

**COMMISSIONERS JOURNAL NO. 73 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 2, 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
RESOLUTION NO. 20-975

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 29, 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 October 29, 2020; 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 Aye Mr. Benton Aye

2
RESOLUTION NO. 20-976

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1030:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1030 and Purchase Orders as listed below:

| PR Number | Vendor Name | Line Description | Line Account | Amount |
|-----------|----------------------------------|--|-----------------|-------------|
| R2004672 | XYLEM WATER SOLUTIONS USA INC | SPARE PUMP FOR OECC FILTERS | 66211900 - 5450 | \$6,386.42 |
| R2004673 | XYLEM WATER SOLUTIONS USA INC | SPARE PUMP FOR SCIOTO RESERVE PS | 66211900 - 5450 | \$11,182.19 |
| R2004677 | JACK DOHENY SUPPLIES OHIO INC | RES # 20-799 | 66211900 - 5335 | \$22,000.00 |
| R2004683 | B L ANDERSON COMPANY INC | REPLACE SOFT START FOR AERATION BLOWER 3 AT ALUM | 66211900 - 5450 | \$9,708.00 |
| R2004687 | C & C ELECTRIC MOTOR SERVICE LLC | REHAB MOTOR, REWIND STRATOR - OECC | 66211900 - 5428 | \$5,885.00 |
| R2004696 | BINDER LIFT LLC | BINDER LIFTS - EMS SAFETY GRANT | 61311923 - 5201 | \$10,103.00 |
| R2004708 | SUPERION LLC | ANNUAL RENEWAL - BUILDING SAFETY | 10011301 - 5320 | \$9,579.26 |
| R2004708 | SUPERION LLC | ANNUAL RENEWAL - ENGINEER'S OFFICE | 29214001 - 5320 | \$12,316.19 |
| R2004708 | SUPERION LLC | ANNUAL RENEWAL - REGIONAL SEWER | 66211900 - 5320 | \$6,682.35 |
| R2004708 | SUPERION LLC | ANNUAL RENEWAL - REGIONAL PLANNING | 72070701 - 5320 | \$2,736.94 |

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

3
RESOLUTION NO. 20-977

IN THE MATTER OF SCHEDULING THE SPECIAL COMMISSIONERS' SESSIONS FOR THE 2021 BUDGET HEARINGS STARTING AT 1:00P.M. THURSDAY, NOVEMBER 12, 2020, AND CONTINUING THRU WEDNESDAY, DECEMBER 2, 2020:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve scheduling the Special Commissioners' Sessions for the 2021 budget hearings starting at 1:00P.M. Thursday, November 12, 2020, and continuing thru Wednesday, December 2, 2020.

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Starting times for each day are as follows:

- Thursday, November 12, 2020; 1:00P.M.
- Monday, November 30, 2020; 1:30P.M.
- Tuesday, December 1, 2020; 9:30A.M.
- Wednesday, December 2, 2020; 9:30A.M.

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

4

RESOLUTION NO. 20-978

IN THE MATTER OF SETTING THE TIME AND DATE FOR, AND PROVIDING NOTICE OF, A PUBLIC HEARING TO CONSIDER CHANGING THE NAME OF LANE ROAD (TWP. RD. 61), A TOWNSHIP ROAD IN THE UNINCORPORATED AREA OF PORTER TOWNSHIP, DELAWARE COUNTY, OHIO:

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

WHEREAS, pursuant to section 5541.04 of the Revised Code, the board of county commissioners of any county, on its own motion or on petition by a person owning a lot in the unincorporated area of said county praying that the name of a county or township road in the immediate vicinity of such lot be changed, upon hearing, and upon being satisfied that there is good cause for such a change of name, that it will not be detrimental to the general interest, and that it should be made, may, by resolution declare the change of the name of such road; and

WHEREAS, on October 20, 2020 the Delaware County Board of Commissioners (the "Board") received a petition from James M. Thorpe, landowner, requesting the change of name of Lane Road (Township Road 61) to Lane Rinehart Road; and

WHEREAS, the Board desires to hold a public hearing to consider the petition requesting changing the name of Lane Road, a township road in the unincorporated area of Porter Township, Delaware County, Ohio, to Lane Rinehart Road;

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

Section 1. The Board hereby sets **10:00A.M., Monday, December 14, 2020**, as the time and date for a public hearing to consider changing the name of Lane Road, a township road in the unincorporated area of Porter Township, Delaware County, Ohio, to Lane Rinehart Road. The public hearing shall be held at the **Board's Hearing Room, TBD: 101 North Sandusky Street, Delaware, Ohio 43015 or 91 North Sandusky Street Delaware, Ohio 43015.**

Section 2. The Clerk of the Board is hereby directed to send written notice, via certified U.S. Mail, to all owners of lots abutting the road in question and to the Porter Township Board of Trustees and to publish a notice of the public hearing once in the Delaware Gazette at least thirty (30) days prior to the public hearing.

Section 3. This Resolution shall take effect immediately upon adoption.

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

5

RESOLUTION NO. 20-979

IN THE MATTER OF CANCELING THE COMMISSIONERS' SESSION SCHEDULED FOR THURSDAY DECEMBER 10, 2020:

It was moved by Mr. Merrell, seconded by Mr. Merrell to cancel the Commissioners' session scheduled for Thursday, December 10, 2020.

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

6

RESOLUTION NO. 20-980

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. Merrell to certify to the County Auditor the delinquent accounts for placement on the tax duplicate:

WHEREAS, the County owns and operates a Sewer District as authorized by Ohio Revised Code (ORC) 6117;

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and

WHEREAS, ORC 6117.02 authorizes the County 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 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 certify the delinquent accounts in the amount of \$148,573.54 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 11/2/2020**

Breakdown of Assessments by Treatment Plant:

| | |
|--------------------------------------|---------------------|
| 66211900-4108-11903 – OECC | \$56,034.20 |
| 66211900-4108-11904 – Alum Creek | \$81,142.40 |
| 66211900-4108-11905 – Lower Scioto | \$2,487.16 |
| 66211900-4108-11912 - Package Plants | \$8,909.78 |
| Total Assessments | \$148,573.54 |

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

**8
RESOLUTION NO. 20-981**

IN THE MATER OF APPROVING OWNER’S AGREEMENTS FOR RIVER BLUFF – SECTION LINE ROAD IMPROVEMENTS PHASE 1 AND RIVER BLUFF – SECTION LINE ROAD IMPROVEMENTS PHASE 2:

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

WHEREAS, the Engineer recommends approving the Owner’s Agreements for River Bluff – Section Line Road Improvements Phase 1 and River Bluff – Section Line Road Improvements Phase 2;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the Owner’s Agreements for River Bluff – Section Line Road Improvements Phase 1 and River Bluff – Section Line Road Improvements Phase 2:

River Bluff – Section Line Road Improvements Phase 1

OWNER’S AGREEMENT

THIS AGREEMENT made and entered into this 2nd day of November 2020 by and between the **COUNTY OF DELAWARE** (acting through its **BOARD OF COUNTY COMMISSIONERS**), hereinafter called the **COUNTY**, and **EPCON RIVER BLUFF, LLC**, hereinafter called the **OWNER**, as evidenced by the Engineering and Construction Plan entitled **RIVER BLUFF – SECTION LINE ROAD IMPROVEMENTS PHASE 1**, hereinafter called the **Plan**, is governed by the following considerations to wit:

- 1) The **OWNER** is to have surveyed, engineered, constructed, installed and/or otherwise make all of the improvements according to the **PLAN**.
- 2) The **OWNER** shall pay the entire cost and expense of said improvements.
- 3) The **OWNER** is to provide an irrevocable letter of credit or other approved financial warranties in the amount of **TWO HUNDRED TWENTY-FOUR THOUSAND TWO HUNDRED DOLLARS (\$224,200)**, payable to the **BOARD OF COUNTY COMMISSIONERS** to insure the faithful performance of this **AGREEMENT** and the completion of all of the said improvements in accordance with the current “**Delaware County Engineering and Surveying Standards for Subdivision Development**” and current “**Subdivision Regulations of Delaware County, Ohio**”.

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- Said financial warranty will be released and returned to the **OWNER** within thirty (30) days of the acceptance of the improvements by the **COUNTY**.
- 4) Before beginning construction, the **OWNER** shall deposit inspection fees in the amount of **SEVENTEEN THOUSAND NINE HUNDRED DOLLARS (\$17,900)** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. When the fund has been depleted to **ten percent (10%)** of the original amount deposited, the **OWNER** shall replenish the account upon notice by the **Delaware County Engineer**. Upon completion of the project and acceptance of the improvements by **DELAWARE COUNTY**, the remaining amount in the fund shall be returned to the **OWNER**.
 - 5) The **OWNER** is to complete all construction to the satisfaction of the **COUNTY no later than October 1, 2021** and will receive an approval letter from the **Delaware County Engineer** as evidence of the **OWNER'S** release from responsibility to said project.
 - 6) The **OWNER** shall indemnify and hold the **COUNTY** free and harmless from any and all claims for damages of every nature arising or growing out of the construction of said improvements that result from the **OWNER'S** negligence or intentional misconduct.
 - 7) The **OWNER** will at all times during the construction of said improvements maintain thru traffic on the public roadway and keep the same free of unreasonable hazards to the public. Said roadway shall not be closed to traffic except as approved by the **Delaware County Engineer**. Construction signs, barricades and lights shall be placed as needed on the job site as in accordance with the **Ohio Department of Transportation "Uniform Traffic Control Devices" and "Traffic Control for Construction and Maintenance"**.
 - 8) The **OWNER** further agrees that any violation of or noncompliance with any of the provisions as stipulations of this **AGREEMENT** shall constitute a breach of contract, and the **Delaware County Engineer** shall have the right to stop work forthwith and use the surety for the completion of the improvements.
 - 9) If the **OWNER** should become unable to carry out the provisions of this **AGREEMENT**, the **OWNER'S** heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this **AGREEMENT**.
 - 10) Upon approval and acceptance of the improvements, the original copy of the **PLAN** shall become the property of the **COUNTY** and shall be filed in the office of the **Delaware County Engineer**.
 - 11) In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants to the **OWNER** or his agent the right and privilege to make the said improvements stipulated herein.

River Bluff – Section Line Road Improvements Phase 2

OWNER'S AGREEMENT

THIS AGREEMENT made and entered into this 2nd day of November, 2020 by and between the **COUNTY OF DELAWARE** (acting through its **BOARD OF COUNTY COMMISSIONERS**), hereinafter called the **COUNTY**, and **EPCON RIVER BLUFF, LLC**, hereinafter called the **OWNER**, as evidenced by the Engineering and Construction Plan entitled **RIVER BLUFF – SECTION LINE ROAD IMPROVEMENTS PHASE 2**, hereinafter called the **Plan**, is governed by the following considerations to wit:

- 1) The **OWNER** is to have surveyed, engineered, constructed, installed and/or otherwise make all of the improvements according to the **PLAN**.
- 2) The **OWNER** shall pay the entire cost and expense of said improvements.
- 3) The **OWNER** is to provide an irrevocable letter of credit or other approved financial warranties in the amount of **SIXTY-SEVEN THOUSAND DOLLARS (\$67,000)**, payable to the **BOARD OF COUNTY COMMISSIONERS** to insure the faithful performance of this **AGREEMENT** and the completion of all of the said improvements in accordance with the current "**Delaware County Engineering and Surveying Standards for Subdivision Development**" and current "**Subdivision Regulations of Delaware County, Ohio**". Said financial warranty will be released and returned to the **OWNER** within thirty (30) days of the acceptance of the improvements by the **COUNTY**.
- 4) Before beginning construction, the **OWNER** shall deposit inspection fees in the amount of **FIVE THOUSAND FOUR HUNDRED DOLLARS (\$5,400)** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. When the fund has been depleted to **ten percent (10%)** of the original amount deposited, the **OWNER** shall replenish the account upon notice by the **Delaware County Engineer**. Upon completion of the project and acceptance of the improvements by **DELAWARE COUNTY**, the remaining amount in the fund shall be returned to the **OWNER**.
- 5) The **OWNER** is to complete all construction to the satisfaction of the **COUNTY no later than October 1, 2021** and will receive an approval letter from the **Delaware County Engineer** as evidence of the **OWNER'S** release from responsibility to said project.
- 6) The **OWNER** shall indemnify and hold the **COUNTY** free and harmless from any and all claims for damages of every nature arising or growing out of the construction of said improvements that result from the **OWNER'S** negligence or intentional misconduct.
- 7) The **OWNER** will at all times during the construction of said improvements maintain thru traffic on the public roadway and keep the same free of unreasonable hazards to the public. Said roadway shall not be closed to traffic except as approved by the **Delaware County Engineer**. Construction signs,

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barricades and lights shall be placed as needed on the job site as in accordance with the **Ohio Department of Transportation “Uniform Traffic Control Devices”** and **“Traffic Control for Construction and Maintenance”**.

- 8) The **OWNER** further agrees that any violation of or noncompliance with any of the provisions as stipulations of this **AGREEMENT** shall constitute a breach of contract, and the **Delaware County Engineer** shall have the right to stop work forthwith and use the surety for the completion of the improvements.
- 9) If the **OWNER** should become unable to carry out the provisions of this **AGREEMENT**, the **OWNER’S** heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this **AGREEMENT**.
- 10) Upon approval and acceptance of the improvements, the original copy of the **PLAN** shall become the property of the **COUNTY** and shall be filed in the office of the **Delaware County Engineer**.
- 11) In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants to the **OWNER** or his agent the right and privilege to make the said improvements stipulated herein.

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

**9
RESOLUTION NO. 20-982**

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

It was moved by Mrs. Lewis, seconded by Mr. Merrell 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:

| Permit # | Applicant | Location | Type of Work |
|-----------|--------------------------|-----------------|--------------------|
| UT20-0188 | Consolidated Cooperative | Strine Road | Place aerial fiber |
| UT20-0189 | Consolidated Cooperative | Peters Road | Place aerial fiber |
| UT20-0190 | Consolidated Cooperative | Smith Road | Place aerial fiber |
| UT20-0191 | Consolidated Cooperative | Horseshoe Road | Place aerial fiber |
| UT20-0192 | Consolidated Cooperative | Cole Road | Place aerial fiber |
| UT20-0193 | Consolidated Cooperative | Cline Road | Place aerial fiber |
| UT20-0194 | Consolidated Cooperative | Benedict Road | Place aerial fiber |
| UT20-0195 | Consolidated Cooperative | Claypool Road | Place aerial fiber |
| UT20-0196 | Consolidated Cooperative | Big Walnut Road | Place cable in ROW |

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

**10
RESOLUTION NO. 20-983**

IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR PIATT PRESERVE SECTION 1, PHASES A & B AND SECTIONS 2, 3 & 4:

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

WHEREAS, on November 2, 2020, a Ditch Maintenance Petition for Piatt Preserve Section 1, Phases A & B and Sections 2, 3 & 4 (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS the Petition sets forth the drainage improvements that have been or will be constructed within Piatt Preserve Section 1, Phases A&B and Sections 2, 3 & 4 located off of Piatt Road in Berlin Township; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware

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County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$1,772,214.49 for the benefit of the lots being created in this subdivision. 128 lots are being created in these plats and each lot received an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore \$13,845.43 per lot. An annual maintenance fee equal to 2% of this basis (\$276.91) will be collected for each lot. It is understood that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all the lots in Section 2 in the amount of \$6,092.02 has been paid to Delaware County, receipt of which is hereby acknowledged.

Future Assessments to be paid at time of platting of each section:

- Section 1, Phase A (12 lots) - \$3,322.92
- Section 1, Phase B (37 lots) - \$10,245.67
- Section 2 (22 lots) - \$6,092.02
- Section 3 (33 lots) - \$9,138.03
- Section 4 (24 lots) j- \$6,645.84

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

11

RESOLUTION NO. 20-984

IN THE MATTER OF APPROVING THE PLAT OF SUBDIVISION FOR DAVIS PROPERTY CAD:

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

WHEREAS, Homewood Corporation has submitted the Plat of Subdivision (“Plat”) for Davis Property CAD, including related development plans (“Plans”) and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Harlem Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on August 3, 2020; and

WHEREAS, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on July 30 2020; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on August 10, 2020; and

WHEREAS, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on August 12, 2020; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on October 20, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Davis Property CAD:

Davis Property CAD

Situated in the State of Ohio, County of Delaware, Township of Harlem, being part of Farm Lot 2, Section 3,

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Township 3, Range 16, United States Military Lands, and containing 31.375 acres of land being part of a remainder tract of that original 46.81 acre tract of land described as Tract 1 and conveyed to Homewood Corporation, an Ohio Corporation, of record in Official Record 506, Page 1101. Cost: \$15.

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

12

RESOLUTION NO. 20-985

IN THE MATTER OF ACCEPTING ROADS, ESTABLISHING STOP CONDITIONS, APPROVING RECOMMENDED SPEED LIMITS, AND RELEASING SURETY FOR NORTHLAKE WOODS SECTION 1:

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

WHEREAS, the Engineer has reviewed the construction of the roads within Northlake Woods Section 1 (“Subdivision”), finds the roads to be constructed in accordance with the approved plans, and recommends that the following roads within the Subdivision be accepted into the public system:

- An addition of 0.01 mile to Township Road Number 1756, Summit Drive
- Cormorant Drive, to be known as Township Road Number 1757
- Whimbrel Lane, to be known as Township Road Number 1758
- Quailview Drive, to be known as Township Road Number 1759; and

WHEREAS, the Engineer also recommends that 25 mile per hour speed limits be established throughout the Subdivision; and

WHEREAS, the Engineer also requests that stop conditions be established at the following intersections within the Subdivision:

- On Township Road Number 1756, Summit Drive, at its intersection with Township Road Number 1757, Cormorant Drive
- On Township Road Number 1758, Whimbrel Lane, at its intersection with Township Road Number 1757, Cormorant Drive and Township Road Number 1759 Quailview Drive; and

WHEREAS, the Engineer requests approval to return the letter of credit being held as maintenance surety to the owner, Rockford Homes;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby accepts the Engineer’s recommendations stated herein and accepts the roads, approves speed limits and stop conditions, and releases surety in accordance with the Engineer’s recommendations stated herein.

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

13

RESOLUTION NO. 20-986

IN THE MATTER OF RE-ELECTING MEMBERS OF THE DELAWARE COUNTY VOLUNTEER PEACE OFFICERS’ DEPENDENTS FUND BOARD:

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

WHEREAS, on April 7, 2016, the Delaware County Board of Commissioners adopted Resolution No. 16-324, establishing the Delaware County Volunteer Peace Officers’ Dependents Fund Board, pursuant to section 143.02 of the Revised Code; and

WHEREAS, the Board of Commissioners shall elect two members to the Delaware County Volunteer Peace Officers’ Dependents Fund Board each year not earlier than the first day of November and not later than the second Monday in December for terms that commence on the first day of January and that are for one year; and

WHEREAS, the terms of Sheriff Russ Martin and Brad Euans are expiring on December 31, 2020; and

WHEREAS, Sheriff Russ Martin and Brad Euans have applied for re-election to the Delaware County Volunteer Peace Officers’ Dependents Fund Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby re-elects Sheriff Russ Martin and Brad Euans as members of the Delaware County Volunteer Peace Officers’ Dependents Fund Board for terms of one year, commencing on January 1, 2021 and expiring on December 31, 2021.

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

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ADMINISTRATOR REPORTS

Mike Frommer, County Administrator

- The budget hearing will start on November 12th.
- Thursday the Board will be asked to approve a resolution for the Small Business Grant.

15

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

- Tomorrow is Election Day. Would like to encourage everyone to vote.

Commissioner Lewis

- Would like to remind everyone that Bridges/Community Action received \$1.2 million in COVID funds to help those in need. The money can be used to pay late rent or utility bills.

Commissioner Benton

- Regional Planning Commission met virtually on Thursday.
- The Records Commission will meet this Wednesday at 10:00 AM
- Ohio State looked good this weekend.
- University of Oklahoma barely won against Texas this weekend.

16

RESOLUTION NO. 20-987

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES; TO CONSIDER THE PURCHASE OF PROPERTY AT COMPETITIVE BIDDING:

It was moved by Mrs. Lewis, seconded by Mr. Merrell 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 appointment of a public employee or public official; to consider the purchase of property for public purposes; to consider the purchase of property at competitive bidding.

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

RESOLUTION NO. 20-988

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 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