

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD AUGUST 22, 2016

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RESOLUTION NO. 16-817

IN THE MATTER OF RESCHEDULING THE COMMISSIONERS' SESSION FOR MONDAY SEPTEMBER 19, 2016 TO TUESDAY SEPTEMBER 20, 2016 AT 10:00AM AT THE DELAWARE COUNTY FAIRGROUNDS STAGE BY COLISEUM:

It was moved by Mr. Merrell, seconded by Mr. Benton to reschedule the Commissioners' Session for Monday September 19, 2016 to Tuesday September 20, 2016 at 10:00am at the Delaware County Fairgrounds Stage By Coliseum.

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

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RESOLUTION NO. 16-818

IN THE MATTER OF CANCELING THE COMMISSIONERS' SESSION FOR THURSDAY SEPTEMBER 22, 2016:

It was moved by Mr. Merrell, seconded by Mr. Benton to cancel the Commissioners' Session for Thursday September 22, 2016.

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

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RESOLUTION NO. 16-819

IN THE MATTER OF ACCEPTING THE TREASURER'S REPORT FOR THE MONTH OF JULY 2016:

It was moved by Mr. Benton, seconded by Mr. Merrell to accept the Treasurer's Report for the month of July 2016.

(Copy available for review at the Commissioners' Office until no longer of administrative value.)

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

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RESOLUTION NO. 16-820

IN THE MATTER OF APPROVING SPEED LIMIT REDUCTIONS ON MILLS ROAD (CR #150) FROM THE COUNTY LINE TO STATE ROUTE 257, AND ON BERLIN STATION ROAD (CR #91) BETWEEN BRAUMILLER ROAD (TR #92) AND OLD STATE ROAD (CR #10):

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

WHEREAS, a request has been made by the Delaware County Engineer, Delaware, Ohio that the statutory vehicular speed established by Section 4511.21, Revised Code of Ohio, is greater than that considered to be safe and reasonable on Mills Road (CR #150) from the County Line to State Route 257, and on Berlin Station Road (CR #91) between Braumiller Road (TR #92) and Old State Road (CR #10) in Delaware County, Ohio; and,

WHEREAS, the Delaware County Engineer has caused to be made an engineering and traffic investigation upon the sections of roads described above; and,

WHEREAS, it is the belief of the Delaware County Engineer that such investigation confirms that, due to several factors identified within such investigation (minimal shoulder width, road width, accidents, and development), the allegation that the statutory speed limit of 55 is unrealistic upon the sections of roads; and,

WHEREAS, the Delaware County Engineer has brought such findings to the Delaware County Board of Commissioners of Delaware County, Ohio to request that the Board, by virtue of Section 4511.21, Revised Code of Ohio, request that the Director of the Ohio Department of Transportation review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit of 45 miles per hour on Mills Road (CR #150) from the County Line to State Route 257, and on Berlin Station Road (CR #91) between Braumiller Road (TR #92) and Old State Road (CR #10) in Delaware County, Ohio;

Now Therefore Be It Resolved by the Board of Commissioners of Delaware County, State of Ohio:

Section 1. The Board hereby requests that the Director of the Ohio Department of Transportation determine and declare a reasonable and safe speed limit on the sections of roads described above.

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Section 2. Upon being advised that the Director of Transportation has determined and declared a revision of the speed limits on the sections of roads described above, the Delaware County Engineer shall promptly erect standard signs properly posted and giving notice thereof.

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

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RESOLUTION NO. 16-821

IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR MEADOWS AT LEWIS CENTER SECTION 2:

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

WHEREAS, on August 22, 2016, a Ditch Maintenance Petition for Meadows at Lewis Center Section 2 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 Meadows at Lewis Center Section 2 located off of Lewis Center Road in Orange 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 \$478,141.59 for the benefit of the lots being created in this subdivision. 37 lots are being created in this plat 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 \$12,922.75 per lot. An annual maintenance fee equal to 2% of this basis (\$258.45) 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 \$9,562.65 has been paid to Delaware County, receipt of which is hereby acknowledged.

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

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RESOLUTION NO. 16-822

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:

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

WHEREAS, the Board of Delaware County Commissioners (the "Board") deems it necessary for the public convenience and welfare to construct a highway improvement known as the South Old State Improvement Project by construction, reconstruction, installation, replacement, repair, maintenance and improvement of South Old State Road in Delaware County, Ohio (the "Improvement"); and

WHEREAS, the Board has determined that additional land is necessary for the Improvement and that the Board and property owners were unable to agree on the terms of conveyance through good faith negotiations; and

WHEREAS, the Board has determined the fair market value ("FMV") for the property to be appropriated and any resultant damages; and

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

Section 1. The Board deems it necessary, and it is hereby declared to be the intention of the Board, to appropriate the following property necessary for the Improvement and determines the FMV for the same:

Property Owner(s)	Interest to be Appropriated	FMV
The Villages of Oak Creek Homeowners' Association, Inc.	151-CH, S, T	\$28,375.00
The Villages of Oak Creek Homeowners' Association, Inc.	159-CH, T	\$7,505.00
The Villages of Oak Creek Homeowners' Association, Inc.	164-WD, T	\$99,990.00
The Villages of Oak Creek Homeowners' Association, Inc.	171-CH, S1, S2, T1, T2	\$49,618.00

The parcel identifiers listed in the table above are taken from the approved right-of-way plans and highway construction plans for the Improvement, which are, by this reference, fully incorporated herein and are on file and available for inspection or copying at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015.

Section 2. The appropriations deemed necessary herein are for the purpose of making or repairing roads which shall be open to the public without charge.

Section 3. The Board hereby directs the Delaware County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board.

Section 4. This Resolution shall take effect and be in force immediately upon passage.

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

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RESOLUTION NO. 16-823

IN THE MATTER OF APPROVING A RETURN OF CASH ADVANCE FOR THE ENGINEER'S OFFICE:

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

Return of Advance of Cash			
From	To		
29440431-8501	10040421-8401		\$1,000,000.00
S Old State Rd Improvement/Prior Year Advances Out	Road & Bridge/ Prior Year Advances In		

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

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RESOLUTION NO. 16-824

IN THE MATTER OF AMENDING THE CHILD PLACEMENT SERVICES CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND OESTERLEN SERVICES FOR YOUTH, INC.:

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

Whereas, Delaware County contracts with Child Care Placement providers in accordance with state and federal regulations, and

Whereas, the Director of Job & Family Services recommends approval of the following contract amendments;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following contract amendments for Child Care Placement providers:

**Ohio Department of Job and Family Services
AGREEMENT FOR TITLE IV-E AGENCIES AND PROVIDERS FOR THE
PROVISION
OF
CHILD PLACEMENT
ADDENDA TO AGREEMENT**

This Addenda sets forth the terms and conditions between the parties for placement services for children who are in the care and custody of the Agency named below.

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This Agreement is between	IV-E Agency Name Delaware County Department of Job and Family Services
	Street/Mailing Address 140 N Sandusky ST FL 2ND
	City Delaware
a Title IV-E Agency, hereinafter "Agency," whose address is	and
hereinafter "Provider," whose address is:	Provider Oesterlen Services for Youth, Inc.
	Street/Mailing Address 1918 Mechanicsburg RD
	City Springfield
Contract ID : 12972411 Originally Dated :07/01/2016 to 09/01/2016	

Ohio Department of Job and Family Services
AGREEMENT FOR TITLE IV-E AGENCIES AND PROVIDERS FOR THE PROVISION OF CHILD PLACEMENT

Amendment Number 1 :

Amendment Reason:	DATE AMOUNT
Amendment Begin Date:	07/01/2016
Amendment End Date :	11/30/2016
Increased Amount:	\$46,200.00

1. The Agency and the Provider agree to amend the Agreement as follows:
 - A. The service period for this Agreement shall be extended through November 30, 2016.
 - B. The maximum amount payable pursuant to this Agreement shall be increased to forty six thousand two hundred dollars and no cents (\$46,200.00).

2. Signatures

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

3. Conflicts

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

4. Terms of Agreement Unchanged

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

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

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RESOLUTION NO. 16-825

IN THE MATTER OF ADOPTING RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR:

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

WHEREAS, The Board of County Commissioners has passed Resolution No. 07-543 to reduce the real property tax collection rate from 2.8 mills to 1.8 mills, beginning with tax year 2008 for collection in year 2009 and thereafter for a continuing period of time, pursuant to R.C. 5705.313(A); and

WHEREAS, the Budget Commission of Delaware County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation;

THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Delaware County, Ohio that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further resolved, that there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

DELAWARE COUNTY TAX YEAR 2016	Amount		County Auditor's	
	Approved by Budget Commission	Amount to Be Derived from levies	Estimate of Tax Rate to be Levied	
FUND	Inside 10 M. Limitation	Outside 10 M. Limitation	Inside 10 M. Limit	Outside 10 M. Limit
General Fund	12,379,561		1.80	
Permanent Improvement Fund	687,753		0.10	
Developmental Disabilities Fund		13,410,120		2.10
Developmental Disabilities Fund		3,706,945		0.56
9-1-1- Operations Fund				
Senior Citizens		7,943,455		1.20
Debt Service		962,855		0.14
TOTAL	13,067,314	26,023,375	1.90	4.00

BE IT RESOLVED, that the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

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

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ADMINISTRATOR REPORTS

Ferzan Ahmed, County Administrator

-Delaware County experience an EF0 tornado on Saturday afternoon near Coover Road. A shout out to the acting EMA Director, Sandy Mackey and 911 Tour Commander, PJ Roberts for a job well done.

-The inaugural Iron Man competition was held in and around Delaware County yesterday. A shout out to the EMS bike team who escorted the last participant.

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

-Saw photos of the new courthouse. Looks like they are making good progress.

-Will be attending the Liberty Township comprehensive plan meeting this evening.

Commissioner Benton

-Attended (until the storm came thru) the Benefit at the Barn at the Skinner Farm. Good attendance.

Commissioner Lewis

-There will be a work session at 1:30 PM today for the Delaware County Board of Developmental Disabilities.

There being no further business, the meeting adjourned.

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1:30 PM WORK SESSION

-KRIS HODGE,
SUPERINTENDENT DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES
-MEL MARSH, ACORN CONSULTING, STRATEGIC PLANNING PROCESS

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners