

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MAY 5, 2016

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

9:45 AM Final Hearing By The Commissioners For The Drainage Improvement Project To Vacate Portions Of The Existing Storm Water Easements In The Orange Centre Development Section 1 Project #0723

1
RESOLUTION NO. 16-419

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 2, 2016 AND WORK SESSION HELD MAY 2, 2016:

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 May 2, 2016 and work session held May 2, 2016 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 and work session.

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

2
PUBLIC COMMENT

3
ELECTED OFFICIAL COMMENT

4
RESOLUTION NO. 16-420

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0504:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0504 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Emergency Plumbing	Gas Line Repairs	66211903-5328	\$ 15,000.00
Knox County	Job and Family Program	22311611-5348	\$ 4,203.00
Breakthrough	Job and Family Program	22311611-5348	\$ 7,500.00
Tri Rivers	Job and Family Program	22311611-5348	\$ 3,988.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R1603340	DELAWARE COUNTY BANK & TRUST CO	LOCK BOX SERVICES - MAY THRU DECEMBER	66211901 5328	\$10,000.00

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

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RESOLUTION NO. 16-421

**IN THE MATTER OF APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN
DELAWARE DEPARTMENT OF JOB AND FAMILY SERVICES AND AFSCME LOCAL 3072 AND
AFSCME OHIO COUNCIL 8, AFL-CIO:**

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

Whereas, the Director of Job and Family Services recommend the Memorandum Of Understanding;

THEREFORE, BE IT RESOLVED the Board of Commissioners of Delaware County, State of Ohio, approve the Memorandum Of Understanding:

**MEMORANDUM OF UNDERSTANDING
BETWEEN
Delaware DJFS
AND
AFSCME LOCAL 3072
AND
AFSCME OHIO COUNCIL 8, AFL-CIO**

The above, being parties to a Collective Bargaining Agreement, have agreed to amend Article 10 of the same as follows, with this change becoming effective upon ratification and execution by the parties:

**ARTICLE 10
VACANCIES, PROMOTIONS AND TRANSFERS**

10.1 Posting; Selection by Director. When a vacancy occurs, the Director shall post a dated notice, indicating the position vacancy and qualifications, on the County website for a period of at least ten (10) calendar days. Posting shall contain the classification title, rate of pay, minimum educational and experience qualifications, and a brief summary of job duties and such notices shall be given to the local Union president or designee prior to posting. Interested full time employees may have their applications considered by filing an application with the County Human Resources within the ten (10) calendar days of the posting. Applications filed after the tenth full day of the posting will not be considered. It is understood that the Director will decide when a vacancy exists and whether to fill a vacancy. Nothing in this Article shall restrict the Director's right to not fill a posted vacancy, or his/her right to hire someone from the outside if the Director, in his/her discretion, determines that no current employees who applied have the desired qualifications and experience.

10.2 Selection based on Qualifications. The Director will select the applicant he/she deems most qualified based upon the employee's compliance with the above application requirements and on the basis of the employee's skill, qualifications, experience, evaluation, active discipline, and seniority. If the Employer determines that two employees are equally qualified for the position, the employee with the most agency seniority shall have preference for the position. The Director will not be arbitrary in employment decisions.

For purposes of this Article seniority is defined as continuous service in the employ of the Delaware County DJFS. Employees selected for a position or a lateral transfer to a different classification (with the same pay range assignment) are not eligible to apply for another position or a transfer for a period of a year, unless the employee is reduced during a promotional probationary period and/or returned to their former classification per Section 7.2.

10.3 Temporary Vacancies. Vacancies caused by vacations, leaves of absence, or similar conditions shall be considered temporary and shall be filled by assignment or otherwise at the discretion of the Director without regard to this job bidding procedure.

Temporary frill-time transfers under this section shall not last longer than 90 calendar days however this time period may be extended to a maximum of 180 calendar days by mutual agreement of the parties.

If an employee is temporarily assigned to a lower paying job, he/she will remain at his current rate of pay. If an employee is temporarily assigned to a higher paying job, he/she will receive the greater of his/her regular pay or Grade 'F' of the wage chart for the position for which he/she is temporarily assigned.

10.4 Employer Indemnified. The Union shall indemnify and hold harmless the Employer, and all officers and agents of the Employer against all lawsuits, administrative actions, claims and/or costs arising from or in any way related to the implementation of this Section.

10.5 Employee Request for Meeting. Employees not selected for a filled vacancy may request a meeting with the Director to discuss his/her failure to be selected. However, the need for such meeting will be at the Director's discretion.

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

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RESOLUTION NO. 16-422

IN THE MATTER OF APPROVING MEMORANDUM OF UNDERSTANDING FOR TRAINING PAY TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE TELECOMMUNICATIONS OFFICERS AT THE DELAWARE COUNTY 911 CENTER, AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION:

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

Whereas, the Director of Emergency Communications recommends the Memorandum Of Understanding;

THEREFORE, BE IT RESOLVED the Board of Commissioners of Delaware County, State of Ohio, approve the Memorandum Of Understanding:

Memorandum Of Understanding

WHEREAS, the parties to the Collective Bargaining Agreement ("CBA") currently in effect between the Delaware County Commissioners (the "Commissioners") and the Ohio Patrolmen's Benevolent Association ("OPBA"), covering Telecommunications Officers at the Delaware County 911 Center, desire to amend the CBA concerning the issue of training pay for Field Training Officers ("FTO");

WHEREFORE, the parties agree as follows:

1. Employees who are assigned to work as an FTO shall be provided a wage supplement during the time when assigned a trainee by the Director or the Director's designee to function as an FTO. The training, duties, and functions for the FTO will be as established in the training program for new employees and may be modified from time to time by the County. Employees who are assigned and functioning as an FTO shall receive an allowance of \$1.25 per hour not to exceed 40 hours per week (for a total of \$50.00 per week or \$100.00 per pay period) while performing duties of the FTO assignment.
2. Individuals who accept the assignment as an FTO shall be expected to fully perform those functions. Employees may request to be relieved of their commitment to be an FTO, with a 90 calendar day written notice, during the time that the employee is assigned a trainee. An FTO may also be released from his or her FTO assignment during the time the employee is assigned a trainee with shorter notice for justified reasons within the discretion of the Director or designee. Finally, employees may be released from their FTO commitment, with a 60-day written notice, if the employee does not have a current trainee, or with a shorter notice, by submitting a written explanation including a justified reason(s).
3. The FTO program and pay approved herein shall supersede any previous FTO program and pay, including, but not limited to, the program adopted by the Commissioners in Resolution No. 08-1092 and is meant to extend the life of the MOU adopted by the Commissioners in Resolution 14-1418 on December 11, 2014.
4. In addition to training pay set forth in Paragraph 1 above, Field Training Officers (FTOs) are eligible for a \$1,000.00 bonus (subject to taxes) after the following conditions are met:
 - Payment shall be granted upon the Trainee's continuous full-time employment with Delaware County for a period of one year after successfully being released from training.

Example: Management releases Jane from training May 31, 2013. Upon Jane's continuous full-time employment from June 1, 2013- June 1, 2014, FTO shall be paid \$1,000.00, (subject to taxes).

 - Only one (1) \$1,000.00 bonus per trainee will be paid. Bonus will be split among all FTOs assigned to trainee.
 - 911 Director or designee will track all FTOs and hours assigned to training of trainee.
 - Each eligible FTO will receive a bonus based on the percentage of the sum of hours as listed above.
 - Applies only to full-time trainees.
 - FTO must be an active Delaware County employee at the time the bonus is payable.
5. MOU effective May 13, 2013, was to sunset on May 31, 2016, and is extended until January 31, 2018. Training conducted prior to the expiration of MOU will be paid in accordance with paragraphs 1 and 4 above.
6. Except as set forth above, the CBA between the parties continues unaltered, pursuant to its written terms.

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

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RESOLUTION NO. 16-423

RESOLUTION OF NECESSITY FOR THE PURCHASE OF A MOTOR VEHICLE FOR THE USE OF THE DELAWARE COUNTY EMERGENCY MEDICAL SERVICES DEPARTMENT:

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Delaware County Board of Commissioners (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new vehicle 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 Delaware County Emergency Medical Services Department ("EMS") to expend county monies for the purchase of one new ambulance vehicle; and

WHEREAS, an ambulance vehicle for Delaware County EMS is necessary to ensure that a sufficient number of ambulance vehicles are maintained to provide daily coverage; and

WHEREAS, the Board participates in the State of Ohio's cooperative purchasing program (the "Program"), and an ambulance vehicle is available for purchase through the Program;

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

Section 1. The Board hereby declares that a necessity exists to purchase one new ambulance vehicle for use by Delaware County Emergency Medical Services.

Section 2. The Board hereby declares that the make and model of the vehicle is a 2016 Braun Model Chief XL Type-1 ambulance, mounted on a Ford F-550 (4x2) chassis from Penn Care Inc., at a cost of \$192,097.96.

Section 3. The Board hereby declares that the purchase shall be in accordance with the Program, pursuant to the contract and terms and conditions set forth in State of Ohio Index # STS233, Contract number 800263, which is, by this reference, fully incorporated herein and of which the purchase order approved herein shall be made a part.

Section 4. The Board hereby approves a purchase order in the amount of \$192,097.96 to Penn Care, Inc.

Section 5: The Board hereby approves the purchase and accompanying purchase order for the necessary lettering and safety striping from Columbus Signworks, LLC, at a cost of \$4348.00, the purchase and accompanying purchase order for the necessary radio communications equipment from B&C Communications at a cost of \$4,621.00, and the purchase and accompanying purchase order for the installation of electronics from Hall Public Safety at a cost of \$751.95.

Section 6. This Resolution shall take immediate effect upon passage.

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

8

RESOLUTION NO. 16-424

IN THE MATTER OF DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR AND OTHER STAFF FOR CERTAIN ADMINISTRATIVE MATTERS:

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

WHEREAS, pursuant to section 305.30 of the Revised Code, the Delaware County Board of Commissioners (the "Board") may delegate specific authority to the County Administrator for contracting on behalf of the Board, allowing and paying claims, performing personnel functions, performing Board functions in the event of a disaster or emergency, and performing additional duties as the Board may determine by resolution; and

WHEREAS, the County Administrator may be absent or unavailable, requiring the appointment of an acting county administrator to perform the duties delegated pursuant to section 305.30 of the Revised Code; and

WHEREAS, pursuant to section 4115.071 of the Revised Code, the Board shall designate and appoint an employee to serve as prevailing wage coordinator for all contracts subject to prevailing wage requirements;

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

Section 1. The Board hereby delegates the following authority and duties to the County Administrator, pursuant to section 305.30 of the Revised Code:

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(A) Upon prior notice to each Commissioner, negotiate, approve, and execute contracts, agreements, or change orders that are for amounts not exceeding Fifteen Thousand Dollars (\$15,000) and that are for a period of one year or less;

(B) Negotiate and execute settlement agreements for pending or threatened litigation, provided the County Administrator certifies in writing that discussion thereon has been conducted in a lawful executive session with all members of the Board present;

(C) Review and approve departmental payrolls for all departments under the direction and control of the Board;

(D) Review and approve requests for unpaid leaves of absence for up to two weeks;

(E) Approve requests for leave for the County Administrator, provided notification is given to each Commissioner and the requested leave is within the County Administrator's available leave balances;

(F) Accept resignations of employees, except resignations of department directors;

(G) Review and approve, and execute any documents in furtherance of, all personnel actions, including, but not limited to, employing new hires, promotions, pay increases, discipline, and terminations, except as follows:

- (i) The County Administrator shall not approve any pay increase that applies to all employees, unless and until the pay increase has been approved by a prior resolution of the Board;
- (ii) The County Administrator shall not approve any pay increase, or promotion that results in a pay increase, that applies to an individual employee or select class of employees, unless and until the pay increase or promotion has been discussed in a lawful executive session with all members of the Board present, but notwithstanding the foregoing, the County Administrator may approve end of probation pay increases;
- (iii) The County Administrator shall not approve any personnel action pertaining to an employee that reports directly to the County Administrator, unless and until the personnel action has been discussed in a lawful executive session with all members of the Board present; and
- (iv) The County Administrator shall not approve any personnel action that is appealable to the State Personnel Board of Review unless and until the personnel action has been discussed in a lawful executive session with all members of the Board present.

(H) Review and approve all job descriptions, except the County Administrator shall not approve a job description for a position that reports directly to the County Administrator unless and until a draft job description for such position has been presented to the Board and left open for Board comment for at least one week;

(I) Review, in conjunction with the Assistant County Administrator/Director Of Administrative Services, all requests for leave under the Family and Medical Leave Act ("FMLA"), and approve those requests that meet FMLA requirements and all requests for leave under Worker Compensation and approve those requests that meet Worker Compensation requirements;

(J) Serve as the Contract Administrator, having general supervision over the contract and any work performed thereunder, for any contracts or agreements the Board has entered into and not specifically designated a Contract Administrator;

(K) Request written opinions or instructions from the Prosecuting Attorney on behalf of the Board and coordinate the services provided by all outside counsel retained by the Board pursuant to sections 305.14 and 309.09 of the Revised Code;

(L) Upon prior notice to each Commissioner, execute last chance agreements for employees in departments under the direction and control of the Board;

(M) Approve mortgage releases for mortgages that have been fully satisfied;

(N) Act as the county chief executive officer and execute standard assurances and compliance certificates for grant applications approved by the Board;

(O) Act as the county chief executive officer and approve and execute written representations as a

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part of routine audits;

(P) Review and approve requests for tuberculosis treatment financial assistance submitted pursuant to section 339.71, *et seq.*, of the Revised Code, provided the requested amount does not exceed the contracting authority limit established in this Resolution;

(Q) Approve and allow the payment of claims against the county, pursuant to R.C. 307.55 and 319.16, when the county auditor presents a payment recap for approval on the date of a regular session of the Board that has been canceled;

(R) Accept gifts, devises, bequests, or other donations on behalf of the county, pursuant to section 9.20 of the Revised Code, provided that the value thereof is less than \$500.00, that notice of each acceptance is provided to each member of the Board, and that a detailed report of all gifts, devises, bequests, or other donations accepted is provided to the Board within fifteen (15) days after the end of the fiscal year in which the acceptance occurred; and

(S) Upon prior notice to each Commissioner, approve the acquisition of real property or interests in real property at a cost of less than Ten Thousand Dollars (\$10,000).

Section 2. The Board hereby declares that Resolution No. 10-211, delegating to the County Administrator the authority to carry out certain functions of the Board during a disaster or emergency, shall remain in full force and effect.

Section 3. In the event the County Administrator is or will be absent due to illness, vacation, or other approved leave, the County Administrator shall, to the extent practicable, inform all members of the Board and the Clerk to the Board in writing of the absence and its expected duration. In the event the County Administrator is unavailable or expected to be absent for less than or equal to two weeks, the Board hereby designates the Assistant County Administrator/Director of Administrative Services or the Assistant County Administrator/Fiscal Services Director as the Acting County Administrator with authority to perform all functions delegated in Section 1.

For absences expected to be longer than two weeks, all functions delegated in Section 1 shall revert to the Board during the County Administrator’s absence unless the Board specifically delegates any or all of those functions by separate action of the Board.

Section 4. The Board hereby designates and appoints the following employees to serve as prevailing wage coordinator for the specified contracts that are subject to prevailing wage requirements:

- (A) The Delaware County Engineer, for all Motor & Gas and Road & Bridge projects;
- (B) The Director of Environmental Services, for all Environmental Services Fund projects;
- (C) The Director of Economic Development, for all Economic Development Fund and Grant projects;
- (D) The Manager of Facilities, for all other projects.

Section 5. This Resolution supersedes Resolution No. 15-1274 and shall take effect immediately upon adoption.

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

For reference from February 11, 2010; Referred to in section 2 of the Delegating Authority To The County Administrator RESOLUTION NO. 10-211

IN THE MATTER OF DELEGATING TO THE COUNTY ADMINISTRATOR THE AUTHORITY TO CARRY OUT CERTAIN FUNCTIONS OF THE BOARD DURING A DISASTER OR EMERGENCY:

*WHEREAS, Ohio Revised Code 305.30 authorizes a Board of County Commissioners to delegate to the county administrator by resolution the authority to carry out any and all functions of the Board during a disaster or emergency, and
WHEREAS, at such time of an emergency it may not be possible to have a quorum of county commissioners in a timely manner to react to such emergency, and
WHEREAS, under certain conditions it may be in the best interest of the public and county employees to close county offices, and
WHEREAS, under certain situations it is advantageous to authorize the county administrator to carry out functions of the Board of County Commissioners
NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Delaware County that in the best interest of the public and county employees, in the event that two Commissioners cannot be present to take action, and reasonable efforts have been made to reach each Commissioner; and that prior to any action the County Administrator confer with the various public safety officials; the Board hereby delegates to the county administrator the authority to:*

In the event of a Level III snow emergency as declared by the County Sheriff, to close those county offices under the direction and control of the Board of County Commissioners.

In the event of a Level II snow emergency as declared by the County Sheriff, to confer with the various elected officials and public safety officials to make a determination to close those county offices under the direction and control of the Board of County Commissioners.

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In the event of any other disaster or emergency, as defined by 5502.21 (e) and (f), that after conferring with the various public safety officials may close those county offices under the direction and control of the Board of County Commissioners.

Purchase, lease or contract to acquire goods or materials necessary during a declared emergency. The estimated amount of such purchases may not exceed fifty thousand dollars.

Approve and authorize the Accounts Payable Register for the release of funds to vendors for services rendered. Such authorization shall be limited to the release of funds for the declared emergency.

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

**9
RESOLUTION NO. 16-425**

IN THE MATTER OF APPROVING THE WAGE SCALE FOR STAFF ENGINEER I AND STAFF ENGINEER II FOR THE REGIONAL SEWER DISTRICT:

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

WHEREAS, the Assistant County Administrator recommends Approving The Wage Scale For Staff Engineer I And Staff Engineer II, For The Regional Sewer District, to be included with the Delaware County Compensation Management System;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners approve the Wage Scale for Staff Engineer I and Staff Engineer II, For the Regional Sewer District, to be included with the Delaware County Compensation Management System.

Staff Engineer I (RSD)		
Min	Max	
\$ 25.41	\$ 34.30	Hourly
\$ 2,032.80	\$ 2,744.28	Biweekly
\$ 52,852.80	\$ 71,351.28	Annually

Staff Engineer II (RSD)		
Min	Max	
\$ 29.81	\$ 40.24	Hourly
\$ 2,384.62	\$ 3,219.23	Biweekly
\$ 62,000.00	\$ 83,700.00	Annually

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

**10
RESOLUTION NO. 16-426**

IN THE MATTER OF APPROVING A TRANSFER OF FUNDS AND TRANSFER OF APPROPRIATIONS:

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

Transfer of Funds		
From	To	
10011102-5801	50111117-4601	2,134,100.00
Commissioners General/Miscellaneous	Bond Retirement Debt Service/Interfund	
Cash Transfer	Revenue	
Transfer of Appropriations		
From	To	
40111402-5450	40111402-5260	20,000.00
Permanent Improvement/Capital	Permanent Improvement/Inventoried Equipment	
Equipment		

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

**11
RESOLUTION NO. 16-427**

IN THE MATTER OF SETTING THE BID DATE AND TIME FOR THE 2016 FERRIC CHLORIDE CHEMICAL SUPPLY CONTRACT – DCES CONTRACT #16-01.

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

Sealed bids will be received at the Office of the Delaware County Sanitary Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00A.M. Tuesday, May 31, 2016, at which time they will be publicly opened and read aloud, for the project known as 2016 Ferric Chloride Chemical Supply Contract - DCES Contract #16-01.

The proposals must be made on the forms provided in the Contract Documents or a copy thereof and shall contain the full name and address of the bidder. All bids shall be sealed and plainly marked "SEALED BID FOR 2016 FERRIC CHLORIDE CHEMICAL SUPPLY CONTRACT – DCES CONTRACT #16-01."

A CD with pdf copies of the bid specifications may be obtained from the Delaware County Sanitary Engineer's Office, 50 Channing Street, Delaware, Ohio 43015 at no charge. The Contract Documents may be examined during normal business hours at the Delaware County Sanitary Engineer's Office.

This notice is posted on the Delaware County website at www.co.delaware.oh.us and may be accessed by selecting "Bids and Notices." This notice will also be posted on the Delaware County Regional Sewer District website at <http://www.co.delaware.oh.us/sanitary/newweb/index.asp> and the Dodge Data & Analytics website at <http://construction.com/>

The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

All bids shall be accompanied by a bond or certified check, cashier's check, or money order on a solvent bank or savings and loan association in the amount of \$1,000.00, conditioned that the bidder, if the bidder's bid is accepted, shall execute a contract in conformity to the invitation and the bid.

No bids shall be withdrawn for a period of sixty (60) days after the opening thereof. Awarding of the contract shall be to the Lowest and Best bidder as determined by the Delaware County Board of Commissioners in the best interest of the County. The Board reserves the right waive irregularities and to reject any or all bids.

Questions about the project shall be directed in writing to Michael T. Jones via email at mjones@co.delaware.oh.us

A pre-bid meeting is scheduled for Thursday, May 19, 2016 at the Olentangy Environmental Control Center, 10333 Olentangy River Road, Powell, OH 43065 at 10:00A.M. Attendance at the pre-bid meeting is not required to bid.

By ORDER of the Board of County Commissioners this 5th day of May, 2016.

Delaware Gazette Advertisement Date: Tuesday, May 10, 2016

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

13

ADMINISTRATOR REPORTS

- Jane Hawes is working on a flow chart to show the pieces are part of the ODOT project at US36/37 & I71 and how it all comes together.
- Attended the selling of the county's bond yesterday with Auditor Kaitza.
- Bob Lamb was interviewed by Joe Riley from 610 AM Radio this morning.
- Had Director of Job and Family Services Director, David Dombroksy, introduce his staff from the Workforce Development department, Income Maintenance department, Children Services department and the Administrative staff. Kudos to all of the staff for making a difference in the lives of our residents of Delaware County.

14

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

- No reports

Commissioner Lewis

- Attended a DKMM Policy meeting last week.
- There are now several townships sharing a curbside recycling program. Good effort on their parts for cost savings to their residents.

12

RESOLUTION NO. 16-428

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9:45AM FINAL HEARING FOR THE DRAINAGE IMPROVEMENT PROJECT TO VACATE PORTIONS OF THE EXISTING STORM WATER EASEMENTS IN THE ORANGE CENTRE DEVELOPMENT SECTION 1 PROJECT #0723 (UPON APPROVAL OF CONSTRUCTION OF NEW ALIGNMENT AND EASEMENT WITHIN THE COURTYARDS AT HIDDEN RAVINES SECTION 1)

It was moved by Mr. Merrell, seconded by Mrs. Lewis to open the Hearing at 10:17 AM.

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

12 continued

RESOLUTION NO. 16-429

IN THE MATTER OF APPROVING, FOR A SPECIFIC OCCURRENCE, A SUSPENSION OF RULE 3-SPEAKER REGISTRATION; RULE 4-LIMITATIONS AND RULE 7-PUBLIC COMMENT PROCEDURE FROM THE RULES GOVERNING PUBLIC COMMENT BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve, for a specific occurrence, a suspension of Rule 3-Speaker Registration; Rule 4-Limitations; Rule 7-Public Comment Procedure from the Rules Governing Public Comment Before The Board Of County Commissioners Of Delaware County, Ohio.

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

12 continued

RESOLUTION NO. 16-430

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO ADDRESS THE THE DRAINAGE IMPROVEMENT PROJECT TO VACATE PORTIONS OF THE EXISTING STORM WATER EASEMENTS IN THE ORANGE CENTRE DEVELOPMENT SECTION 1 PROJECT #0723 (UPON APPROVAL OF CONSTRUCTION OF NEW ALIGNMENT AND EASEMENT WITHIN THE COURTYARDS AT HIDDEN RAVINES SECTION 1):

It was moved by Mr. Merrell, seconded by Mrs. Lewis to close the Hearing at 10:25 AM.

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

12 continued

RESOLUTION NO. 16-431

IN THE MATTER OF COMMISSIONERS AFFIRMING THE ORDER AND CONFIRMING THE ASSESSMENTS FOR THE DRAINAGE IMPROVEMENT PROJECT TO VACATE PORTIONS OF THE EXISTING STORM WATER EASEMENTS IN THE ORANGE CENTRE DEVELOPMENT SECTION 1 PROJECT #0723 (UPON APPROVAL OF CONSTRUCTION OF NEW ALIGNMENT AND EASEMENT WITHIN THE COURTYARDS AT HIDDEN RAVINES SECTION 1):

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

Whereas, on April 24, 2015, a Drainage Improvement Petition To Vacate Portions Of The Existing Storm Water Easements In The Orange Centre Development Section 1 Project #0723 (Upon Approval Of Construction Of New Alignment And Easement Within The Courtyards At Hidden Ravines Section 1) was filed with the Board of Commissioners of Delaware County (the "Board"); and

Whereas, the Board on August 6, 2015 with Resolution NO. 15-937 found in favor of the improvement and directed The Delaware County Engineer To Proceed With Preparation Of Plans, Reports, And Schedules For The Drainage Improvement Project To Vacate Portions Of The Existing Storm Water Easements In The Orange Centre Development Section 1 Project #0723 (Upon Approval Of Construction Of New Alignment And Easement Within The Courtyards At Hidden Ravines Section 1), and

Whereas, The Engineer has notified the Board of Commissioners that construction of the proposed new alignment of drainage features within the Orange Centre Development Section 1 Project #0723 have been approved, and that, given this approval, the vacation, in part, of the existing drainage easement may proceed; and

Whereas, the Board on May 5, 2016, held a final public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Drainage Improvement Project To Vacate Portions Of The Existing Storm Water Easements In The Orange Centre Development Section 1 Project #0723 (Upon Approval Of Construction Of New Alignment And Easement Within The Courtyards At Hidden Ravines Section 1); and

Whereas, after hearing testimony from property owners; considering the schedules, plans, and reports filed by

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the County Engineer; and-considering the cost of location and construction, the compensation for land taken, the effect on land along or in the vicinity of the route of the improvement, the effect on land below the lower terminus of the improvement that may be caused by constructing the improvement, the sufficiency of the outlet, the benefits to the public welfare, and the special benefits to land needing the improvement, the Board is prepared to issue its findings on the proposed improvements.

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

The Board hereby finds that the proposed improvement (maintenance assessment) is necessary and that it will be conducive to the public welfare. The Board also finds that it is reasonably certain that the cost of the proposed improvement (maintenance assessment) will be less than the benefits. Accordingly, the Board hereby affirms its order granting the prayer of the petition and approves the maps, profiles, plans, schedules and reports prepared by the Delaware County Engineer, and

This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

FURTHER BE IT RESOLVED, The maintenance fund shall be maintained, as needed, by an assessment levied not more often than once annually upon the benefited owners, as defined in [section 6131.01](#) of the Revised Code, apportioned on the basis of the estimated benefits for construction of the improvement. An assessment shall represent such a percentage of the estimated benefits as is estimated by the engineer and found adequate by the board or joint board to effect the purpose of [section 6137.02](#) of the Revised Code, except that at no time shall a maintenance fund have an unencumbered balance greater than twenty per cent (20%) of all construction costs of the improvement. The minimum assessment shall be two dollars. Any cost incurred from the petition project process will be paid from the annual Drainage Improvement maintenance assessments

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

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners