

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY  
 MINUTES FROM REGULAR MEETING HELD AUGUST 15, 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**

**1**  
**RESOLUTION NO. 16-790**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD AUGUST 11, 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 11, 2016; 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                      Aye                      Mrs. Lewis                      Aye                      Mr. Benton                      Aye

**2**  
**PUBLIC COMMENT**

**3**  
**ELECTED OFFICIAL COMMENT**

**4**  
**SHERIFF MARTIN, DELAWARE COUNTY SHERIFF INTRODUCTION; THREE NEW JAIL SERGEANTS**

**5**  
**RESOLUTION NO. 16-791**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0812:**

It was moved by Mr. Benton, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0812 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>		
<b>PO' Increase</b>					
Tri Rivers	Job and Family Service Client Program	22311611-5348	\$ 14,000.00		
New Horizons	Job and Family Service Client Program	22311611-5348	\$ 5,000.00		
PNC	Procurement card Dog and Kennel	20411305-5200	\$ 1,000.00		
PNC	Procurement card Dog and Kennel	20411305-5300	\$ 4,900.00		
<b>PR Number</b>	<b>Vendor Name</b>	<b>Line Description</b>	<b>Account</b>	<b>Amount</b>	<b>Line</b>
R1604456	OESTERLEN SERVICES FOR YOUTH INC	AMENDMENT RESIDENTIAL TREATMENT	22511607 - 5342	\$ 31,500.00	0001
R1604463	GILCO	GAS DETECTION METER	66211901 - 5260	\$ 7,400.00	0001
R1604464	CITY OF DELAWARE	EMS RUN FEES	10011303 - 5345	\$500,000.00	0001
R1604470	MID OHIO MECHANICAL INC	LABOR TO REMOVE AND REPLACE AUGER	66211904 - 5328	\$ 8,388.00	0001

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

**6**  
**RESOLUTION NO. 16-792**

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**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The County Commissioner’s Office is requesting that Jane Hawes attend a Certified Tourism Ambassador Course in Columbus, OH on September 1, 2016 at the cost of \$60.60 (fund number 10011101).

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

**7**

**RESOLUTION NO. 16-793**

**IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS; THE DELAWARE COUNTY AUDITOR AND SUNGARD PUBLIC SECTOR INC. FOR THE AUDITOR’S OFFICE UPGRADE OF IFAS SOFTWARE TO ONE SOLUTION SOFTWARE:**

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

Whereas, the County Auditor recommends approval of an agreement with Sungard Public Sector Inc. For The Auditor’s Office Upgrade Of IFAS Software To One Solution Software:

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve a Sungard Public Sector Inc. For The Auditor’s Office Upgrade Of IFAS Software To One Solution Software.

(Copy Of The Agreement And Statement Of Work Available In The Auditor’s Office And Commissioners’ Office Until No Longer Of Administrative Value)

Further Be It Resolved, that The Board hereby approves purchase order request R1604157 for \$150,000.00 to Sungard Public Sector Inc. (40111402-5320)

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

**8**

**RESOLUTION NO. 16-794**

**IN THE MATTER OF DECLARING COUNTY PERSONAL PROPERTY OBSOLETE, UNFIT, OR NOT NEEDED FOR PUBLIC USE:**

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

WHEREAS, section 307.12 of the Revised Code authorizes the Delaware County Board of Commissioners (the “Board”) to dispose of county personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, after determining the value of the property to be disposed; and

WHEREAS, the Delaware County Engineer has determined that the following equipment is no longer needed for public use and/or is obsolete or unfit for the use for which it was acquired:

<u>Asset Tag Number</u>	<u>Item Description</u>	<u>Serial Number</u>
5365	2003 GMC 1500 Pickup	1GTE14XX3Z258099
5651	2005 Chevrolet 1500 Pickup	1GCEK14VX5Z190064
000919	Huskee Riding Mower	N/A
ENG0604	Stahl Challenger II Service Body	406000183

(hereinafter collectively referred to as the “Property”); and

WHEREAS, each item of the Property listed herein has an estimated value of less than \$2,500.00;

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

Section 1. The Board hereby declares that the Property is obsolete, unfit, or not needed for public use and authorizes the Property to be sold by internet auction, private sale, or sale or donation to a political subdivision, in accordance with section 307.12 of the Revised Code.

Section 2. The Board hereby declares that any Property that has no value and cannot be disposed of in accordance with Section 1 of this Resolution within a reasonable period of time shall be discarded or salvaged.

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

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RESOLUTION NO. 16-795

**IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR WALDEN’S REVISITED SUBDIVISION:**

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

WHEREAS, on August 15, 2016, a Ditch Maintenance Petition for Walden’s Revisited Subdivision was filed with the Board of Commissioners of Delaware County (the “Board”), and

WHEREAS the Petition sets forth the drainage improvements that have been or will be constructed within Walden’s Revisited Subdivision located off of Brindle Road in Scioto Township; and

WHEREAS, the Petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the Petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$10,848.50 for the benefit of the lots being created in this subdivision. Three lots are being created in these plats and each lot received an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore \$3,616.17 per lot. An annual maintenance fee equal to 2% of this basis (\$72.32) will be collected for each lot. It is understood that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$216.97 has been paid to Delaware County, receipt of which is hereby acknowledged.

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

**10**

RESOLUTION NO. 16-796

**IN THE MATTER OF APPROVING THE PLAT OF SUBDIVISION FOR WALDEN’S REVISITED SUBDIVISION:**

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

Whereas, Equity Trust Company Custodian FBO James B. Blumenstiel, IRA has submitted the Plat of Subdivision (“Plat”) for Walden’s Revisited Subdivision, including related development plans (“Plans”) and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Scioto Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on June 20, 2016; and

Whereas, the Delaware General Health District has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on June 30, 2016; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on June 22, 2016; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on July 1, 2016; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on July 1, 2016; and

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Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on August 1, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Walden's Revisited Subdivision.

**Walden's Revisited Subdivision**

Situated in the Township of Scioto, County of Delaware, State of Ohio and being part of Sublot "G" of Lot 1, Erasmus Gill's Virginia Military Survey No. 4267. Being a subdivision of 10.455 acres, being all of the remainder of an original 10.455 acre tract owned by Equity Trust Company Custodian FBO James B. Blumenstiel, IRA as recorded in Official Records Volume 1036, Page 409, and being all of an original 5.001 acre tract owned by John Ryan Boles and Elizabeth A. Boles as recorded in Official Records Volume 1387, Page 1223 in the Delaware County Recorder's Office.. Cost: \$9.

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

**11**

**RESOLUTION NO. 16-797**

**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATE FOR THE PROJECT KNOWN AS DEL-CR 106-4.25, LEWIS CENTER ROAD AND BALE KENYON ROAD INTERSECTION IMPROVEMENTS:**

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

Whereas, Resolution Number 13-607 declared the necessity for and initiated the Improvement known as DEL-CR 106-4.25, Lewis Center Road and Bale Kenyon Road Intersection Improvements, and;

Whereas, the County Engineer has prepared plans, specifications and estimates for the Improvement, and;

Whereas, the County Engineer has estimated the construction cost of the Improvement to be \$2,376,000;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

Section 1: The plans, specifications and estimate for the project known as DEL-CR 106-4.25, Lewis Center Road and Bale Kenyon Road Intersection Improvements are hereby approved, and;

Section 2: The County Engineer is authorized to advertise for and receive bids on behalf of the Board in accordance with the following Invitation to Bid:

**Public Notice**  
**Advertisement for Bids**

Bids shall be submitted electronically through the [www.bidexpress.com](http://www.bidexpress.com) webservice until 10:00 am on Tuesday, September 13, 2016, at which time they will be publicly received and read aloud, for the project known as:

**DEL-CR 106-4.25**  
**Lewis Center Road and Bale Kenyon Road Intersection Improvements**

All proposals shall be submitted electrically through the web service [www.bidexpress.com](http://www.bidexpress.com). The bid shall be accompanied by a Bid Security in the form of a bid bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a one (1) year Maintenance/Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost.

The Owner of the project is the Delaware County Board of Commissioners. Copies of the plans and specifications must be obtained from [www.bidexpress.com](http://www.bidexpress.com). All bidders must register and be a member of the web service to bid on the project.

This notice is posted on the Delaware County website at [www.co.delaware.oh.us](http://www.co.delaware.oh.us) and may be accessed by selecting "Bids and Notices"

The Owner requires that all work associated with the project be completed before July 16, 2017. The estimated commencement of work date is October 10, 2016. This Project cannot begin until May 1, 2017 as noted in the Proposal Notes.

Bidders must be pre-qualified as a Contractor by the Ohio Department of Transportation.

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This is a Federal-Aid project and the Federal Equal Employment Opportunity regulations listed in the proposal shall govern. There is a 7% Disadvantaged Business Enterprises (DBE's) participation goal on this contract.

This is a prevailing wage contract in accordance with the U.S. Department of Labor Regulations, Title 29, Subtitle A, Part 5, Sections 5.5, 5.31, and 5.32, most recent revision at contract execution. Bidders shall comply with all applicable provisions.

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 Delaware County. The Board reserves the right to reject any or all bids.

Delaware Gazette Advertisement Dates:  
August 19, 2016  
August 26, 2016  
September 2, 2016

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

**12**

**RESOLUTION NO. 16-798**

**IN THE MATTER OF APPROVING RIGHT-OF-WAY WORK PERMIT SUMMARY SHEET:**

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

Whereas the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

Now Therefore Be It Resolved, that the following permits are hereby approved by The Board of Delaware County Commissioners:

Permit #	Applicant	Location	Type of Work
U16-144	Del-Co Water	Green Cook Road	Road Bore
U16-145	Century Link	Moody Road	Relocate buried cable
U16-146	Columbia Gas	McDowall Dr.	Extend gas main
U16-147	Columbia Gas	Sawmill Pkwy	Tie-Into existing gas main

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

**13**

**RESOLUTION NO. 16-799**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY COMMISSIONER FUNDS TO ASSIST IN FUNDING THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS, AND OTHER AMENITIES FOR LEAN/SIX SIGMA TRAININGS:**

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

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue Expenditure of Public Funds for Proper "Public Purpose"; and

WHEREAS, The October 20, 2003, State Auditor's ruling on payment of Expenditures Of Public Funds For Proper "Public Purpose" states that for persons who are employees or non-employees of the County, the Commissioners must pre-approve expenditures for the purchase of coffee, meals, refreshments and other amenities; and

WHEREAS, per Resolution 16-197, the Delaware County Board of Commissioners accepted a grant from the Ohio Development Services Agency for Lean/Six Sigma training sessions for county staff and coffee, meal, and refreshments will need to be provided.

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. That the Delaware County Board of Commissioners hereby authorizes the use of Economic Development funds in an amount not to exceed \$300.00, to assist in funding the purchase of coffee, meals, refreshments and other amenities for the training sessions.

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

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RESOLUTION NO. 16-800

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATIONS:

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

Supplemental Appropriations

61311923-5370 Self Insured Workers Comp/Insurance Premiums & Claims 100,000.00

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

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ADMINISTRATOR REPORTS

Ferzan Ahmed, County Administrator

-Code Compliance will be going thru the Lean/Six Sigma class next

-Have has questions regarding the EMS billing from townships

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Benton

-No reports

Commissioner Merrell

-No reports

Commissioner Lewis

-There an article in the Wall Street Journal that mentions Delaware, Ohio and the Rutherford B. Hayes Birthplace Memorial

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RESOLUTION NO. 16-801

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION TO CONSIDER THE  
PURCHASE OF PROPERTY; FOR COLLECTIVE BARGAINING:

It was moved by Mr. Merrell, seconded by Mr. Benton to adjourn into Executive Session at 9:58 AM.

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

RESOLUTION NO. 16-802

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mr. Benton to adjourn out of Executive Session at 11:00AM.

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

There being no further business, the meeting adjourned.

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Barb Lewis

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Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners