

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 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

10:00 AM Public Hearing For The Delaware County Board Of Commissioners To Consider The Approval And Adoption Of Amendments To The Subdivision Regulations Of Delaware County, Ohio Pursuant To The Ohio Revised Code Sections 711.10, 711.132, And 711.133

1
 RESOLUTION NO. 16-1086

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 24, 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 October 24, 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. 16-1087

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1026 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1026:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1026, memo transfers in batch numbers MTAPR1026 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Vaughn Industries LLC	Change order Approved 16-1051 for Regional Sewer	66711906-5410	\$ 38,118.63
JFS Board and Care Various	Job and Family Program	22511607-5350	\$ 13,000.00
Hondros College	Job and Family Training Program	22311611-5348	\$ 9,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line DESCRIPTION</u>	<u>Account</u>	<u>Amount</u>	<u>Line</u>
R1605321	3 POINT CONSULTING LTD	LEAN SIX SIGMA TRAINING	21011113 - 5365	16,320.00	0001
R1605328	GRAYBAR ELECTRIC CO INC	HAYES - LED LIGHT CHANGE OUT	10011102 - 5328	15,999.50	0001
R1605329	GARLAND/DBS INC	HAYES ROOF	40111402 - 5410	35,997.25	0001
R1605330	GARLAND/DBS INC	JAIL ROOF	41711436 - 5410	54,367.86	0001
R1605331	BUCKEYE POWER SALES CO INC	DURHAM TOWER - GENERATOR	41711436 - 5450	17,386.00	0001
R1605333	SIMCO ELECTRIC INC	DURHAM TOWER -	41711436	6,500.00	0001

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GENERATOR - 5450
INSTALLATION

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

**5
RESOLUTION NO. 16-1088**

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Commissioners' Office is requesting that Commissioner Jeff Benton, Commissioner Gary Merrell, Commissioner Barb Lewis, Ferzan Ahmed, Dawn Huston, and Si Kille attend the 2016 County Commissioners Association Winter Conference in Columbus, Ohio December 4-6, 2016, at the cost of \$2,010.00 (fund number 10011101).

The Facilities Department is requesting that Jon Melvin attend the 2016 County Commissioners Association Winter Conference in Columbus, Ohio December 5, 2016, at the cost of \$60.00 (fund number 10011105).

The Code Compliance Department is requesting that David Bean, Duane Matlack, Ed Spiers, Ross Bigelow, John Hickman, Chris Stanich and Fred Fowler attend a Central Ohio Code Officials Association Seminar and Business Meeting in Reynoldsburg, Ohio November 9, 2016, at no cost.

The Economic Development Department is requesting that Commissioner Benton, Commissioner Merrell, Jenna Jackson, Bob Lamb, Ferzan Ahmed and Mike Frommer attend an Economic Development 411 in Columbus, OH on December 2, 2016 at the cost of \$150.00 (fund number 21011113).

The EMS Department is requesting that Dana Phillips attend a Resuscitation Academy at Mt Carmel Center November 4, 2016 at no cost.

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

**6
RESOLUTION NO. 16-1089**

IN THE MATTER OF CANCELING THE MONDAY DECEMBER 5, 2016 COMMISSIONERS' SESSION:

It was moved by Mr. Merrell, seconded by Mr. Benton to cancel the Monday December 5, 2016 Commissioners' session.

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

**7
RESOLUTION NO. 16-1090**

IN THE MATTER OF ACCEPTING AND APPROVING THE DELAWARE COUNTY SHERIFF'S OFFICE TRANSPORT REPORT FOR THE MONTH OF SEPTEMBER 2016:

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

WHEREAS, section 325.07 of the Revised Code requires the County Sheriff to submit monthly expense reports to the Board of County Commissioners; and

WHEREAS, the Delaware County Sheriff has submitted a monthly report for September 2016;

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

Section 1. The Board hereby accepts and approves the Delaware County Sheriff's Office Transport Report for the month of September 2016.

Section 2. The Board hereby allows the expenses contained in the monthly report.

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

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

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RESOLUTION NO. 16-1091

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 OHIO GUIDESTONE:

It was moved by Mr. Merrell, seconded by Mr. Benton 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 amendment;

Now Therefore Be It Resolved that the Delaware County Board of Commissioners approve the following contract amendment:

Second Amendment
To
Contract for the Provision of Child Placement
And Related Services
Between
Ohio Guidestone and Delaware County

This Second Amendment of the Contract For The Provision of Child Placement And Related Services is entered into this 27th day of October 2016 by and between the Delaware County, Ohio Board of County Commissioners (hereinafter "Board"), whose address is 101 North Sandusky Street, Delaware, Ohio 43015, the Delaware County, Ohio Department of Job and Family Services, a Title IV-E Agency, (hereinafter "Agency") whose address is 140 North Sandusky Street, 2nd Floor, Delaware, Ohio 43015, and Ohio Guidestone (hereinafter "Provider") whose address is 434 Eastland Road, Berea, Ohio 44017 (hereinafter collectively the "Parties").

WHEREAS, the Parties entered into the Contract for the Provision of Child Placement and Related Services on December 10, 2015.

WHEREAS, the parties agree to the addition of certain provisions to the Contract (collectively, "Provisions").

NOW THEREFORE, the Parties agree as follows:

- 1. The Parties agree to amend the Agreement to add the following Provisions:
 - A. The maximum amount payable pursuant to this Contract shall be increased to seventy three thousand one hundred nineteen dollars and no cents (\$73,119.00).

2. Signatures

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

3. Conflicts

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

4. Terms of Agreement Unchanged

All terms and conditions of the Contract and First Amendment not changed by this Second 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. 16-1092

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS FOR THE DELAWARE COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT:

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

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Transfer of Appropriation		Amount
From	To	
21581301-5101	21581301-5001	
Health Insurance	Compensation	\$500.00

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

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RESOLUTION NO. 16-1093

IN THE MATTER OF APPROVING, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN AND PRESENT, A SIGHT DRAFT DRAWN UNDER LETTER OF CREDIT NUMBER S405231 FOR THE ACCOUNT OF THE ROBERT WEILER COMPANY RELATIVE TO THE WILSON ROAD WIDENING PROJECT:

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

WHEREAS, on or about July 10, 2006, the Delaware County Board of Commissioners (the "Board") entered into a Subdivider's Agreement with the Robert Weiler Company for the project known as "Wilson Road – Future Widening to 5 Lanes, Station 38+56.03 to 64+27.20"; and

WHEREAS, the Subdivider's Agreement required the Robert Weiler Company to provide an irrevocable letter of credit to insure the faithful performance of the Agreement; and

WHEREAS, the Robert Weiler Company provided Letter of Credit Number S405231, the latest amendment of which expires on October 29, 2016; and

WHEREAS, the Robert Weiler Company has failed to perform properly under the terms of the Subdivider's Agreement; and

WHEREAS, the Delaware County Engineer recommends the Board approve and present a sight draft for the full amount of the Letter of Credit;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves a sight draft drawn under Letter of Credit Number S405231 for the full amount thereof and authorizes the County Administrator to sign and present said draft.

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

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ADMINISTRATOR REPORTS

- Ferzan Ahmed, County Administrator
- Bob Lamb, Economic Development Director spoke at the Ohio Economic Development Conference this past week.
- Chris Bauserman, County Engineer, spoke at an ODOT conference on the development of Sawmill Parkway from start to finish.
- Jake Davis is shadowing me for a part of the day today to learn more about local government. Jake is a junior at the John Glen School of Public Affairs.

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COMMISSIONERS' COMMITTEES REPORTS

- Commissioner Merrell
- Regional Planning will take place here this evening.

- Commissioner Benton
- The Competitive Advantage Project timeline will consist of three to four projects from Delaware County that will benefit the region due to MORPC by February.
- Attended the Galena Brick Trail Grand Re-opening yesterday. The trail is beautiful.
- Will be attending "Name the Crane" event at noon today.
- Would like to commend Jane Hawes on keeping up with all of the board appointments happening lately.
- Drove down Worthington Road yesterday. The road looks really good. Gemini Parkway is moving along. Good to see the IKEA has started to take shape.
- Attended the Orange Township business meeting Tuesday. Jenna Jackson (Economic Development Coordinator) helped coordinate that effort. Congressman Tiberi was also in attendance.

- Commissioner Lewis
- Attended Community Action meeting yesterday in Marysville. They approved a new logo as a part of their rebranding.

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RESOLUTION NO. 16-1094

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

It was moved by Mr. Benton, seconded by Mr. Merrell to adjourn into Executive Session at 9:51AM.

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

RESOLUTION NO. 16-1095

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 10:20 AM.

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

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RESOLUTION NO. 16-1096

10:00AM DELAWARE COUNTY BOARD OF COMMISSIONERS' PUBLIC HEARING TO CONSIDER THE APPROVAL AND ADOPTION OF AMENDMENTS TO THE SUBDIVISION REGULATIONS OF DELAWARE COUNTY, OHIO PURSUANT TO THE OHIO REVISED CODE SECTIONS 711.10, 711.132, and 711.133:

It was moved by Mr. Benton, seconded by Mr. Merrell to open the hearing at 10:22 AM.

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

RESOLUTION NO. 16-1097

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 Mr. Benton 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 Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

RESOLUTION NO. 16-1098

IN THE MATTER OF CLOSING THE DELAWARE COUNTY BOARD OF COMMISSIONERS' PUBLIC HEARING TO CONSIDER THE APPROVAL AND ADOPTION OF AMENDMENTS TO THE SUBDIVISION REGULATIONS OF DELAWARE COUNTY, OHIO PURSUANT TO THE OHIO REVISED CODE SECTIONS 711.10, 711.132, and 711.133:

It was moved by Mr. Merrell, seconded by Mr. Benton to close the hearing at 10:27 AM.

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

RESOLUTION NO. 16-1099

IN THE MATTER OF APPROVING AND ADOPTING AMENDMENTS TO THE SUBDIVISION REGULATIONS OF DELAWARE COUNTY, OHIO PURSUANT TO THE OHIO REVISED CODE SECTIONS 711.10, 711.132, and 711.133:

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

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WHEREAS, The Delaware County Regional Planning Commission (hereinafter the "Commission") originally adopted Subdivision Regulations of Delaware County, Ohio on March 16, 1967 and subsequently amended those regulations on July 27, 1986, October 24, 1991, April 1, 1992, May 27, 1992, January 1, 1997, July 23, 1998, September 9, 1998, January 2, 2007, September 6, 2007 and June 20, 2013; and

WHEREAS, pursuant Ohio Revised Code Section 711.10 the Commission has authority to adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The rules may provide for their modification by the Commission in specific cases where unusual topographical and other exceptional conditions require the modification. In addition, the rules may require the board of health to review and comment on a plat before the Commission acts upon it and also may require proof of compliance with any applicable zoning resolutions, and with household sewage treatment rules adopted under Section 3718.02 of the Revised Code, as a basis for approval of a plat; and

WHEREAS, the Commission held the required public hearings for the following Amendments to the Subdivision Regulations of Delaware County, Ohio:

- Amendment #1 (Reformat And Update Of General Information);
- Amendment #2 Section 101.09 General and Administration-Appendix and Handout Materials;
- Amendment #3 Section 200.01 Subdivision Types and Procedures-General;
- Amendment #4 Section 201.01 and 205.01 (c) (related) Combined Subdivision Procedures-General and Final Plat Procedure-Final Plat Submission and Schedule;
- Amendment #5 Section 203.01 and 203.04 Sketch Plan/Site Review- General and New Sketch Plan/Site Review (Expired or Modified);
- Amendment #6 Section 204.02 Preliminary Plan Procedure-Preliminary Plan Submission;
- Amendment #7 Section 205.01 Final Plat Procedure-Final Plat Submission and Schedule;
- Amendment #8 Section 206 Final Plat Document-Updates;
- Amendment #9 Section 206.04 Final Plat Document-General Plat Notations and
- Amendment #10 Section 207.04 No Plat Approval (NPA) Subdivision Procedures-Adjacent Property Transfer

(the "Amendments"), pursuant to the Ohio Revised Code Sections 711.10, 711.132, and 711.133 (Subdivision Regulations of Delaware County, Ohio are available for review in the Delaware County Regional Planning Office and on web at www.dcrpc.org); and

WHEREAS, the Commission adopted the Amendments on July 28, 2016, to be effective upon approval and adoption by the Board of Commissioners of Delaware County, Ohio (hereinafter the "Board"); and

WHEREAS, the Board held a public hearing on the proposed Amendments on October 27, 2016.

NOW THEREFORE, BE IT RESOLVED BY THE DELAWARE COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. That said Amendments are hereby approved and adopted, effective immediately upon passage of this Resolution.

Section 2. That all formal deliberations and actions of the Board concerning the adoption of this Resolution were made in an open meeting of the Board.

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

RESOLUTION NO. 16-1100

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

It was moved by Mr. Merrell, seconded by Mr. Benton to adjourn into Executive Session at 10:30 AM.

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

RESOLUTION NO. 16-1101

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 11:50 AM.

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

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There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners