

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 29, 2022**

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

Present:
Barb Lewis, President
Gary Merrell, Commissioner

Absent:
Jeff Benton, Vice President

1
RESOLUTION NO. 22-822

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 26, 2022:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on September 26, 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 Absent

2
PUBLIC COMMENT
 -None.

3
RESOLUTION NO. 22-823

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0928 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0928:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0928, memo transfers in batch numbers MTAPR0928 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
P2201014 (VAR PASSS)	Job & Family Program Services	22511607-5350	\$25,000.00
PR Number	Vendor Name	Line Description	Line Account Amount
R2204441	TREASURER, DELAWARE COUNTY	RETAINAGE FOR SEWER REHABILITATION PROJECT -	66611900 - \$12,427.40 5403
R2204456	B L ANDERSON LLC	ABB PROCESS MASTER WAFER FEM360 4' MAGMETER	66211900 - \$9,018.00 5450
R2204457	B L ANDERSON LLC	ABB PROCESS MASTER WAFER FEP632 6' MAGMETER	66211900 - \$8,691.00 5450
R2204458	BRIGHTLY SOFTWARE INC	SUBSCRIPTION FEE	66211900 - \$25,603.11 5320
R2204460	OHIO CAT	TRANSFORMER TESTING PM SERVICE AT LSWRF	66211900 - \$6,375.00 5328
R2204463	TYLER TECHNOLOGIES INC	RMS-CAD MAINTENANCE - 911	21711326 - \$76,811.35 5320
R2204463	TYLER TECHNOLOGIES INC	RMS-CAD MAINTENANCE - SHERIFF	10031301 - \$50,759.66 5320
R2204463	TYLER TECHNOLOGIES INC	RMS-CAD MAINTENANCE - OTHER AGENCIES	10011102 - \$29,200.90 5320

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R2204464	TREASURER, DELAWARE COUNTY	RETAINAGE - BERLIN BUSINESS PARK FORCE MAIN	22211330 - 5415	\$136,515.84
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Vote on Motion	Mr. Merrell	Aye	Mrs. Lewis	Aye	Mr. Benton	Absent
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4

RESOLUTION NO. 22-824

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE DRAINAGE IMPROVEMENT PETITION FOR THE DAVENTRY PARK WATERSHED, FILED BY THE DAVENTRY PARK ASSOCIATION:

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

WHEREAS, on September 6, 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 Daventry Park Association, to:

1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet, by replacing, repairing, or altering the existing improvement as required and/or creating new surface and subsurface drainage mains or laterals, as requested by this petition, and to maintain these improvements per the associated engineering plans.
2. In Delaware County, Liberty Township, within the Daventry Park Section 1 Phase 2, Daventry Park Section 1 Phase 4, and Daventry Park Section 1 Phase 5 subdivision 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, December 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 **Thursday, March 2, 2023, 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	Absent	Mr. Merrell	Aye	Mrs. Lewis	Aye
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5

RESOLUTION NO. 22-825

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE DRAINAGE IMPROVEMENT PETITION FOR THE VILLAGE AT HARVEST WIND CONDOMINIUMS WATERSHED, FILED BY THE VILLAGE AT HARVEST WIND CONDOMINIUMS:

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

WHEREAS, on September 14, 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 The Village at Harvest Wind Condominiums, to:

1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet by replacing, repairing, or altering the existing improvement as required and/or creating new surface and subsurface drainage mains or laterals, and to maintain these improvements per the associated engineering drawings as requested by this petition.
2. In Delaware County, Genoa Township, within the Willimas-Miller-Holmes #2 watershed and generally following, but not limited to, the course and termini of the existing improvements inclusive of the existing flood control improvements within the Village at Harvest Wind condominiums.
We also request the Board of Commissioners consider consolidation of the petition with the Lanetta Lane Drainage Improvement Petition per the provisions of the Ohio Revised Code Sec 6131.13

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, December 12,**

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2022, at 2:00P.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, March 6, 2023, 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 Mrs. Lewis Aye Mr. Benton Absent Mr. Merrell Aye

**6
RESOLUTION NO. 22-826**

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE VIENOT #23 DRAINAGE MAINTENANCE PETITION FILED BY MA’A NEGRA, LLC AND OTHERS:

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

WHEREAS, on September 19, 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 Ma’a Negra, LLC and Others, requesting the following:

1. In Delaware County, Concord and Delaware Townships, within the Vienot #23 watershed and general following, but not limited to the course and termini of the existing improvements.
2. To 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.

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 that the Board of County Commissioners hereby fixes **Monday, December 19, 2022 at 1:30 P.M.** at the Office of the Board of County Commissioners, 91 North Sandusky Street, Second Floor, Delaware, Ohio 43015, as the time and place for the view thereon; and

BE IT FURTHER RESOLVED that this Board hereby fixes **Thursday, March 9, 2023 at 10:00A.M.** at the Office of the Board of County Commissioners, 91 North Sandusky Street, Second Floor, Delaware, Ohio 43015, 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 Absent Mrs. Lewis Aye Mr. Merrell Aye

**7
JON MELVIN, DIRECTOR OF FACILITIES
Retirement Tribute, Dave Ferguson**

**8
RESOLUTION NO. 22-827**

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

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

WHEREAS, the Delaware County Commissioners passed Resolution No. 22-449 on May 24, 2021, adopting a Delaware County Facilities Permit Policy (the “Policy”); and

WHEREAS, it is the intent of the Policy to allow persons and organizations access to appropriate Delaware County facilities, grounds and meeting places; and

WHEREAS, each request will only be considered after the receipt of a completed Delaware County Facilities Permit Form; and

WHEREAS, the Policy mandates approval from the Commissioners for use of county facilities by groups of 30 participants or more that have agreed in writing to full compliance with the Policy;

NOW, THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED that the Delaware County Board of Commissioners hereby authorizes the use of Meeting Room in the Frank B. Willis Building,

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located at 2079 U.S. Route 23 North, Delaware, OH on May 16, 2023 at the cost of \$125.00.

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

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ADMINISTRATOR REPORTS

Tracie Davies, County Administrator
-No reports.

Dawn Huston, Deputy Administrator
-No reports.

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell
-No reports.

Commissioner Lewis
-Thoughts and prayers go out to the people in Florida for safety and strength as they endure Hurricane Ian.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners