

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

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

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

9:45 AM Public Hearing For Consideration Of The Pointe At Scioto Reserve Phase 1 & 2
Drainage Improvement Petition Filed By John Schiller And Others

1
RESOLUTION NO. 16-751

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD AUGUST 1, 2016:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on August 1, 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.

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

2
PUBLIC COMMENT

3
ELECTED OFFICIAL COMMENT

4
RESOLUTION NO. 16-752

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0803 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0803:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0803, memo transfers in batch numbers MTAPR0803 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
City of Delaware	Share Municipal Court	10029203-5360	\$ 20,000.00
Xylem	Water Rec Equipment and parts	66211903-5201	\$ 10,000.00
Xylem	Water Rec Equipment and parts	66211904-5201	\$ 10,000.00

<u>PR Number</u>	<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>	<u>Line</u>
R1604359	METRO DEVELOPMENT LLC	SCIOTO GLENN PH 2	66211902 - 5319	\$6,651.00	0001
R1604367	ROCKFORD HOMES INC	RETURN OF UNUSED INSPECTION FEES:	66211902 - 5319	\$9,056.50	0001
R1604391	MOTOROLA SOLUTIONS INC	10 MOTOROLA RADIOS	21411306-5260	\$36,685.00	0001

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

5
RESOLUTION NO. 16-753

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

The Job and Family Services Department is requesting that Julie Grimes, Linda Topping, Michelle Leighty and Sandy Honigford attend a Public Children Services Association of Ohio (PCSAO) Conference to be held in Columbus, Ohio from September 21-September 23, 2016 at the cost of \$994.80 (to be paid from local/state/federal appropriated funds).

The Emergency Medical Services Department is requesting that Lt. Dan Jividen attend an Active Aggressor Incident Response class at OTFD on August 8, 2016 at no cost.

The Emergency Medical Services Department is requesting that Lt. Zach Wolfe attend a Hazmat Branch Officer training at the Columbus Division of Fire from August 3-5, 2016 at no cost.

The Child Support Enforcement Agency is requesting that Pat Church attend an Enforcement Training Session in Columbus, Ohio September 7-8, 2016; at no cost.

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

6
RESOLUTION NO. 16-754

IN THE MATTER OF DESIGNATING AUGUST 2016 AS CHILD SUPPORT AWARENESS MONTH IN DELAWARE COUNTY:

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

WHEREAS, Ohio holds the well-being of our children in the highest regard, and we are dedicated to supporting them physically, mentally, educationally and financially, for their own benefit and for the benefit of the entire state; and

WHEREAS, Ohio’s parents and caretakers are responsible for providing this support, in partnership with multiple judicial, educational and social service organizations. We honor parents, caretakers and organizations for providing these essential supports; and

WHEREAS, emotional and financial support are key elements not only in children’s educational achievement, but in their future socioeconomic success; and

WHEREAS, the Ohio Office of Child Support will continue to work with county and federal partners to improve services to children and families; and

WHEREAS, the theme for Child Support Awareness Month is “Support Is Key”. We applaud parents who are committed to supporting their children; therefore, during Child Support Awareness Month, we acknowledge and celebrate parents who provide positive emotional and financial foundations for their children.

NOW, THEREFORE, WE, The Delaware County Board of Commissioners of Delaware County, Ohio, do hereby designate, in conjunction with the State of Ohio,

**AUGUST 2016
CHILD SUPPORT
AWARENESS MONTH**

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

7
RESOLUTION NO. 16-755

IN THE MATTER OF APPOINTING A COUNTYWIDE MULTIPURPOSE TRAIL COMMITTEE:

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

WHEREAS, The Delaware County Economic Development Department has hired the Montrose Group LLC to develop an Economic Development Action Plan as a priority initiative per Resolution 13-496; and

WHEREAS, during the community engagement process, the residents and stakeholders of Delaware County expressed the value that is placed on the maintenance and growth of the county’s natural resources and outdoor amenities, specifically the desire to have a countywide, multipurpose pedestrian/bike trail system; and

WHEREAS, The Board of County Commissioners would like to form a committee to create a plan to develop and fund a countywide multipurpose trail system.

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

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

follows:

Section I. That the Delaware County Board of Commissioners appoints Jenna Jackson, Economic Development Coordinator, to Chair a “Countywide Multipurpose Trail” Committee.

Section II. Ms. Jackson will organize a group composed of the following classifications to the Countywide Multipurpose Trail Committee.

- One member from the Delaware County Regional Planning Commission
- One member from Delaware County Engineer’s Office
- One member from the Delaware General Health District
- One member from Preservation Parks
 - One member from the Mid-Ohio Regional Planning Commission (MORPC)
 - One member representative appointed by the Board of Commissioners to represent county residents

Ms. Jackson is to bring back the names of the candidates for approval by the Board of Commissioners

Section III. The Countywide Multipurpose Trail Committee will prepare a plan including area maps, existing and needed trails, criteria to prioritize the order in which trail projects are funded/completed, and funding options for the Board of Commissioners to approve.

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

8
RESOLUTION NO. 16-756

IN THE MATTER OF APPROVING AND AUTHORIZING THE SIGNING AND SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT CDBG HOUSING REVOLVING LOAN FUND (RLF) SEMI-ANNUAL REPORT TO THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT (ODSA OCD):

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

WHEREAS, the Ohio Development Services Agency has provided financial assistance to Delaware County through CDBG Housing RLF; and

WHEREAS, the Board of Commissioners is required to submit a semi-annual CDBG Housing RLF Report to the ODSA OCD.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Board of Commissioners approves and authorizes the President of the Board to sign the CDBG Housing Semi-Annual Report for December 31, 2015 to June 30, 2016.

Section 2. The Board of Commissioners authorizes the submittal of CDBG Housing RLF Semi-Annual Report for the period of December 31, 2015 to June 30, 2016 to the Ohio Development Services Agency, Office of Community Development.

Section 3. The Economic Development Coordinator is directed to submit the Semi-Annual Reports to ODSA OCD.

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

9
RESOLUTION NO. 16-757

IN THE MATTER OF APPROVING AND AUTHORIZING THE SIGNING AND SUBMITTAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT REVOLVING LOAN FUND (CDBG ED RLF) SEMI-ANNUAL REPORT TO THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT (ODSA OCD):

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

WHEREAS, the Ohio Development Services Agency provides financial assistance to Delaware County through the CDBG ED RLF; and

**COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016**

WHEREAS, the Board of Commissioners is required to submit a semi-annual CDBG ED RLF Report to the ODSA OCD.

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Board of Commissioners approves and authorizes the President of the Board to sign the CDBG ED RLF Semi-Annual Report for December 31, 2015 to June 30, 2016.

Section 2. The Board of Commissioners authorizes the submittal of CDBG ED RLF Semi-Annual Report for the period of December 31, 2015 to June 30, 2016 to the Ohio Development Services Agency, Office of Community Development.

Section 3. The Economic Development Coordinator is directed to submit the Semi-Annual Report to ODSA OCD.

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

**10
RESOLUTION NO. 16-758**

IN THE MATTER OF ACCEPTING SANITARY SEWER IMPROVEMENTS FOR VERONA OFFSITE FORCEMAIN IMPROVEMENTS AND NORTH FARMS SECTION 3 & SECTION 7 PHASE A:

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

Whereas, the construction of new sanitary sewers for Verona Offsite Forcemain Improvements and North Farms Section 3 & Section 7 Phase A 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:

Verona Offsite Forcemain Improvements

4,650’ of 8” Forcemain	\$1,109,767.00
------------------------	----------------

North Farms Section 3 & Section 7 Phase A

970’ of 8” sewer	\$100,379.50
3 each Manholes	\$ 8,025.00

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.

Section 3. The Board hereby accepts any Bond, certified check, irrevocable letter of credit, or other approved financial warranties executed per the requirements of the subdivider’s agreement for the five-year maintenance period for the above sanitary sewer improvements.

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

**11
RESOLUTION NO. 16-759**

IN THE MATTER OF APPROVING AMENDMENT NO. 2 TO THE SANITARY SEWER IMPROVEMENTS PLAN APPROVAL AND SUBDIVIDER’S AGREEMENT FOR VERONA SECTION 1:

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

Whereas, the Board of Commissioners entered into an agreement with Verona LLC for Verona Section 1; and

**COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016**

Whereas, the 2016 Parade of Homes site requires special consideration for connection to the sanitary sewer improvements; and

Whereas, the Sanitary Engineer recommends approval of Amendment No. 2.

Now Therefore Be It Resolved that that Delaware County Board of Commissioners approve Amendment No. 2 to the Sanitary Sewer Improvements Plan Approval and Subdivider's Agreement for Verona Section 1.

**AMENDMENT NO. 2 TO
SANITARY SEWER IMPROVEMENTS
PLAN APPROVAL AND SUBDIVIDER'S AGREEMENT
VERONA SECTION 1**

This Amendment No. 2 to the Sanitary Sewer Improvements Plan Approval and Subdivider's Agreement for Verona Section 1, which was entered into on September 21, 2015 and amended on March 14, 2016, is made and entered into this 4th day of August, 2016, by and between Verona, LLC (the "Subdivider"), and the Delaware County Board of Commissioners (the "County"). The Subdivider and the County mutually agree to amend the Agreement as follows:

AMENDMENT

A new SECTION IX-B shall be inserted as follows:

SECTION IX-B: 2016 SECTION 1 HOMES:

Notwithstanding the Improvements not yet being accepted into public service, the County shall permit the Subdivider to connect the lots within Verona Section 1, consisting of lots numbered 3667, 3677, 3678, 3679, 3680, 3682, 3683, 3689, 3690, 3691, 3692, 3693, 3713, 3714, 3733, 3734, 3737, 3738, 3739, and 3740 on the plat for Verona Phase 1 recorded in Book 1394, Page 2202, subject to the following conditions:

1. The Subdivider shall cause the identified homes' sewage lines to be plugged to ensure that wastewater is securely contained and does not unlawfully discharge.
2. The plugs to be used shall be Rectorseal HubSett Test Coupling. Any alternate plugs may not be used without the express, written approval of the Delaware County Sanitary Engineer.
3. The plugs shall only be permitted in the homes identified herein and as outlined in Amendment No. 1 and may not be used in other homes within Verona Section 1.
4. The Subdivider shall also install sewer plugs in the main line at manholes as directed by the Sanitary Engineer.
5. The Subdivider acknowledges that the use of the plugs as approved herein is for unique circumstances only and shall not establish a precedent for future use.
6. The acceptance of Improvements shall remain as set forth in the original Agreement.
7. The installation of the plugs and connection of the homes approved in the SECTION IX-B are subject to inspection by the County. The full tap fee and inspection fee shall be paid prior to scheduling inspection. The County will not re-inspect the plugs or connections after passing initial inspection, and the Subdivider shall be liable for any failures thereof and resulting damage until the Improvements have been accepted by the County and the maintenance period has expired.
8. Prior to final acceptance of the Improvements, the Subdivider shall cause the onsite sewers to be inspected by camera and submit the inspection video and accompanying reports to the County for review as part of the final inspection of the Improvements.
9. The Subdivider shall, at its sole expense, remove any discharge or debris and shall clean the sewers prior to final acceptance by the County.
10. Only upon final acceptance shall the County permit the plugs installed as specified herein to be removed.
11. The Subdivider agrees that no occupancy permit shall be issued until the Improvements have been accepted into public service.
12. In addition to the indemnification provided in the original Agreement, the Subdivider shall specifically indemnify the County against and hold the County harmless from any damages, claims, judgments, costs, or liabilities of any kind arising from the use of plugs as approved herein.

A new SECTION IX-C shall be inserted as follows:

SECTION IX-C: 2016 PARADE OF HOMES TEMPORARY BYPASS:

The County was provided with a construction schedule for the Verona Lift Station on July 25, 2016. This schedule indicated the Lift Station improvements will be complete by October 3, 2016, after the Parade of Homes event will take place. The County shall permit the Subdivider to remove the plugs installed in the sewage lines utilized for the 2016 BIA Parade of Homes lots as identified in Section IX-A and subject to the following conditions:

1. The Subdivider shall install a Godwin dry prime 3" pump in manhole 3 as identified on the sanitary sewer construction plans for Verona Section 1 and approved by the Commissioners on September 28, 2015.
2. 4" HDPE pipe with gasket ball and socket joints shall be used for discharge piping and shall discharge to existing manhole 2 along Powell Road.

**COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016**

3. Both the suction manhole and the discharge manhole shall be surrounded by orange construction fence and barrels.
4. The pump shall be equipped with three floats. The low float will turn the pump off. The middle float will turn the pump on. The high float will set the alarm which will automatically dial two Savko staff cell phone numbers alerting the emergency. Savko will, as soon as practicable, notify the County of the alarm.
5. The alarm float will be set at least 6” below the lowest end of service.
6. Savko will make sure the bypass pump is operational on a daily basis and the pump will have remote monitoring capabilities.
7. Plugs installed for homes identified in Section IX-B shall not be allowed to be removed.
8. The County shall have representatives present during removal of the hubsets.
9. The Subdivider agrees that no occupancy permit shall be issued until all of the downstream Improvements including the Verona Lift Station have been accepted into public service.

REMAINING PROVISIONS

All remaining provisions of the Agreement shall continue in full force and effect unless specifically amended herein.

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

12

RESOLUTION NO. 16-760

IN THE MATTER OF APPROVING THE SANITARY SEWER SUBDIVIDER’S AGREEMENT FOR GLENMEAD SECTION 1:

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

WHEREAS, the Sanitary Engineer recommends approval of the Sanitary Subdivider’s Agreement;

THEREFORE, BE IT RESOLVED that the Board of Commissioners approve the Sanitary Sewer Subdivider’s Agreement for Glenmead Section 1:

SUBDIVIDER’S AGREEMENT
DELAWARE COUNTY SANITARY ENGINEER

SECTION I: INTRODUCTION

This Agreement is entered into on this 4th day of August 2016, by and between **Romanelli & Hughes**, hereinafter called “Subdivider”, and the Delaware County Board of Commissioners (hereinafter called “County Commissioners” or “County”) as evidenced by the **Final Subdivision Plat for Glenmead Section 1** Subdivision Plat filed or to be filed with the Delaware County Recorder, Delaware County, Ohio, and is governed by the following considerations and conditions, to wit:

The Subdivider is to construct, install or otherwise make all public improvements (the “Improvements”) shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications for **Sanitary Improvement Plan For Glenmead Section 1**, dated **11/17/15**, and approved by the County on **January 7, 2016**, and as revised by CT Consultants on **07/18/16**, and approved by the Sanitary Engineer on **July 18, 2016**, all of which are a part of this Agreement. The Subdivider shall pay the entire cost and expense of the Improvements.

SECTION II: CAPACITY

There are **39** single family residential equivalent connections approved with this Agreement. Capacity shall be reserved for one year from the date of this Agreement, unless the County Commissioners grant an extension in writing. Capacity is not guaranteed until the final Subdivision Plat is recorded. If the final Subdivision Plat is not recorded prior to expiration of the reservation deadline as set forth herein, the Subdivider agrees and acknowledges that capacity shall not be guaranteed.

SECTION III: FINANCIAL WARRANTY

OPTIONS:

- (1) Should the Subdivider elect to record the plat prior to beginning construction, the Subdivider shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction (**\$168,155.50**) which is acceptable to the County Commissioners to insure faithful performance of this Agreement and the completion of all Improvements in accordance with the Subdivision Regulations of Delaware County, Ohio.
- (2) Should the Subdivider elect to proceed with construction prior to recording the plat, no approved financial warranties are necessary until such time as Subdivider elects to record the plat. At that time, the Subdivider shall execute bond, certified check, irrevocable letter of credit, or other approved

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

financial warranties equal to the cost of construction remaining to be completed as determined by the Delaware County Sanitary Engineer.

The Subdivider hereby elects to use Option 1 for this project.

Initials _____

Date _____

The Subdivider shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to the Delaware County Sanitary Engineer a five (5) year maintenance bond, or other approved financial warranties, equal to ten percent (10%) of the construction cost.

The Subdivider further agrees that any violations of or noncompliance with any of the provisions and stipulations of this Agreement shall constitute a breach of contract, and the County shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the Improvements for **Sanitary Improvement Plan For Glenmead Section 1**.

SECTION IV: FEES

It is further agreed that upon execution of this Agreement, the Subdivider shall pay the Delaware County Sanitary Engineer three and one-half percent (3½%) of the estimated construction cost of the Improvements for plan review of **Sanitary Improvement Plan For Glenmead Section 1 (\$5885.44)**. The Subdivider shall also deposit with the Delaware County Sanitary Engineer the sum of **\$14,325.00** estimated to be necessary to pay the cost of inspection for **Glenmead Section 1** by the Delaware County Sanitary Engineer. The Delaware County Sanitary Engineer shall in his or her sole discretion inspect, as necessary, the Improvements being installed or constructed by the Subdivider and shall keep accurate records of the time spent by his or her employees and agents in such inspections for which the Delaware County Sanitary Engineer shall be reimbursed from charges against the deposit. At such time as the fund has been depleted to a level of \$600.00 or less, as a result of charges against the fund at the rate of:

INSPECTOR \$75.00 per hour
 CAMERA TRUCK \$150.00 per hour

for time spent by the Delaware County Sanitary Engineer or his or her staff, the Subdivider shall make an additional deposit of \$600.00 to the fund. Upon completion of all Improvements provided herein and acceptance of Improvements by the County, any unused portions of the inspection fund shall be repaid to the Subdivider less an amount equal to \$0.75 per foot of sewer which will be deducted to cover re-inspection.

In addition to the charges above, the Subdivider shall pay the cost of any third party inspection services for **Sanitary Improvement Plan For Glenmead Section 1** as required by the County.

SECTION V: CONSTRUCTION

All public improvement construction shall be performed within one (1) year from the date of the approval of this Agreement by the County Commissioners, but extension of time may be granted if approved by the County Commissioners.

The Subdivider shall indemnify and save harmless the County, Townships, Cities, and/or Villages and all of their officials, employees, and agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any action, or omissions of the Subdivider, and any of its contractors or sub-contractors, or from any material, method, or explosive used in the Work, or by or on account of any accident caused by negligence, or any other act or omission of the Subdivider, and any of its contractors or the contractors' agents or employees in connection with the Work.

The Subdivider shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading the plans and specifications and shall have authority to execute the plans and specifications and alterations required by the County. The representative shall be replaced by the Subdivider when, in the opinion of the County, the representative's performance is deemed inadequate.

If, due to unforeseen circumstances during construction activities, the Subdivider must install any of the Improvements to a different location than shown on the approved and signed construction plans, the Subdivider shall request a revision to the construction plans and the Delaware County Sanitary Engineer shall evaluate this request. If the request for a revision is approved in writing by the Delaware County Sanitary Engineer, then the Subdivider shall provide and record a revised, permanent, exclusive sanitary easement prior to the County's acceptance of the sewer. The language and dimensions of the revised, permanent, exclusive sanitary easements shall be subject to the approval of the Delaware County Sanitary Engineer.

The Subdivider shall, during the construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the County regarding submission of shop drawings, construction schedules, operation of facilities, and other matters incident to the construction and operation of the

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

Improvements.

The Subdivider shall obtain all other necessary utility services incident to the construction of the Improvements and for their continued operation. The Subdivider shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the Subdivider and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the County.

SECTION VI: EASEMENTS

The Subdivider shall provide to the County all necessary easements or rights-of-way required to complete the Improvements, all of which shall be obtained at the expense of the Subdivider. All Improvements, including, but not limited to, public sanitary sewers, force mains, manholes, and private laterals to offsite properties shall be located within a recorded, permanent, exclusive sanitary easement on file at the Delaware County Recorder’s Office, the language of which shall be subject to approval by the Delaware County Sanitary Engineer. The dimensions of all easements shall be as shown on the approved engineering drawings. If any onsite easement or necessary right of way is not to be recorded as part of a subdivision plat, such easements and rights-of-way shall be recorded and provided to the Delaware County Sanitary Engineer before a preconstruction meeting will be permitted and before construction may begin on the Improvements. All offsite easements must be recorded prior to signing the plans unless otherwise permitted, in writing, by the Delaware County Sanitary Engineer.

SECTION VII: COMPLETION OF CONSTRUCTION

The County shall, upon certification in writing from the Delaware County Sanitary Engineer that all construction is complete according to the plans and specifications, by Resolution, accept the Improvements described herein and accept and assume operations and maintenance of the Improvements.

The Subdivider shall within thirty (30) days following completion of construction of the Improvements, and prior to final acceptance, furnish to the County as required:

- (1) "As built" drawings of the Improvements which plans shall become the property of the County and shall remain in the office of the Delaware County Sanitary Engineer and Delaware County Engineer and/or the City of Powell. The drawings shall be on reproducible Mylar (full size), two paper copies (one full size & one 11"x17"), and a Compact Diskette with the plans in .DWG format & .PDF format.
- (2) An Excel spreadsheet, from a template as provided by the Delaware County Sanitary Engineer, shall accompany the plan submittal showing the locations of the manholes in Ohio State Plane North Coordinates NAD 1983 (NAVD 1988 datum) and other miscellaneous project data.
- (3) An itemized statement showing the cost of the Improvements.
- (4) An Affidavit or waiver of lien from all contractors associated with the project that all material and labor costs have been paid. The Subdivider shall indemnify and hold harmless the County from expenses or claims for labor or materials incident to the construction of the Improvements.
- (5) Documentation showing the required sanitary easements.

Should the Subdivider become unable to carry out the provisions of this Agreement, the Subdivider’s heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions, and requirements of this Agreement. Notwithstanding any other provision of this Agreement, the County shall have no obligation to construct any improvements contemplated herein, and any construction thereof on the part of the County shall be strictly permissive and within the County’s sole discretion.

The Subdivider, for a period of five (5) years after acceptance of the Improvements by the County, shall be responsible for defective materials and/or workmanship. All warranties for equipment installed as a part of the Improvements shall be the same as new equipment warranties and shall be assigned to the County upon acceptance of the Improvements.

After the acceptance of the Improvements, the capacity charge **and any surcharges** shall be paid by the applicant upon request to the Delaware County Sanitary Engineer for a tap permit to connect to the sanitary sewer.

SECTION VIII: SIGNATURES

IN CONSIDERATION WHEREOF, the County Commissioners hereby grant the Subdivider or its agent the right and privilege to make the Improvements stipulated herein and as shown on the approved plans.

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

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

RESOLUTION NO. 16-761

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR CLARKSHAW MOORS SECTION 1:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the sanitary sewer improvement plan for Clarkshaw Moors Section 1 for submittal to the Ohio EPA for their approval.

WHEREAS, the Sanitary Engineer recommends approval of the sanitary sewer improvement plan for Clarkshaw Moors Section 1 for submittal to the Ohio EPA;

THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the sanitary sewer improvement plan for Clarkshaw Moors Section 1 for submittal to the Ohio EPA for their approval.

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

14

RESOLUTION NO. 16-762

IN THE MATTER OF APPROVING AN ADDENDUM TO EXTEND THE SERVICE AGREEMENT WITH SEDGWICK CLAIMS MANAGEMENT SERVICE, INC. TO PROVIDE CLAIMS ADMINISTRATION SERVICES FOR DELAWARE COUNTY'S WORKERS COMPENSATION SELF INSURED PROGRAM:

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

Whereas, the Director of Administrative Services recommends the addendum to the service agreement with Sedgwick Claims Management Service, Inc. to provide claims administration services for Delaware County's Workers Compensation Self Insured Program;

Therefore Be It Resolved, that the Board of Commissioners approve addendum to the service agreement with Sedgwick Claims Management Service, Inc. to provide claims administration services for Delaware County's Workers Compensation Self Insured Program.

ADDENDUM TO EXTEND THE AGREEMENT FOR AN ADDITIONAL PERIOD

This addendum ("Addendum") shall be attached to and made a part of the Service Agreement for Administration of a Claims Program that was effective September 1, 2014 between Delaware County Board of County Commissioners ("Client") and Sedgwick Claims Management Services, Inc. ("Sedgwick") (the "Agreement").

In consideration of the Agreement recitals and the mutual covenant and conditions contained herein, the Parties acknowledge that the Agreement is hereby amended as follows:

1. The Agreement shall be extended for an additional period commencing September 1, 2016 and ending August 31, 2018.
2. Client shall pay Sedgwick the following fees for services provided during this additional period:
 - A. Claims Administration Fees:
 - i. September 1, 2016 and ending August 31, 2017: \$23,265 for Self-Insured Claims Administration
 - ii. September 1, 2017 and ending August 31, 2018: \$23,498 for Self-Insured Claims Administration
 - B. Miscellaneous Charges:
 - i. September 1, 2016 and ending August 31, 2017:
 - a. Access for three (3) view users shall be provided at no additional charge.
 - b. Bank account maintenance and reconciliation will be provided for \$1,500 per year.
 - ii. September 1, 2017 and ending August 31, 2018:
 - a. Access for three (3) view users shall be provided at no additional charge.
 - b. Bank account maintenance and reconciliation will be provided for \$1,500 per year.
 - C. Care Management Fee Schedule:

**COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016**

All claim administration fees and services contemplate the deployment of Sedgwick's managed care services for all bill review and case management services. Managed care fees are detailed below. Fees may change from time to time upon 60 days written notice.

Service	Rate
MEDICAL BILL REVIEW	
State fee scheduling/usual, customary, and reasonable; state reporting of all medical bills	\$8.00 per bill all medical bills
PROVIDER NETWORKS All rates are in addition to Medical Bill Review fees above	
Preferred provider organization (PPO) networks	27% savings (excluding PBM Rx bills); below Fee Schedule + Med Bill Review Fee
Out of network negotiated savings: <ul style="list-style-type: none"> Nurse review, quick-pay negotiations, Usual and customary review. 	25% savings
CLINICAL SERVICES	
Clinical consultation included in program	\$70 per consultation event ¹ \$95 per consultation event includes claim intake ¹ \$22 misdirected calls Implementation fee (one-time) \$1,550 For clients with anticipated call volumes of less than 25 calls per month, there is a monthly minimum fee of \$1,800. ¹ \$15 surcharge for nurse follow-up call
<ul style="list-style-type: none"> Telephonic case management and return to work specialists 	<ul style="list-style-type: none"> Evaluation & Recommendation \$150 one time; If claim is subsequently referred to Telephonic Case Management, fee applied to the first month of TCM. 1–30 days: \$380 31–60 days: \$290 >61 days: \$190* * \$190 fee applies every 30 days thereafter. Hourly Rate \$92/hr
Utilization review	\$109 per review
Physician advisor/peer review	\$250 per review
Complex pharmacy management	\$115 per hour: registered nurse management Physician Mgmt <ul style="list-style-type: none"> 1st Medication \$375 2-4 Meds \$650 5-7 Meds \$975 8-12 Meds \$1,400 >12 Meds \$1,400 + \$100 per each additional med (script) with cap of \$2,200

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

Service	Rate
Field case management: Full field	\$95 per hour, plus direct expenses <u>Exceptions to standard rate</u> <ul style="list-style-type: none"> Alaska: \$124 per hour California: \$118 per hour Hawaii: \$124 per hour New York City Boroughs: \$113per hour Catastrophic Case Management: \$140 per hour Jurisdictional fee schedules may apply
Field case management: Clinical assessment	\$660: One visit \$795: Two visits
Field case management: RTW field assessment	<ul style="list-style-type: none"> \$695
Field case management: Job analysis	\$640
Field case management: Ergonomic evaluation	\$710
Field case management: Labor market survey	\$580
Field case management: Automated transferable skill analysis	\$325
Field case management: Employability field testing	\$870
Catastrophic oversight	\$260 per claim
SEDGWICK MANAGED CARE ADMINISTRATIVE SERVICES	
Sedgwick Medical Card	No Charge
Optional CA MPN EMS	Upon Request - \$2.14 per employee notice and tracking
Optional TX SWMPN Notification Service	Upon Request - \$3
Standard Provider Panel Postings	No Charge

D. SIU Service Fees:

The charges set forth below are the current fees for the services listed, and these fees may change from time to time upon sixty days prior written notice to Client:

Service	Rate
Research services	
Comprehensive background	\$450
Internet investigation	\$250

**COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016**

Service	Rate
Social media monitoring (30 days)	\$100
Canvassing services	\$250
Skip tracing/individual locate	\$175
Asset check	\$225
Criminal & civil check	\$135 plus cost of records Additional counties: \$35 (per county)
Records request	\$100 plus cost of records
Other research services	Quote upon request
Field services	
Surveillance	\$80 per hour: All other states \$90 per hour: California, Hawaii, and New York City (Five boroughs and Long Island) <u>Additional expenses to hourly rate:</u> <ul style="list-style-type: none"> • Pre-surveillance Investigation: \$75 • Travel: \$45 per hour (includes fuel and mileage). • License plate searches : \$10 (post prelim)
Unmanned surveillance	\$700 per day (3 day minimum) On site analysis, deployment and extraction of stationary device: \$80 per hour: All other states \$90 per hour: California and New York City (Five boroughs and Long Island)
Alive and well	\$250 flat rate: All other states \$275 flat rate: California, Hawaii, and New York City (Five boroughs and Long Island)
Activity check	\$325 flat rate: All other states \$350 flat rate: California, Hawaii, and New York City (Five boroughs and Long Island) License plate searches : \$10 each
On-site field investigations	\$85 per hour (portal to portal): All other states \$95 per hour (portal to portal): California, Hawaii, and New York City (Five boroughs and Long Island)
Testimony	\$85 per hour (portal to portal): All other states \$95 per hour (portal to portal): California, Hawaii, and New York City (Five boroughs and Long Island)
Video processing:	\$30 processing fee \$30 per hour: Duplicate copies of additional video \$50 per hour: Highlight video of activity
Fuel surcharge/credit	2% if fuel cost is > \$3.75 for 30 consecutive days
International investigations	Quote upon request
Other field services	Quote upon request
Assessment services	
Suspect File Review (includes state reporting when warranted)	\$95/hour
Fraud investigation (includes state reporting when warranted)	\$95/hour
SIU program case management (client specific program)	\$695
Other assessment services	Quote upon request

3. All terms and conditions of the Agreement shall otherwise remain the same, except those terms and

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

conditions which have been added, deleted, or modified by the parties in writing.

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

16

ADMINISTRATOR REPORTS

Ferzan Ahmed, County Administrator

-The Employee Health Fair is tomorrow

-Went to view the Burnt Pond Road drainage concern brought up last week with Soil and Water. Will speak to Mr. and Mrs. Napolitan to discuss options.

15

RESOLUTION NO. 16-763

9:45AM PUBLIC HEARING FOR CONSIDERATION OF THE POINTE AT SCIOTO RESERVE PHASE 1 & 2 DRAINAGE IMPROVEMENT PETITION FILED BY JOHN SCHILLER AND OTHERS:

It was moved by Mr. Merrell, seconded by Mr. Benton to open the hearing at 10:15 AM.

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

15 continued

RESOLUTION NO. 16-764

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. Benton, seconded by Mr. Merrell 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 Aye Mr. Benton Aye

15 continued

RESOLUTION NO. 16-765

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE POINTE AT SCIOTO RESERVE PHASE 1 & 2 DRAINAGE IMPROVEMENT PETITION FILED BY JOHN SCHILLER AND OTHERS:

It was moved by Mr. Merrell, seconded by Mr. Benton to close the hearing at 11:15 AM.

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

RESOLUTION NO. 16-766 WAS NOT UTILIZED

15 continued

RESOLUTION NO. 16-767

IN THE MATTER OF GRANTING THE PRAYER OF THE PETITION AND DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE POINTE AT SCIOTO RESERVE PHASE 1 & 2 DRAINAGE IMPROVEMENT PETITION FILED BY JOHN SCHILLER AND OTHERS:

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

Whereas, on February 26, 2016, a Drainage Improvement Petition to The Pointe At Scioto Reserve Phase 1 & 2 Watershed was filed with the Board of Commissioners of Delaware County (the "Board"); and

Whereas, the Board on Monday May 23, 2016, conducted a view of the proposed improvements; and

Whereas, the Board on Thursday August 4, 2016, held a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for The Pointe At Scioto Reserve Phase 1 & 2 Watershed Drainage Improvement; and

Whereas, after hearing testimony from property owners and the preliminary report of County Engineer, Chris Bauserman, the Board is prepared to issue its findings on the proposed improvements.

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

Therefore, Be It Resolved, by the Board of Commissioners of Delaware County, Ohio as follows:

Section 1. The Board hereby finds that the proposed improvement 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 will be less than the benefits. Accordingly, the Board hereby grants the prayer of the petition. The hearing on the Petition is hereby adjourned to the date fixed for the filing of the reports, plans, and schedules by the Delaware County Engineer.

Section 2. The Board hereby orders the Delaware County Auditor to transfer \$ Zero from the general revenue funds of the county to the general drainage improvement fund.

Section 3. Upon the transfer of funds ordered in Section 2, the Board hereby orders the Delaware County Engineer to proceed with the preparation of plans, reports and schedules as presented for the proposed Pointe At Scioto Reserve Phase 1 & 2 Watershed Drainage Improvement. The Board hereby fixes August 4, 2017 as the date for filing of the engineer’s reports, plans, and schedules. Upon filing of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

Section 4. THE BOARD HEREBY APPROVES ESTABLISHING A NEW ORGANIZATION KEY FOR THE POINTE AT SCIOTO RESERVE PHASE 1 & 2 DRAINAGE IMPROVEMENT PROJECT 40311452.

Section 5. 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.

Section 6. Sections 1, 4, 5, and 6 of this Resolution shall take immediate effect upon passage. Sections 2 and 3 of this Resolution shall take effect upon the expiration of the twenty-one day appeal period, provided no appeal has been taken.

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

17

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Benton

- We had a work session on the Sewer Master Plan on Monday afternoon. Looking forward to the end result
- There were 25 bids for the Branding Project
- Learned that Frances Jo Hamilton has turned in her resignation to the MainStreet Delaware Board. She has taken a position at Heritage Ohio. Would like to thank her for her hard work and dedication as well as wish her well

Commissioner Merrell

- Frances Jo will certainly be missed by the City and County alike
- Attended the Sunbury luncheon hosted by the Evans’ family for veterans yesterday. The next one will be December 2nd

Commissioner Lewis

- Congratulations to Mike Frommer and Jennifer Frommer on their presentation to the Board on Monday afternoon. It was very educational
- Attended the EMA meeting on Tuesday where they discussed budgetary concerns

18

RESOLUTION NO. 16-768

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; PROMOTION; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Merrell, seconded by Mr. Benton to adjourn into Executive Session at 11:20 AM.

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

RESOLUTION NO. 16-769

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Benton, seconded by Mrs. Lewis to adjourn out of Executive Session at 11:35 AM.

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

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 2016

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners