

COMMISSIONERS JOURNAL NO. 73 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 28, 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. Public Hearing For Consideration Of Pither #377 Drainage Maintenance Petition
(Hearing will be opened and immediately continued to a future date)

1
RESOLUTION NO. 20-446

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 21, 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 May 21, 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
RESOLUTION NO. 20-447

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0527 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0527:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0527, memo transfers in batch numbers MTAPR0527 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Young Star	Job and Family Service Care	22511607-5342	\$ 33,000.00
Youth Intensive	Job and Family Service Care	22511607-5342	\$ 12,000.00
Phoenix Safety	Personal Protective Equipment	10011303-5225	\$ 15,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R2002883	VILLAGE NETWORK, THE	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$114,000.00
R2002896	NATIONAL YOUTH ADVOCATE PROGRAM	PLACEMENT CARE	22511607 - 5342	\$60,000.00
R2002897	BUCKEYE RANCH INC	PLACEMENT CARE	22511607 - 5342	\$108,000.00
R2002898	COMMUNITY TEACHING HOMES INC	PLACEMENT CARE	22511607 - 5342	\$96,000.00
R2002959	EASTWAY CORPORATION	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$48,000.00
R2002960	YOUTH INTENSIVE SERVICES INC	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$27,000.00
R2002961	QUALITY CARE RESIDENTIAL HOMES	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$108,000.00
R2002963	YOUNG STAR ACADEMY LLC	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$28,800.00
R2002964	NORTHEAST OHIO ADOPTION SERVICES	PLACEMENT CARE 07 20-12 20	22511607 - 5342	\$30,000.00
R2003315	COMMISSIONERS	2020 CENTRAL COST ALLOCATION	66211900 - 5380	\$365,674.00
R2003333	IMAGE TREND INC	EMS REPORTING SOFTWARE- ANNUAL RECURRING FEE	10011303 - 5320	\$16,500.19
R2003340	CENTRAL OHIO CONTRACTORS INC	STATION	68011916 - 5403	\$24,819.41

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

3
RESOLUTION NO. 20-448

IN THE MATTER OF GRANTING ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, MICHAEL R. SHADE, ATTORNEY-AT-LAW, REQUESTING ANNEXATION OF 2.385 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF DELAWARE:

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

WHEREAS, on April 27, 2020, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Michael R. Shade, Attorney-at- Law, agent for the petitioners, requesting annexation of 2.385 acres, more or less, from Liberty Township to the City of Delaware; and

WHEREAS, pursuant to section 709.023 of the Revised Code, if the Municipality or Township does not file an objection within 25 days after filing of the annexation petition, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Liberty;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners grants the petition requesting annexation of 2.385 acres, more or less, from Liberty Township to the City of Delaware.

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

4
RESOLUTION NO. 20-449

IN THE MATTER OF ACCEPTING THE TREASURER’S REPORT FOR THE MONTH OF APRIL 2020:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to accept the Treasurer’s Report for the month of April 2020.

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

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

5
RESOLUTION NO. 20-450

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR SCIOTO RESERVE EXTENSION:

It was moved by Mrs. Lewis, seconded by Mr. Merrell 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 Scioto Reserve Extension;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the sanitary sewer improvement plans for Scioto Reserve Extension for submittal to the Ohio EPA for their approval.

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

6
RESOLUTION NO. 20-451

IN THE MATTER OF APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MS CONSULTANTS, INC., FOR THE LOWER ALUM CREEK RELIEF PUMP STATION PROJECT:

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

WHEREAS, the Board of Commissioners previously entered into a contract on June 19, 2017 with MS Consultants, Inc., for the Lower Alum Creek Relief Pump Station Project; and

WHEREAS, Amendment No. 1 was approved on August 26, 2019; and

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WHEREAS, Amendment No. 2 authorizes additional construction phase services, additional final design services and additional as-authorized tasks as detailed in Exhibit A and Attachments A and B; and

WHEREAS, there is an increase to the contract cost in the amount of \$125,500.00; and

WHEREAS, the Sanitary Engineer recommends approval of Amendment No. 2 to the Professional Services Agreement with MS Consultants, Inc., for the Lower Alum Creek Relief Pump Station Project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the following Amendment No. 2 to the Professional Services Contract with MS Consultants, Inc., for the Lower Alum Creek Relief Pump Station Project:

**AMENDMENT NO. 2
PROFESSIONAL SERVICES AGREEMENT**

This Amendment No. 2 to the Original Agreement dated June 19, 2017 is made and entered into this 28th day of May, 2020, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 (“County”), and MS Consultants, Inc. (“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 as follows:

- A. The Services, as set forth in Section 1.3 of the Original Agreement shall be modified to include the additional services as set forth in Exhibit A and Attachments A and B attached hereto and, by this reference, fully incorporated into this Amendment No. 2.
- B. Sections 4.2, 4.3, and 4.4 of the Original Agreement shall be modified to include the additional compensation for the additional Services approved herein.

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. 2.

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

**8
ADMINISTRATOR REPORTS**

Mike Frommer, County Administrator
-Update on county offices: No changes needed to the emergency operations plan as of the governor’s revisions last week. The county wants to mirror the stay at home orders.
-The BMV offices opened on Tuesday.

**9
COMMISSIONERS’ COMMITTEES REPORTS**

Commissioner Lewis
-Attended the GoTo meeting with Bridges Community Action yesterday. They are in the process of updating many of their policies.
-Attended the Zoom Legislative Update last week.

Commissioner Merrell
-The T.I.D. met yesterday morning.
-Virtual meetings are staying active.

Commissioner Benton
-During the Legislative Update it was mentioned there was a draft bill to protect from frivolous lawsuits.
-COYC met virtually last week.
-CEBCO met virtually last week. Claims are down \$6 million in April.
-Would like to congratulate the EMS department on obtaining the Gold Plus Mission Lifeline Award in cardiac, stroke and pre-hospital care from the American Heart Association.

**10
RESOLUTION NO. 20-452**

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

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CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES; TO CONSIDER THE SALE OF PROPERTY AT COMPETITIVE BIDDING; FOR PENDING OR IMMINENT LITIGATION; FOR COLLECTIVE BARGAINING:

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 purchase of property for public purposes; to consider the sale of property at competitive bidding; for pending or imminent litigation; for collective bargaining.

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

RESOLUTION NO. 20-453

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 Mrs. Lewis Aye Mr. Benton Aye Mr. Merrell Aye

(Hearing will be opened and immediately continued to a future date)

7

RESOLUTION NO. 20-454

10:00A.M. PUBLIC HEARING FOR THE PITHER #3377 WATERSHED DRAINAGE IMPROVEMENT PETITION PROJECT:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to open the hearing at 11:57 A.M.

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

7 continued

RESOLUTION NO. 20-456

IN THE MATTER OF CONTINUING THE PUBLIC HEARING TO ADDRESS THE PITHER #377 WATERSHED DRAINAGE IMPROVEMENT PETITION PROJECT TO THURSDAY SEPTEMBER 17, 2020 AT 10:00A.M.:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to continue the public hearing to address Pither #377 Watershed Drainage Improvement Petition Project to **Thursday September 17, 2020 at 10:00A.M.**

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

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners