement of the Condominium At Riverby Site Drainage Petition Project, and

Whereas, at that time the Delaware County Commissioners directed the Delaware County Engineer to proceed with the preparation of plans, reports, and schedules for the completion of the ditch project, and

Whereas, the Delaware County Engineer has notified the Commissioners that the plans, reports, and schedules for the construction/maintenance of the Condominium At Riverby Site Drainage Petition Project are finalized for their review and consideration.

Therefore be it Resolved, the Board of County Commissioners of The County of Delaware have fixed **Monday June 24, 2013 at 10:30AM** at the Commissioners Hearing Room 101 North Sandusky Street Delaware, Ohio as the time and place of the final hearing by the Commissioners on the report of the County Engineer.

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

RESOLUTION NO. 13-386

IN THE MATTER OF APPROVING THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS, FOR AND ON BEHALF OF THE DELAWARE COUNTY JAIL, AND CENTRAL OHIO MENTAL HEALTH CENTER FOR SERVICES FOR THE DELAWARE COUNTY JAIL:

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

Whereas, the Sheriff and Sheriff's Office Staff recommend approval of the Memorandum of Understanding;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the Memorandum of Understanding on behalf of the Delaware County Jail with Central Ohio Mental Health Center for services for the Delaware County Jail.

**MEMORANDUM OF UNDERSTANDING
DELAWARE COUNTY JAIL AND CENTRAL OHIO MENTAL HEALTH CENTER**

This Memorandum of Understanding ("MOU") is made and entered into by and between the Delaware County Board of Commissioners for and on behalf of the Delaware County Jail, 844 US 42 North, Delaware, Ohio 43015, and Central Ohio Mental Health Center, 824 Bowtown Road, Delaware, Ohio 43015 ("COMHC") (hereinafter collectively referred to as the "Parties").

RECITALS

WHEREAS, the Delaware County Jail has individuals who are incarcerated in the county jail but may have lived outside of Delaware or Morrow counties prior to their incarceration; and

WHEREAS, Delaware County, the fastest growing county in Ohio, has experienced two decades of steady increases in the jail population as well as a surge in drug crimes and arrests and has increased its capacity from 178 beds in 2010 to 286 beds in 2011 with many incarcerated individuals who can experience a mental health reaction that would be best addressed by an evaluation by a licensed mental health provider; and

WHEREAS, Central Ohio Mental Health Center, with offices in Delaware and Morrow counties, is an ODMH/ODADAS certified behavioral health care provider with expertise in the field of mental health evaluation,

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treatment and disposition; and

WHEREAS, individuals who were residents of Delaware or Morrow counties prior to their incarceration have their mental health services paid for by the Delaware/Morrow Mental Health and Recovery Services Board (DMMHRSB), but COMHC does not receive any reimbursement for mental health emergency services provided to inmates who lived outside Delaware/Morrow counties prior to their incarceration; and

WHEREAS, Delaware County is responsible, fiscally and operationally, for the medical and mental care of the individuals incarcerated in the County Jail:

NOW, THEREFORE, the Parties hereby agree as follows:

Section 1 - Scope of Services

1.1 COMHC will provide emergency mental health assessment and disposition services at the Delaware County Jail. COMHC will provide these services to all inmates referred for treatment by the Delaware County Jail. Services will not be provided to inmates housed at the Delaware County Jail on behalf of the federal government. The Parties mutually acknowledge and agree that these services are provided on a non-exclusive basis.

1.2 COMHC will obtain and maintain certification from ODMH for this service. The Delaware County Jail will provide documents necessary for certification, including copies of Certificates of Use and Occupancy and current fire inspection reports.

1.3 COMHC will provide appropriately-licensed counselors and/or social workers to provide the mental health emergency services and will provide them with clinical supervision and direction, as needed and required.

1.4 The Delaware County Jail will provide safe, appropriate, and well-maintained office space for use by COMHC counselors for the provision of services. The Delaware County Jail will provide access to a telephone, fax machine, copier, and other general office equipment as necessary for COMHC's counselors to complete their duties at no cost to COMHC.

1.5 Mental health assessments and dispositions may include but not be limited to, inmates being recommended for return to the "general population", asking for inmates to be on a "watch" schedule, taking them off a "watch" schedule, referral for a psychiatric evaluation at COMHC, or arrange for them to be transported to Grady Memorial hospital for further evaluation.

1.6 COMHC will maintain its own clinical record on each inmate served in accordance with ODMH documentation standards.

1.7 COMHC will communicate with staff of the Delaware County Jail for relevant clinical information regarding the inmates served that might assist in the assessment and treatment of the inmates. COMHC will abide by all Federal, State and local laws regarding the release of information.

1.8 COMHC may participate in case staffing and conferences as invited and permitted by the Delaware County Jail.

1.9 The Delaware County Jail remains responsible for the behavioral management of the inmates in its care including those referred to COMHC for mental health services.

Section 2 — Compensation

Delaware County Jail will pay COMHC for the services of the mental health evaluation/disposition for "Out-of-County" inmates in the same manner the DMMHRSB pays for Delaware/Morrow county residents. The cost of this service is \$154.37 per hour, for face-to-face time only. This cost will be incurred no matter when the mental health evaluation occurs. The billing will be submitted to the Sheriff's administrative office in the first week of the following month for the preceding month's services. The total compensation under this MOU shall not exceed \$25,000. (Twenty-five thousand Dollars).

Section 3 — Term

This MOU shall be effective from the date of execution through December 31, 2013 and may only be amended or renewed upon mutual agreement in writing and signed by both Parties.

Section 4 — Insurance

4.1 General Liability Coverage: COMHC shall maintain general liability insurance of \$1,000,000 each occurrence with an annual aggregate of \$2,000,000.

4.2 Workers' Compensation Coverage: COMHC shall maintain workers' compensation coverage as required by the laws of the State of Ohio.

4.3 Proof of Insurance: COMHC shall, upon request, furnish Delaware County with properly executed certificates of insurance for all insurance required by this MOU. Certificates of insurance shall provide that such insurance shall not be cancelled without thirty (30) days prior written notice to the County. COMHC will replace certificates for any insurance expiring prior to completion of this MOU.

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Section 5 — Liability and Warranties

To the fullest extent permitted by law, neither party shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to this MOU. This mutual waiver shall include, but not be limited to, loss of profit, loss of business or income, or any other consequential damages that either party may have incurred from any cause of action whatsoever.

Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, COMHC shall indemnify and hold free and harmless the County and its officials and employees from any and all damages, injury, costs, expenses, judgments or decrees, or any other liabilities that they may incur as a result of bodily injury, sickness, disease or death or injury to or destruction of tangible property including the loss of use resulting therefrom, to the proportionate extent caused by any negligent acts, errors or omissions of COMHC, its employees, agents, subcontractors, and their employees and agents' subcontractors and their employees or any other person for whose acts any of them may be liable.

Section 6— Termination

Either party may terminate this MOU by providing written notice thirty (30) days prior to the effective date of the termination. The County is not liable for payment for work performed after the date of termination.

Section 7 - Miscellaneous Terms & Conditions

7.1 Prohibited Interests: COMHC agrees that no agent, officer, or employee of Delaware County during his/her tenure or for one year there after shall have any interest, direct or indirect, in this MOU or the proceeds thereof.

7.2 Independent Contractor: The Parties acknowledge and agree that COMHC is acting as an independent contractor and that no agency, partnership, joint venture, or employment relationship has been or will be created between the Parties. COMHC also agrees that, as an independent contractor, COMM assumes all responsibility for any federal, state, municipal, or other tax liabilities along with workers compensation, unemployment compensation, and insurance premiums that may accrue as a result of compensation received for services or deliverables rendered hereunder.

The County is a public employer as defined in R.C. § 145.01(D). The County has classified Contractor as an independent contractor or another classification other than public employee. As a result, no contributions will be made to the Ohio Public Employees Retirement System ("OPERS") for or on behalf of Contractor for services and/or deliverables rendered and/or received under or pursuant to this Agreement. Contractor acknowledges and agrees that the County, in accordance with R.C. § 145.038(A), has informed it of such classification and that no contributions will be made to OPERS. In support of being so informed and pursuant to R.C. § 145.038, Contractor agrees to and shall complete an OPERS Independent Contractor Acknowledgement Form ("Form"). The Form is attached hereto and by this reference is incorporated as a part of this Agreement. The County shall retain the completed Form and immediately transmit a copy of it to OPERS.

7.3 Entire Agreement: This MOU, and all documents incorporated by reference, shall constitute the entire understanding and agreement between the County and the COMHC, shall supersede all prior understandings and agreements relating to the subject matter hereof, and may only be amended in writing with the mutual consent and agreement of the parties.

7.4 Governing Law: This MOU shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this MOU shall be filed in and heard before the courts of Delaware County, Ohio.

7.5 Headings: The subject headings of the Sections and Subsections in this MOU are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This MOU shall be deemed to have been drafted by both parties and no purposes of interpretation shall be made to the contrary.

7.6 Waivers: No waiver of breach of any provision of this MOU shall in any way constitute a waiver of any prior, concurrent, subsequent, or future breach of this MOU or any other provision hereof. No term or provision of this MOU shall be deemed waived, and no breach excused, unless such a waiver or consent is expressly made in writing and signed by the party claimed to have waived or consented. Such waiver shall not constitute and shall not in any way be interpreted as a waiver of any other term or provision or future breach unless said waiver expressly states an intention to waive another specific term or provision or future breach.

7.7 Severability: If any item, condition, portion, or section of this MOU 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 MOU and all the terms, conditions, provisions, or sections hereof shall, in all other respects, continue in full force and effect.

7.8 Non-Discrimination/Equal Opportunity: COMHC hereby certifies that, in the hiring of employees for the performance of work under this MOU that neither it nor any subcontractor, by reason of race, color, religion, sex, age, disability as defined in section 4112.01 of the Revised Code, national origin, or ancestry, shall discriminate against any citizen of this state in the employment of a person qualified and available to perform the work to which the MOU relates.

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COMHC further certifies that neither it nor any subcontractor, or person acting on behalf of it or any subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under this MOU on account of race, color, religion, sex, age, disability as defined in section 4112.01 of the Revised Code, national origin, or ancestry.

COMHC certifies that it complies with all applicable laws regarding Non-Discrimination/Equal Opportunity and will not discriminate.

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

RESOLUTION NO. 13-387

IN THE MATTER OF AUTHORIZING THE SUBMITTING OF A COMPREHENSIVE TITLE XX SOCIAL SERVICES PLAN FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES:

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

Pursuant to ORC 5101.46 (2) (E) regarding the administering of provision of social services funded through grants made under Title XX;

WHEREAS, the Delaware County Department of Job and Family Services presented the proposed plan in a public hearing held on April 2, 2013 at Grady Memorial at 8:30 a.m. and during this public hearing individuals had opportunity to submit comments to be considered in preparation of the Title XX County Profile, and

WHEREAS, upon presentation, the County Family Services Planning Committee by resolution unanimously recommended approval of the proposed County Profile,

NOW THEREFORE, the Department presents this plan for provision of services requesting final approval by the Board of County Commissioners prior to submission to the Ohio Department of Job and Family Services.

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

RESOLUTION NO. 13-388

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR THE AIR CONDITIONING FOR THE DELAWARE COUNTY COURTHOUSE, DELAWARE COUNTY, OHIO:

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

WHEREAS, Delaware County received bids for the Air Conditioning for the Delaware County Courthouse project on March 12, 2013; and

WHEREAS, Delaware County reserves the right to reject any and all bids, in whole or in part, to waive any defect in any or all bids; and

WHEREAS, the bids received were in excess of the Engineer's estimate by more the 10%;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, reject all bids received for the Air Conditioning for the Delaware County Courthouse project, Delaware County, Ohio.

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

RESOLUTION NO. 13-389

IN THE MATTER OF SETTING THE DATE AND TIME FOR THE RE-BID OF THE AIR CONDITIONING FOR THE DELAWARE COUNTY COURTHOUSE PROJECT:

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

**Delaware County Board of Commissioners
PUBLIC NOTICE
INVITATION TO BID**

Sealed bids will be received by the Board of Commissioners, Delaware County, Ohio, at 101 North Sandusky Street, Delaware, Ohio 43015 until 10:00 AM on Tuesday, May 7, 2013, at which time they will be publicly opened and read for the following project:

Air Conditioning for

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Delaware County Courthouse

Bids are to be submitted in accordance with the specifications and drawings prepared by: Hill Engineering 3 W. Central Ave., Delaware, Ohio 43015. Bids will be received for the following packages:

- Bid Package 1 – HVAC, estimated at \$165,000.00
- Bid Package 2 – Electrical, estimated at \$22,000.00

A Bid Guaranty must be submitted with each bid over \$10,000. Contract Documents may purchased directly from Key Blue Prints. Prospective Bidders shall make prior arrangements with Key Blue Prints at (614) 228-3285 or online at www.plankey.com to purchase required quantities of plans and specification. The contract documents and plans may be reviewed without charge during normal business hours at the Delaware County Facilities Management Office, 1405 US Rte 23 North, Delaware, Ohio 43015.

Bid award shall be to the lowest and best as determined by Delaware County. Delaware County reserves the right to reject any and all bids, in whole or in part, to waive any defect in any or all bids. Bids shall be submitted in a sealed envelope marked " Sealed bid for Air Conditioning for Delaware County Courthouse". Each bid shall contain the full name and address of the bidder and all interested parties. No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

Notice to Bidders are posted on the Internet and may be viewed on Delaware County’s web site at <http://www.co.delaware.oh.us> under the heading Current Bids.

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

RESOLUTION NO. 13-390

IN THE MATTER OF APPROVING AN AMENDMENT TO THE POWER SALES AGREEMENT BETWEEN AEP ENERGY, INC. AND THE DELAWARE COUNTY BOARD OF COMMISSIONERS:

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

Whereas, the Manager of Facilities recommends the amendment to the power sales agreement;

Therefore be it resolved, that the Board of Commissioners approve the amendment to the power sales agreement with AEP Energy, Inc.

AMENDMENT TO POWER SALES AGREEMENT

This amendment is made this April 15, 2013, by and between AEP Energy, Inc. (“AEP Energy”) and Delaware County Board of Commissioners, on behalf of Delaware County, Ohio (“Customer”), is effective the first normal meter read date on or after May 1, 2013 and amends the power sales agreement dated January 23, 2012, including any exhibits, attachments and tables, thereto and amendments thereof (the “agreement”).

Capitalized terms not otherwise defined in this Amendment shall have the meaning ascribed to such terms in the Agreement.

In consideration of the mutual promises, conditions and covenants contained in the Agreement, including this Amendment thereto, the Parties agree as follows:

1. For the following Customer Premise(s), which shall be added to Table A of the Agreement, the “Energy Charge” in Article 2 of the Agreement shall be \$57.00 per MWh, effective the first normal meter read date on or after May 1, 2013, for ten (10) billing cycle(s).

<u>Service Address</u>	<u>SDI</u>	<u>LDC</u>
283 W GRANVILLE ST SUNBURY OH 43074	00040621003162930	Columbus Southern - OH
814 SHANAHAN RD LEWIS CENTER OH 43035	00040621003260374	Columbus Southern - OH
1251 US HIGHWAY 23 N UNIT Delaware OH 43015	00040621003825121	Columbus Southern - OH
7049 BIG WALNUT RD GALENA OH 43021	00040621038504655	Columbus Southern - OH
1500 COLUMBUS PIKE Delaware OH 43015	00040621072535622	Columbus Southern - OH
442 LAZELLE RD WESTERVILLE OH 43081	00040621094166875	Columbus Southern - OH

Except as set forth above, all other terms and conditions of the Agreement shall remain in full force and effect. No amendment, modification or waiver in respect of this Amendment will be effective unless in writing and executed by each of the Parties. This Amendment may be executed and delivered in counterparts, each of which will be deemed an original. This Amendment is effective only upon Customer’s execution and AEP Energy’s subsequent execution or performance of this Amendment.

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

RESOLUTION NO. 13-391

IN THE MATTER OF APPROVING CHANGE ORDER NO. 1 FOR THE OLENTANGY

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ENVIRONMENTAL CONTROL CENTER MOTOR CONTROL CENTER UPGRADE AND REPLACEMENT PROJECT:

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

Whereas, Ribway Engineering Group, Inc. is currently under contract to complete design of the Olentangy Environmental Control Center Motor Control Center Upgrade and Replacement Project; and

Whereas, during the design of that project, it was determined to move the emergency generator outside to avoid excessive construction costs to rehabilitate the existing building that houses the existing generator to be replaced; and

Whereas, a change order is needed to adjust the design costs for this change in the project; and

Whereas, the contract amount is increased by \$47,920.00 for a new contract price of \$271,990.00; and

Whereas, there is not a change in the contract times; and

Whereas, the Sanitary Engineer has reviewed the above request and recommends approving Change Order No. 1.

THEREFORE BE IT RESOLVED that the Delaware County Board of Commissioners approve Change Order No. 1 for the Olentangy Environmental Control Center Motor Control Center Upgrade and Replacement Project.

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

RESOLUTION NO. 13-392

IN THE MATTER OF SETTING THE DATE AND TIME FOR PUBLIC HEARING #1 FOR 2013 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING:

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

WHEREAS, a public hearing will be held on Monday, April 29, 2013, at 10:00 AM, during the regularly scheduled Board of Commissioners meeting held at 101 North Sandusky Street in Delaware, Ohio. The purpose of this hearing is to discuss 2013 CDBG funding opportunities; and

WHEREAS, a public notice will be published in the Delaware Gazette on Monday, April 15, 2013, notifying the public of the hearing.

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

RESOLUTION NO. 13-393

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

The Interim Director of 911 Communications recommends the continuation of an unpaid personnel leave of absent for Corinne Galloway not to exceed May 5, 2013;

Therefore Be It Resolved, that the Board of Commissioners approve the continuation of an unpaid personnel leave of absent for Corinne Galloway not to exceed May 5, 2013.

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

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

- Attended The Strand Theater Event On Friday
- A Thank-You To The 3rd Graders At Alum Creek Elementary For Tuesday's Visit

Commissioner Stapleton

- Attended The Strand Theater Event On Friday
- Attend The County Commissioners CEBCO Meeting; Health Care Discussions
- Attended The East Powell Road Open House Informational Meeting
- Attended A MORPC Committee Meeting And CCAO Meeting
- Note On The Passing Of Charles A. "Charlie" Wilson Former Legislature And Representative For Southeastern And Eastern Ohio

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Commissioner O'Brien

-Attended And Participated In A Central Ohio Youth Center Meeting; Budget Concerns-With Raising Revenues And Cutting Expenses The Share Of The Costs For The 4 Counties May Still Need To Increase

Tim Hansley, County Administrator, Reports and Comments

-Charitable Agencies Support Policy

RESOLUTION NO. 13-394

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to adjourn into Executive Session at 10:43AM.

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

RESOLUTION NO. 13-395

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mr. Stapleton to adjourn out of Executive Session at 11:35AM.

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

There being no further business, the meeting adjourned.

Gary Merrell

Ken O'Brien

Dennis Stapleton

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