

**COMMISSIONERS JOURNAL NO. 75 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 11, 2021**

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

Present:
Gary Merrell, President
Barb Lewis, Vice President
Jeff Benton, Commissioner

9:45 A.M. Viewing Proposed Improvement, Through The Use Of Drone Videography And Photography, Of New Public Road, To Be Known As Reed Parkway (Township Road 1782)

**1
RESOLUTION NO. 21-963**

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

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

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

**2
PUBLIC COMMENT**

**3
RESOLUTION NO. 21-964**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1008 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1008:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR1008, memo transfers in batch numbers MTAPR1008 and Purchase Orders as listed below:

| <u>Vendor</u> | <u>Description</u> | <u>Account</u> | <u>Amount</u> |
|----------------------|-----------------------|----------------|---------------|
| PO' Increase | | | |
| P2103838 (Genacross) | Job and Family (FCFC) | 70161605-5342 | \$45,000.00 |

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

**4
RESOLUTION NO. 21-965**

IN THE MATTER OF A NEW LIQUOR LICENSE REQUEST FROM OHIO SPRINGS, INC. (DBA SHEETZ) AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a new C1 and C2 liquor license request from Ohio Spring, Inc. (DBA Sheetz), located at 3641 Seldom Seen Road, Liberty Township, Powell, Ohio 43065; 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

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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 Mr. Merrell Aye Mrs. Lewis Aye

**5
RESOLUTION NO. 21-966**

IN THE MATTER OF ACCEPTING AND APPROVING THE RECOMMENDATION OF THE UNION COUNTY BOARD OF COMMISSIONERS FOR MAINTENANCE ASSESSMENT OF 40% FOR THE OTTAWA RUN JOINT COUNTY DITCH:

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

WHEREAS, the Union County Board of Commissioners has received a recommendation from the Union County Engineer and the Union County Soil and Water Conservation District for continuance of the Ottawa Run Joint County Ditch Maintenance Assessment at 40%;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners accepts and approves the recommendation of the Union County Board of Commissioners and the Union County Soil and Water Conservation District for the continuance of the Ottawa Run Joint County Ditch Maintenance Assessment at 40%.

FURTHER, BE IT RESOLVED that the Clerk to the Delaware County Board of Commissioners will send a certified copy of this Resolution to the Union County Board of Commissioners.

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

**6
RESOLUTION NO. 21-967**

IN THE MATTER OF ACCEPTING AN UPDATE TO THE DITCH INSPECTION REPORT FOR 2021 AND ESTABLISHING THE PERCENTAGE OF MAINTENANCE ASSESSMENTS FOR 2022 TO INCLUDE MEDALLION ESTATES 8:

It was moved by Mrs. Lewis, seconded by Mr. Benton to accept an update to the 2021 Drainage Maintenance Inspection Report and establish percentage of maintenance assessments for 2022 to include Medallion Estates 8, as follows:

UPDATED TO INSPECTION REPORT SUMMARY – 2021

| Project Name | Project # | Auditor # | 2021 % Collect | 2022 % Collect |
|---------------------|------------------|------------------|-----------------------|-----------------------|
| Medallion Estates 8 | 9914 | 11-135 | 0.50 | 0.50 |

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

**7
RESOLUTION NO. 21-968**

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF THE DELAWARE COUNTY RECORDER’S PROPOSAL FOR THE ACQUISITION OR MAINTENANCE OF MICROGRAPHIC OR OTHER EQUIPMENT AND ESTABLISHING THE DATE ON WHICH THE BOARD SHALL MEET WITH THE RECORDER TO REVIEW THE PROPOSAL:

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

WHEREAS, on October 1, 2021, the Delaware County Recorder (the “Recorder”), pursuant to section 317.321 of the Revised Code, submitted to the Delaware County Board of Commissioners (the “Board”) a proposal for the acquisition or maintenance of micrographic or other equipment (the “Proposal”); and

WHEREAS, pursuant to section 317.321 of the Revised Code, not sooner than the fifteenth nor later than the thirtieth day after the Board’s receipt of the Proposal, the Board shall meet with the Recorder to review the Proposal;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby acknowledges receipt of the Recorder’s Proposal, submitted pursuant to section 317.321 of the Revised Code, and establishes October 18, 2021, as the date on which the Board shall meet with the Recorder to review the Proposal, which meeting and review shall be conducted during the Board’s regular session at 9:30 AM in the Board’s Hearing Room at 91 North Sandusky Street, Delaware, Ohio.

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Proposal For Review on October 18, 2021
**DELAWARE COUNTY RECORDER’S PROPOSAL FOR THE ACQUISITION OR
 MAINTENANCE OF MICROGRAPHIC OR OTHER EQUIPMENT**

On this 1st day of October 2021, and pursuant to R.C. § 317.321, Delaware County Recorder Melissa submits on behalf of the Delaware County Recorder’s Office the following “Proposal”:

1. The Recorder requests that beginning January 1, 2022, and ending December 31, 2027, an amount equal to \$6.00 of the fee collected for filing or recording a document for which a fee is charged as required by R.C. §§ 317.32(A), 1309.525 and 5310.15 be placed in the county treasury and designated as “General Fund Moneys to Supplement the Equipment Needs of the County Recorder.”
2. The Recorder requests that the moneys so designated bear such designation for the period of 5 years.
3. Based upon a 12-month average from September 2020 – September 2021, the Recorder estimates the office will generate an average of \$163,014.00 per month in total fees from filing and recording documents as scheduled under R.C. §§ 317.32(A), 1309.525 and 5310.15. These estimates do not include amounts collected for and sent to the state for the Ohio Housing Trust Fund.
4. Based upon a 12-month average from September 2020 – September 2021, the Recorder estimates the office will generate an average of \$29,595 per month in fees designated as “general fund moneys to supplement the equipment needs of the county recorder” from filing and recording documents as scheduled under R.C. §§ 317.32(A), 1309.525 and 5310.15.
5. These moneys will be used for:
 - a. Digitizing records from 1980 forward in compliance with pending legislation HB 237 that is expected to pass with a 2024 compliance deadline;
 - b. Creating e-Recording solutions for conveyances also in compliance with HB 237;
 - c. Off-setting general fund monies for salaries where tech percentages of workflow are supported;
 - d. Computer equipment, parts & materials;
 - e. Indexing services contract;
 - f. Printers and copiers, printer & copier maintenance services and parts, copier contracts & materials

A special fund under R.C. § 5705.12 for any fees designated as “General Fund Moneys to Supplement the Equipment Needs of the County Recorder” has previously been established and such fund can continue to exist and be used in connection with the funds generated pursuant to the Proposal. Approval and enactment of the Proposal will reestablish all previously agreed upon purposes of this fund, and maintenance and use of any monies existing in the fund upon enactment of the Proposal shall be according to those previously established purposes and agreements.

Pursuant to R.C. § 317.321, not sooner than the fifteenth nor later than the thirtieth day after the Board’s receipt of the Proposal, the Board is required to meet with the Recorder to review the Proposal. Such meeting shall be in open public session in accordance with R.C. § 121.22, Ohio’s Open Meeting’s Law. Please inform me as to the date of the meeting. I will be happy to answer any questions concerning the Proposal at the scheduled meeting.

For your convenience, the aforementioned legislation these self-generating funds will help us be complaint with by 2024 can be found here: <https://ohiohouse.gov/legislation/134/hb237>

Respectfully submitted,

Melissa Jordan
 Delaware County Recorder
 Delaware County Recorder’s Office
 145 North Union Street, 1st Floor
 Delaware, Ohio 43015
 (740) 833-2460

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

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IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION FOR THE VETERAN SERVICES OFFICE:

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

Transfer of Appropriation

| | | |
|-----------------------------------|----------------------------------|--------|
| From: | To: | |
| 10062601-5101 | 10062601-5348 | 10,000 |
| Veteran Services/Health Insurance | Veteran Services/Client Services | |

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

**9
RESOLUTION NO. 21-970**

IN THE MATTER OF APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CARPENTER MARTY TRANSPORTATION, INC.:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve the following Amendment No. 1 to the Professional Services Agreement with Carpenter Marty Transportation, Inc., approved under Resolution No. 18-1279:

**AMENDMENT NO. 1
PROFESSIONAL SERVICES AGREEMENT
DEL-CR 72-01.80**

This Amendment No. 1 to the Agreement dated November 19, 2018, is made and entered into this 11th day of October, 2021, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (“County”), and Carpenter Marty Transportation, Inc., 6612 Singletree Drive, Columbus, Ohio 43229 (“Consultant”) (hereinafter collectively referred to as the “Parties”).

ARTICLE 1 – AMENDMENT

Pursuant to Section 3.1 of the Agreement, the Parties mutually agree to amend the Agreement as follows:

- A. Section 4.2 of the Prime Agreement shall be modified to increase the maximum total compensation to Seven Hundred Ninety Three Thousand One Hundred Sixteen Dollars and Thirty Nine Cents (\$793,116.39).
 - a. Original Contract (\$462,957.47) plus Mod #1 (\$330,158.92)
- B. Section 7.1 of the Prime Agreement shall be modified to extend the date for the completion of Services to December 31, 2022.

ARTICLE 2 – REMAINING PROVISIONS

All other terms and conditions of the Prime Agreement not specifically amended herein shall remain in full force and effect.

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

**10
RESOLUTION NO. 21-971**

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

It was moved by Mrs. Lewis, seconded by Mr. Benton 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 |
|-----------|--------------|--------------------------------|------------------|
| UT21-0177 | Columbia Gas | Sunbury Road | Install gas line |
| UT21-0178 | Del-Co Water | Tyler Road (@SR 257) | Road Bore |
| UT21-0179 | Del-Co Water | Tyler Road (@Mink Street Road) | Road Bore |
| UT21-0180 | Del-Co Water | Tyler Road | Road Bore |
| UT21-0181 | AEP | Harvest Curve | Road Bore |

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

11

RESOLUTION NO. 21-972

IN THE MATTER OF APPROVING THE PLATS OF SUBDIVISION FOR OLENTANGY CROSSINGS SECTION 4, LOT 7292, DIVISION #1; CLARKSHAW MOORS SECTION 5; OLENTANGY FALLS EAST SECTION 5; EVANS FARM SECTION 2, PHASE A, PART II; EVANS FARM SECTION 2, PART I & PART II; THE COURTYARDS AT CLEAR CREEK SECTION 3:

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

Olentangy Crossings Section 4, Lot 7292, Division #1

WHEREAS Continental Olentangy Crossing, LLC, has submitted the Plat of Subdivision (“Plat”) for Olentangy Crossings Section 4, Lot 7292, Division #1 and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Orange Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on August 27, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on August 26, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Olentangy Crossings Section 4, Lot 7292, Division #1.

Olentangy Crossings Section 4, Lot 7292, Division #1

Situated in the Township of Orange, County of Delaware, State of Ohio, and being in Farm Lots 8&9, Section 2, Township 3, Range 18, United States Military Lands, being all of Lot 7292 (2.506 acres) of Olentangy Crossings Section 4, as the same is numbered and delineated upon the record plat thereof of record in , as described in Official Record 742, Page 1063, Plat Cabinet 3, Slide 771, as conveyed to Continental Olentangy Crossing, LLC in Official Record 1059 Page 748, Parcel 4. Cost: \$6.

Clarkshaw Moors Section 5

WHEREAS Rockford Homes, Inc., has submitted the Plat of Subdivision (“Plat”) for Clarkshaw Moors Section 5, and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Concord Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on August 27, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on September 1, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Clarkshaw Moors Section 5.

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Clarkshaw Moors Section 5

Situated in the State of Ohio, County of Delaware, Township of Concord, lying in Farm Lots 31 and 34, Section 3, Township 4, Range 19, United States Military District, containing 19.162 acres, said 19.162 acres being part of the remainder of a 54.649 acre tract as conveyed to Rockford Homes, Inc. in Official Record 1394, Page 557, Delaware County Recorder's Office. Cost: \$102.

Olentangy Falls East Section 5

WHEREAS Rockford Homes, Inc., has submitted the Plat of Subdivision ("Plat") for Olentangy Falls East Section 5, and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Liberty Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on September 2, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on September 2, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Olentangy Falls East Section 5.

Olentangy Falls East Section 5

Situated in the State of Ohio, County of Delaware, Township of Liberty, Farm Lots 6 and 7, Quarter Township 1, Township 3, Range 19, United States Military Lands, being 31.874 acres out of that 81.760 acre tract of land conveyed to Rockford Homes, Inc. of record in Official Record Volume 1686, Pages 1761-1764 (all references to records being on file in the Office of the Recorder, Delaware County, Ohio). Cost: \$108.

Evans Farm Section 2, Phase A, Part II

WHEREAS Evans Farm Land Development Company, LLC, has submitted the Plat of Subdivision ("Plat") for Evans Farm Section 2, Phase A, Part II and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Orange Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on September 7, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on September 7, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Evans Farm Section 2, Phase A, Part II.

Evans Farm Section 2, Phase A, Part II

Situated in the State of Ohio, County of Delaware, Orange Township, Farm Lot 15, Section 2, Township 3, Range 18, United States Military District, and being a part of a 42.630 acre tract of land conveyed to Evans Farm Development Company LLC by deed of record in Official Record 879, Page 1476 of the Delaware County Recorder's Office. Cost: \$87.

Evans Farm Section 2, Phase D, Part I & Part II

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WHEREAS Evans Farm Land Development Company, LLC, has submitted the Plat of Subdivision (“Plat”) for Evans Farm Section 2, Phase D, Part I & Part II and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Orange Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on September 7, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on September 7, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Evans Farm Section 2, Phase D, Part I & Part II.

Evans Farm Section 2, Phase D, Part I & Part II

Situated in the State of Ohio, County of Delaware, Orange Township, Farm Lot 15, Section 2, Township 3, Range 18, United States Military District, and being a part of a 42.630 acre tract of land conveyed to Evans Farm Development Company LLC by deed of record in Official Record 879, Page 1476 of the Delaware County Recorder’s Office. Cost: \$87.

The Courtyards at Clear Creek Section 3

WHEREAS Epcon Clear Creek, LLC, has submitted the Plat of Subdivision (“Plat”) for The Courtyards at Clear Creek Section 3 and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, the Orange Township Zoning Officer has reviewed said Plat for conformance with Township Zoning Regulations and approved said Plat on August 23, 2021; and

WHEREAS, Del-Co Water has reviewed said Plat for conformance with their Regulations and approved said Plat on August 25, 2021; and

WHEREAS, the Delaware County Sanitary Engineer has reviewed said Plat for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 14, 2021; and

WHEREAS, the Delaware County Engineer has reviewed said Plat for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 20, 2021; and

WHEREAS, the Delaware County Regional Planning Commission has reviewed said Plat for conformance with Delaware County Subdivision Regulations and approved said Plat on October 4, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for The Courtyards at Clear Creek Section 3.

The Courtyards at Clear Creek Section 3

Situated in the State of Ohio, County of Delaware, Township of Orange in Farm Lot 6, Quarter Township 2, Township 3, Range 18, United States Military Lands, containing 13.772 acres of land, more or less, said 13.772 acres being part of that tract of land conveyed to Epcon Clear Creek, LLC by deed of record in Official Record 1532, Page 2584, Recorder’s Office, Delaware County, Ohio. Cost: \$123

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

14

RESOLUTION NO. 21-973

IN THE MATTER OF ESTABLISHING DELAWARE COUNTY EMPLOYEE VISION INSURANCE RATES AND BENEFITS FOR 2022 AND 2023:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board") has, pursuant to sections 9.833 and 305.171 of the Revised Code, provided certain group insurance coverage for county officers and employees; and

WHEREAS, the Board wishes to establish group vision insurance coverage benefits for eligible Delaware County employees for 2022 and 2023; and

WHEREAS, competitive bidding under section 307.86 of the Revised Code would increase, rather than decrease, the cost of procuring the group vision insurance coverage; and

WHEREAS, the Acting County Administrator recommends that the Board provide vision insurance benefits and rates for 2022 and 2023 as described herein;

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

Section 1. The Board hereby approves group supplemental vision coverage, which shall be optional for each eligible Delaware County employee, via VSP Core / VSP Buy Up at the following rates:

VSP CORE:

- Employee: \$7.18 per month**
- Employee + Spouse: \$14.34 per month**
- Employee + Child(ren): \$15.20 per month**
- Family: \$24.28 per month**

VSP Buy Up:

- Employee: \$13.40 per month**
- Employee + Spouse: \$26.76 per month**
- Employee + Child(ren): \$28.36 per month**
- Family: \$45.30 per month**

Section 2. The Delaware County employee vision insurance benefits established and approved herein shall take effect January 1, 2022, whereupon all prior vision insurance benefits and rates inconsistent with those established and approved herein shall terminate.

Section 3. The Board hereby authorizes the Acting County Administrator to execute the documents necessary to fulfill the renewal requirements with VSP.

(Documents available in the Administrative Services Department until no longer of administrative value).

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

15

RESOLUTION NO. 21-974

IN THE MATTER OF ESTABLISHING DELAWARE COUNTY EMPLOYEE DENTAL INSURANCE RATES AND BENEFITS FOR 2022:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board") has, pursuant to sections 9.833 and 305.171 of the Revised Code, provided certain group insurance coverage for county officers and employees; and

WHEREAS, the Board wishes to establish group dental insurance coverage benefits for eligible Delaware County employees for 2022; and

WHEREAS, competitive bidding under section 307.86 of the Revised Code would increase, rather than decrease, the cost of procuring the group dental insurance coverage; and

WHEREAS, the Acting County Administrator recommends that the Board provide dental insurance benefits and rates for 2022 as described herein;

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

Section 1. The Board hereby approves group supplemental dental coverage, which shall be optional for each eligible Delaware County employee, via Delta Dental Core and Delta Dental Buy Up at the following monthly

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rates:

Delta Dental Core Plan:

Employee: \$ 25.68 per month
 Employee + Spouse: \$52.44 per month
 Employee + Child(ren) \$56.98 per month
 Family: \$91.14 per month

Delta Dental Buy Up Plan:

Employee: \$35.90 per month
 Employee + Spouse: \$72.16 per month
 Employee + Child(ren) \$81.04 per month
 Family: \$126.82 per month

Section 2. Delaware County will contribute \$20.00 per employee per month for those employees who choose to participate in the County’s dental plan.

Section 3. The Delaware County employee dental insurance benefits established and approved herein shall take effect January 1, 2022, whereupon all prior dental insurance benefits and rates shall terminate.

Section 4. The Board hereby authorizes the Acting County Administrator to execute the documents necessary to fulfill the 2022 renewal requirements with Delta Dental.

(Documents available in the Administrative Services Department until no longer of administrative value.)

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

16

RESOLUTION NO. 21-975

IN THE MATTER OF ESTABLISHING THE 2022 HEALTH INSURANCE EMPLOYEE COST SHARE AND ESTABLISHING A SURCHARGE FOR SPOUSAL HEALTH INSURANCE COVERAGE:

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”) has, pursuant to sections 9.833 and 305.171 of the Revised Code, provided certain group insurance coverage for county officers and employees; and

WHEREAS, in order to provide the most comprehensive and cost effective health insurance and prescription drug coverage within the available budget to the employees of Delaware County, the Board authorized continued participation in the County Employee Benefits Consortium of Ohio (CEBCO) for 2022 on September 30, 2021, per Resolution No. 21-919; and

WHEREAS, the Acting County Administrator recommended accepting the PPO Plan 1D and the prescription drug Plan 2D with Anthem Rx renewal rates for 2022 from CEBCO; and

WHEREAS, Delaware County will provide the Anthem Medical PPO Plan 1D and Anthem Rx Plan 2D design for 2022 for eligible employees as described in Resolution No. 21-920; and

WHEREAS, the Board and CEBCO, in cooperation with Health Works, have initiated a member participant wellness program that promotes overall health and well-being in order to reduce healthcare costs (the “Wellness Program”); and

WHEREAS, the Board wishes to establish rates that, through premium differentials, incentivize participation in, and successful completion of, the Wellness Program in order to achieve the stated goals thereof; and

WHEREAS, the Board wishes to institute a spousal surcharge of an additional \$50.00 per month for employees’ spouses who have access to health insurance coverage through another employer and choose to remain on the Delaware County health insurance plan, this surcharge being in addition to the identified coverage rate tier established for the 2022 plan year effective January 1, 2022, unless a surcharge waiver is met as identified in Section 4 of this Resolution;

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

Section 1. The Board hereby approves the following renewal rates for 2022 (Anthem PPO Plan 1D and Anthem Rx Plan 2D) from CEBCO for those Delaware County employees and elected officials who, together with any covered spouse, successfully completed the 2021 Wellness Program and are eligible to receive the 2021 Wellness Program incentive (collectively, “Wellness Program Group A – Incentive Earned”):

| | |
|--|----------------------|
| WELLNESS PROGRAM GROUP A INCENTIVE EARNED | |
| Employee Share of the 2022 Anthem PPO 1D Plan Anthem RX Plan 2D Insurance Rates | |
| | Employee rate |

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| Tier | Per Pay Period |
|-----------------------|-----------------------|
| Employee | \$39.04 |
| Employee + Spouse | \$88.54 |
| Employee + Child(ren) | \$80.12 |
| Employee + Family | \$129.62 |

Section 2. The Board hereby approves the following renewal rates for 2022 (Anthem Plan PPO Plan 1D and Anthem Rx Plan 2D) from CEBCO for those Delaware County employees and elected officials that are ineligible to receive the 2021 Wellness Program incentive for one or more of the following reasons: (a) the employee or official was hired or commenced service on or after May 31, 2021; (b) the employee or official successfully completed the 2021 Wellness Program, while the employee’s or official’s covered spouse did not successfully complete the 2021 Wellness Program; (c) the employee or official did not successfully complete the 2021 Wellness Program, while the employee’s or official’s covered spouse did successfully complete the 2021 Wellness Program; or (d) the official is prohibited from receiving a midterm change in compensation (collectively, “Wellness Program Group B – Exempt or Incentive Ineligible”):

| WELLNESS PROGRAM GROUP B EXEMPT OR INCENTIVE INELIGIBLE 12% Employee Share of the 2022 Anthem PPO Plan 1D Anthem RX Plan 2D Insurance Rates | |
|--|---|
| Tier | Employee rate Per Pay Period |
| Employee | \$51.54 |
| Employee + Spouse | \$113.54 |
| Employee + Child(ren) | \$92.62 |
| Employee + Family | \$154.62 |

Section 3. The Board hereby approves the following renewal rates for 2022 (Anthem PPO Plan 1D and Anthem Rx Plan 2D) from CEBCO for those Delaware County employees and elected officials who, together with any covered spouse, did not successfully complete the 2021 Wellness Program, are not subject to one of the exemptions set forth in Section 2 of this Resolution, and are, therefore, ineligible to receive the 2021 Wellness Program incentive (collectively, “Wellness Program Group C – Incentive Not Earned”):

| WELLNESS PROGRAM GROUP C INCENTIVE NOT EARNED Employee Share of the 2022 Anthem PPO Plan 1D Anthem RX Plan 2D Insurance Rates | |
|--|---|
| Tier | Employee rate Per Pay Period |
| Employee | \$64.04 |
| Employee + Spouse | \$138.54 |
| Employee + Child(ren) | \$105.12 |
| Employee + Family | \$179.62 |

Section 4. The Board hereby approves a \$25.00 per pay period (\$50.00 per month) surcharge in addition to the above “Employee + Spouse” and “Employee + Family” rates for employees that choose to cover a spouse on the health insurance and prescription drug plan, unless the employee applies for and is granted a waiver of the surcharge as provided for herein. The surcharge may be waived for one of the following reasons: (a) the covered spouse is unemployed or officially retired through an established retirement system; (b) the spouse’s employer does not offer health insurance or the spouse does not qualify for health insurance coverage through their employer; or (c) the spouse is employed by Delaware County.

(Documents available in the Administrative Services Department until no longer of administrative value.)

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

17

RESOLUTION NO. 21-976

IN THE MATTER OF APPROVING A MEMORANDUM OF UNDERSTANDING TO THE COLLECTIVE BARGAINING AGREEMENT CURRENTLY IN EFFECT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND THE INTERNATIONAL ASSOCIATION OF EMTs AND PARAMEDICS, LOCAL R7-11, NAGE-SEIU:

It was moved by Mr. Benton, seconded by Mrs. Lewis to adopt, and authorize the Acting County Administrator to execute, the following Memorandum of Understanding:

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MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is entered into by and between the International Association of EMTs and Paramedics, Local R7-11, NAGE-SEIU (the “Union”) and the Delaware County Board of Commissioners (the “Employer”), pertaining to negotiated agreement between the Union and the Employer SERB # 20-MED-08-0766 (the “Agreement”).

The purpose of this memorandum is to adjust the Holiday Schedule pursuant to Article 23 in the Agreement to provide Juneteenth as a paid holiday for Union employees beginning June 19, 2022.

The Juneteenth holiday will be observed each year pursuant to ORC 1.14 and 325.19, as Amended by House Bill 110, 134th General Assembly, effective September 30, 2021.

The Union and the Employer mutually wish to observe Juneteenth by including Juneteenth in the Holiday Schedule and cease recognizing the ½ day holiday on New Year’s Eve or December 31st beginning 2022, thereby increasing the total scheduled holiday hours for the Union by four hours.

Now therefore, the parties agree as follows:

Article 23 – Holidays of the Agreement shall be amended as follows:

Section 23.1 of the Agreement shall include Juneteenth (June 19) as a paid holiday.

In exchange, the half day New Year’s Eve Day holiday shall be deleted from Section 23.2 of the Agreement and no longer be a paid holiday.

Union employees will receive holiday pay for the Juneteenth holiday pursuant to Article 23 of the Agreement.

This memorandum shall:

1. Not affect any other provision of the Agreement; and
2. Be negotiated for inclusion in future bargaining agreements.

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

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RESOLUTION NO. 21- 977

IN THE MATTER OF RECOGNIZING JUNETEENTH AS A HOLIDAY FOR CERTAIN NON-BARGAINING UNIT EMPLOYEES AND ADOPTING AN ALTERNATIVE COUNTY HOLIDAY SCHEDULE FOR CALENDAR YEAR 2022:

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

WHEREAS, House Bill 110, 134th General Assembly, amended sections 1.14 and 325.19 of the Revised Code, effective September 30, 2021, to recognize Juneteenth, June 19th, as a legal holiday and county holiday; and

WHEREAS, the Delaware County Board of Commissioners (the “Board”) recognizes the significance of the Juneteenth holiday, and what it represents, and wishes to officially observe Juneteenth as a county holiday; and

WHEREAS, pursuant to section 325.19(F) of the Revised Code, the Board may establish alternative schedules of holidays for employees of the appointing authority for whom the state employment relations board has not established an appropriate bargaining unit pursuant to section 4117.06 of the Revised Code, as long as the alternative schedules are not inconsistent with the provisions of at least one collective bargaining agreement covering other employees of the Board, if such an agreement exists; and

WHEREAS, the Board’s current holiday schedule is adopted pursuant to section 325.19(F) of the Revised Code as an alternative schedule, consistent with at least one collective bargaining agreement covering other employees of the Board, and providing additional holiday hours than mandated by Ohio law; and

WHEREAS, the Board has entered into a Memorandum of Understanding to the Collective Bargaining Agreement with the International Association of EMTs and Paramedics, Local R7-11, NAGE-SEIU, representing certain employees of the Delaware County EMS, for the recognition of Juneteenth as a county holiday; and

WHEREAS, the Board wishes to adopt a new county holiday schedule for calendar year 2022 that includes Juneteenth as an additional county holiday and removes the half-day county holiday for New Year’s Eve, which is consistent with the Collective Bargaining Agreement referenced herein;

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

Section 1. The Board hereby establishes the following alternative schedule for paid county holidays in calendar year 2022 for the Board’s employees for whom the state employment relations board has not established an appropriate bargaining unit:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Little Brown Jug Day (1/2 day holiday ~ County offices close at noon)
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve Day (1/2 day holiday ~ County offices close at noon)
- Christmas Day

Section 2. Each full-time county employee is entitled to eight hours of holiday pay for full day county holidays and four hours of holiday pay for the two half day county holidays. Part-time permanent employees shall be paid holiday pay the average number of regularly scheduled hours per week prorated over five days (example: an employee who averages 30 hours per week is entitled to six hours of holiday pay for a full day holiday and three hours for a half day holiday). For non-continuous service employees, if the holiday falls on a Saturday, it shall be observed on the preceding Friday; if the holiday falls on a Sunday, it shall be observed on the following Monday. If the holiday occurs while an employee is on vacation leave, the vacation day will not be charged against such leave. An employee shall receive holiday pay rather than paid sick leave for any holiday which occurs when the employee is absent on sick leave. Holiday pay will not be given to any employee who is on a leave of absence without pay. An employee must be on approved leave status before and after the holiday in order to be eligible for holiday pay. If the employee is required to work on a holiday, the employee shall receive their holiday pay plus pay for the time actually worked on the holiday. Holiday hours shall be considered as hours worked towards the forty hours required for overtime calculations for non-exempt employees, only if the employee works on the holiday.

Section 3. The Board hereby encourages all other appointing authorities to adopt the alternative county holiday schedule approved herein, subject to the requirements of section 325.19(F) of the Revised Code.

Section 4. The Board hereby authorizes the Acting County Administrator to prepare and distribute a county holiday schedule with the specific dates for observance of county holidays in 2022 pursuant to this Resolution.

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

**OTHER BUSINESS:
RESOLUTION NO. 21-978**

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION, A PURCHASE ORDER AND INVOICE FOR ADMINISTRATIVE SERVICES:

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

Supplemental Appropriation
61311923-5370 Self-Insured Workers Comp/Insurance Premiums & Claims 100,000.00

The Board authorizes/approves the purchase order and the payment of the invoice in the amount of \$80,000.

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

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CHRIS BAUSERMAN, COUNTY ENGINEER

12
9:45 A.M. **VIEWING PROPOSED IMPROVEMENT, THROUGH THE USE OF DRONE VIDEOGRAPHY AND PHOTOGRAPHY, OF NEW PUBLIC ROAD, TO BE KNOWN AS REED PARKWAY (TOWNSHIP ROAD 1782)**

13
RESOLUTION NO. 21-979

IN THE MATTER OF INSTRUCTING THE COUNTY ENGINEER TO PREPARE AND SUBMIT THE NECESSARY SURVEYS, PLATS, DESCRIPTIONS, AND REPORTS FOR THE PROPOSED LOCATION AND ESTABLISHMENT OF A NEW PUBLIC ROAD, TO BE KNOWN AS REED PARKWAY (TOWNSHIP ROAD 1782):

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

WHEREAS, on September 27, 2021, the Board of Commissioners of Delaware County, State of Ohio (hereinafter the “Board”) declared its opinion that it will be for the public convenience or welfare to locate and establish a new public road, to be known as Reed Parkway (Township Road 1782), located off Lackey Old State Road approximately one-half mile south of U.S. Route 36, extending west from Lackey Old State Road for ±1101 feet in Berlin Township, Delaware County, Ohio, which is more specifically depicted in Exhibit A, attached hereto and, by this reference, incorporated herein; and

WHEREAS, after publication of notice thereof in accordance with applicable law, the Board conducted a view of the proposed improvement on Monday, October 11, 2021, at 9:45A.M., at the Commissioners’ Hearing Room located at 91 North Sandusky Street Delaware, Ohio 43015, through the use of drone videography and photography; and

WHEREAS, pursuant to section 5553.06 of the Revised Code, if the Board, after viewing the proposed improvement, considers such improvement of sufficient public importance, it shall instruct the County Engineer to make an accurate survey and plat of such improvement, furnish an accurate and detailed description describing therein the center line and right of way lines, set stakes at the termini of each right of way line, at all angles between such termini, and at sufficient other points on the right of way lines so that the bounds of such improvement are discernible to property owners and other interested persons, and make a report in writing to the Board on or before the date fixed for the final hearing setting forth the opinion of the County Engineer for or against such improvement and stating the width to which the improvement shall be opened;

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

Section 1. The Board, having viewed the proposed location and establishment of a new public road, to be known as Reed Parkway (Township Road 1782), hereby finds that it considers the proposed improvement of sufficient public importance and hereby instructs the County Engineer to proceed as set forth in section 5553.06 of the Revised Code and submit all necessary materials to the Board for consideration at the final hearing scheduled for October 14, 2021, at 9:45A.M.

Section 2. The 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 3. This Resolution shall take effect immediately upon adoption.

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

19
ARIC HOCHSTETTLER, STAFF ATTORNEY BOARD OF COMMISSIONERS

DISCUSSION /SENATE BILL 52
WIND AND SOLAR UTILITY FACILITY REGULATION

20
ADMINISTRATOR REPORTS

Dawn Huston, Deputy Administrator
-The Healthworks Portal opens today. You may enter data as far back as August 14, 2021.

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Benton

- The Ohio State Buckeyes looked good this weekend.
- Attended the Jail House Rock dinner on Friday night.
- Attended the MORPC executive committee meeting Thursday afternoon. As a result of the census, Delaware County now has another seat on the MORPC Board.
- The OPWC grant cycle is now open.
- The Investment Committee will meet tomorrow morning.
- The Records Commission will meet Wednesday morning.

Commissioner Lewis

- Was appointed to the Justice and Public Safety Committee's Steering Committee.

Commissioner Merrell

- Attended the Jail House Rock dinner Friday night.

22

RESOLUTION NO. 21-980

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

It was moved by Mr. Benton, 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 appointment; employment; compensation of a public employee or public official.

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

RESOLUTION NO. 21-981

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

Other business:

RESOLUTION NO. 21-982

IN THE MATTER OF APPROVING AN APPOINTMENT TO THE DELAWARE COUNTY TRANSIT BOARD:

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

WHEREAS, on October 25, 1999, the Delaware County Board of Commissioners (the "Board of Commissioners") created the Delaware County Transit Board (the "Transit Board") and made the necessary appointments to the Transit Board, pursuant to section 306.01 and 306.02 of the Revised Code; and

WHEREAS, as necessary, the Board of Commissioners has made appointments to the Transit Board to fill vacancies in both unexpired and expired terms; and

WHEREAS, Ferzan Ahmed has applied for appointment to a term commencing on October 25, 2021, and expiring on October 24, 2024;

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

Section 1. The Board of Commissioners hereby approves the appointment of the following member to the Transit Board for the term specified herein:

| Position | Appointee | Term Ends |
|----------|-----------|-----------|
|----------|-----------|-----------|

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| | | |
|--------|--------------|------------------|
| DATA 2 | Ferzan Ahmed | October 24, 2024 |
|--------|--------------|------------------|

Section 2. The appointment approved herein shall take effect upon October 25, 2021.

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

Jennifer Walraven, Clerk to the Commissioners