

**COMMISSIONERS JOURNAL NO. 71 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 6, 2019**

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

Present:

Barb Lewis, President, arrived as the Board adjourned into Executive Session
Jeff Benton, Vice President
Gary Merrell, Commissioner

1:30 P.M. Viewing For Consideration Of The Lifepoint Church Watershed Drainage Improvement Petition

1

RESOLUTION NO. 19-415

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 2, 2019:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 2, 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 Absent Mr. Benton Aye

2

PUBLIC COMMENT

3

RESOLUTION NO. 19-416

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0503:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0503 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
EPS (P1900262 Line 4)	Facilities Electrical Parts and Equipment	10011105-5260	\$ 4,000.00
EPS (P1900262 Line 2)	Facilities Electrical Parts and Equipment	10011105-5328	\$ 1,000.00
EPS (P1900262 Line 5)	Facilities Electrical Parts and Equipment	10011105-5335	\$ 800.00
Squire Patton Boggs P1901413	Economic Development	21011113-5361	\$10,000.00
PR Number	Vendor Name	Line Description	Line Account Amount
R1903157	NEW HORIZONS COMPUTER LEARNING CTR INC	TUITION FEES	22311611 - 5348 \$7,500.00

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

4

RESOLUTION NO. 19-417

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

It was moved by Mr. Merrell, seconded by Mr. Benton 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
U19-068	Charter Communications	Bunty Station Road	Directional Bore
U19-069	MCI Metro	Big Walnut Road	Place aerial cable

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

5

RESOLUTION NO. 19-418

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, DAVID W. FISHER, REQUESTING ANNEXATION OF 260.56 ACRES OF LAND IN BERKSHIRE TOWNSHIP TO THE VILLAGE OF GALENA:

It was moved by Mr. Merrell, seconded by Mr. Benton to acknowledge that on April 29, 2019, the Clerk to the Board of Commissioners received an annexation petition request to annex 260.56 acres from Berkshire Township to the Village of Galena.

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

6

RESOLUTION NO. 19-419

IN THE MATTER OF SCHEDULING SPECIAL COMMISSIONERS' SESSIONS FOR TUESDAY MAY 14, 2019 AT 9:30A.M. AND WEDNESDAY MAY 15, 2019 AT 9:00A.M. FOR ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT AND COMPENSATION OF A PUBLIC EMPLOYEE OF PUBLIC OFFICIAL:

It was moved by Mr. Merrell, seconded by Mr. Benton to schedule Tuesday May 14, 2019 at 9:30A.M. and Wednesday May 15, 2019 At 9:00A.M. as special sessions for adjourning into executive session for consideration of employment and compensation of a public employee of public official.

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

7

RESOLUTION NO. 19-420

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Administrative Services Dog Warden Department is requesting that Mitchell Garrett attend an Animal Cruelty Investigations Workshop at the Fairfield County Sheriff's Office, May 8, 2019; at the cost of \$25.00 (fund number 20511305).

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

8

RESOLUTION NO. 19-421

IN THE MATTER OF APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GPD GROUP FOR THE PEACHBLOW PUMP STATION PROJECT:

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

WHEREAS, the Board of Commissioners previously entered into a contract on October 25, 2018 with GPD Group for the Peachblow Pump Station Project; and

WHEREAS, Amendment No. 1 authorizes survey work on an additional easement; and

WHEREAS, Amendment No. 1 extends the contract end date to 12/31/19; and

WHEREAS, there is an increase to the contract cost in the amount of \$1,000.00; and

WHEREAS, the Sanitary Engineer recommends approval of Amendment No. 1 to the Professional Services Agreement with GPD Group for the Peachblow Pump Station Project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the following Amendment No. 1 to the Professional Services Contract with GPD Group for the Peachblow Pump Station Project as follows:

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AMENDMENT NO. 1
PROFESSIONAL SERVICES AGREEMENT

This Amendment No. 1 to the Original Agreement dated October 25, 2018 is made and entered into this 6th day of May, 2019, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 (“County”), and GPD Group (“Consultant”) (hereinafter collectively referred to as the “Parties”).

ARTICLE 1 – AMENDMENT

Pursuant to Section 3.1 of the Original Agreement, the Parties mutually agree to amend the Original Agreement by approving additional services as set forth in Exhibit A attached hereto and, by this reference, fully incorporated into this Amendment No. 1.

Pursuant to Section 7.2 of the Original Agreement, the Parties mutually agree to amend the Original Agreement by extending the completion date for the services to no later than December 31, 2019.

ARTICLE 2 – REMAINING PROVISIONS

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

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1.

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

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RESOLUTION NO. 19-422

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR EVANS FARM NORTH ROAD SANITARY EXTENSION:

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 Evans Farm North Road Sanitary Extension;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the sanitary sewer improvement plans for Evans Farm North Road Sanitary Extension for submittal to the Ohio EPA for their approval.

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

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RESOLUTION NO. 19-423

IN THE MATTER OF APPROVING A PERMIT FOR USE OF DELAWARE COUNTY FACILITIES:

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

WHEREAS, the Delaware County Commissioners passed Resolution No. 02-758 on June 10, 2002, adopting a Delaware County Facilities Permit Policy; and

WHEREAS, it is the intent of the policy to allow persons and organizations access to appropriate Delaware County facilities, grounds and meeting places; and

WHEREAS, each request will only be considered after the receipt of a completed Delaware County Facilities Permit Form; and

WHEREAS, the June 10, 2002 policy mandates approval from the Commissioners for use of county facilities by groups of 30 participants or more that have agreed in writing to full compliance with the Permit Policy;

NOW, THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED that the Delaware County Board of Commissioners hereby authorizes the use of the Delaware County Old Jail/Sheriff’s Residence by the Northwest Neighborhood Association for the Ghost Walk on September 28, 2019 from 6:00-9:00 PM at no cost.

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

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ADMINISTRATOR REPORTS

Mike Frommer, County Administrator
-No reports

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell
-Attended the RevOne meeting Friday morning.
-Will be working at a polling location tomorrow: Election Day.
-There will be a 9-1-1 Board meeting tomorrow.
-Met with the new Mayor of Ostrander: Robert Taylor.

Commissioner Benton
-Attended the RevOne meeting Friday morning.
-Attended the MORPC Executive Committee meeting Thursday afternoon.
-There will be a TID meeting Wednesday morning.
-The Lifelong Learning meeting on Saturday. The first classes will be held this fall.

13

RESOLUTION NO. 19-424

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; FOR COLLECTIVE BARGAINING:

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

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

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 employment; compensation of a public employee or public official; for collective bargaining.

Vote on Motion	Mr. Benton	Aye	Mr. Merrell	Aye	Mrs. Lewis	Absent
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13 continued

RESOLUTION NO. 19-425

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
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11:35A.M. RECESS/RECONVENE 1:30P.M. (In The Vicinity Of The Intersection Of Creekside Drive And Columbus Pike Lewis Center, Ohio 43035)

14

IN THE FIELD:

1:30 PM VIEWING FOR CONSIDERATION OF THE LIFEPOINT CHURCH WATERSHED AREA DRAINAGE PETITION

On Monday May 6, 2019 at 1:30P.M. near the intersection of Creekside Drive and Columbus Pike Lewis Center, Ohio 43035 The Delaware County Commissioners viewed the watershed area with staff members from the Delaware County Engineer's Office and the Delaware County Soil and Water Conservation District.

Commissioners Present: Jeff Benton, Gary Merrell, and Barb Lewis

On February 26, 2019, a drainage petition for the Lifepoint Church Watershed was filed with the Board of County Commissioners 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

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existing culvert that crosses under Columbus Pike, extending to where an adequate and sufficient outlet is provided.

NOTE: the first hearing on the petition is scheduled for Thursday June 6, 2019, at 10:00A.M.

The Commissioners:

- Walked Life Point Church Property along the path at the end of Graphics Way (near Creekside Drive)
- After the small rise, alongside/under the high tension wire poles, is the culvert to the sufficient outlet is under Columbus Pike
- the buildings to the south of the Church property are not part of this watershed, they have a different drainage to sufficient outlet
- the petition (signatures and words) determines the upstream part of a project the "sufficient outlet" determines the bottom of a project
- this is a landowner initiated process and detailed surveys follow if the project moves past the first hearing
- if approved the storm water infrastructure will be placed on the County Drainage Maintenance Program
- if approved money pooled only for this project; assessments placed on build-able lots current and future
- 4 Factors Determine Possible Assessment: Acres Benefited, Land Use, Percent Of Improvement Used; Remote Factor

The following is a PDF copy of the Commissioners' Office sign-in sheet of the people present at the viewing who chose to sign the sign-in sheet.



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

SIGN-IN SHEET FOR MONDAY MAY 6, 2019

1:30 P.M. Viewing For Consideration Of The Lifepoint Church Watershed
Drainage Maintenance Petition

	NAME	ADDRESS
1	Sarah Dinos	101 N Sandusky St.
2	STUB HARPER	30 NORTH WOODS BLVD. SUITE 380/01
3	ADAM WALLACE	7119 Graphics Way, B 43035
4	Matt Larson	SWCD
5	Brett Bergeford	County Engineer ofc
6	Kurt Simmons	DCEB 1-56 Channing St.
7	John Wallace	Clerk Board
8	BRET BACON	SWCD
9	AUSTIN POE	MHA ARCHITECTS
10		

There being no further business, the meeting adjourned.

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Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners