

**COMMISSIONERS JOURNAL NO. 71 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MARCH 11, 2019**

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

**Present:**  
**Barb Lewis, President**  
**Jeff Benton, Vice President**  
**Gary Merrell, Commissioner**

**9:30 A.M. Regular Session**

**1:30 P.M. Work Session**

**1**  
**RESOLUTION NO. 19-215**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 7, 2019:**

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on March 7, 2019; 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              Mrs. Lewis              Aye              Mr. Benton              Aye

**2**  
**PUBLIC COMMENT**

**3**  
**RESOLUTION NO. 19-216**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0308:**

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAP0308 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			
Delaware City	Municipal Court Share	10029203-5360	\$8,033.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R1902450	ZASHIN & RICH CO LPA	PROFESSIONAL LEGAL SERVICES	10011303 - 5361	\$20,000.00

Vote on Motion                      Mrs. Lewis              Aye              Mr. Merrell              Aye              Mr. Benton              Aye

**4**  
**RESOLUTION NO. 19-217**

**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The Regional Sewer District is requesting that Janet Fawcett attend an E-mail Writing for the Workplace seminar in Columbus, Ohio on April 24<sup>th</sup>, 2019 at a total cost of \$22.00 from fund 66211900.

The Child Support Enforcement Agency is requesting that Jason Porter and Brandy Krouse attend a Re-Entry Resource Fair in Orient, Ohio at no cost.

The Commissioners' Office is requesting that Bob Lamb, Tiffany Maag and Marissa Stith attend a Third Thursday lunch event in Delaware, Ohio at the cost of \$60.00 (fund number 10011101).

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The Commissioners' Office is requesting that Marissa Stith attend various County Chamber, OWU and MORPC Events at various locations throughout 2019 at the cost of \$500.00 (fund number 10011101).

Vote on Motion            Mr. Benton            Aye            Mr. Merrell            Aye            Mrs. Lewis            Aye

**5**

**RESOLUTION NO. 19-218**

**IN THE MATTER OF A STOCK REQUEST FROM TH MIDWEST INC. (DBA TURKEY HILL MINIT MARKETS 711) AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:**

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

Whereas, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a stock request from TH Midwest Inc. (DBA Turkey Hill Minit Markets 711), located at 7447 SR 3, Westerville, Ohio 43082; and

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

Now, Therefore, Be it Resolved that 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. Merrell            Aye            Mr. Benton            Aye            Mrs. Lewis            Aye

**6**

**RESOLUTION NO. 19-219**

**IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE LIFEPOINT CHURCH WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY LIFEPOINT CHURCH (ADAM WALLACE):**

It was moved by Mr. Merrell, seconded by Mr. Benton to adopt the following resolution:

WHEREAS, on February 26, 2019, the Clerk of this Board gave notice to the Board of County Commissioners and the County Engineer of Delaware County, Ohio, on the filing with her of a petition signed by Lifepoint Church (Adam Wallace), to:

1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet, by replacing, repairing or altering the existing improvement as required and/or creating new surface and/or subsurface drainage mains as requested by this petition.
2. The development of plans for and the construction of said proposed improvements shall be paid for by Lifepoint Church.
3. Commencing at the western property line of the 14.666 acre parcel conveyed to Lifepoint Church (PIN 31823001008003).
4. Thence west across the 3.102 acre parcel owned by Sandra Gooding and Susan L. Alley (PIN 31823001008001) to an existing culvert that crosses under Columbus Pike, extending to where an adequate and sufficient outlet is provided.

WHEREAS, the proper bond has been filed with the clerk, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost incurred by the Engineer in making his preliminary reports, if the prayer of this petition is not granted, or if the petition is for any cause dismissed, unless the Board decides to pay the Engineer's cost from the bond in accordance with Section 6131.09 of the Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, that **Monday, May 6, 2019 at 1:30P.M. near the vicinity of the intersection of Creekside Drive and Columbus Pike Lewis Center, Ohio 43035**, be and the same is hereby fixed as the time and place for the view thereon; and

BE IT FURTHER RESOLVED that **Thursday, June 6, 2019 at 10:00A.M.** at the Office of the Board of County Commissioners, 101 North Sandusky Street Delaware, Ohio 43015 be and the same is hereby fixed as the time and place for the first hearing on the petition; and

BE IT FURTHER RESOLVED that notice of said view and hearing be given, as required by law.

Vote on Motion            Mrs. Lewis            Aye            Mr. Benton            Aye            Mr. Merrell            Aye

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RESOLUTION NO. 19-220

**IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE LADDA #3 WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY ANNETTE DANIEL AND OTHERS:**

It was moved by Mr. Benton, seconded by Mr. Merrell to adopt the following resolution:

WHEREAS, on February 22, 2019, the Clerk of this Board gave notice to the Board of County Commissioners and the County Engineer of Delaware County, Ohio, on the filing with her of a petition signed by Annette Daniel and Others, to:

1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet by replacing or repairing, or altering the existing improvement as required and/or creating new surface and subsurface drainage mains or laterals as requested by this petition.
2. In Delaware County, Scioto Township within the Ladda #3 Watershed and generally following, but not limited to the course and termini of the existing watershed.

WHEREAS, the proper bond has been filed with the clerk, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost incurred by the Engineer in making his preliminary reports, if the prayer of this petition is not granted, or if the petition is for any cause dismissed, unless the Board decides to pay the Engineer’s cost from the bond in accordance with Section 6131.09 of the Revised Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, that **Monday, May 20, 2019 at 1:30P.M. in the vicinity of 2130 Burnt Pond Road Ostrander, Ohio 43061**, be and the same is hereby fixed as the time and place for the view thereon; and

BE IT FURTHER RESOLVED that **Thursday, August 15, 2019 at 10:00A.M.** at the Office of the Board of County Commissioners, 101 North Sandusky Street Delaware, Ohio be and the same is hereby fixed as the time and place for the first hearing on the petition; and

BE IT FURTHER RESOLVED that notice of said view and hearing be given, as required by law.

Vote on Motion            Mr. Benton        Aye    Mr. Merrell        Aye    Mrs. Lewis        Aye

8

RESOLUTION NO. 19-221

**IN THE MATTER OF SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING FOR CONSIDERATION OF A PETITION FROM THE BOARD OF BERLIN TOWNSHIP TRUSTEES REQUESTING VACATION OF TOWNSHIP ROAD 123A, IN BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO UNDER THE SPECIAL PROCEDURES OF R.C. 5553.045:**

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

WHEREAS, on March 1, 2019, the Delaware County Commissioners received a petition filed by the Berlin Township Trustees, for the Delaware County Board of Commissioners to adopt a resolution ordering the vacation of Township Road 123A in Berlin Township, Delaware County, Ohio (the “Petition”); and

WHEREAS, pursuant to section 5553.045 of the Revised Code, the Board of Commissioners shall set a public hearing on the Petition within forty-five days of the date on which the Petition was filed;

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

Section 1. The Board shall hold a public hearing on the Petition on **Thursday, April 11, 2019, at 9:45 AM** at the Office of the Board of County Commissioners, 101 North Sandusky Street Delaware, Ohio.

Section 2. The Board hereby directs the Clerk of the Board to notify by regular mail the landowners abutting Township Road 123A, requested for vacation in the Petition. That notice shall be sent at least twenty days before the Board’s public hearing, shall state that the Berlin Township Board of Township Trustees has filed the Petition for vacation of Township Road 123A, and shall inform the landowners of the date, time, and place of the public hearing on the Petition. The notice shall be mailed to the addresses of the abutting landowners as they appear on the county auditor's current tax list or the county treasurer's mailing list.

Vote on Motion            Mr. Merrell        Aye    Mrs. Lewis        Aye    Mr. Benton        Aye

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RESOLUTION NO. 19-222

IN THE MATTER OF SETTING DATE AND TIME FOR INVITATION TO BID FOR THE LEASE OF DELAWARE COUNTY FARM LAND:

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

WHEREAS, the Manager of Facilities recommends approving the bid specifications and bid opening date and time for the invitation to bid for the lease of Delaware County Farm Land;

NOW, THEREFORE, BE IT RESOLVED that the Board of Delaware County Commissioners approves the bid specifications and bid opening date and time for the invitation to bid for the lease of Delaware County Farm Land.

LEGAL NOTICE  
LEASE OF DELAWARE COUNTY FARM LAND  
Parcel # 31821316006000 located on Lewis Center Rd  
Parcel # 41934001029000 located on Sawmill Rd

Parties interested in leasing farmland from Delaware County may submit a sealed bid to the Board of Commissioners, Delaware County, Ohio, at 101 North Sandusky Street, Delaware, Ohio 43015 until **10:00am on Wednesday, March 27, 2019** for the cash lease of the County farmland. Parcel #1 (#31821316006000) is located off of Lewis Center Road east Lewis Center. Parcel #2 (#41934001029000) is located off of Sawmill Road north of Clark-Shaw Road.

There will be 11 acres at parcel #1 and 20 acres at parcel #2 of cropland to be offered for rent for one (1) crop season from April 1, 2019, with options to renew for four (4) additional one (1) year terms. Bidders may bid on one or both parcels. Said lease shall be for purpose of use of the land for crop purposes only.

Bid blanks may be obtained online at <http://www.co.delaware.oh.us> under the heading "Public Notices and Bids" or from Delaware County Facilities Management, 1405 US Rt. 23 North, Delaware, Ohio during normal business hours.

Bids will be opened and a cash lease will be entered into according to the discretion of the Board of Commissioners. The Commissioners reserve the right to reject any and all bids, to waive any irregularities or informalities in each. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Farmland Cash Lease." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

Delaware County Commissioners  
Jon Melvin, Director of Facilities

Vote on Motion            Mrs. Lewis            Aye            Mr. Merrell            Aye            Mr. Benton            Aye

**10**  
RESOLUTION NO. 19-223

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR HAWKS NEST AT HIGHLAND LAKES:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve the following sanitary sewer improvement plans for submittal to the Ohio EPA for their approval:

WHEREAS, the Sanitary Engineer recommends approval of the sanitary sewer improvement plans for Hawks Nest at Highland Lakes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the sanitary sewer improvement plans for Hawks Nest at Highland Lakes for submittal to the Ohio EPA for their approval.

Vote on Motion            Mr. Benton            Aye            Mr. Merrell            Aye            Mrs. Lewis            Aye

**11**  
RESOLUTION NO. 19-224

IN THE MATTER OF APPROVING A WETLAND MITIGATION PURCHASE AGREEMENT FOR THE HOME ROAD/SR 315 IMPROVEMENT PROJECT:

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

WETLAND MITIGATION PURCHASE AGREEMENT  
BIG DARBY HELLBRANCH WETLANDS MITIGATION BANK

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**WHEREAS**, the discharge of dredged or fill material into waters of the United States and waters of the State of Ohio, including wetlands, is regulated pursuant to Section 404 of the Clean Water Act, 33 U.S.C. § 1344, and/or Ohio Revised Code Chapter 6111; and

**WHEREAS**, entities planning to place dredged or fill material into waters of the United States or waters of the State of Ohio, including wetlands, must comply with standards and conditions imposed by the Army Corps of Engineers (the "Corps") and/or the Ohio Environmental Protection Agency (the "Ohio EPA") including, in many cases, the mitigation of wetland impacts; and

**WHEREAS**, the Stream + Wetlands Foundation ("S+W") has participated in the Interagency Review Team ("IRT") review process and received approval from the IRT (which includes the Corps and Ohio EPA) to establish the Big Darby Hellbranch Wetlands Mitigation Bank and to sell wetland mitigation credits to entities required to mitigate for impacts to wetlands and other waters pursuant to the Section 404/401 permit process and Ohio's Isolated Wetland Permit process; and

**WHEREAS**, the Corps and the Ohio EPA have agreed to consider the purchase of wetland mitigation credits in an appropriate service area approved by the IRT to fulfill an entity's requirement to mitigate wetland impacts.

**THEREFORE**, Delaware County Engineer ("Client") and S+W agree they will comply with the following guidelines and procedures by which Client will purchase wetland mitigation credits from S+W, representing the restoration of wetlands in the State of Ohio which will be permanently maintained and which will serve to mitigate wetland impacts permitted under Sections 404 and 401 of the Clean Water Act and in accordance with ORC Chapter 6111.

**I. RESERVATION OF CREDITS AND PAYMENT TERMS FOR THE CLIENT**

A. Pursuant to the requirements of Sections 401 and 404 of the Clean Water Act and the regulations promulgated thereunder and/or ORC Chapter 6111, Client is obligated to mitigate for impacts to 0.6 acres of jurisdictional wetlands and 0 acres of isolated wetlands at its Home Road site located at Home Road and SR 315 in the City of Delaware, Delaware County, Ohio. Based on the sale price of \$55,000 per acre of mitigation credit, the Client hereby agrees to pay S+W the amount of \$33,000 in consideration for the purchase of 0.3 acres of non-forested and 0.3 acres of forested wetlands mitigation credits at the Big Darby Hellbranch Wetlands Mitigation Bank. S+W will reserve the necessary wetland credits (acreage) for a period of six (6) months (the "Reservation Period") upon receipt of a signed Purchase Agreement and a deposit payment of \$3,300 (equal to 10% of the total sale price). If Client has not received the necessary approvals pursuant to Section 404 and/or 401 of the Clean Water Act or the Ohio Isolated Wetland Permit program during the Reservation Period, S+W will extend the Reservation Period for an additional 6 months upon receipt of an additional 10% deposit. This method of extending the Reservation Period (six months at a time) shall continue for a maximum period of 24 months. The remaining balance shall be paid within 24 months of the contract initiation date. If the remaining balance is not paid in full within 24 months, a new agreement will be necessary and the current price of mitigation credits will be applied to the new contract. If a new contract is completed, the deposit payments shall be applied towards the cost of credits in the new mitigation purchase agreement so long as all deposit payments have been made in timely manner by the Client.

B. The Client's initial 10% deposit is refundable if within the initial 6-month Reservation Period the Corps or the Ohio EPA denies Client's request for a permit for the wetland impact or if Client elects to withdraw their permit application provided the Client notifies S+W in writing of the denial of its permit or its intention to withdraw its permit application prior to the expiration of the initial 6-month Reservation Period. After the initial 6-month Reservation Period all deposit payments are non-refundable. If the Reservation Period expires due to lack of timely deposit payments, the wetlands credits will not be reserved for Client but will be available on a first-come basis to all clients of S+W. S+W will provide written notification of the termination of this Agreement to the Corps and/or Ohio EPA as applicable.

C. **Within thirty (30) days of issuance of the Clean Water Act Section 404 permit and, if necessary, the Section 401 Certification or Ohio Isolated Wetland Permit, Client will tender the outstanding balance of the cost of the mitigation credits.** Client will also provide S+W with a copy of the Section 404 permit and, if applicable, the Section 401 Certification or the Ohio Isolated Wetland Permit or other approval to proceed. If payment is not received by S+W by the end of the thirtieth day after the Permit Issuance Date the Client will be considered to be in Default of Payment. The Permit Issuance Date is the date of the wetland fill permit (Isolated Wetlands Permit, Clean Water Act Section 401/404 permits) issued for the project. If more than one wetland fill permit is required for the project identified in this agreement then the date of the most recent permit shall be considered as the Permit Issuance Date. Should the Client be in Default of Payment, a late payment penalty of \$500 or 2.0% interest per month, whichever is greater, shall be applied to the outstanding balance from the Permit Issuance Date for each month or portion thereof until payment is received in full. It is the sole responsibility of the Client to ensure that they adhere to the terms of this agreement, including timely payment, and to the terms of the permit(s) issued to it for the project described in paragraph I(A).

D. If the Client is in Default of Payment for greater than 90 days S+W may, at its sole discretion, elect to sell the reserved credits to a different client. In this case, the Client, the Corps and/or Ohio EPA (as applicable) shall be notified by S+W that this agreement has been terminated and the credits are no longer held in reserve for the Client. The Client's deposit payment will be forfeited to S+W at this time and may be applied to future mitigation purchases of the Client at the discretion of S+W.

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E. The Client shall have no other obligation other than the payments detailed in this agreement for future maintenance or remedial measures of the Big Darby Hellbranch Wetlands Mitigation Bank.

**II. OBLIGATIONS OF STREAM + WETLANDS FOUNDATION**

A. S+W has available for sale mitigation credits at the Big Darby Hellbranch Wetlands Mitigation Bank which have been approved by the IRT to mitigate for certain wetland impacts.

B. In consideration for the payment of \$33,000 (plus penalties, if applicable, as per paragraph I(C) of this Agreement) by Client, S+W hereby agrees to provide 0.6 acres of wetlands mitigation credit (as per paragraph I(A) of this agreement) at the Big Darby Hellbranch Wetlands Mitigation Bank for the benefit of Client hereunder. S+W shall have all responsibility for assuring the restoration and the monitoring and maintenance of the wetlands as provided herein.

C. S+W will provide written confirmation to the Client that full payment has been made for the purchase of wetland mitigation credits specified in paragraphs IA of this agreement.

Vote on Motion            Mr. Merrell            Aye    Mr. Benton            Aye    Mrs. Lewis            Aye

**12**

**RESOLUTION NO. 19-225**

**IN THE MATTER OF APPROVING SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATE AND TIME FOR THE PROJECT KNOWN AS RUDER EAST DRAINAGE IMPROVEMENT PROJECT:**

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

WHEREAS, the County Engineer recommends approval of the Estimate, Bid Specifications and Bid Opening Date and Time for the Ruder East Drainage Improvement Project; and

WHEREAS, Resolution No. 18-1111 found favor of the improvement and affirmed the order for the project known as Ruder East Drainage Improvement Project; and

WHEREAS, Resolution No. 18-1112 confirmed the assessments, approved the payment schedule and ordered the letting of the contracts for the project known as Ruder East Drainage Improvement Project; and

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

WHEREAS, the County Engineer has estimated the construction cost of the Improvement to be \$34,575;

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

Section 1: The specifications, estimate, and bid opening date and time for the project known as Ruder East Drainage Improvement Project are hereby approved, and

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

**Public Notice  
Advertisement for Bids**

Bids shall be submitted electronically through the [www.bidexpress.com](http://www.bidexpress.com) webservice until 10:00 am on Tuesday, April 2, 2019, at which time they will be publicly received and read aloud, for the project known as:

**O.R.C. 6131 Drainage Improvement Project  
Ruder East Drainage Improvement Project**

All proposals shall be submitted electrically through the web service [www.bidexpress.com](http://www.bidexpress.com). The bid shall be accompanied by a Bid Security in the form of a bid bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a one (1) year Maintenance/Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost.

**THE ENGINEERS CONSTRUCTION ESTIMATE FOR THE PROJECT IS \$34,575.00 PER O.R.C. 6131.40 NO BIDS SHALL BE ACCEPTED THAT EXCEEDS THE ENGINEER'S CONSTRUCTION ESTIMATE.**

The Owner of the project is the Delaware County Board of Commissioners. Copies of the plans and specifications must be obtained from [www.bidexpress.com](http://www.bidexpress.com). All bidders must register and be a member of the web service to bid on the project.

This notice is posted on the Delaware County website at [www.co.delaware.oh.us](http://www.co.delaware.oh.us) and may be accessed by

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selecting "Public Notices and Bids."

The Owner requires that all work associated with the project be completed before June 28, 2019. The estimated commencement of work date is April 22, 2019.

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

Delaware Gazette Advertisement Dates:  
March 15, 2019

Vote on Motion                      Mrs. Lewis              Aye              Mr. Benton              Aye              Mr. Merrell              Aye

**13**

**RESOLUTION NO. 19-226**

**IN THE MATTER OF APPROVING THE PLAT OF SUBDIVISION FOR OLENTANGY CROSSINGS SECTION 2, LOT 7523, DIVISION #4:**

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

Whereas, Continental Olentangy Crossing, LLC has submitted the Plat of Subdivision ("Plat") for Olentangy Crossings Section 2, Lot 7523, Division #4, including related development plans ("Plans") and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Orange Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on February 4, 2019; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on February 4, 2019; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on February 6, 2019; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on March 4, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Olentangy Crossings Section 2, Lot 7523, Division #4.

**Olentangy Crossings Section 2, Lot 7523, Division #4:**

Situated in the State of Ohio, County of Delaware, Township of Orange, being in Farm Lot 8, Section 2, Township 3, Range 18, United States Military Lands, being all of Lot 7523 (2.610 acres) of Olentangy Crossings Section 2, Lot 7523, Division #3, as the same is numbered and delineated upon the recorded plat thereof, of record in Official Record 1441, Page 1880 (Plat Cabinet 4, slide 45), as conveyed to Continental Olentangy Crossing, LLC in Official Record 1059, Page 748. Cost \$3.00

Vote on Motion                      Mr. Benton              Aye              Mr. Merrell              Aye              Mrs. Lewis              Aye

**14**

**RESOLUTION NO. 19-227**

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

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the following work permits:

WHEREAS, the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

NOW, THEREFORE, BE IT RESOLVED that the following permits are hereby approved by the Board of Delaware County Commissioners:

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Permit #	Applicant	Location	Type of Work
U19-037	AT&T	Lewis Center Road	Relocate fiber
U19-038	Charter Communications	Troy Road	Place aerial cable
U19-039	Century Link	Various Roads	Provide single customer service
U19-040	MCI Metro	Big Walnut Road	Place aerial cable
U19-041	MCI Metro	Lewis Center Road	Place aerial cable
U19-042	MCI Metro	Lewis Center Road	Place aerial cable
U19-043	MCI Metro	E. Orange Road	Place aerial cable
U19-044	Del-Co Water	Worthington Road	Install road bore & waterline
U19-045	Del-Co Water	Liberty Road	Install road bore & waterline
U19-046	Del-Co Water	County Home Road	Install road bore & waterline
U19-047	Del-Co Water	Home Road	Install road bore & waterline
U19-048	AEP	Piatt Road	Install, remove & replace poles
U19-049	Columbia Gas	Seldom Seen Road	Install gas main
U19-050	Century Link	Center Village Road	Road bore

Vote on Motion            Mr. Merrell      Aye      Mrs. Lewis      Aye      Mr. Benton      Aye

**15**

**RESOLUTION NO. 19-228**

**IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION:**

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

**Transfer of Appropriation**

<b>From:</b>	<b>To:</b>	
10011102-5420	10011102-5601	2,100,000.00
Commissioners General/Road Constructions	Commissioners General/Grants In Aid	

Vote on Motion            Mrs. Lewis      Aye      Mr. Merrell      Aye      Mr. Benton      Aye

**16**

**ADMINISTRATOR REPORTS**

Mike Frommer, County Administrator

-Met with Liz Owens, Executive Director, of the Alpha Group last week to get acquainted with their operation.

**17**

**COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Merrell

-Attended the MORPC Executive Committee meeting last week.

Commissioner Benton

-There is a DKMM Meeting tomorrow in Marion. The Transfer Station is listed as an agenda item.

Commissioner Lewis

-The Alpha Group is a great organization.

**18**

**RESOLUTION NO. 19-229**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF PENDING OR IMMINENT LITIGATION AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:**

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



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WHEREAS, pursuant to section 121.22(G) of the Revised Code, a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the matters specified in section 121.22(G)(1)–(7) of the Revised Code; and

WHEREAS, pursuant to section 121.22(G)(8) of the Revised Code, a public body may hold an executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and

(2) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project;

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

Section 1. The Board hereby adjourns into executive session for consideration of pending or imminent litigation and confidential information related to economic development.

Section 2. The Board hereby adjourns into executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

Section 3. The Board hereby finds and determines that the information listed in Section 2 is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

Section 4. The Board hereby finds and determines that the executive session held pursuant to Section 2 is necessary to protect the interests of an applicant for economic development assistance or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Vote on Motion            Mr. Benton        Aye    Mr. Merrell        Aye    Mrs. Lewis        Aye

**RESOLUTION NO. 19-230**

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

It was moved by Mr. Benton, seconded by Mr. Merrell to adjourn out of Executive Session.

Vote on Motion            Mr. Merrell        Aye    Mr. Benton        Aye    Mrs. Lewis        Aye

There being no further business, the meeting adjourned.

**1:30P.M. WORK SESSION**

**CHRIS BAUSERMAN, DELAWARE COUNTY ENGINEER  
ROBERT RILEY, CHIEF DEPUTY ENGINEER  
PRESENTATION ON 2019 PROJECTS  
5 YEAR PLAN  
GENERAL TRANSPORTATION PLANNING AND FUNDING ISSUES**

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Gary Merrell

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Barb Lewis

**COMMISSIONERS JOURNAL NO. 71 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MARCH 11, 2019**

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Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners