

COMMISSIONERS JOURNAL NO. 73 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 27, 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. Reconvening of Hearing For Consideration Of Villas At Maple Creek Drainage Improvement Petition (Public Participation In This Hearing, Will Be Taking Place Only By Virtual Means)

1
RESOLUTION NO. 20-741

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD AUGUST 24, 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 August 24, 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. 20-742

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0827:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0827 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Line Account	Amount
R2004090	WF AUTOMOTIVE	PY18 CDBG/	23011703-5365	\$38,325.00
	MARK WAHLBERG CHEVROLET	PASSENGER VAN		
R2004098	KEYSTONE RICHLAND CENTER LLC	PLACEMENT CARE	70161605 - 5342	\$15,700.00
R2004105	CAPITAL TOWING & RECOVERY INC	STORAGE FEE	60111901 - 5328	\$17,100.00

FURTHER BE IT RESOLVED, the Board of Commissioners of Delaware County, Ohio approves the following voucher:

Vendor Name	Line Description	Line Account	Amount
WF AUTOMOTIVE	PY18 CDBG/ PASSENGER VAN	23011703-	\$38,325.00
MARK WAHLBERG CHEVROLET		5365	

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

3
RESOLUTION NO. 20-743

IN THE MATTER OF CANCELING THE COMMISSIONERS' SESSION FOR THURSDAY, SEPTEMBER 24, 2020:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to cancel the Commissioners' Session for Thursday, September 24, 2020.

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

4
RESOLUTION NO. 20-744

IN THE MATTER OF ACCEPTING THE TREASURER'S REPORT FOR THE MONTH OF JULY

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2020:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to accept the Treasurer’s Report for the month of July 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. 20-745

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE BOARD OF ELECTIONS:

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

Supplemental Appropriation

22616108-5201	Security & Accessibility Grant/General Supplies	26,603.47
22616108-5260	Security & Accessibility Grant/Inventoried Tools & Equip	1,757.76
22616108-5301	Security & Accessibility Grant/Contracted Professional Svcs	3,000.00
22616108-5328	Security & Accessibility Grant/Maintenance & Repair Svcs	8,638.77

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

6

RESOLUTION NO. 20-746

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION:

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

Transfer of Appropriation

From	To	
40111402-5410	40111402-5328	100,000.00
Permanent Improvement/Building & Improvement	Permanent Improvement/Maintenance and Repair Services	

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

7

RESOLUTION NO. 20-747

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

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

WHEREAS, the Delaware County Commissioners passed Resolution No. 19-810 on August 19, 2019 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 August 19, 2019 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 1610 State Route 521 by the Delaware Area Career Center on October 1, 3, 6, 8, and 10, 2020, with thirty (30) participants at no fee.

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

9

RESOLUTION NO. 20-748

IN THE MATTER OF AUTHORIZING THE COUNTY TREASURER TO DEPOSIT MONEY

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NECESSARY TO PAY THE PRINCIPAL AND INTEREST ON BONDS AND NOTES, AND ANY FEES
INCIDENT THERETO, PURSUANT TO R.C. 135.33(E):

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

WHEREAS, the Delaware General Health District intends to enter into a construction mortgage and related loan documents with a bank for the purpose of obtaining financing (the "Loan") to construct a new building located at 470 South Sandusky Street, Delaware, Ohio 43015; and

WHEREAS, as a condition of the Loan, the Delaware General Health District is required to maintain funds sufficient for automatic payments with the bank during the term of the Loan; and

WHEREAS, the County Treasurer, as the county investing authority and the custodian of funds for the Delaware General Health District, is willing and able to deposit the necessary funds with authority granted by the Delaware County Board of County Commissioners (the "Board") in accordance with section 135.33(E) of the Revised Code, which permits the Board to authorize, by resolution, the County Treasurer to deposit money necessary to pay the principal and interest on bonds and notes, and any fees incident thereto, in any bank within this state;

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

Section 1. The Board hereby authorizes the County Treasurer to deposit any funds of the Delaware General Health District necessary to pay the principal and interest on the Loan, and any fees incident thereto, in any bank within this state, pursuant to section 135.33(E) of the Revised Code.

Section 2. Any deposit of funds as authorized in Section 1 of this Resolution shall be subject to the provisions of section 135.33(E) of the Revised Code and the terms of a written agreement among the Delaware General Health District, the County Treasurer, and the bank issuing the Loan.

Section 3. The Clerk shall certify a copy of this Resolution to the County Treasurer and the Delaware General Health District.

Section 4. This Resolution shall take effect immediately upon adoption.

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

10
ADMINISTRATOR REPORTS

Mike Frommer, County Administrator
-No reports.

11
COMMISSIONERS' COMMITTEES REPORTS

Commissioner Lewis
-Attended the retirement celebration of Chief Dale Fling. His actual retirement occurred in April. Chief Fling served 41 years in fire service.
-Saw former Chief Honeycutt at the retirement celebration. He is enjoying retirement.

Commissioner Merrell
-Attended a follow-up meeting with the Humane Society yesterday.

Commissioner Benton
-Attended the Land Bank meeting yesterday. Progress has been made on the survey for the Old Jail site.
-CEBCO will hold their annual meeting virtually tomorrow.
-The Legislative Update will occur tomorrow afternoon.

8
RESOLUTION NO. 20-749

**10:00A.M. - RECONVENING OF HEARING FOR CONSIDERATION OF VILLAS AT MAPLE CREEK
DRAINAGE IMPROVEMENT PETITION:**

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

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

8 continued
RESOLUTION NO. 20-750

IN THE MATTER OF APPROVING, FOR A SPECIFIC OCCURRENCE, A SUSPENSION OF RULE

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3-SPEAKER REGISTRATION; RULE 4-LIMITATIONS AND RULE 7-PUBLIC COMMENT PROCEDURE FROM THE RULES GOVERNING PUBLIC COMMENT BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve, for a specific occurrence, a suspension of Rule 3-Speaker Registration; Rule 4-Limitations; Rule 7-Public Comment Procedure from the Rules Governing Public Comment Before The Board Of County Commissioners Of Delaware County, Ohio

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

8 continued

RESOLUTION NO. 20-751

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE VILLAS AT MAPLE CREEK DRAINAGE IMPROVEMENT PETITION:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to close the hearing at 11:13 A.M..

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

8 continued

RESOLUTION NO. 20-752

IN THE MATTER OF GRANTING THE PRAYER OF THE PETITION AND DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE VILLAS AT MAPLE CREEK DRAINAGE IMPROVEMENT PETITION:

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

WHEREAS, on December 6, 2019, a Drainage Improvement Petition to The Villas at Maple Creek Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Board on January 30, 2020, conducted a view of the proposed improvements; and

WHEREAS, the Board on Thursday April 23, 2020 at 10:00A.M opened, and immediately continued to and held, on August 27, 2020, a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Villas at Maple Creek Watershed Drainage Improvement; and

WHEREAS, after hearing testimony from property owners and the preliminary report of County Engineer, Chris Bauserman, the Board is prepared to issue its findings on the proposed improvements;

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

Section 1. The Board hereby finds that the proposed improvement is necessary and that it will be conducive to the public welfare. The Board also finds that it is reasonably certain that the cost of the proposed improvement will be less than the benefits. Accordingly, the Board hereby grants the prayer of the petition. The hearing on the Petition is hereby adjourned to the date fixed for the filing of the reports, plans, and schedules by the Delaware County Engineer.

Section 2. The Board hereby orders the Delaware County Auditor to transfer \$ Zero from the general revenue funds of the county to the general drainage improvement fund.

Section 3. Upon the transfer of funds ordered in Section 2, the Board hereby orders the Delaware County Engineer to proceed with the preparation of plans, reports and schedules as presented for the proposed Villas at Maple Creek Watershed Drainage Improvement. The Board hereby fixes August 27, 2022 as the date for filing of the engineer’s reports, plans, and schedules. Upon filing of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

Section 4. THE BOARD HEREBY APPROVES ESTABLISHING A NEW ORGANIZATION KEY FOR VILLAS AT MAPLE CREEK DRAINAGE IMPROVEMENT PROJECT 40311479.

Section 5. This Board finds and determines that all formal actions taken by 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 said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

Section 6. Sections 1, 4, 5, and 6 of this Resolution shall take immediate effect upon passage. Sections 2 and 3 of this Resolution shall take effect upon the expiration of the twenty-one day appeal period, provided no

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appeal has been taken.

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

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners