

COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 7, 2022

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

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

1
RESOLUTION NO. 22-557

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 30, 2022:

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 30, 2022; 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 Aye Mr. Merrell Aye Mr. Benton Aye

2
PUBLIC COMMENT
-None

3
RESOLUTION NO. 22-558

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0706:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0706 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
P2200434 (BEEMS BP)	Service Center Fuel	10011106-5228	\$50,000.00

PR Number	Vendor Name	Line Description	Line Account	Amount
R2202849	BUCKEYE RANCH INC	2022 PLACMENT CARE	22511607 - 5342	\$150,000.00
R2202849	BUCKEYE RANCH INC	2022 MSY PLACEMENT CARE	70161605 - 5342	\$1.00
R2202857	LUTHERAN HOMES SOCIETY INC	2022 PLACEMENT CARE	22511607 - 5342	\$75,000.00
R2202857	LUTHERAN HOMES SOCIETY INC	2022 MSY PLACEMENT CARE	70161605 - 5342	\$1.00
R2202858	VILLAGE NETWORK,THE	2022 PLACEMENT CARE	22511607 - 5342	\$1.00
R2202858	VILLAGE NETWORK,THE	2022 MSY PLACEMENT CARE	70161605 - 5342	\$40,000.00
R2202859	YOUTH INTENSIVE SERVICES INC	2022 PLACEMENT CARE	22511607 - 5342	\$1.00
R2202859	YOUTH INTENSIVE SERVICES INC	2022 MSY PLACEMENT CARE	70161605 - 5342	\$27,000.00
R2203265	GOODWILL INDUSTRIES INC	CCMEP WIOA YOUTH	22311611 - 5348	\$25,000.00
R2203265	GOODWILL INDUSTRIES INC	CCMEP TANF YOUTH	22411603 - 5348	\$25,000.00
R2203328	DELAWARE COUNTY TRANSIT BOARD OF	TRANSPORTATION SERVCIES	22411601 - 5355	\$100,000.00
R2203333	DEVELOPMENTAL DISABILITIES	EI HELP ME GROW 07 2022-12 2022	70161606 - 5348	\$305,674.00
R2203364	LIGHTHOUSE YOUTH & FAMILY SERVICES INC	2022 MSY PLACEMENT SPECIALIZED CARE	70161605 - 5348	\$64,000.00
R2203365	YOUTH VILLAGES INC	SERVICES YOUTH A.S	70161605 - 5348	\$8,280.00

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 7, 2022**

R2203366	SAFE HOUSE MINISTRIES INC	PLACEMENT CARE	22511607 - 5348	\$1.00		
R2203366	SAFE HOUSE MINISTRIES INC	2022 MSY PLACEMENT CARE	70161605 - 5348	\$28,000.00		
R2203582	DELAWARE AUTO SALES LLC	REPAIR 21-1 3853	60111901 - 5370	\$15,000.00		
Vote on Motion	Mr. Merrell	Aye	Mrs. Lewis	Aye	Mr. Benton	Aye

4

RESOLUTION NO. 22-559

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE DRAINAGE IMPROVEMENT PETITION FOR THE LAWRENCE #22 WATERSHED, FILED BY KIRT E. WHITESIDE:

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

WHEREAS, on May 17, 2022, 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 Kirt E. Whiteside, to:

1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet by replacing or repairing, or altering the existing improvement as required and/or creating new surface and subsurface drainage mains or laterals as requested by this petition.
2. In Delaware County, Radnor Township, within the Lawrence #22, the Herbert-Lawrence #7401, Prairie Run #21, Herbert #21, and Griffith #595 watersheds and generally following, but not limited to, the course and termini of existing improvements.

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, September 12, 2022, at 1:30P.M.**, with the use of video technology at the Office of the Board of County Commissioners, 91 North Sandusky Street Delaware, Ohio 43015, be and the same is hereby fixed as the time and place for the view thereon; and

BE IT FURTHER RESOLVED that **Monday, December 5, 2022, at 10:00A.M.**, at the Office of the Board of County Commissioners, 91 North Sandusky Street Delaware, Ohio, be and the same 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	Aye
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5

RESOLUTION NO. 22-560

IN THE MATTER OF EXTENDING THE FILING DATE FOR THE FILING OF PLANS, REPORTS, AND SCHEDULES FOR THE DUSTIN ROAD DRAINAGE IMPROVEMENT PETITION PROJECT FILED BY KURT D. VOGEL:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 19-1112, granting the prayer of the petition and directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Dustin Road Watershed Area Drainage Petition Project; and

WHEREAS, the Board fixed the date of May 15, 2022 for filing of the reports, plans, and schedules; and

WHEREAS, additional time is required to allow for field survey, design, engineer review; and

WHEREAS, upon filing of the reports, plans, and schedules, the Board shall set a date and time for a public hearing for the Dustin Road Watershed Area Drainage Petition Project, to be held not fewer than twenty-five nor more than ninety days thereafter;

NOW, THEREFORE, BE IT RESOLVED that the Board approves February 1, 2023 as the date for filing of the reports, plans, and schedules for the Dustin Road Watershed Area Drainage Petition Project;

BE IT FURTHER RESOLVED that, upon filing of the reports, plans, and schedules for the Dustin Road Watershed Area Drainage Petition Project, the Clerk of the Board will prepare a resolution to fix a date

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 7, 2022**

not fewer than twenty-five nor more than ninety days thereafter when a final hearing on the report shall be held;

BE IT FURTHER RESOLVED that proper notification will be given to property owners in the affected watershed of the date and time of the hearing for the Dustin Road Watershed Area Drainage Petition Project.

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

**6
RESOLUTION NO. 22-561**

IN THE MATTER OF DECLARING PERSONAL PROPERTY OBSOLETE, UNFIT, OR NOT NEEDED FOR PUBLIC USE AND THE INTENT OF SELLING SUCH PROPERTY VIA INTERNET AUCTION OR DISPOSAL OF PROPERTY OF NO VALUE:

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

WHEREAS, Delaware County has personal property not needed for public use, obsolete, or unfit for the use for which it was acquired; and

WHEREAS, Ohio Revised Code section 307.12(E) allows, by resolution, the sale of such property by internet auction; and

WHEREAS, the Delaware County Board of Commissioners passed Resolution No. 16-749 on August 1, 2016, declaring its intent to sell such property by internet auction; and

WHEREAS, certain of such property may require a signature to transfer such property from the county to a buyer; and

WHEREAS, certain of such property may receive no bids during the internet auction and can be declared to be of no value;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Delaware County, State of Ohio, that the following property listed below be sold in the manner prescribed in Resolution No. 16-749 and that items receiving no bids be considered of no value and may be discarded or salvaged at the direction of the Director of Facilities. The Director of Facilities is hereby authorized to sign any documents needed to transfer such property on behalf of the Board.

Asset #/Type	Make	Model	VIN/Serial Number	Mileage/Note
271/SUV	FORD	2015 POL INTER SUV	1FM5K8AR7FGC41187	158,111
228/SUV	FORD	2013 POL INTER SUV	1FM5K8AR3DGC40955	153,625
129/SUV	FORD	2006 EXPLORER	1FM5U72E46UB69897	195,763
341/SQUAD	HORTON	1999 FORD F350	1FDWF36F2XEC96492	166,036

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

**7
RESOLUTION NO. 22-562**

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR THE BERLIN BUSINESS PARK PUMP STATION AND FORCE MAIN PROJECTS:

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

WHEREAS, the Delaware County Regional Sewer District received one bid for the Berlin Business Park Pump Station Project and zero bids for the Berlin Business Park Force Main Project on June 22, 2022; and

WHEREAS, Delaware County reserves the right to reject any and all bids, in whole or in part;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, rejects all bids received for the Berlin Business Park Pump Station Project and Berlin Business Park Force Main Project.

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

**8
RESOLUTION NO. 22-563**

IN THE MATTER OF REAFFIRMING THE NEED FOR IMPROVEMENTS TO RED BANK ROAD FOR THE UPDATED APPLICATION FOR FEDERAL HIGHWAY FUNDING ASSISTANCE TO THE MID-OHIO REGIONAL PLANNING COMMISSION:

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 7, 2022**

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”), by Resolution No. 16-940, declared that improvements to Red Bank Road, including resurfacing, construction of paved shoulders and replacement of deficient guardrail and road signs from Smothers Road to Gorsuch Road, are necessary for the safety, convenience and welfare of the public, and declared that the improvement known as Red Bank Road, DEL-CR31-0.10, (the “Improvement”) was to be initiated for this purpose; and

WHEREAS, the County Engineer is in the process of developing plans, specifications and estimates for the Improvement; and

WHEREAS, the Improvement received a funding commitment by the Mid-Ohio Regional Planning Commission (MORPC) for MORPC-attributable federal highway funding in 2017, and the Improvement is included the State Transportation Improvement Program (TIP) with funding for construction after SFY 2021; and

WHEREAS, MORPC requires that sponsors of all previously approved projects submit updates during each application cycle, along with legislation by the sponsoring Local Public Agency (LPA) reaffirming the commitment of the LPA to proceed with the Improvement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio, that it reaffirms that it intends to develop, construct and maintain the Improvement known as Red Bank Road Improvements (DEL-CR31-0.10) as stated in Resolution No. 16-940.

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

9

RESOLUTION NO. 22-564

IN THE MATTER OF AWARDING THE BIDS FOR ASPHALT MATERIALS TO BE USED BY THE COUNTY ENGINEER DURING 2022:

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

Bid Award Recommendations; Bids Opened March 22, 2022:

WHEREAS, as the result of the referenced bid opening, the Engineer recommends that the Board of Commissioners award bids as set forth herein;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the following non-exclusive bid awards:

MC 30 as per ODOT Spec 702.02, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

MC 30 as per ODOT Spec 702.02, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

RS-2 as per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

RS-2 as per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

RS-2P, Per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

RS-2P, Per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD JULY 7, 2022

CRS-2 Per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc.

CRS-2 Per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc.

CRS-2P Per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc.

CRS-2P Per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends a non-exclusive bid award be made to Asphalt Materials, Inc.

SS-1 as per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Phillips Oil Company.

SS-1 Per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Phillips Oil Company.

SS-1H Per ODOT Spec 702.04, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

SS-1H as per ODOT Spec 702.04, FOB Jobsite:

The Engineer recommends that a non-exclusive bid award be made to Asphalt Materials, Inc. and Phillips Oil Company.

Number 301 Asphalt Concrete Base Per ODOT Spec 301.02, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Mid-Ohio Paving, Inc.; Decker Construction Company; Shelly and Sands, Inc.; and The Shelly Company.

Number 302 Asphalt Concrete Base Per ODOT Spec 302.02, FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Mid-Ohio Paving, Inc.; Decker Construction Company; Shelly and Sands, Inc.; and The Shelly Company.

Surface, Type 1 (Item 441), FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Mid-Ohio Paving, Inc.; Decker Construction Company; Shelly and Sands, Inc.; and The Shelly Company.

Intermediate, Type 1 (Item 441) FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Mid-Ohio Paving, Inc.; Decker Construction Company; Shelly and Sands, Inc.; and The Shelly Company.

Intermediate, Type 2 (Item 441), FOB Plant:

The Engineer recommends that a non-exclusive bid award be made to Mid-Ohio Paving, Inc.; Decker Construction Company; Shelly and Sands, Inc.; and The Shelly Company.

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

10

ADMINISTRATOR REPORTS

Tracie Davies, County Administrator
 -No reports.

11

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell
 -Participated in the Sunbury 4th of July parade.

Commissioner Benton

-Participated in the Sunbury Parade as well. There were a lot of people that attended. Sunbury does a great job

COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JULY 7, 2022

with that event every year.

Commissioner Lewis

-The enthusiasm of the people along the parade route so was nice to see.

12

RESOLUTION NO. 22-565

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT; EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES; FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Benton, 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; employment; compensation of a public employee or public official; to consider the purchase of property for public purposes; for pending or imminent litigation.

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

RESOLUTION NO. 22-566

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners