

COMMISSIONERS JOURNAL NO. 61 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JULY 17, 2014

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

Present:  
Gary Merrell, President  
Dennis Stapleton, Vice President  
Ken O’Brien, Commissioner

RESOLUTION NO. 14-792

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 14, 2014:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on July 14, 2014; 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                      Mr. Merrell              Aye              Mr. Stapleton              Aye              Mr. O'Brien              Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 14-793

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0716, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0716:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0716, memo transfers in batch numbers MTAPR0716 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO’ Increase</b>			
Embracing Autism	Job and Family Services Program	22511607-5342	\$ 10,000.00
Buckeye Ranch	Residential Treatment	22511607-5342	\$ 53,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
<b>ENVIRONMENTAL SERVICES</b>				
R1404503	DLT SOLUTIONS LLC	AUTOCAD 2015 UPGRADE AND SUBSCRIPTION - QTY 2	66211902 - 5320	\$ 5,163.98
R1404521	UNITED LABORATORIES INC	LINES	66211903 - 5201	\$ 2,697.30
R1404521	UNITED LABORATORIES INC	LINES	66211904 - 5201	\$ 2,697.30

Vote on Motion                      Mr. Stapleton              Aye              Mr. Merrell              Aye              Mr. O'Brien              Aye

RESOLUTION NO. 14-794

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to approve the following:

The Director of the Child Support Enforcement Agency is requesting that Sandra Disantis attend training in Newark, Ohio from July 22-23, 2014 at the cost of \$175.00 (fund number 23711630).

Vote on Motion                      Mr. O'Brien              Aye              Mr. Merrell              Aye              Mr. Stapleton              Aye

RESOLUTION NO. 14-795

IN THE MATTER OF CLOSING THE FREQUENCY RECONFIGURATION AGREEMENT BETWEEN DELAWARE COUNTY, OHIO AND NEXTEL WEST CORPORATION, A WHOLLY

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OWNED INDIRECT SUBSIDIARY OF SPRINT NEXTEL CORPORATION, FOR THE FREQUENCY RECONFIGURATION OF THE COUNTYWIDE DIGITAL 800 MHZ RADIO SYSTEM DATED JULY 27, 2011:

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to approve the following:

Whereas, the 911 Communications Director and the Public Safety Systems Administrator recommend the closing of the Frequency Reconfiguration Agreement between Delaware County, Ohio and Nextel West Corporation, a wholly owned indirect subsidiary of Sprint Nextel Corporation, for the frequency reconfiguration of The Countywide Digital 800 MHz Radio System which was executed on July 27, 2011;

Now Therefore Be It Resolved That The Delaware County Board Of Commissioners approve the closing documents for the frequency reconfiguration agreement between Delaware County, Ohio And Nextel West Corporation, a wholly owned indirect subsidiary of Sprint Nextel Corporation, for the frequency reconfiguration of The Countywide Digital 800 MHz Radio System, including the mutual assignment of FCC licenses/reconfiguration certification, the closing certificate, and the transition administrator completion certificate.

Nextel West Corp. (“Nextel”)/ Delaware County, Ohio (“Incumbent”)  
Closing of Frequency Reconfiguration Agreement (“Agreement”)

The reconfiguration of frequencies pursuant to the Agreement between Incumbent and Nextel was recently completed by the FCC. We now wish to close out our transaction with you. Enclosed please find two copies of documents listed below for your signature that is required to close the Agreement (“Closing Documents”).

Document	Comment
Mutual Assignment of FCC Licenses/ Reconfiguration Certification	Acts as the instrument of mutual exchange and assignment of licenses and equipment. Documents costs paid to Incumbent under the Agreement
Closing Certificates	Confirms the representations and warranties of all parties contained in the executed Frequency Reconfiguration Agreement, as of the Closing Date.
Transition Administrator Certification	Required that the Transition Administrator receive certification that the reconciliation for Delaware County, Ohio is complete under FCC 04-168 Paragraph 198.

Please sign and date the Closing Documents and return them via overnight mail to: Richard Wilmore, Sprint Corp., 12502 Sunrise Valley Drive, Mail Stop VARESA0209-2D382, Reston, VA 20196. Upon receipt of the Closing Documents, a Sprint officer will execute the documents, and I will return a complete original of the fully-signed Closing Documents to you for your records.

MUTUAL ASSIGNMENT OF FCC LICENSES  
RECONFIGURATION CERTIFICATIONS

A. Delaware County, Ohio, an Ohio unit of government (the “Incumbent”), and Nextel West Corp., a wholly owned indirect subsidiary of Sprint Corporation, a Kansas corporation (“Nextel”), have entered into a Frequency Reconfiguration Agreement ("Agreement"), dated July 27, 2011 and as amended March 6, 2012, June 22, 2012 and July 11, 2013. for the reconfiguration of Incumbents 800 MHz system which includes the assignment by Incumbent to Nextel of certain 800 MHz frequencies previously licensed to Incumbent (the “Incumbent Frequencies”) and the creation or assignment by Nextel to Incumbent of certain 800 MHz frequencies previously licensed to Incumbent (the “Replacement Frequencies”).

B. Incumbent and Nextel have applied for and received the Federal Communications Commission ("FCC") approvals as required under the Agreement for the assignment of the Incumbent Frequencies and Replacement Frequencies;

NOW, THEREFORE:

- Incumbent has caused the assignment of the Incumbent Frequencies identified on the attached Schedule A to Nextel or has caused the deletion of the Incumbent Frequencies from the Incumbent Licenses (as defined in the Agreement). Nextel accepts such assignment and assumes responsibility as licensee from and after the date hereof.
- Nextel or Incumbent has caused the modification of the Incumbent Licenses to add the Replacement Frequencies and/or has caused the creation of a new FCC license for Incumbent that includes the Replacement Frequencies as identified on the attached Schedule B. Incumbent accepts this grant/assignment and assumes responsibility as licensee from and after the date hereof.
- Nextel has caused the modification and/or cancellation of the FCC licenses it holds for the operation

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of 800 MHz frequencies that are co-channels of the Replacement Frequencies, to the extent required to meet the technical short-spacing requirements of Section 90.621(b) of the FCC’s Rules, 47 C.F.R. § 90.621(b), as such rule may be amended from time to time by the FCC.

4. Incumbent agrees that all necessary work contemplated by the Agreement to reconfigure Incumbent’s facilities has been satisfactorily completed.

5. Incumbent has requested payment from Nextel, either as part of Incumbent’s initial Cost Estimate (Schedule C of the Agreement) or as changes thereto submitted pursuant to Section 8 of the Agreement, of the Actual Costs Incumbent reasonably incurred or paid in connection with the reconfiguration of its system from the Incumbent Frequencies to the Replacement Frequencies and that Incumbent believes Nextel is obligated to pay under the Order.

6. Nextel and Incumbent agree to the following calculations related to the Actual Costs and agree to the delivery of the remaining payment or refund as outlined below (in accordance with Incumbents payment instructions or Nextel’s payment instructions (as the case may be)):

Total Actual Costs of Reconfiguration:	\$711,089.19
Less: Advance Payment	(\$54,610.71)
Less: Vendor Payments (if applicable)	(\$634,010.02)
Remaining Payment (as of the date on the signed Reconciliation Statement) due to Incumbent prior to the Closing Date:	\$22,468.46
Refund (as of the date on the signed Reconciliation Statement) due to Nextel prior to the Closing Date: (if applicable)	\$0.00

7. Incumbent agrees that the total amount that will be paid by Nextel to Incumbent and its vendors for the reconfiguration of Incumbent's facilities from the Incumbent Frequencies to the Replacement Frequencies is \$711,089.19 and is equal to the Actual Costs Incumbent reasonably incurred or paid to other entities to reconfigure Incumbent’s facilities.

8. Prior to the Closing Date, or upon receipt of the Remaining Payment due to Incumbent or Refund due to Nextel (as outlined in the table above), Incumbent agrees that Nextel does not owe Incumbent any additional amount for the reconfiguration of Incumbent’s facilities pursuant to the Agreement.

9. Incumbent has delivered to Nextel and/or Motorola (as the case may be and as identified on Schedule D) and Nextel and/or Motorola has provided to Incumbent (as the case may be and as identified on Schedule D) all equipment required to be delivered or provided as identified on the attached Schedule D.

MUTUAL ASSIGNMENT OF FCC LICENSES

RECONFIGURATION CERTIFICATIONS

SCHEDULE A

Incumbent Frequencies

Incumbent’s Name: Delaware County, OH

Incumbent Assigns to Nextel:

Call Sign	Licensee	Lat (N)	Long (W)	City	State	Expiration Date	Frequency
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	866.8625
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	866.8625

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Call Sign	Licensee	Lat (N)	Long (W)	City	State	Expiration Date	Frequency
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	866.8625
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.6500
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	867.8750
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	868.8375

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WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	868.8375
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	866.0875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	866.8625
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.2875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.2875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.8750
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	868.5875

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WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	868.5875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	868.8375
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	868.8375
WQLG519	Delaware County 911	40-14-28.2	82-52-1.6	Sunbury	OH	1/2/2012	867.0125
WQLG519	Delaware County 911	40-19-15.2	83-4-19.1	Delaware	OH	1/2/2012	866.0125
WQLG519	Delaware County 911	40-22-43.5	83-8-59.3	Radnor	OH	1/2/2012	866.5125
WQLG519	Delaware County 911	40-8-14	82-59-44	Columbus	OH	1/2/2012	868.0125
WQLG519	Delaware County 911	40-19-6.3	82-49-38.6	Sunbury	OH	1/2/2012	867.5125

MUTUAL ASSIGNMENT OF FCC LICENSES

RECONFIGURATION CERTIFICATIONS

SCHEDULE B

Replacement Frequencies

Incumbent’s Name: Delaware County, OH

Nextel Assigns to Incumbent:

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Replacement Frequency	Replacement Call Sign	Lat (N)	Long (W)	ERP (W)	Gnd Elev (ft)	Ant. Height (ft)	New Licensee	Location
851.0875	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
851.0875	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
851.0875	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
851.0875	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
851.0875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
851.0875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
851.0875	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
851.0875	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
851.0875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
851.8625	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
851.8625	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
851.8625	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
851.8625	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
851.8625	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
851.8625	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
851.8625	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
851.8625	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
851.8625	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.2875	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.2875	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.2875	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.2875	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.2875	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.2875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.2875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.2875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH

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Replacement Frequency	Replacement Call Sign	Lat (N)	Long (W)	ERP (W)	Gnd Elev (ft)	Ant. Height (ft)	New Licensee	Location
852.2875	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.2875	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
852.2875	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.2875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.6500	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.6500	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.6500	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.6500	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.6500	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.6500	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.6500	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
852.6500	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.6500	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.8750	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.8750	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.8750	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.8750	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.8750	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.8750	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.8750	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
9852.8750	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.8750	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
853.5875	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
853.5875	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
853.5875	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH

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Replacement Frequency	Replacement Call Sign	Lat (N)	Long (W)	ERP (W)	Gnd Elev (ft)	Ant. Height (ft)	New Licensee	Location
853.5875	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
853.5875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
853.5875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
853.5875	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
853.5875	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
853.5875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
853.8375	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
853.8375	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
853.8375	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
853.8375	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
853.8375	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
853.8375	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
853.8375	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
853.8375	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
853.8375	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.0125	WQLG519	40-14-28.2	82-52-1.6	210	954	200	Delaware County 911	Sunbury ,OH
851.0125	WQLG519	40-19-15.2	83-4-19.1	210	910	225	Delaware County 911	Delaware, OH
851.5125	WQLG519	40-22-43.5	83-8-59.3	210	910	180	Delaware County 911	Radnor, OH
853.0125	WQLG519	40-8-14	82-59-44	210	935	310	Delaware County 911	Columbus, OH
852.5125	WQLG519	40-19-6.3	82-49-38.6	100	1082	120	Delaware County 911	Sunbury, OH

MUTUAL ASSIGNMENT OF FCC LICENSES  
RECONFIGURATION CERTIFICATIONS  
SCHEDULE C  
Intentionally Omitted

MUTUAL ASSIGNMENT OF FCC LICENSES  
RECONFIGURATION CERTIFICATIONS  
SCHEDULE D

1) Loaned Reconfiguration Equipment (provided by Nextel)

Quantity	Manufacturer	Description	Model Number	New/Used
12	CMC	Directional Coupler (each with	CMC441381N	Used

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		N connector)		
2	Motorola	XTL5000 dash mount mobile radio	M28URS9PW2AN	Used
2	Motorola	XTS5000 model II portable radios	H18UCF9PW6AN	Used

2) Motorola Schedule D Equipment (to be provided by Motorola) - Motorola radios and flash-kits and accessories only

- a) Reserved
- b) Motorola Subscriber Services will not be provided for the following Motorola Schedule D Equipment

Quantity	Description	Radio Software	Encryption	Model Number
877	Flash Kit(Flashes)	SmartZone		Flash Kit

CLOSING CERTIFICATE OF Delaware County, Ohio

I do hereby certify of behalf of **Delaware County, Ohio**, an Ohio unit of government (“Incumbent”), that:

- 1. Incumbent is a corporation or other entity, and the undersigned is a duly appointed and acting officer or authorized signatory of Incumbent.
- 2. Incumbent has in all material respects complied with, satisfied and performed all obligations and conditions under the Frequency Reconfiguration Agreement (the "Agreement") dated July 27, 2011 and as amended March 6, 2012, June 22, 2012 and July 11, 2013., by and between Incumbent and **Nextel West Corp.**, a wholly-owned indirect subsidiary of Sprint Corporation, a Kansas corporation (“Nextel”), required to be complied with, satisfied or performed by Incumbent on or prior to the date set forth below including but not limited to the “Closing Conditions” as set forth in the Agreement.
- 3. All the representations and warranties made by Incumbent in the Agreement are true and correct with respect to Incumbent as of the date set forth below.

CLOSING CERTIFICATE OF Nextel West Corp.

I do hereby certify on behalf of **Nextel West Corp.**, a wholly-owned indirect subsidiary of Sprint Corporation, a Kansas corporation (“Nextel”), that:

- 1. Nextel is a corporation or other entity and the undersigned is a duly appointed and acting officer or authorized signatory of Nextel.
- 2. That Nextel has in all material respects complied with, satisfied or performed all obligations and conditions under that certain Frequency Reconfiguration Agreement (the "Agreement"), dated July 27, 2011 and as amended March 6, 2012, June 22, 2012 and July 11, 2013., by and between Nextel and **Delaware County, Ohio**, an Ohio unit of government (the “Incumbent”) required to be complied with, satisfied or performed by Nextel on or prior to the date set forth below including but not limited to the “Closing Conditions” as set forth in the Agreement.
- 3. All the representations and warranties made by Nextel in the Agreement are true and correct with respect to Nextel as of the date set forth below.

800 MHZ RECONFIGURATION

COMPLETION CERTIFICATION

Incumbent Name: Delaware County, Ohio

Certification

Pursuant to the FCC’s order mandating the 800 MHz band reconfiguration (the “Order”), the above-name incumbent licensee (the “Incumbent”) hereby certifies to the Transition Administrator appointed pursuant to the Order as follows:

- 1. That Incumbent has relinquished its original 800 MHz frequencies identified on Schedule A attached and reconfigured its facilities to operate on the replacement frequencies identified on Schedule B attached (the “Replacement Frequencies”);
- 2. That all work required to reconfigure Incumbent’s facilities to operate on the Replacement Frequencies has been satisfactorily completed; and
- 3. That Nextel West Corp. (“Nextel”) and Incumbent have agreed to the sum paid by Nextel for such work.

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SCHEDULE A  
Incumbent Frequencies  
Incumbent’s Name: Delaware County, OH

Incumbent Assigns to Nextel:

Call Sign	Licensee	Lat (N)	Long (W)	City	State	Expiration Date	Frequency
WQDF421	Delaware County	40° 14' 28.2' N	82° 52' 1.6' W	SUNBURY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 10' 53.2' N	82° 54' 42.1' W	GALENA	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 22' 43.5' N	83° 8' 59.3' W	RADNOR	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 16' 53.3' N	83° 10' 55.4' W	OSTRANDER	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 19' 6.3' N	82° 49' 38.6' W	SUNBURY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 24' 31.7' N	82° 57' 47.7' W	ASHLEY	OH	08/10/2015	866.0875
WQDF421	Delaware County	40° 16' 53.3' N	83° 10' 55.4' W	OSTRANDER	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 10' 53.2' N	82° 54' 42.1' W	GALENA	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 22' 43.5' N	83° 8' 59.3' W	RADNOR	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 24' 31.7' N	82° 57' 47.7' W	ASHLEY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 19' 6.3' N	82° 49' 38.6' W	SUNBURY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 14' 28.2' N	82° 52' 1.6' W	SUNBURY	OH	08/10/2015	866.8625
WQDF421	Delaware County	40° 16' 53.3' N	83° 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 22' 43.5' N	83° 8' 59.3' W	RADNOR	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 19' 6.3' N	82° 49' 38.6' W	SUNBURY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 10' 53.2' N	82° 54' 42.1' W	GALENA	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 24' 31.7' N	82° 57' 47.7' W	ASHLEY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 14' 28.2' N	82° 52' 1.6' W	SUNBURY	OH	08/10/2015	867.2875
WQDF421	Delaware County	40° 10' 53.2' N	82° 54' 42.1' W	GALENA	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 14' 28.2' N	82° 52' 1.6' W	SUNBURY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 19' 6.3' N	82° 49' 38.6' W	SUNBURY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 24' 31.7' N	82° 57' 47.7' W	ASHLEY	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 22' 43.5' N	83° 8' 59.3' W	RADNOR	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 16' 53.3' N	83° 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.6500
WQDF421	Delaware County	40° 22' 43.5' N	83° 8' 59.3' W	RADNOR	OH	08/10/2015	867.8750
WQDF421	Delaware County	40° 16' 53.3' N	83° 10' 55.4' W	OSTRANDER	OH	08/10/2015	867.8750
WQDF421	Delaware County	40° 14' 28.2' N	82° 52' 1.6' W	SUNBURY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40° 24' 31.7' N	82° 57' 47.7' W	ASHLEY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40° 19' 6.3' N	82° 49' 38.6' W	SUNBURY	OH	08/10/2015	867.8750
WQDF421	Delaware County	40° 10' 53.2' N	82° 54' 42.1' W	GALENA	OH	08/10/2015	867.8750

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Call Sign	Licensee	Lat (N)	Long (W)	City	State	Expiration Date	Frequency
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	868.5875
WQDF421	Delaware County	40' 16' 53.3' N	83' 10' 55.4' W	OSTRANDER	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 10' 53.2' N	82' 54' 42.1' W	GALENA	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 19' 6.3' N	82' 49' 38.6' W	SUNBURY	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 24' 31.7' N	82' 57' 47.7' W	ASHLEY	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 14' 28.2' N	82' 52' 1.6' W	SUNBURY	OH	08/10/2015	868.8375
WQDF421	Delaware County	40' 22' 43.5' N	83' 8' 59.3' W	RADNOR	OH	08/10/2015	868.8375
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	866.0875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	866.0875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	866.8625
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	866.8625
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.2875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.2875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.2875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.6500

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Call Sign	Licensee	Lat (N)	Long (W)	City	State	Expiration Date	Frequency
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.6500
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	867.8750
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	867.8750
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	868.5875
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	868.5875
WQDF578	Delaware County	40' 12' 37.6' N	83' 1' 26.5' W	LEWIS CENTER	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 15' 59.7' N	82' 56' 44.5' W	SUNBURY	OH	08/11/2015	868.8375
WQDF578	Delaware County	40-16-11.9	82-57-48.9	DELAWARE	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 8' 14' N	82' 59' 44' W	COLUMBUS	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 19' 15.2' N	83' 4' 19.1' W	DELAWARE	OH	08/11/2015	868.8375
WQDF578	Delaware County	40' 11' 35.8' N	83' 8' 50.8' W	DELAWARE	OH	08/11/2015	868.8375
WQLG519	Delaware County 911	40-14-28.2	82-52-1.6	Sunbury	OH	1/2/2012	867.0125
WQLG519	Delaware County 911	40-19-15.2	83-4-19.1	Delaware	OH	1/2/2012	866.0125
WQLG519	Delaware County 911	40-22-43.5	83-8-59.3	Radnor	OH	1/2/2012	866.5125
WQLG519	Delaware County 911	40-8-14	82-59-44	Columbus	OH	1/2/2012	868.0125
WQLG519	Delaware County 911	40-19-6.3	82-49-38.6	Sunbury	OH	1/2/2012	867.5125

SCHEDULE B  
Replacement Frequencies  
Incumbent’s Name: Delaware County, OH  
Nextel Assigns to Incumbent:

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Replacement Frequency	Replacement Call Sign	Lat (N)	Long (W)	ERP (W)	Gnd Elev (ft)	Ant. Height (ft)	New Licensee	Location
851.0875	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
851.0875	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
851.0875	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
851.0875	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
851.0875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
851.0875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
851.0875	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
851.0875	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
851.0875	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
851.0875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
851.8625	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
851.8625	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
851.8625	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
851.8625	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
851.8625	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
851.8625	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
851.8625	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
851.8625	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
851.8625	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
851.8625	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.2875	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.2875	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.2875	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.2875	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.2875	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.2875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.2875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.2875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH

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852.2875	WQDF421	40-19- 6.3	82-49- 38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.2875	WQDF421	40-22- 43.5	83-8- 59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
852.2875	WQDF421	40-24- 31.7	82-57- 47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.2875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.6500	WQDF421	40-10- 53.2	82-54- 42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.6500	WQDF578	40-11- 35.8	83-8- 50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF578	40-12- 37.6	83-1- 26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.6500	WQDF421	40-14- 28.2	82-52- 1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.6500	WQDF578	40-16- 11.9	82-57- 48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.6500	WQDF578	40-16- 16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF421	40-16- 53.3	83-10- 55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.6500	WQDF578	40-19- 15.2	83-4- 19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
852.6500	WQDF421	40-19- 6.3	82-49- 38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.6500	WQDF421	40-22- 43.5	83-8- 59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
852.6500	WQDF421	40-24- 31.7	82-57- 47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.6500	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.8750	WQDF421	40-10- 53.2	82-54- 42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
852.8750	WQDF578	40-11- 35.8	83-8- 50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF578	40-12- 37.6	83-1- 26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
852.8750	WQDF421	40-14- 28.2	82-52- 1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
852.8750	WQDF578	40-16- 11.9	82-57- 48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
852.8750	WQDF578	40-16- 16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF421	40-16- 53.3	83-10- 55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
852.8750	WQDF578	40-19- 15.2	83-4- 19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
852.8750	WQDF421	40-19- 6.3	82-49- 38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
852.8750	WQDF421	40-22- 43.5	83-8- 59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
852.8750	WQDF421	40-24- 31.7	82-57- 47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
852.8750	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
853.5875	WQDF421	40-10- 53.2	82-54- 42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
853.5875	WQDF578	40-11- 35.8	83-8- 50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF578	40-12- 37.6	83-1- 26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
853.5875	WQDF421	40-14- 28.2	82-52- 1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH

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853.5875	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
853.5875	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
853.5875	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
853.5875	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
853.5875	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
853.5875	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
853.8375	WQDF421	40-10-53.2	82-54-42.1	210	948	170	DELAWARE, COUNTY OF	GALENA , OH
853.8375	WQDF578	40-11-35.8	83-8-50.8	210	915	180	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF578	40-12-37.6	83-1-26.5	210	937	180	DELAWARE, COUNTY OF	LEWIS CENTER , OH
853.8375	WQDF421	40-14-28.2	82-52-1.6	210	954	200	DELAWARE, COUNTY OF	SUNBURY , OH
853.8375	WQDF578	40-16-11.9	82-57-48.9	210	935	180	DELAWARE, COUNTY OF	Delaware , OH
853.8375	WQDF578	40-16-16	83-4-18	210	899	145	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF421	40-16-53.3	83-10-55.4	210	980	126	DELAWARE, COUNTY OF	OSTRANDER , OH
853.8375	WQDF578	40-19-15.2	83-4-19.1	210	910	225	DELAWARE, COUNTY OF	DELAWARE , OH
853.8375	WQDF421	40-19-6.3	82-49-38.6	210	1082	120	DELAWARE, COUNTY OF	SUNBURY , OH
853.8375	WQDF421	40-22-43.5	83-8-59.3	210	910	180	DELAWARE, COUNTY OF	RADNOR , OH
853.8375	WQDF421	40-24-31.7	82-57-47.7	210	978	180	DELAWARE, COUNTY OF	ASHLEY , OH
853.8375	WQDF578	40-8-14	82-59-44	210	935	310	DELAWARE, COUNTY OF	COLUMBUS , OH
852.0125	WQLG519	40-14-28.2	82-52-1.6	210	954	200	Delaware County 911	Sunbury ,OH
851.0125	WQLG519	40-19-15.2	83-4-19.1	210	910	225	Delaware County 911	Delaware, OH
851.5125	WQLG519	40-22-43.5	83-8-59.3	210	910	180	Delaware County 911	Radnor, OH
853.0125	WQLG519	40-8-14	82-59-44	210	935	310	Delaware County 911	Columbus, OH
852.5125	WQLG519	40-19-6.3	82-49-38.6	100	1082	120	Delaware County 911	Sunbury, OH

Vote on Motion                      Mr. Merrell                      Aye                      Mr. O'Brien                      Aye                      Mr. Stapleton                      Aye

RESOLUTION NO. 14-796

IN THE MATTER OF APPROVING THE DKMM COUNTY RECYCLING AND LITTER PREVENTION OFFICE PROGRAM STATUS REPORT FOR THE FIRST HALF OF 2014:

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

Program Status Report - 2014  
Report of DKMM District Funds Spent

REPORTS due: July 15, 2014

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CRLPO: Delaware Board of Commissioners (Delaware General Health District

DATE OF REPORT: January through June 30, 2014

AMOUNT OF FUNDS RECEIVED:	\$45,500.00
APPROVED CARRYOVER BALANCE	\$ 0.00
TOTAL FUNDS AVAILABLE	\$45,500.00

EXPENDITURES:	
Salaries	\$18,595.20
Fringe Benefits	\$12,542.79

Advertising	\$ 174.60
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TOTAL EXPENDITURES	\$31,312.59
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Vote on Motion	Mr. Stapleton	Aye	Mr. O'Brien	Aye	Mr. Merrell	Aye
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RESOLUTION NO. 14-797

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILES FOR THE USE OF THE COUNTY COMMISSIONERS; ANY COUNTY DEPARTMENT, BOARD, COMMISSION, OFFICE OR AGENCY; OR ANY ELECTED COUNTY OFFICIAL OR HIS OR HER EMPLOYEES:

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

WHEREAS, the Board of County Commissioners of Delaware County, Ohio (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the Board, by any county department, board, commission, office or agency, or by any elected county official or his or her employees, and

WHEREAS, the Board has before it a request from the Division of Environmental Services to expend county monies for the purchase of one new vehicle; and

WHEREAS, the Board participates in the State of Ohio's cooperative purchasing program; and

WHEREAS, the vehicle is available for purchase via the State of Ohio's cooperative purchasing program.

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

Section 1. The Board hereby declares that a necessity exists to purchase one new vehicle for use by the Sewer District, being required to accommodate new employees of the Sewer District.

Section 2. The Board hereby declares that the make and model of such vehicle is a 2015 GMC Sierra 1500 4WD Crew Cab for \$28,880.10.

Section 3. The Board hereby declares that the purchase or lease of said vehicle will be in accordance with the State of Ohio's cooperative purchasing program, pursuant to the contract and terms and conditions set forth in Contract # RS901514, which is, by this reference, fully incorporated herein and of which the purchase orders approved herein shall be made a part.

Section 4. The Board hereby approves a purchase order request for a total of \$28,880.10 from org key 66211902 – 5450 to Bob Ross Buick Inc. in Centerville, Ohio.

Section 5. This Resolution shall take immediate effect upon passage.

Vote on Motion	Mr. O'Brien	Aye	Mr. Merrell	Aye	Mr. Stapleton	Aye
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RESOLUTION NO. 14-798

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

Transfer of Appropriations		
From	To	
68011916-5410	68011916-5260	\$1,000.00
Solid Waste/Building and Improvements	Solid Waste/Inventory Tools, Equipment, Furniture	

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Vote on Motion                      Mr. Merrell                      Aye                      Mr. Stapleton                      Aye                      Mr. O'Brien                      Aye

**RESOLUTION NO. 14-799**

**IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR VILLAS AT TUSSIC:**

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following sanitary sewer construction plans for Villas at Tussic for submittal to the Ohio EPA for their approval.

Whereas, the Director of Environmental Services recommends sanitary sewer plans for Villas at Tussic for submittal to the Ohio EPA for their approval.

Therefore be it resolved, that the Board of Commissioners approves sanitary sewer plans for Villas at Tussic for submittal to the Ohio EPA for their approval.

Vote on Motion                      Mr. Stapleton                      Aye                      Mr. Merrell                      Aye                      Mr. O'Brien                      Aye

**RESOLUTION NO. 14-800**

**IN THE MATTER OF APPROVING AN AGREEMENT FOR SANITARY SEWER SERVICE BETWEEN DELAWARE COUNTY AND THE CITY OF WESTERVILLE:**

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

Whereas, the Director of Environmental Services recommends approval of the following Agreement;

Now Therefore Be It Resolved that that Delaware County Board of Commissioners approve the following Agreement for Sanitary Sewer Services with The City of Westerville.

**AGREEMENT FOR SANITARY SEWER SERVICE  
BETWEEN  
DELAWARE COUNTY AND THE CITY OF WESTERVILLE**

This agreement is made and entered into effective as of the 17th day of July, 2014 by and between Delaware County, Ohio, acting by and through its Board of County Commissioners pursuant to Resolution No. 14-800, and the City of Westerville, Ohio, an Ohio municipal corporation pursuant to a Motion by Westerville City Council on December 3, 2013.

To provide for the discharge of sewage and sanitary wastewater (hereinafter "wastewater") from the sewers of the City of Westerville, in Delaware County, (hereinafter called the "City"), into the sewerage system of Delaware County (hereinafter called the "County") and to provide for the discharge of wastewater from the sewers of the County into the sewerage system of the City as hereinafter provided:

WHEREAS, the County and the City have determined it to be in the best economic interest of their respective residents to avoid duplication of sanitary wastewater treatment facilities, and;

WHEREAS, the County and the City have determined that there are areas within the corporate limits of the City located within the County where sanitary wastewater can best be treated by the County, and there are areas within the County located outside the corporate limits of the City where sanitary wastewater can best be treated by discharge into the sanitary sewer system of the City; and

WHEREAS, the City has entered into an agreement with the City of Columbus for the provision of sanitary sewer services which includes terms and conditions for the geographic areas within Delaware County where such services may be provided;

WHEREAS, that parties desire that this Agreement amend and replace in its entirety the parties Agreement For Sanitary Sewer Service dated April 22nd, 2002;

NOW THEREFOR, in consideration of the mutual covenants and promises herein contained, and in accordance with the applicable provisions of the City and by the applicable rules and regulations promulgated by the Board of Commissioners of Delaware County, Ohio, the parties do hereby agree to the collection, transportation, pumping , treatment, and discharge of sanitary wastewater as follows:

**SECTION I**

(A) The City shall have the right and obligation under the provisions of this Agreement to discharge all wastewater from sanitary sewers of the City located within Delaware County and hereafter described as AREA #1 (Zumstein Tract) to the sanitary sewer system of the County for treatment at one of the County wastewater

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treatment facilities.

(B) The County shall have the right and obligation under the provisions of this Agreement to discharge all wastewater from sanitary sewers of the County located adjacent to AREA #1 of the City and as hereafter described as AREA #2 to the sanitary sewer system of the City for treatment at and discharge from facilities of the City of Columbus, pursuant to the City's contract with the City of Columbus..

(C) The City shall have the right and obligation under the provisions of this Agreement to discharge all wastewater from sanitary sewers of the City located within Delaware County and hereafter described as AREA #3 (Rosselot Tract) to the sanitary sewer system of the County for treatment at one of the County wastewater treatment facilities.

(D) The City shall have the right to cause all wastewater from AREA #4 , containing approximately 893 acres as hereafter described, to be collected and discharged into the sanitary system of the City for treatment at and discharge from facilities of the City of Columbus, pursuant to the City's contract with the City of Columbus.

(E) The County shall have the right to cause all wastewater from AREA #5, containing approximately 49 acres as hereafter described which was previously developed for residential use, to be collected and discharged into the sanitary system of the City for treatment at and discharge from facilities of the City of Columbus, pursuant to the City's contract with the City of Columbus.

(F) The County shall have the right to cause all wastewater from AREA #6, containing approximately 13 acres, as hereafter described which was previously developed for residential use, to be collected and discharged into the sanitary system of the City for treatment at and discharge from facilities of the City of Columbus, pursuant to the City's contract with the City of Columbus.

AREAS #1 thru #6 are described as set forth on Exhibit "A" which is attached hereto and made a part hereof.

## **SECTION II**

(A) The parties shall not at any time cause or permit storm water, roof drains, or footer drains to be connected to the sanitary sewer system. The County and City by authorizing the execution of the Agreement do hereby adopt pertinent parts of one another's Codes and Chapter 1145 Columbus City Codes and/or Regulations as amended, pertaining to wastewater discharge, as local regulations governing the discharge into any sewer or related appurtenance.

(B) No user of the sanitary sewer system of the County which discharges into any sewer of the City shall discharge any wastewater in excess of the standards set forth by the City, and no user of the City which discharges into any sewer of the County shall discharge any wastewater in excess of standards set forth by the County.

(C) The parties shall not discharge, cause or permit to be discharged, and no other person shall discharge, cause or permit to be discharged, directly or indirectly into any sewer of the County or the City in violation of the discharges prohibited by each party in their respective areas.

(D) The construction of all sanitary sewers, pump stations, or service connections shall meet the current requirements applicable to such improvements in effect as promulgated for the areas where such improvements are to be constructed.

(E) The City shall be responsible for the inspection of all construction work within AREAS #1 and #3 performed in accordance with the provisions of this Agreement, and plan review and inspection fees therefore will be collected and retained by the City. The County shall also have the right to inspect construction work within AREAS #1 and #3. When the construction of the sanitary sewers, pump stations and other equipment constituting the sanitary collection system in AREAS #1 and #3 have been completed and accepted by the City, the City will become the owner thereof and be responsible for the operation and maintenance of the same.

## **SECTION III**

All main sanitary sewers and connections to serve AREAS #1 thru #6 as described herein shall be constructed in accordance with detailed plans and specifications which have been approved as to sewers serving areas to be treated by facilities of the County by the Delaware County Sanitary Engineer, and as to sewers in areas to be discharged into the sanitary sewer system of the City to be treated by the City of Columbus , provided that such approval shall be made by said respective officials within thirty (30) days after the plans and specifications have been submitted for final approval. No construction of any proposed extension of any sanitary sewer shall be permitted until the party desiring such construction has submitted to the other detailed design plans and specifications which shall include at a minimum the following information:

- (1) The data and calculations upon which the sewer line is based shall be submitted to the Engineer of the respective party at the time of the General Plan. The information shall be type written on 8-1/2" X 11" paper and shall include the following:

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- (a) Average domestic flow in each sewer.
  - (b) I/I flow in each sewer.
  - (c) Peak flow in each sewer.
  - (d) The capacity of each sewer.
- (2) A 2' contour topographical map with a minimum scale of 1" equals 200' to show the tributary area.
  - (3) Proposed lot layouts and building types (e.g. residential, apartment, commercial, industrial, etc.)
  - (4) Proposed sewer sizes, percent of grade and invert elevations
  - (5) Location and size of any sewage pump station and force main.
  - (6) Location, type and capacity of any temporary wastewater treatment facilities.

Upon completion of such work and not later than (60) days thereafter, accurate record drawing showing the work as actually constructed shall be filed by the party constructing the work with the other party. Said drawing shall show the area of each and every tributary lot and tract computed in accordance with the provisions of this agreement.

Each party may require the other to oversize sanitary sewers which may be constructed and to extend such sewers to serve upstream properties within the tributary area which may be located outside the parties' respective governmental boundaries. Wastewater flow from tributary areas shall be based upon the following standards:

- (1) AREA #1 (Zumstein tract) - 16.5 persons per acre.
- (2) AREA #2 - per City's agreement with the City of Columbus
- (3) AREA #3 - (Rosselot tract) - 376 units total at 290 gpd/unit
- (4) AREA #4 - per City's agreement with the City of Columbus
- (5) AREA #5 - per City's agreement with the City of Columbus
- (6) AREA #6 - per City's agreement with the City of Columbus
- (7) 1 person equals 100 gallons per day.

Densities in portions of each AREA may exceed the maximum density per acre as set forth above; however, the gross density per acre for each AREA shall not be exceeded, and such density shall be reserved for the entire tributary area of each sanitary sewer within each party's respective governmental boundaries. Each party shall have the right to discharge wastewater from their respective tributary areas into any sewer owned and operated by the other party under the terms of this agreement based upon the above densities. Both parties shall maintain records of connection permits, and shall transmit copies of sewer connection/service permits to each other at least quarterly and shall keep and maintain accurate records of all premises connected with their respective sewers, which records shall, upon demand, be made available to each other.

The parties shall furnish each other with location maps showing the overall sanitary sewer system and shall furnish to each other additional copies thereof when individual maps are changed or otherwise amended.

#### **SECTION IV**

(A) Commencing on the effective date of service under this Agreement, each party shall have the right and privilege of billing a user charge to the other party every three (3) months for sewer service.

(B) Flows for AREA #1 shall be as measured by a flume metering device and related appurtenances which shall be installed and maintained by the County in the sewer in which discharge occurs into the County's sewer or treatment facility. The installation and location of this device must be approved in advance by the City.

(C) Flows for AREA #3 shall be based on water usage for City water customers connected to the County sanitary sewer system. The City shall provide monthly water usage, including names and addresses, every three (3) months.

(D) The user charge of the County for accepting the City's discharge shall be based upon the County's current rate in existence at the time of the discharge plus a surcharge of 50%. The sewer use charges and surcharges shall be payable within (30) days after receipt of the bill therefore. The County will inform the City with a minimum of ninety (90) days prior notice of any fee changes.

(E) The user charge of the City for accepting discharge from users within AREAS #2, #4 #5, and #6 shall be as set forth in the City's Codified Ordinances.

#### **SECTION V**

During the effective period of the Agreement each party shall have the right to enter into the territory of the other party for all purposes necessary and incident to the execution of the provisions of the Agreement, and for the further purpose of constructing within sewer tributary areas, any sewer extensions which may be deemed

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necessary. The plans for any such extensions shall be submitted by the party desiring the construction to the other party for approval for location and other engineering criteria as otherwise provided in this agreement.

**SECTION VI**

Neither party shall enter into any agreement to provide collection, transportation, nor treatment of sanitary wastewater with a third party in the territory of the other party without prior written approval of the party in whose territory the agreement for services is proposed. Notwithstanding the foregoing prohibition, both parties shall be permitted to continue to provide collection, transportation, and treatment services for sanitary wastewater with any entity with whom the parties have a written agreement at the time of execution of this Agreement.

**SECTION VII**

Neither this agreement nor the services to be provided by either party hereunder shall prohibit or in any manner limit the annexation of property to any municipality within the service area of the other party, however, the densities applicable to any territory annexed shall not be greater than that delineated in the agreement.

**SECTION VIII**

The Delaware County Regional Sewer District may build a new wastewater treatment plant with a discharge directly to Alum Creek Reservoir. The new plant, which will be designed to serve the Central Alum Creek service area as defined in the Delaware County 2005 Sewer Master Plan, will be designed to treat an average flow of 800,000 gallons per day. Delaware County agrees to site, design, construct, maintain and operate such facility in accordance with Ohio EPA requirements and so as not to degrade the City's water supply to the extent such degradation would require that the City institute additional treatment procedures. It is also agreed that if Delaware County designs a plant that is in compliance with this paragraph, the City of Westerville shall not oppose the new plant and shall not request additional treatment requirements beyond the EPA's regulated limits for this facility.

**SECTION IX**

The City agrees that the County may construct and utilize an effluent line for treated wastewater upon the following terms and conditions:

- a. The effluent line shall be located as delineated on the map attached hereto as "Exhibit B" and incorporated herein by reference.
- b. The City agrees to allow the County to construct an effluent line located within the existing Africa Road right-of-way in the City which shall be maintained by the County.

**SECTION X**

If any portion of the Agreement shall be determined by a court of competent jurisdiction to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any portion of the Agreement unless it clearly appears that such other portion is wholly or necessarily dependent for this operation. Both parties agree to pass all legislation necessary to carry the terms of this agreement into effect.

**SECTION XI**

The failure on the part of either party to this Agreement to faithfully discharge their respective obligations and responsibilities hereunder, either in whole or in part, shall vest in the other party the right to terminate the Agreement effective ninety (90) days after written notice of such failure and the intention to terminate is filed by such party with the offending party; provided however, that the offending party shall have the right to correct said failure to faithfully discharge its obligations and responsibilities and upon demonstration thereof within (30) days of receipt of the notice of intention to terminate, such notice of termination shall become null and void and this Agreement shall remain in full force and effect without prejudice to the right of the parties to collect any amounts due and owing arising under the terms of this contract prior to such notice of termination.

**SECTION XII**

The parties agree to review the terms of this contract on or about the anniversary of the date hereof for purpose of amending the agreement to accommodate any changes in technical requirements indicated by conditions existing at the time of the review.

**SECTION XIII**

The parties agree the terms and provisions of this Agreement amend and supersede in its entirety the parties' Agreement For Sanitary Sewer Service dated April 22nd, 2002.

**SECTION XIV**

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This Agreement constitutes the entire agreement of the parties hereto regarding the subject matter hereof, shall become effective as of the date hereof and shall remain in effect until terminated by agreement of the parties. No amendment or modification of any provision hereof shall be effective unless set forth in writing and executed by the parties hereto.

Vote on Motion                      Mr. O'Brien              Nay              Mr. Merrell              Aye              Mr. Stapleton              Aye

**RESOLUTION NO. 14-801**

**IN THE MATTER OF RE-APPOINTING PAMELA BORATYN AND JUDITH MAXWELL TO THE DELAWARE COUNTY PUBLIC DEFENDER COMMISSION:**

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

WHEREAS, the Delaware County Board of Commissioners (the "Board") is responsible for making appointments from the public to various boards, councils and committees; and

WHEREAS, pursuant to section 120.13 of the Revised Code, the Board shall make three appointments to the Delaware County Public Defender Commission, two of which expired on May 8, 2014; and

WHEREAS, Pamela Boratyn and Judith Maxwell have applied for reappointment to the Delaware County Public Defender Commission; and

WHEREAS, said reappointments meet the requirements for membership of an attorney licensed to practice law in the State of Ohio, in accordance with section 120.13 of the Revised Code;

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

Section 1. Pamela Boratyn is hereby reappointed to the Delaware County Public Defender Commission for the unexpired term ending May 8, 2018.

Section 2. Judith Maxwell is hereby reappointed to the Delaware County Public Defender Commission for the unexpired term ending May 8, 2018.

Section 3. The appointments made herein shall take immediate effect upon adoption of this Resolution.

Vote on Motion                      Mr. Merrell              Aye              Mr. O'Brien              Aye              Mr. Stapleton              Aye

**RESOLUTION NO. 14-802**

**IN THE MATTER OF APPROVING PERSONNEL ACTIONS:**

It was moved by Mr. Stapleton, seconded by Mr. O'Brien to approve the following:

The Director of Environmental Services recommends hiring Carl Bennett, Jr. as a Wastewater Treatment Operator; effective August 4, 2014.

Therefore Be it Resolved, the Board of Commissioners approve hiring Carl Bennett, Jr. as a Wastewater Treatment Operator; effective August 4, 2014.

The Director of Job and Family Services recommends hiring Ashleigh Keller as a Clerical Specialist; effective July 28, 2014.

Therefore Be it Resolved, the Board of Commissioners approve hiring Ashleigh Keller as a Clerical Specialist; effective July 28, 2014.

Vote on Motion                      Mr. Stapleton              Aye              Mr. O'Brien              Aye              Mr. Merrell              Aye

**DISCUSSION  
COMMUNITY REINVESTMENT AREA FOR THE MT. CARMEL PROJECT**

**ADMINISTRATOR REPORTS**

**Tim Hansley**  
-No reports

**COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Stapleton**  
-No reports

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**Commissioner O’Brien**  
-DKMM Executive Committee meeting was held Tuesday. Discussions about the Sunbury drop off point was brought up and how to deal with requests for compensation and/or improvements. The owner of the property isn’t the one who is requesting either of those things so it makes the process more complicated. Also at the DKMM Executive Committee meeting, interviews for the Director’s position will be held on the 24<sup>th</sup>. He is hopeful a recommendation will be made to the full board shortly after the interviews.

**Commissioner Merrell**  
-No reports

**RECESS UNTIL 11:00AM MORE OR LESS/11:05AM RECONVENE**

**RESOLUTION NO. 14-803**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE FOR APPOINTMENT, EMPLOYMENT, DISCIPLINE OR DISMISSAL OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:**

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to adjourn into Executive Session at 11:05AM.

Vote on Motion                      Mr. O'Brien              Aye              Mr. Merrell              Aye              Mr. Stapleton              Aye

**RESOLUTION NO. 14-804**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by Mr. Stapleton, seconded by Mr. O’Brien to adjourn out of Executive Session at 11:45AM.

Vote on Motion                      Mr. Merrell              Aye              Mr. Stapleton              Aye              Mr. O'Brien              Aye

There being no further business, the meeting adjourned.

\_\_\_\_\_  
Gary Merrell

\_\_\_\_\_  
Ken O’Brien

\_\_\_\_\_  
Dennis Stapleton

\_\_\_\_\_  
Jennifer Walraven, Clerk to the Commissioners