

COMMISSIONERS JOURNAL NO. 72 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 19, 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

10:00 A.M. **Drainage Petition Hearing; Final For The Radnor Township #2015-1 Watershed Drainage Improvement Petition Project**

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RESOLUTION NO. 20-277

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 16, 2020:

It was moved by Mrs. Lewis, 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 16, 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

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PUBLIC COMMENT

3
RESOLUTION NO. 20-278

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0318 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0318:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0318, memo transfers in batch numbers MTAPR0318 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Altman Company Historic Court	Change Order	42011438-5410	\$ 43,974.74
PR Number	Vendor Name	Line Description	Account
R2002665	PROSECUTORS	IV-D NON SUPPORT CONTRACT	23711630 - 5301 \$49,036.96
R2002666	SHERIFF'S OFFICE	IV-D CONTRACT	23711630 - 5301 \$89,268.28
R2002667	DOMESTIC RELATIONS COURT	IV-D CONTRACT	23711630 - 5360 \$52,146.84
R2002703	HELPING HANDS CENTER FOR SPECIAL NEEDS	MAGISTRATE SERVICES SUMMER CAMP 2020	70161605 - 5348 \$6,525.00
R2002705	KENDRICK EXCAVATING INC	SANITARY MAIN REPAIRS AT 24 HIDDEN RAVINES	66211900 - 5328 \$33,332.00
R2002726	ARC DOCUMENT SOLUTIONS LLC	SCANNING AND INDEXING OF WIDE FORMAT FIELD PLANS	66211900 - 5301 \$25,000.00
R2002727	PETERSON CONSTRUCTION	CHESHIRE PUMP STATION IMPROVEMENTS PROJECT	66711900 - 5410 \$2,237,000.00
R2002728	XYLEM WATER SOLUTIONS USA INC	FILTER WASHWATER & BACKWASH PUMPS - OECC INVENTORY	66211900 - 5450 \$12,972.00
R2002733	TRUCCO CONSTRUCTION CO	CHESHIRE FORCE MAIN IMPROVEMENTS	66711900 - 5415 \$2,028,031.00

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

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RESOLUTION NO. 20-279

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION FOR THE SHERIFF'S OFFICE:

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

Transfer of Appropriation

From:	To:	
28631343-5365	28631343-5201	2,337.58
LEAP Forward 2018/Grant Related Services	LEAP Forward 2018/General Supplies	
28631343-5365	28631343-5260	8,656.13
LEAP Forward 2018/Grant Related Services	LEAP Forward 2018/Inventoried Tools, Equipment	

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

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RESOLUTION NO. 20-280

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR BERLIN MEADOWS GRAVITY #1 SANITARY EXTENSION:

It was moved by Mr. Merrell, seconded by Mrs. Lewis 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 Berlin Meadows Gravity #1 Sanitary Extension;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the sanitary sewer improvement plans for Berlin Meadows Gravity #1 Sanitary Extension for submittal to the Ohio EPA for their approval.

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

ZACHARY DOWLEY, ECONOMIC DEVELOPMENT SPECIALIST

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**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS
PRESENTING POTENTIAL PROJECTS**

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DELAWARE COUNTY TRAILS COMMITTEE OVERVIEW

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RESOLUTION NO. 20-281

IN THE MATTER OF AUTHORIZING AMENDMENTS THE PROCUREMENT CARDS FOR THE DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES:

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

WHEREAS, pursuant to R.C. 301.29, the Board of Commissioners of Delaware County by Resolution No. 04-1193 dated September 30th, 2004, adopted a policy for the use of County Procurement Cards; and

WHEREAS, the Board of Commissioners of Delaware County by Resolution No. 11-1040 dated October 3rd, 2011, adopted amendments to the Policies and Procedures for the county procurement card program; and

WHEREAS, the appointing authority for the procurement card being the Delaware County Developmental Disabilities, has adopted the procurement card policy for the use of the card to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant R.C. 301.29 (F)(2).

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, authorize the use of the following procurement cards to the limits indicated and for specific work related expenses designated in the Procurement Card Policy without submitting a monthly estimate of expenses:

Amendment:

Appointing Authority: Delaware County Developmental Disabilities
Office/Department: Delaware County Developmental Disabilities

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Daily spending per card: \$5,000.00
Monthly spending per card: \$10,000.00
Single transaction limit: \$5,000.00
Daily number of transactions per card: 10
Monthly number of transactions per card: 20
Name on Card: Anne Miller/Flanery
Department Coordinator: Jared Zirillo

Amendment:

Appointing Authority: Delaware County Developmental Disabilities
Office/Department: Delaware County Developmental Disabilities

Daily spending per card: \$5,000.00
Monthly spending per card: \$10,000.00
Single transaction limit: \$5,000.00
Daily number of transactions per card: 10
Monthly number of transactions per card: 50

Name on Card: Cheryl Smart
Department Coordinator: Jared Zirillo

Amendment:

Appointing Authority: Delaware County Developmental Disabilities
Office/Department: Delaware County Developmental Disabilities

Daily spending per card: \$5,000.00
Monthly spending per card: \$10,000.00
Single transaction limit: \$5,000.00
Daily number of transactions per card: 10
Monthly number of transactions per card: 50

Name on Card: Tina Overturf
Department Coordinator: Jared Zirillo

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

Other Business:

RESOLUTION NO. 20-282

IN THE MATTER OF REQUESTING AN ADVANCE PAYMENT OF SENIOR CITIZENS SERVICES LEVY FUNDS WHICH ARE LAWFULLY APPLICABLE TO THE PURPOSES OF THE CURRENT FISCAL YEAR, IN ACCORDANCE WITH R.C. § 321.34:

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

WHEREAS, pursuant to section 321.34 of the Revised Code, the county auditor shall, upon the request of local authorities, pay to any political subdivision or taxing district whose funds derived from taxes or other sources are payable by law to the county treasurer, any money that may be in the county treasury to the accounts of the local authorities, which are lawfully applicable to the purpose of the current fiscal year in which the request is made; and

WHEREAS, the Delaware County Board of County Commissioners (the "Board") is the political subdivision and taxing district that levies a tax for the provision of senior citizens services through contributions of those levy funds to SourcePoint; and

WHEREAS, SourcePoint is presently in need of operating funds to be lawfully applied to the purposes of the current fiscal year;

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

Section 1. The Board hereby requests that the County Auditor pay to the County Treasurer any tax monies which have been collected on the Board's behalf for senior citizens services, and which may be in the county treasury, so that those monies may be contributed to SourcePoint to pay operational expenses for purposes of the current fiscal year.

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Section 2. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Auditor.

Section 3. This Resolution shall be effective immediately upon adoption.

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

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ADMINISTRATOR REPORTS

Mike Frommer, County Administrator

- Brief update about the COVID-19.
- The Auditor, Map Room, and Recorder offices all have drop off boxes outside their offices at the Hayes Building for paperwork drop off. JFS and CSEA have a box located just inside the main door of the Hayes Building.

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

- Would like to commend Mike Frommer and Jane Hawes for all the updates they are providing to Delaware County employees.
- Would like to commend the Board of Elections for working together as the night before elections were to take place was ever-changing.
- Attended the Regional Planning executive meeting yesterday. The meeting scheduled for next week has been canceled. Director Sanders is looking into future meetings.
- The County will hold a blood drive on May 4th from 9-3. Donate if you can.

Commissioner Lewis

- Many thanks to the agencies in the county helping the less fortunate. Help them out if you can.
- Thank you to Mike Frommer, Aric Hochstettler, Jane Hawes, Dawn Huston, the clerks, and Marisa Stith for doing all you can to keep things running smoothly.

Commission Benton

- Echo the thanks to everyone. The cooperation between departments, elected officials is greatly appreciated.
- The CEBCO annual meeting was scheduled for April 3, 2020 has been canceled.
- A reminder that the county's website has current information about the county's closures and other COVID-19 updates. Our site is: www.co.delaware.oh.us

RECESSED AT 9:53 A.M./RECONVENE AT 10:01 A.M.

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RESOLUTION NO. 20-283

10:00A.M.FINAL HEARING FOR THE RADNOR TOWNSHIP #2015-1 WATERSHED DRAINAGE IMPROVEMENT PETITION PROJECT:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to open the hearing at 10:01 A.M..

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

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RESOLUTION NO. 20-284

IN THE MATTER OF CONTINUING THE PUBLIC HEARING TO ADDRESS THE RADNOR TOWNSHIP #2015-1 WATERSHED DRAINAGE IMPROVEMENT PETITION PROJECT TO THURSDAY AUGUST 6, 2020 AT 10:00A.M.:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to continuing the public hearing to address The Radnor Township #2015-1 Watershed Drainage Improvement Petition Project to **Thursday August 6, 2020 at 10:00A.M.**

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

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RESOLUTION NO. 20-285

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE SALE OF PROPERTY AT COMPETITIVE BIDDING; FOR COLLECTIVE BARGAINING; FOR SECURITY ARRANGEMENTS AND EMERGENCY RESPONSE PROTOCOLS:

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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; to consider the sale of property at competitive bidding; for collective bargaining; for security arrangements and emergency response protocols.

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

RESOLUTION NO. 20-286

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

Recessed at 11:28 A.M. until 1:10 P.M.

Other business:

RESOLUTION NO. 20-287

IN THE MATTER OF CANCELING THE COMMISSIONERS’ SESSIONS SCHEDULED FOR MONDAY MARCH 23, 2020; AND MONDAY MARCH 30, 2020:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to cancel the Commissioners’ sessions scheduled for Monday March 23, 2020; and Monday March 30, 2020.

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

RESOLUTION NO. 20-288

IN THE MATTER OF DECLARING A STATE OF EMERGENCY IN DELAWARE COUNTY AND APPROVING A TEMPORARY COVID-19 EMERGENCY OPERATIONS PLAN:

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

WHEREAS, the Governor of the State of Ohio issued Executive Order 2020-01D, declaring a statewide emergency to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19; and

WHEREAS, all Delaware County offices and departments have worked diligently to implement directives from Federal, State, and local authorities to adequately prepare for and respond to the emergency; and

WHEREAS, in order to secure already strained Delaware County resources, both human and material, and to preserve the public health, safety, and welfare, the Delaware County Board of Commissioners (the “Board”) determines that it is necessary to declare a state of emergency in Delaware County and implement a temporary COVID-19 emergency operations plan;

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

Section 1. The Board hereby declares that a state of emergency exists within Delaware County and hereby invokes those portions of the Ohio Revised Code that are applicable thereto. This declaration shall be in full force and effect in Delaware County for the exercise of all necessary emergency authority for protection of lives and property of the people of Delaware County.

Section 2. The Board directs all public offices and employees under its appointing authority to exercise the utmost diligence in the discharge of duties required of them during the duration of the emergency and encourages all Delaware County offices and agencies to take the same actions.

Section 3. All persons within Delaware County are called upon to comply with necessary emergency measures from Federal, State, and Local authorities, to cooperate with public officials, and to obey and comply with all lawful directives.

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Section 4. The Board hereby approves the Temporary COVID-19 Emergency Operations Plan (the "Plan") attached hereto and, by this reference, fully incorporated herein, and affirms that the County Administrator may order any modifications to the Plan in accordance with the authority previously granted by resolution. The Plan shall apply to all departments and employees under the Board's appointing authority and shall remain in effect through April 5, 2020, whereupon it shall be assessed and may be extended and/or modified by order of this Board or the County Administrator. The County Administrator is directed to distribute the Plan, and any future modifications thereto, to all Delaware County offices and agencies, encouraging them to implement similar plans if they have not already done so.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were conducted in compliance with applicable law.

Section 6. This Resolution shall take full force and effect from and immediately upon its adoption.

TEMPORARY COVID-19 EMERGENCY OPERATIONS PLAN

Effective **Friday, March 20, 2020 at 8:00 a.m.**, access to Delaware County facilities by the general public will be restricted, with access to offices being by appointment only. This restriction shall not apply to access to court offices and facilities that are necessary for the efficient operation of the courts, which shall remain open subject to order of the judges for each court. Also effective **Friday, March 20, 2020 at 8:00 a.m.** all non-required employees will be directed to stay home and will be granted administrative leave with pay at 100% of their regular pay. They will not need to utilize any accrued paid leave. As the situation evolves, a non-required employee may temporarily become a required employee on a case-by-case basis; therefore, all non-required employees shall be considered on "reserve status" and must remain reachable and available to report if required.

Specific staff will be identified by management as "required" employees; these employees perform job duties that are absolutely necessary for services to be provided and/or that are needed for normal operations in support of our departments.

Effective Friday, March 20, 2020, all "required" employees will be expected to continue to perform assigned duties, whether that is from home (through telework), at their normal workplace, or in the field, whichever is practical for the work to be performed and as arranged with management. All employees are required to monitor and evaluate their own health and report any symptoms of COVID-19 to their supervisor. **IF AN EMPLOYEE IS EXPERIENCING COVID-19 SYMPTOMS, THEY MUST NOTIFY THEIR SUPERVISOR AND NOT REPORT TO WORK.**

Employees who are required employees must remain reachable and available in the event that they are needed to physically report to work to perform regularly assigned job duties. Absent verifiable and extenuating circumstances as communicated in a timely manner to management, required employees must perform work when directed. Required employees will receive 100% of their normal pay.

Any work performed by a required employee outside of their normally-scheduled work hours will still be considered overtime if it would otherwise qualify as OT under normal operating circumstances. This applies to call-out pay, as well. If a required employee subsequently has a documented/verifiable COVID-19 diagnosis, or is required by either a physician or the local health department to quarantine for any reason, then that employee will be temporarily considered to be a "non-required" employee until they are cleared to return to work.

Employees who are currently on an unpaid leave of absence will remain in that unpaid status until they are officially able to return to work, at which time their status will change to either a "required" or "not required" employee, depending upon their job classification and operational needs. Any employee, whether "required" or "not required," is still permitted to take available vacation, sick, or personal leave while this plan is effective, subject to all normal leave request and approval procedures.

This would be in effect from March 20, 2020 through April 5, 2020, and the Board of County Commissioners will re-assess the situation and the outcomes of this plan during that period. The Plan may be extended and/or modified by order of the Board or the County Administrator.

All other applicable policies shall remain in full force and effect, except as specifically modified in this plan. Collective bargaining agreements shall remain in full force and effect, except that any part of this plan determined to exceed management rights shall be negotiated in a temporary MOU with the specific collective bargaining unit.

Other elected officials are encouraged to implement or continue temporary operations plans in response to COVID-19 for their respective offices.

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

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There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners