

COMMISSIONERS JOURNAL NO. 63 - DELAWARE COUNTY  
 MINUTES FROM REGULAR MEETING HELD SEPTEMBER 28, 2015

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

**Present:**

Barb Lewis, Vice President  
 Jeff Benton, Commissioner

**Absent:**

Gary Merrell, President (arrived at meeting during Administrative Reports)

1

**RESOLUTION NO. 15-1154**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 21, 2015:**

It was moved by Mr. Benton, 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 21, 2015; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

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

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**PUBLIC COMMENT**

3

**ELECTED OFFICIAL COMMENT**

4

**RESOLUTION NO. 15-1155**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0925:**

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0925 and Purchase Orders as listed below:

| <u>Vendor</u>           | <u>Description</u>               | <u>Account</u> | <u>Amount</u> |
|-------------------------|----------------------------------|----------------|---------------|
| <b>PO' Increase</b>     |                                  |                |               |
| Central Ohio Contractor | Barrier Wall Drainage Water Rec. | 68011916-5328  | \$ 9,050.00   |
| Design Building         | Roof Replacement OECC            | 66711901-5410  | \$27,356.00   |
| Design Building         | Roof Replacement OECC            | 66711901-5410  | \$ 4,325.00   |

  

| <u>PR Number</u> | <u>Vendor Name</u>            | <u>Line Desc</u>                             | <u>Line Account</u> | <u>Amount</u> | <u>Line</u> |
|------------------|-------------------------------|--|---------------------|---------------|-------------|
| R1504830         | TUTTLE CONSTRUCTION INC       | TIP FLOOR REPAIRS AT TRANSFER STATION        | 68011916 - 5410     | \$260,600.00  | 0001        |
| R1504878         | PELTON ENVIRONMENTAL PRODUCTS | OECC -CLAMPS, O-RINGS, MEMBRANES             | 66211903 - 5201     | \$ 2,415.14   | 0001        |
| R1504878         | PELTON ENVIRONMENTAL PRODUCTS | ALUM CREEK - CLAMPS, MEMBRANES AND DIFFUSERS | 66211904 - 5201     | \$ 4,252.64   | 0002        |
| R1504925         | COMMISSIONERS                 | 2015 COST ALLOCATION                         | 22411605 - 5380     | \$ 34,801.50  | 0001        |
| R1504944         | ALERT TRACKING SYSTEMS INC    | COMPANY                                      | 21411306 - 5320     | \$ 10,500.00  | 0001        |
| R1504952         | CIRCLE OF ATTACHMENT          | PROFESSIONAL SERVICES                        | 22511607 - 5350     | \$ 10,500.00  | 0001        |
| R1504950         | SHRM                          | MEMBERSHIP RENEWAL - DAWN HUSTON             | 10011108 5308       | \$36,100.00   | 0001        |
| R1504961         | TREASURER, STATE OF OHIO      | MARCS - COMMUNICATIONS                       | 21411306 - 5330     | \$ 3,500.00   | 0001        |



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The following certifications are renewed:

**A. Independent Contractor Acknowledgement/No Contribution to OPERS**

Pursuant to Section VII(B) of the Agreement, Maryhaven, by the signature of its authorized representative below, hereby certifies that it continues to have five (5) or more employees in lieu of completing the OPERS Independent Contractor Acknowledgement Form:

\_\_\_\_\_  
Paul Coleman  
President and CEO  
Maryhaven, Inc.

**B. Findings for Recovery:**

Maryhaven, by the signature of its authorized representative below, hereby certifies that it is not subject to any current unresolved findings for recovery pending with or issued by the Ohio Auditor of State.

\_\_\_\_\_  
Paul Coleman  
President and CEO  
Maryhaven, Inc.

**C. Certification Regarding Personal Property Taxes:**

Maryhaven, by the signature of its authorized representative below, hereby certifies that it is not charged with delinquent personal property taxes on the general list of personal property in Delaware County, Ohio, or any other counties containing property in the taxing districts under the jurisdiction of the Auditor of Delaware County, Ohio.

\_\_\_\_\_  
Paul Coleman  
President and CEO  
Maryhaven, Inc.

**D. Campaign Finance – Compliance with ORC § 3517.13**

Maryhaven shall complete the attached certificate/affidavit entitled “Certification/Affidavit in Compliance With O.R.C. Section 3517.13.” Such certification is attached to this First Amendment as Exhibit A and by this reference made a part of this First Amendment.

**3. CORRECTION**

The citation in Section VII(X) of the Agreement to R.C. § 2115.13 shall be corrected to read R.C. § 2151.13.

**4. ADDED SECTION**

The following section shall be added to the Agreement:

“FF. County Policies:

Maryhaven shall be bound by, conform to, comply with, and abide by all current applicable Delaware County policies, including, but not limited to, the Contractor Safety Policy, Computer Use Policy, Social Media Policy, and Internet Use Policy (collectively “County Policies”) and shall require any and all of its employees, including, but not limited to, the Clinician, performing work under this Agreement and/or for or on behalf of the County to comply with all County Policies and shall be responsible for such compliance. The County may, in its sole discretion, immediately terminate this Agreement for failure of Maryhaven or any of its employees, including, but not limited to, the Clinician, to comply with County Policies. Copies of County Policies are available and may be viewed online at: <http://www.co.delaware.oh.us/index.php/policies.”>

**5. SIGNATURES**

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

**6. CONFLICTS**

In the event of a conflict between the terms of the Agreement and this First Amendment, the terms of this First Amendment shall prevail.

**7. TERMS OF AGREEMENT UNCHANGED**

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

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

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**IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS FOR JUVENILE COURT:**

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

**Transfer of Appropriations**

| <b>From</b>                               | <b>To</b>                             |       |
|---|---------------------------------------|-------|
| 26226206-5101                             | 26226206-5001                         | 10.00 |
| Specialized Court Docket/Health Insurance | Specialized Court Docket/Compensation |       |

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

**8  
RESOLUTION NO. 15-1159**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR JOB AND FAMILY SERVICES:**

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

| <b>Supplemental Appropriations</b> | <b>Description</b>                              | <b>Amount</b>  |
|------------------------------------|---|----------------|
| 22411601-5001                      | JFS Income Maintenance/Compensation             | \$ 50,000.00   |
| 22411601-5120                      | JFS Income Maintenance/County Share OPERS       | \$ 3,000.00    |
| 22411601-5348                      | JFS Income Maintenance/Client Services          | \$ 50,000.00   |
| 22411603-5001                      | JFS Workforce/Compensation                      | \$ 35,000.00   |
| 22411603-5120                      | JFS Workforce/County Share OPERS                | \$ 50,000.00   |
| 22411604-5001                      | JFS Child Protection/Compensation               | \$ (85,000.00) |
| 22411604-5120                      | JFS Child Protection/County Share OPERS         | \$ (54,000.00) |
| 22411605-5301                      | JFS Administration/Contracted Prof. Services    | \$ 36,000.00   |
| 22411605-5315                      | JFS Administration/Aircards                     | \$ 8,000.00    |
| 22411605-5331                      | JFS Administration/Postage                      | \$ 17,000.00   |
| 22411605-5370                      | JFS Administration/Insurance Premium and Claims | \$ 6,000.00    |
| 22411605-5380                      | JFS Administration/Other Services               | \$ 10,000.00   |
| 22411606-5101                      | JFS Social Services/Health Insurance            | \$ 1,000.00    |
| 22411606-5348                      | JFS Social Services/Client Services             | \$ 1,000.00    |

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

**9  
RESOLUTION NO. 15-1160**

**IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR SLATE RIDGE COMMERCIAL SOUTH:**

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

Whereas, the construction of new sanitary sewers at the Slate Ridge Commercial South have been completed to meet sewer district requirements; and

Whereas, the sewer district has received the necessary items required by the subdivider’s agreement; and

Whereas, the Director of Environmental Services recommends accepting sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

|                                     |                       |             |
|-------------------------------------|-----------------------|-------------|
| <b>Slate Ridge Commercial South</b> | 400’ of 8- inch sewer | \$18,607.55 |
|                                     | 3 ea- manholes        | \$5,490.00  |

Therefore be it resolved, that the Board of Commissioners approve and accept the above sanitary sewers for ownership, operation, and maintenance by the Delaware County Sewer District.

Section 1. The Board hereby approves and accepts the above sanitary sewer improvements for ownership, operation, and maintenance by the Delaware County Sewer District.

Section 2. The Board hereby releases any Bond, certified check, irrevocable letter of credit, or other approved financial warranties executed to insure faithful performance for construction of the above sanitary sewer improvements, if applicable.



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Therefore Be It Resolved, that the Board of Commissioners approve promoting Cory Smith to Assistant Operations Superintendent with the Regional Sewer District; effective October 3, 2015;

The Code Compliance Supervisor recommends hiring Michael Neff as an Electrical Safety Inspector with the Code Compliance Department; effective October 19, 2015;

Therefore Be It Resolved, that the Board of Commissioners approve hiring Michael Neff as an Electrical Safety Inspector with the Code Compliance Department; effective October 19, 2015.

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

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**ADMINISTRATOR REPORTS**

- BIA Parade Of Homes (Northstar Community) Runs Thru The End Of The Week
- Administrator Hansley Is Working With Scott Stephens, With The Soil And Water Conservation District, To Submit The Farmland Preservation Application (Commissioner Merrell's Concern With Easements And Future Sewer Lines Was Satisfactorily Answered).

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**COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Benton**

- Great Week At The Delaware County Fair
- Little Brown Jug Society (Racing) And Agricultural Society (Fair) And Board Of Commissioners
- Important To Keep Jug Race In Delaware County
- Fair Animals Important Part Of The Event

**Commissioner Lewis**

- Fair Week: Hall Of Fame Honoree Jim Buchy, Great Weather, Racing, Good Community Turnout,
- Heard Positive Feedback On The Waterline Help From The County

**Commissioner Merrell**

- Fair: Attended Every Day, Also Heard Good Things About The Waterline Help With County And City (Saving Money), Attended The Veterans Event On Friday Of Fair Week; -Fair Should Be A Priority For The County
- On Tuesday Attended A Ceremony At The Stratford Ecological Center In Delaware, Ohio, The Center Was Awarded A Kubota L-Series Tractor From The Kubota Tractor Corporation

**Other Business**

**RESOLUTION NO. 15-1164**

**IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR VERONA SECTION 1:**

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the following sanitary sewer construction plans for Verona Section 1 for submittal to the Ohio EPA for their approval.

Whereas, the Director of Environmental Services recommends sanitary sewer plans for Verona Section 1 for submittal to the Ohio EPA for their approval.

Therefore be it resolved, that the Board of Commissioners approves sanitary sewer plans for Verona Section 1 for submittal to the Ohio EPA for their approval.

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

**15**

**RESOLUTION NO. 15-1165**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; DISMISSAL; DISCIPLINE AND PROMOTION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:**

It was moved by Mr. Benton, seconded by Mr. Merrell to adjourn into Executive Session at 10:10AM.

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

**RESOLUTION NO. 15-1166**

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

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It was moved by Mr. Benton, seconded by Mr. Merrell to adjourn out of Executive Session at 10:47AM.

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

There being no further business, the meeting adjourned.

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Gary Merrell

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Barb Lewis

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Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners