

COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 10, 2021

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

Present:
Gary Merrell, President
Jeff Benton, Commissioner

Absent:
Barb Lewis, Vice President

10:00A.M. Reconvening Of Hearing For Consideration Of The Zerbe-O'Keefe #265 Drainage Improvement Petition

1
RESOLUTION NO. 21-504

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 7, 2021:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on June 7, 2021; 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 Mrs. Lewis Absent Mr. Merrell Aye Mr. Benton Aye

2
PUBLIC COMMENT

3
RESOLUTION NO. 21-505

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0609 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0609:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0609, memo transfers in batch numbers MTAPR0609 and Purchase Orders as listed below:

| <u>Vendor</u> | <u>Description</u> | <u>Account</u> | <u>Amount</u> |
|---------------------|---------------------|----------------|---------------|
| PO' Increase | | | |
| Fee Corp. | Rental Services RSD | 66211900-5335 | \$25,000.00 |

| <u>PR Number</u> | <u>Vendor Name</u> | <u>Line Description</u> | <u>Account</u> | <u>Amount</u> |
|------------------|----------------------------------|-------------------------|-----------------|---------------|
| R2103387 | FACILITY PRODUCTS & SERVICES LLC | ROOF - EMS STATION 8 | 40111402 - 5328 | 23,000.00 |

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

4
RESOLUTION NO. 21-506

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE EVANS #354 DRAINAGE MAINTENANCE PETITION FILED BY JAMES MCNEILIS AND OTHERS:

It was moved by Mr. Benton, seconded by Mr. Merrell to adopt the following resolution:

WHEREAS, on May 26, 2021, the Clerk of this Board gave notice to the Board of County Commissioners and the County Engineer of Delaware County, Ohio, on the filing with her of a petition signed by James McNeilis and Others to generally improve the drainage, both surface and subsurface to a good and sufficient outlet, by replacing, repairing, or altering the existing improvements as required and/or creating new surface and

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subsurface drainage mains or laterals, as requested, in Delaware County, Harlem Township, within the Evans #354 watershed and general following, but not limited to, the course and termini of the existing improvements; and

WHEREAS, the proper bond has been filed with the Clerk, conditioned to pay all costs associated in preparing for the view and first hearing if the petition is not granted or if the petition is for any cause dismissed;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that **Monday, August 16, 2021, at 1:30 P.M.** at the Office of the Board of County Commissioners, 91, North Sandusky Street, Second Floor, Delaware, Ohio 43015, is hereby fixed as the time and place for the view of the proposed improvement; and

BE IT FURTHER RESOLVED that **Thursday, October 28, 2021, at 10:00 A.M.** at the Office of the Board of County Commissioners, 91 North Sandusky Street, Second Floor, Delaware, Ohio 43015, is hereby fixed as the time and place for the first hearing on the petition; and

BE IT FURTHER RESOLVED that notice of said view and hearing be given, as required by law.

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

5
RESOLUTION NO. 21-507

IN THE MATTER OF ACCEPTING AND APPROVING THE DELAWARE COUNTY SHERIFF’S OFFICE TRANSPORT REPORT FOR THE MONTH OF APRIL 2021:

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

WHEREAS, section 325.07 of the Revised Code requires the County Sheriff to submit monthly expense reports to the Board of County Commissioners; and

WHEREAS, the Delaware County Sheriff has submitted a monthly reports for April 2021;

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

Section 1. The Board hereby accepts and approves the Delaware County Sheriff’s Office Transport Report for April 2021.

Section 2. The Board hereby allows the expenses contained in the monthly report.

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

6
RESOLUTION NO. 21-508

IN THE MATTER OF A NEW LIQUOR LICENSE REQUEST FROM ETHOS DISTRIBUTORS LLC AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a new B2 liquor license request from ETOH Distributors LLC, located at 8554 Cotter Street, Lewis Center, Ohio 43035; and

WHEREAS, the Delaware County Board of Commissioners has found no reason to file an objection;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

7
RESOLUTION NO. 21-509

IN THE MATTER OF PROCURING BODY WORN CAMERA DEVICES AND ASSOCIATED LICENSES AND SYSTEM SOFTWARE FOR THE DELAWARE COUNTY SHERIFF’S OFFICE:

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

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WHEREAS, the Delaware County Sheriff’s Office has expressed a need for the purchase and installation of server software and additional body worn camera devices (“BWCs”) which are used in the operations of the Delaware County Sheriff; and

WHEREAS, the required system services and hardware are available for procurement through the State of Ohio’s cooperative purchasing program (the “Program”); and

WHEREAS, the Board of County Commissioners (the “Board”) is a member of the Program and wishes to procure the maintenance services through the Program;

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 procurement of BWC hardware and services to be used by the County Sheriff or his employees that will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby declares that the procurement of BWC hardware and services shall be in accordance with the Program, pursuant to the contract and terms and conditions set forth in STS-033, Contract # 534242, addendum #438, which is, by this reference, fully incorporated herein and of which the purchase orders approved herein shall be made a part.

Section 3. 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 Absent

**8
RESOLUTION NO. 21-510**

IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR DEPARTMENT OF YOUTH SERVICES – RECLAIM-GRANT FOR THE DELAWARE COUNTY PROBATE/JUVENILE COURT:

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

| | |
|-------------------------|------------------------------|
| Grant # | DYS - RECLAIM |
| Source: | Department of Youth Services |
| Grant Period: | 07/01/2021 – 06/30/2022 |
| Grant Amount (RECLAIM): | \$447,581.48 |
| Grant Amount (BASE): | \$245,357.00 |
| Local Cash Match: | <u>\$0.00</u> |
| Total Grant Amount: | \$692,938.48 |

The DYS RECLAIM funding currently supports three departments of the Court; family advocates, intake/diversion, and probation. At this time, the restructuring of the DYS funded programs, moving all of them to evidence based practices and requiring quality assurance measures, has been completed. The amount of this funding is based on a base allocation and a variable allocation determined by the number of DYS bed days used by the Delaware County Juvenile Court.

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

**9
RESOLUTION NO. 21-511**

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR JUVENILE COURT:

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

Supplemental Appropriations:

| | | |
|---------------|-----------------------------------|-------------|
| 26026203-5320 | Juvenile Court DATA Fund/Software | \$79,645.00 |
|---------------|-----------------------------------|-------------|

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

**10
RESOLUTION NO. 21-512**

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IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARD FOR THE ECONOMIC DEVELOPMENT DEPARTMENT:

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

WHEREAS, on September 30, 2004, the Board of Commissioners of Delaware County (the “Board”) adopted Resolution No. 04-1193, adopting a policy for the use of county procurement cards, pursuant to section 301.29 of the Revised Code; and

WHEREAS, the Board has adopted the procurement card policy for the use of the cards to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant to section 301.29(F)(2) of the Revised Code;

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

| | |
|--|------------------------|
| Appointing Authority: | Board of Commissioners |
| Office/Department: | Economic Development |
| Daily spending per card: | \$5,000 |
| Monthly spending per card: | \$10,000 |
| Single transaction limit: | \$3,000 |
| Daily number of transactions per card: | 10 |
| Monthly number of transactions per card: | 50 |

| | |
|-------------------------|----------------|
| Name on Card: | Zachary Dowley |
| Department Coordinator: | Sarah Dinovo |

| | | | | | | |
|----------------|------------|-----|-------------|-----|------------|--------|
| Vote on Motion | Mr. Benton | Aye | Mr. Merrell | Aye | Mrs. Lewis | Absent |
|----------------|------------|-----|-------------|-----|------------|--------|

11

RESOLUTION NO. 21-513

IN THE MATTER OF AMENDING THE CHILD PLACEMENT SERVICES CONTRACTS BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY BOARD OF COMMISSIONERS, AND BUCKEYE RANCH, INC.:

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

WHEREAS, Delaware County contracts with Child Care Placement providers in accordance with state and federal regulations; and

WHEREAS, the Director of Job & Family Services recommends approval of the following contract amendment with Buckeye Ranch, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the following contract amendment for Child Care Placement with Buckeye Ranch, Inc.:

**Fourth Amendment
To
Contract for the Purchase of
Residential Treatment and Foster Care Services
Between
Delaware County Department of Job and Family Services
and
Buckeye Ranch, Inc.**

This Fourth Amendment of the Contract For The Provision of Residential Treatment and Foster Care Services is entered into this 10th day of June, 2021 by and between Delaware County Board of County Commissioners (hereinafter “Board”), whose address is 101 North Sandusky Street, Delaware, Ohio 43015, the Delaware County Department of Job and Family Services, a Title IV-E Agency, (hereinafter “Agency”) whose address is 145 North Union Street, 2nd Floor, Delaware, Ohio 43015, and Buckeye Ranch, Inc. (hereinafter “Provider”) whose address is 5665 Hoover Road, Grove City, Ohio 43123 (hereinafter collectively the “Parties.”).

WHEREAS the Parties entered into the Contract for Residential Treatment and Foster Care Services (“Contract”) on March 14, 2019.

WHEREAS the parties agree to the addition of certain provisions to the Contract (collectively, “Provisions”).

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NOW THEREFORE, the Parties agree as follows:

1. The Parties agree to amend the Contract to add the following Provisions:
 - A. The per diem rate for residential treatment services for the service period May 3, 2021 through June 30, 2021 is summarized in the table below:

| Service Description | Service ID # | Maintenance | Administration | Other | Total |
|-----------------------|--------------|-------------|----------------|--------|----------|
| Intensive Care Center | 20193 | \$380 | \$13.38 | \$8.38 | \$401.76 |

2. Signatures

Any person executing this Fourth Amendment in a representative capacity hereby warrants that he/she has authority to sign this Fourth Amendment or has been duly authorized by his/her principal to execute this Fourth Amendment on such principal's behalf.

3. Conflicts

In the event of a conflict between the terms of the Contract, the First Amendment, the Second Amendment, the Third Amendment, and this Fourth Amendment, the terms of this Fourth Amendment shall prevail.

4. Terms of Agreement Unchanged

All terms and conditions of the Contract, the First Amendment, the Second Amendment, and Third Amendment not changed by this Fourth Amendment remain the same, unchanged, and in full force and effect.

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

12
RESOLUTION NO. 21-514

IN THE MATTER OF APPOINTING A MEMBER TO THE DELAWARE-MORROW MENTAL HEALTH & RECOVERY SERVICES BOARD:

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

WHEREAS, the Delaware-Morrow Mental Health and Recovery Services Board (the "Mental Health Board") is the body established, pursuant to Section 340.02 of the Revised Code, to govern the joint alcohol, drug addiction, and mental health service district of Delaware and Morrow Counties; and

WHEREAS, the Delaware County Board of Commissioners (the "Board of Commissioners") is responsible for appointing members to the Mental Health Board for both expired and unexpired terms; and

WHEREAS, the term of a previous Board of Commissioners' appointee will expire June 30th and a new member must be appointed; and

WHEREAS, Robert Horrocks has applied for appointment to the Mental Health Board and meets all residency requirements stipulated by Section 340.02(A) of the Revised Code for appointment to the Mental Health Board;

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

Section 1. The Board of Commissioners hereby appoints Robert Horrocks to the Mental Health Board for the term ending June 30, 2025.

Section 2. The appointment approved herein shall take effect on July 1, 2021.

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

13
RESOLUTION NO. 21-515

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION AND A SUPPLEMENTAL APPROPRIATION FOR THE BOARD OF ELECTIONS:

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

Transfer of Appropriation

| | | |
|---|---|----------|
| From: | To: | |
| 22616108-5201 | 22616108-5319 | \$595.20 |
| Security & Accessibility Grant/General Supplies | Security & Accessibility Grant/Reimbursements | |

Supplemental Appropriation

| | | |
|---------------|---|--------|
| 22616108-5319 | Security & Accessibility Grant/Reimbursements | \$1.77 |
|---------------|---|--------|

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

**14
RESOLUTION NO. 21-516**

**IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR
(FEDERAL 9-1-1) GRANT FOR THE EMERGENCY COMMUNICATIONS DEPARTMENT:**

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

| | |
|---------------------|--|
| Grant # | N/A |
| Source: | Ohio 9-1-1 Program Office / Department of Commerce |
| Grant Period: | December 31, 2021 |
| Grant Amount: | \$ 82,837.12 |
| Local Match: | <u>55,224.76</u> |
| Total Grant Amount: | \$ 138,061.88 |

The Grant is The State of Ohio has been allotted \$4,302,976.00 in federal grant funds from the 9-1-1 Federal Grant Program funded by the U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA), and the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA). This funding will be used to award sub-grants to local agencies for the purpose of reimbursing up to 60% of the cost of eligible projects related to the implementation of NG9-1-1 services.

Emergency Communications has \$140,000 in fund 217 appropriated for this purchase and the ability to fund the project based on current quotes.

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

ADMINISTRATOR REPORTS

Dawn Huston
 -Update on the Otterbein University advantage scholarships for employee and their families.
 -The safety consultant has started to meet with different departments to go over policies.

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Benton
 -DKMM met Tuesday in person this week.

Commissioner Merrell
 -The CORSA board will meet in person tomorrow.

Recessed at 9:52 AM/Reconvened at 10:00 AM

10:00A.M. Reconvening Of Hearing For Consideration Of The Zerbe-O'Keefe #265 Drainage Improvement Petition

**15
RESOLUTION NO. 21-517**

10:00A.M. - PUBLIC HEARING FOR CONSIDERATION OF THE ZERBE-O'KEEFE #265 DRAINAGE IMPROVEMENT PETITION FILED BY GARY GRAHAM AND LINDA GRAHAM AND OTHERS:

It was moved by Mr. Benton, seconded by Mr. Merrell to open the hearing at 10:00 A.M..

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

**15 continued
RESOLUTION NO. 21-518**

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IN THE MATTER OF APPROVING, FOR A SPECIFIC OCCURRENCE, A SUSPENSION OF RULE 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 Mr. Benton, 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. Merrell Aye Mr. Benton Aye Mrs. Lewis Absent

15 continued

RESOLUTION NO. 21-519

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE ZERBE-O’KEEFE #265 DRAINAGE IMPROVEMENT PETITION FILED BY GARY GRAHAM AND LINDA GRAHAM AND OTHERS:

It was moved by Mr. Benton, seconded by Mr. Merrell to close the hearing at 10:51 A.M..

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

15 continued

RESOLUTION NO. 21-520

IN THE MATTER OF PROCEEDING WITH THE PETITION FOR THE ZERBE-O’KEEFE #265 DRAINAGE IMPROVEMENT, FILED BY GARY GRAHAM AND LINDA GRAHAM AND OTHERS, AND ORDERING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF REPORTS, PLANS, AND SCHEDULES FOR THE PROPOSED IMPROVEMENT:

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

WHEREAS, on November 22, 2019, a Drainage Improvement Petition to The Zerbe-O’Keefe #265 Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, on Thursday, February 20, 2020, at 1:00 P.M., the Board conducted a view of the proposed improvements; and

WHEREAS, on Thursday, May 14, 2020, the Board opened, and immediately continued, the first hearing on the petition, which was reconvened on October 1, 2020, and again continued to June 10, 2021; and

WHEREAS, after hearing the preliminary report of the Delaware County Engineer and any evidence offered by any owner for or against the granting of the proposed improvement or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, the Board is prepared to vote to determine whether to proceed with the project survey and design or to dismiss the petition, taking into consideration the petition, the preliminary report, and comments 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 benefits of the proposed improvement will outweigh its costs. Accordingly, the Board hereby decides to proceed with the project survey and design.

Section 2. The Board hereby determines that the route and termini of the proposed improvement, and the manner of construction thereof, shall be as set forth in the Delaware County Engineer’s preliminary report.

Section 3. The Board hereby orders the Delaware County Engineer to prepare reports, plans, and schedules for the proposed Zerbe-O’Keefe #265 Watershed Drainage Improvement. The Board hereby sets June 10, 2023, as the date by which the Delaware County Engineer shall file the reports, plans, and schedules, whereupon 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 THE ZERBE-O’KEEFE #265 DRAINAGE IMPROVEMENT PROJECT 4311482.

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

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Board that resulted in said formal actions were conducted in compliance with the laws of the State of Ohio.

Section 6. This Resolution shall be effective immediately upon adoption.

Vote on Motion Mrs. Lewis Absent 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