

COMMISSIONERS JOURNAL NO. 72 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 30, 2020

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

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

1:00 P.M. Viewing For Consideration Of Villas At Maple Creek Drainage Improvement Petition

1
RESOLUTION NO. 20-104

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 27, 2020:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on January 27, 2020; 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. Merrell Aye Mrs. Lewis Aye Mr. Benton Aye

2
PUBLIC COMMENT

3
**MID-OHIO REGIONAL PLANNING COMMISSION
 PRESENTATION
 2020-2050 METROPOLITAN TRANSPORTATION PLAN**

4
RESOLUTION NO. 20-105

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0129:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0129 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Line Account	Amount
R2001694	ALPHA GROUP OF DELAWARE INC	JANITORIAL SERVICE	10011105 - 5325	\$18,500.00
R2001696	BRUNER CORPORATION	HVAC MAINTENANCE AGREEMENT WILLIS BLDG.	10011105 - 5325	\$6,000.00
R2001697	BRUNER CORPORATION	HVAC MAINTENANCE AGREEMENT 117 COURTHOUSE	10011105 - 5325	\$12,000.00
R2001904	ENDICOTT MICROFILM INC	SCANNERS. RENEWAL FOR 3 23 2020 - 3 22 2021	10011103 - 5325	\$5,464.00
R2001904	ENDICOTT MICROFILM INC	PROCESSOR. RENEWAL FOR 3 23 2020 - 3 22 2021.	10011103 - 5325	\$3,925.00
R2001934	HACH CO	ALL WEATHER COMPOSITE SAMPLER - SCIOTO RESERVE	66211900 - 5450	\$7,119.20
R2001940	BLUEBEAM INC	BLUEBEAM SUBSCRIPTION RENEWAL - 15 LICENSES	66211900 - 5320	\$10,890.00
R2001952	BUCKEYE RANCH INC	MSY FUNDS	70161605 - 5342	\$12,051.00
R2001952	BUCKEYE RANCH INC	MSY FUNDS	70161603 - 5342	\$1,749.00
R2001958	MT BUSINESS TECHNOLOGIES	PRINTER SERVICE 01 20-10 2020	22411605 - 5325	\$14,075.00

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

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RESOLUTION NO. 20-106

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Human Resources Department is requesting that Dawn Huston, Dana Bushong, Matt Brown, Justin King, Linda Dodds and Brad Euans attend the OHPELRA Annual Training Conference in Columbus, Ohio from February 2-4, 2020 at the cost of \$1,919.50 (fund number 10011108).

The Economic Development Department is requesting that the Economic Development Specialist, Administrator, Coordinator and Director attend various MORPC, MODE, One Columbus, NAOIP, CDFA, One Delaware, 23 Corridor Events and Meetings throughout 2020 at the cost of \$1,300.00 (fund number 21011113).

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

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RESOLUTION NO. 20-107

RESOLUTION OF NECESSITY FOR THE PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of motor vehicles to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Sheriff's Office to expend county monies for the purchase of new cruisers; and

WHEREAS, the cruisers are available for purchase through the State of Ohio's cooperative purchasing program (the "Program"); and

WHEREAS, pursuant to section 125.04(C) of the Revised Code, the Board may purchase supplies from another party instead of through participation in Program contracts if the Board can purchase those supplies or services from the other party upon equivalent terms, conditions, and specification but at a lower price than it can through the Program contract; and

WHEREAS, the necessary vehicles are available from another party, Statewide Ford-Lincoln-Mercury, Inc., upon equivalent terms, conditions, and specifications but at a lower price than through the Program contract;

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

Section 1. The Board hereby declares that it is necessary to expend county monies for the purchase of new motor vehicles to be used by the County Sheriff or his employees for the following reasons: (1) existing cruisers have reached the end of their useful service lives; (2) new cruisers are necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) new cruisers will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of fifteen (15) 2020 Ford Police SUV at a cost of \$44,419.00 each from Statewide Ford-Lincoln-Mercury, Inc., upon the equivalent terms, conditions, and specifications of State of Ohio Index No. GDC050, Contract #RS901620.

Section 3. The Board hereby authorizes the Sheriff's Office to initiate the necessary purchase order(s) to Statewide Ford-Lincoln-Mercury, Inc., and hereby approves the purchase order(s) from fund number 41711436-5450.

Section 4. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

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

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RESOLUTION NO. 20-108

**IN THE MATTER OF ACCEPTING SANITARY SEWER IMPROVEMENTS FOR SHELLY’S
RETREAT AT CARPENTER’S MILL PUMP STATION AND SHELLY’S RETREAT AT
CARPENTER’S MILL SECTION 1 PHASE A:**

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

WHEREAS, the construction of new sanitary sewers at Shelly’s Retreat at Carpenter’s Mill Pump Station and Shelly’s Retreat At Carpenter’s Mill Section 1 Phase A have been completed to meet Delaware County Sewer District requirements; and

WHEREAS, the Sewer District has received the necessary items required by the Subdivider’s Agreements; and

WHEREAS, the Sanitary Engineer recommends accepting sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Shelly’s Retreat at Carpenter’s Mill Pump Station

Total Value of the Improvements \$335,663.19

Shelly’s Retreat At Carpenter’s Mill Section 1 Phase A

3,267 linear feet of 8-inch dia. PVC sanitary sewer	\$151,033.41
51 ea. 15x6 PVC wye fittings	\$ 13,208.49
1,789 linear feet of 6-inch dia. PVC laterals, risers, and fittings	\$ 65,691.77
20 sanitary manholes	\$ 80,771.53
1,646 linear feet of 8-inch dia. force main	\$ 67,340.52
80 linear feet of steel casing, jack & bore	\$ 33,200.00
Testing	<u>\$ 7,789.31</u>
Total	\$419,035.03

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

Section 1. The Board hereby approves and accepts the above sanitary sewer improvements for ownership, operation, and maintenance by the Delaware County Sewer District.

Section 2. The Board hereby releases any bond, certified check, irrevocable letter of credit, or other approved financial warranties executed to insure faithful performance for construction of the above sanitary sewer improvements, if applicable.

Section 3. The Board hereby accepts any bond, certified check, irrevocable letter of credit, or other approved financial warranties executed per the requirements of the subdivider’s agreement for the five-year maintenance period for the above sanitary sewer improvements.

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

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RESOLUTION NO. 20-109

**IN THE MATTER OF RANKING FOR THE BEST VALUE OF THE THREE MOST
QUALIFIED CONSTRUCTION MANAGERS AT RISK FOR CONSTRUCTION OF THE ALUM
CREEK WRF CLARIFIER UPGRADES FOR DELAWARE COUNTY, OHIO:**

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

WHEREAS, the Delaware County Board of Commissioners selected Peterson Construction Co., Shook Construction Co, and Kokosing Industrial as the three most qualified construction managers at risk for the construction of the Alum Creek WRF Clarifier Upgrades for Delaware County, Ohio, and received pricing proposals from each; and

WHEREAS, section 9.334(E) of the Revised Code requires, after evaluating the pricing proposals, the public authority shall rank the selected construction managers at risk based on its evaluation of the value of each pricing proposal, with such evaluation considering the proposed cost and qualifications; and

WHEREAS, the review committee, having evaluated the pricing proposals, qualifications, and the scope and nature of the proposed services and potential technical approaches, recommends the top three qualified firms be ranked for the best value as follows: 1 – Peterson Construction Co.; 2 – Shook Construction Co.; and 3 – Kokosing Industrial; and

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NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Delaware County, State of Ohio, hereby ranks the three most qualified construction managers at risk for the best value for the construction of the Alum Creek WRF Clarifier Upgrades for Delaware County, Ohio, as follows: 1 – Peterson Construction Co.; 2 – Shook Construction Co.; and 3 – Kokosing Industrial, and hereby authorizes and directs the Sanitary Engineer to proceed with contract negotiations with the firm ranked as the best value.

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

**9
RESOLUTION NO. 20-110**

IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2021 TAXES:

It was moved by Mrs. Lewis, seconded by Mr. Benton to certify to the County Auditor the delinquent accounts for placement on the tax duplicate.

WHEREAS, the Delaware County Board of Commissioners (the “Board”) owns and operates a Sewer District as authorized by Chapter 6117 of the Revised Code; and

WHEREAS, section 6117.02 of the Revised Code authorizes the Board to set rates and charges for the sanitary services provided by the Sewer District; and

WHEREAS, when any of the sanitary rates or charges are not paid when due, the Board may certify the unpaid rates or charges, together with any penalties, to the County Auditor, who shall place them upon the real property tax list and duplicate against the property served by the connection; and

WHEREAS, pursuant to Resolution No. 16-720, the Board has established that delinquent accounts will be certified after they are more than ninety days past due and the amount exceeds \$25.00; and

WHEREAS, staff has determined that there are delinquent accounts that meet this criteria; and

WHEREAS, staff recommends collection of the unpaid rates and charges by certifying these delinquent accounts to the County Auditor;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners certifies the delinquent accounts in the amount of \$144,979.03 to the County Auditor for the 2021 real property tax list and duplicate. (Itemized listing of delinquent accounts available for review at the Commissioners’ Office until no longer of administrative value).

**2021 Sewer Tax Assessments
To be certified by the Board of Commissioners on 1/30/2020**

Breakdown of Assessments by Treatment Plant:

66211900-4108-11903 – OECC	\$46,152.82
66211900-4108-11904 – Alum Creek	\$85,718.99
66211900-4108-11905 – Lower Scioto	\$2,261.00
66211900-4108-11912 - Package Plants	\$10,846.22
Total Assessments	\$144,979.03

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

**10
ADMINISTRATOR REPORTS**

Mike Frommer, County Administrator
-Retirement tribute for Sheila Perin, Delaware County EMS.

**11
COMMISSIONERS’ COMMITTEES REPORTS**

Commissioner Lewis
-No reports.

Commissioner Merrell
-Regional Planning will meet tonight.
-The purchasing contract for copiers is moving forward. Would like to compliment all of the other Elected Officials for their buy-in on the project.

Commissioner Benton
-CEBCO will meet tomorrow morning.

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RESOLUTION NO. 20-111

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Merrell, seconded by Mrs. Lewis 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 pending or imminent litigation

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

RESOLUTION NO. 20-112

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

RECESS 11:40 A.M./RECONVENE 1:00 P.M.

1:00P.M. VIEWING FOR CONSIDERATION OF VILLAS AT MAPLE CREEK DRAINAGE IMPROVEMENT PETITION

On January 30, 2020 at 1:00 P.M. starting in the vicinity of the intersection of Crimson Maple Lane and Red Maple Place, Westerville Ohio 43082. 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 December 6, 2019, a drainage petition for the Villas at Maple Creek 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 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, Genoa and Orange Townships, within the Villas at Maple Creek watershed and generally following, but not limited to, the course and termini of the existing improvements.

NOTE: the first hearing on the petition is scheduled for April 23, 2020 at 10:00a.m.

The Commissioners:

- Viewed the Outlet Retention Basin #1 as described on the map.
- Soil and Water stated the first hearing report would be based on generalities.
- Drove to view the Outlet Retention Basins #2 and #3 on Mapleside Place.
- Viewed the pipe that runs from one basin to the other (under Mapleside Place).
- 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 and the map provided to those who attended.

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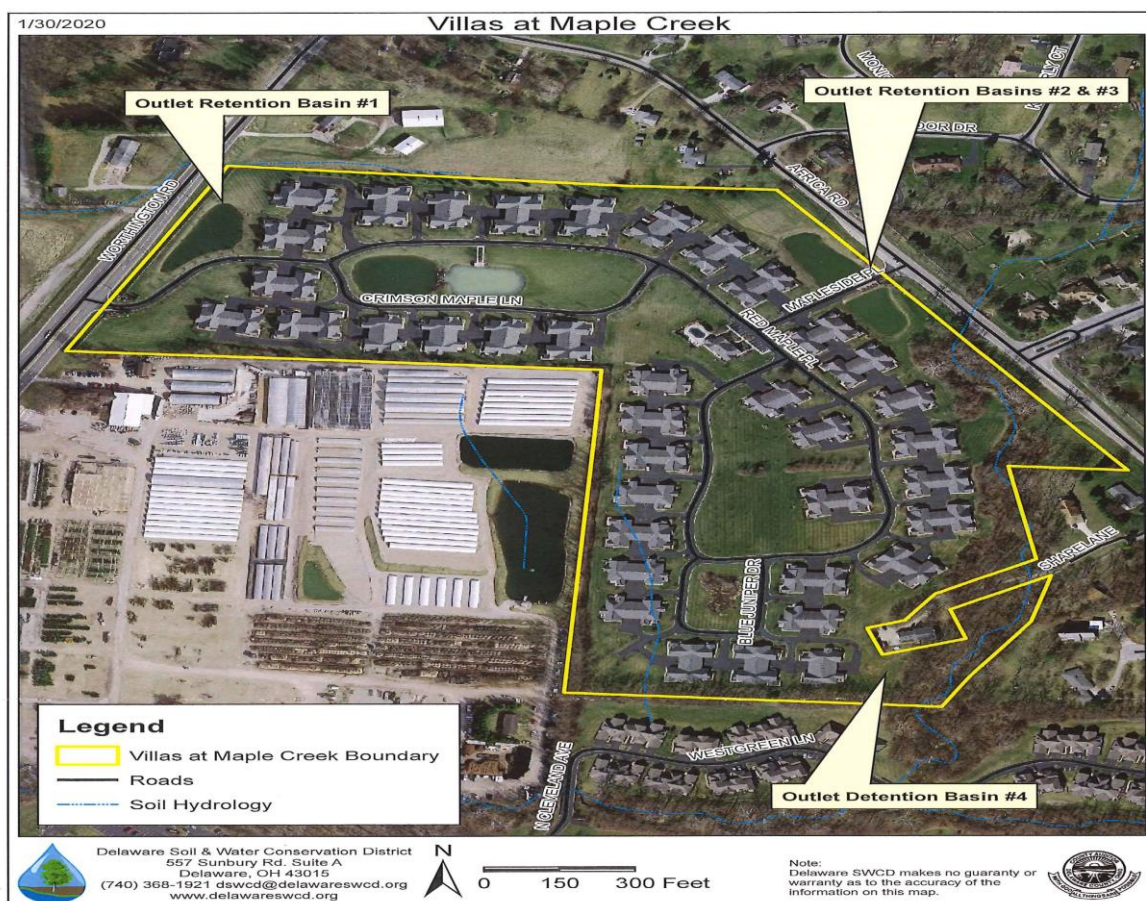
Delaware County Commissioner

Jeff Benton
 Barb Lewis
 Gary Merrell

SIGN-IN SHEET FOR JANUARY 30, 2020

1:00 P.M. Viewing Of The Villas At Maple Creek Drainage
 Improvement Petition

NAME	ADDRESS
1 SARAH DINDO	101 N Sandusky St.
2 Mary McKury	7473 Red Maple Pl.
3 LARRY STUMPH	7747 Red Maple Pl
4 Gary Cain	7588 Red Maple Pl
5 Eric McCot	7776 BLUE JUNIPER
6 Kurt Simmons	DCEO
7 Daniel Barr	Delaware SWCD
8 BRET BACON	SWCD
9 Brett Bergeford	Co. Eng. 50 Charming St
10 Rick Taylor	7447 Red Maple



There being no further business, the meeting adjourned.

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Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners