

COMMISSIONERS JOURNAL NO. 65 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 31, 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. 16-1102

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 27, 2016:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on October 27, 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
GARY DOUGHERTY, DIRECTOR-STATE GOVERNMENT AFFAIRS AND ADVOCACY
AMERICAN DIABETES ASSOCIATION

RESOLUTION NO. 16-1103

IN THE MATTER OF PROCLAIMING NOVEMBER 2016 AS AMERICAN DIABETES MONTH IN DELAWARE COUNTY:

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

WHEREAS, in the United States, nearly 30 million people – including more than 1.3 million in Ohio– have diabetes, a serious disease with potentially life-threatening complications including heart disease, stroke, blindness, kidney disease and amputation; and

WHEREAS, an additional 86 million people in the United States are at risk of developing type 2 diabetes; and

WHEREAS, approximately every 23 seconds, someone in the United States is diagnosed with diabetes; and

WHEREAS, an increase in community awareness is necessary to put a stop to the diabetes epidemic; let it therefore be

RESOLVED, that the Board of Commissioners, Delaware County, Ohio do hereby proclaim November 2016 as:

American Diabetes Month

in Delaware County and encourage all citizens to join us in this observance and be part of the American Diabetes Association’s movement to confront, fight and, most importantly, change the future of this deadly disease.

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

5
RESOLUTION NO. 16-1104

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IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1028, MEMO TRANSFERS IN BATCH NUMBERS MTAPR1028:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1028, memo transfers in batch numbers MTAPR1028, and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
Vote on Motion	Mr. Benton	Aye	Mr. Merrell
		Aye	Mrs. Lewis
			Aye

**6
 RESOLUTION NO. 16-1105**

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Child Support Enforcement Agency is requesting to send Sandy Disantis, Sherry Fleury and Maren Aikey to an Attorney Networking Meeting in Lancaster, Ohio on November 10, 2016 at the cost of \$35.00 (fund number 23711630).

Vote on Motion	Mr. Merrell	Aye	Mr. Benton	Aye	Mrs. Lewis	Aye
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**7
 RESOLUTION NO. 16-1106**

IN THE MATTER OF A NEW LIQUOR LICENSE REQUEST FROM EAT GREEK, INC. AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Orange Township Trustees that Eat Greek, Inc. has requested a new D1, D2 permit located at 1329 Cameron Ave, Lewis Center, OH 43035.

Whereas, the Delaware County Board of Commissioners has found no reason to file an objection,

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

Vote on Motion	Mrs. Lewis	Aye	Mr. Benton	Aye	Mr. Merrell	Aye
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**8
 RESOLUTION NO. 16-1107**

IN THE MATTER OF SCHEDULING THE SPECIAL COMMISSIONERS' SESSIONS FOR THE 2017 BUDGET HEARINGS STARTING AT 9:30AM TUESDAY NOVEMBER 15TH, 2016 AND CONTINUING THRU MONDAY NOVEMBER 21ST, 2016:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve scheduling the Special Commissioners' sessions for the 2017 budget hearings starting at 9:30AM Tuesday November 15th, 2016 and continuing thru Monday November 21st, 2016.

Starting times for each day are as follows:
 Tuesday November 15, 2016 at 9:30AM
 Wednesday November 16, 2016 at 10:30AM

Monday November 21, 2016 at 1:30PM

Vote on Motion	Mr. Benton	Aye	Mr. Merrell	Aye	Mrs. Lewis	Aye
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**9
 RESOLUTION NO. 16-1108**

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IN THE MATTER OF ACCEPTING ROADS, APPROVING RECOMMENDED SPEED LIMITS, ESTABLISHING STOP CONDITIONS, AND RELEASING SURETIES FOR SANCTUARY AT THE LAKES SECTION 2, PARTS 1 & 2; SANCTUARY AT THE LAKES SECTION 3 AND ENCLAVE AT THE LAKES:

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

Sanctuary At The Lakes Section 2, Parts 1 & 2

WHEREAS, The Engineer has reviewed the construction of the roads within the following subdivisions,

- Sanctuary At The Lakes Section 2, Parts 1 & 2
- Sanctuary at the Lakes
- Enclave at the Lakes; and

WHEREAS, the Engineer finds that the new roads within said subdivisions have been constructed in accordance with the approved plans and specifications and has determined the appropriate stop conditions and speed limits for the new roads, and further recommends that any maintenance bonds being held for the same should be released:

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

Sanctuary At The Lakes Section 2, Parts 1 & 2

Section 1: The following roadways within the Project are hereby made a part of the public roadway system:

- An extension of 0.30 mile to Township Road Number 1621, Sanctuary Drive
- An extension of 0.23 mile to Township Road Number 1659, Royal Birkdale Drive
- Deems Drive, to be known as Township Road Number 1658
- Somerset Avenue, to be known as Township Road 591
- Augusta Drive, to be known as Township Road 869; and

Section 2: All roads listed above shall have a speed limit of 25 mile per hour; and

Section 3: The following roads shall have stop conditions as follows:

- On TR 1621 Sanctuary Drive at its intersection with TR 869 Augusta Drive.
- On TR 1659 Royal Birkdale Drive at its intersection with TR 1621 Sanctuary Drive.
- On TR 1658 Deems Drive at its intersection with TR 1621 Sanctuary Drive.
- On TR 591 Somerset Avenue at its intersection with TR 1621 Sanctuary Drive; and

Section 4: The Bond held as maintenance surety shall be returned to the owner, M/I Homes of Central Ohio.

Sanctuary At The Lakes Section 3

Section 5: The following roadways within the Project are hereby made a part of the public roadway system:

- An extension of 0.23 mile to Township Road Number 1631, Royal Birkdale Drive; and

Section 6: All roads listed above shall have a speed limit of 25 mile per hour; and

Section 7: There are no intersections requiring stop conditions within this subdivision; and,

Section 8: The Bond held as maintenance surety shall be returned to the owner, M/I Homes of Central Ohio.

Enclave At The Lakes

Section 9: The following roadways within the Project are hereby made a part of the public roadway system:

- An extension of 0.21 mile to Township Road Number 1656, Enclave Boulevard
- McAlister Park Drive, to be known as Township Road Number 1657; and

Section 10: All roads listed above shall have a speed limit of 25 mile per hour; and

Section 11: The following roads shall have stop conditions as follows:

- On TR 1657 McAlister Park Drive at its intersection with TR 1656 Enclave Boulevard;
- On TR 1656 Enclave Boulevard at its intersection with TR 1621 Sanctuary Drive;
- On TR 1656 Enclave Boulevard at its intersection with TR 1657 McAlister Park Drive; and

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Section 12: The Bond held as maintenance surety shall be returned to the owner, M/I Homes of Central Ohio.

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

10

RESOLUTION NO. 16-1109

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

It was moved by Mr. Merrell, seconded by Mr. Benton 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
U16-183	Charter Communications	Peachblow Road	Directional bore
U16-184	Consolidated Electric	Warren Road	Set new pole
U16-185	AEP	Smothers Road	Relocate 2 poles
U16-186	Consolidated Electric	Stockwell Road	Replace poles
U16-187	Suburban Natural Gas	Vinmar Farms	Lay gas main
U16-188	Del-Co Water	Lewis Center Road	Road bore
U16-189	Frontier	Orange Road	Install temp poles
U16-190	Columbia Gas	Scioto Highlands	Install gas main
U16-191	AEP	Lewis Center Road	Relocate facilities

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

11

RESOLUTION NO. 16-1110

IN THE MATTER OF ESTABLISHING A NEW ORGANIZATIONAL KEY FOR THE SOUTH OLD STATE ROAD IMPROVEMENTS AND CONSENTING TO ACCEPT REIMBURSEMENT OF FEDERAL FUNDS IN FUTURE YEARS:

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

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) receives an allocation of federal transportation funding through the Surface Transportation Block Grant (STBG) program and has made a commitment to funds for 80 percent of federally-eligible construction costs for the South Old State Road Improvements (DEL-CR10-0.90), ODOT PID 90243, (the "Project") as evidenced in the current MORPC Transportation Improvement Program (TIP); and,

WHEREAS, the MORPC Policies for Attributable Funding do not permit outlay for a single project of more than \$10 million in a single fiscal year in order to ensure funds are available for multiple projects each year; and,

WHEREAS, the Amended Project Agreement with the Ohio Department of Transportation (ODOT Agreement Number 24053) approved by resolution #16-938 of the Board provides for the reimbursement up to \$17,568,946 from federal funds; and

WHEREAS, MORPC has committed to reimburse 80 percent of the federally eligible construction phase expenses over a 3-year period in State Fiscal Years 2019, 2020 and 2021, or earlier if funds are available;

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

Section 1: The Board affirms its commitment to fund the construction (CON) and construction engineering (CE) phases of the Project with 100% local funds from the Motor & Gas Fund (292); and

Section 2: The Board accepts the commitment to receive reimbursement at the federal-aid participation rate of 80% of federally eligible project expenses as permitted by said Amended Project Agreement in State Fiscal Years 2019, 2020 and 2021, or earlier if funds are available; and

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Section 3: The Board acknowledges the MORPC STBG cap amount of \$17,568,946 for the Project; and

Section 4: For the purposes of accounting for federally eligible expenditures made by the County in the construction phase of the Project, the following new organizational key is established:

New Organizational Key
29214020 South Old State Improvements

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

12

RESOLUTION NO. 16-1111

IN THE MATTER OF DECLARING THE NECESSITY TO IMPROVE FREDRICKS ROAD AND PERFECT ROAD AND APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS DEL-2017 DESIGN-BUILD BRIDGES:

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

WHEREAS, Section 5555.022 of the Revised Code provides that a Board of County Commissioners may find by a majority vote that the public convenience and welfare require the improving of any part of any public road, may fix the route and termini of the Improvement and may authorize such Improvement, and;

WHEREAS, the County Engineer has determined that the Fredricks Road bridge over Sugar Creek (DEL-CR49-1.64) requires rehabilitation including replacement of the steel beam superstructure with minor roadway approach reconstruction; and

WHEREAS, the County Engineer has determined that the Perfect Road bridge over Perfect (Perfect's) Creek (DEL-TR255-1.47) requires rehabilitation including replacement of the steel beam superstructure with minor roadway approach reconstruction; and

WHEREAS, the County Engineer recommends that the rehabilitation of said bridges be combined into a single design-build contract pursuant to Section 5543.22 of the Revised Code; and

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

WHEREAS, the County Engineer has estimated the design-build contract cost of the Improvement to be Five Hundred Fifty Six Thousand Dollars (\$556,000); and

WHEREAS, no additional land is necessary to construct the Improvement;

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

Section 1: The public convenience and welfare require rehabilitation of the Fredricks Road bridge over Sugar Creek (DEL-CR49-1.64) and the Perfect Road bridge over Perfect Creek (DEL-TR255-1.47); and

Section 2: The plans, specifications and estimates for the project known as DEL-2017 Design-Build Bridges are hereby approved; and

Section 3: The County Engineer is authorized to advertise for and received 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 webservice until 10:00 am on Tuesday, December 6, 2016, at which time they will be publicly received and read aloud, for the project known as:

DEL-2017 Design Build
Bridge Package Project

All proposals shall be submitted electrically through the web service 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. All bidders must register and be a member of the web service to

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bid on the project.

This notice is posted on the Delaware County website at 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 June 15, 2017. The estimated commencement of work date is December 12, 2016.

Please see work restriction dates listed in the proposal notes.

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4111 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. 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:
November 4, 2016
November 11, 2016

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

13

RESOLUTION NO. 16-1112

IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS DEL-CR10-0.90 SOUTH OLD STATE ROAD IMPROVEMENTS:

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

WHEREAS, Resolution #10-1176 declared the necessity for and initiated the Improvement known as DEL-CR10-0.90 South Old State Road 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 Thirteen Million Five Hundred Forty Seven Thousand Dollars (\$13,547,000); and

WHEREAS, all land necessary to construct the Improvement has been acquired;

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

Section 1: The plans, specifications and estimates for the project known as DEL-CR10-0.90 South Old State Road Improvements are hereby approved; and

Section 2: The County Engineer is authorized to advertise for and received 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 webservice until 10:00 am on Tuesday, December 6, 2016, at which time they will be publicly received and read aloud, for the project known as:

DEL-CR 10-0.90
South Old State Road Improvement Project

All proposals shall be submitted electrically through the web service 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. All bidders must register and be a member of the web service to bid on the project.

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This notice is posted on the Delaware County website at 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 June 1, 2018. The estimated commencement of work date is December 12, 2016. The Utility Clear date is July 1, 2017.

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

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:

- November 4, 2016
- November 11, 2016
- November 18, 2016

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

14

RESOLUTION NO. 16-1113

IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECT KNOWN AS DEL-CR13-4.04 WORTHINGTON AND BIG WALNUT ROAD INTERSECTION IMPROVEMENTS:

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

WHEREAS, Resolution #13-535 declared the necessity for and initiated Improvements to the Worthington Road/Big Walnut Road intersection; 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 Two Million Six Hundred Thirty Thousand Dollars (\$2,630,000); and

WHEREAS, the Ohio Public Works Commission will provide grant funding of up to \$490,000 toward the Improvement in accordance with the project agreement approved by Resolution #16-692; and

WHEREAS, all land necessary to construct the Improvement has been acquired;

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

Section 1: The plans, specifications and estimates for the project known as DEL-CR13-4.04 Worthington and Big Walnut Road Intersection Improvements are hereby approved; and

Section 2: The County Engineer is authorized to advertise for and received 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 webservice until 10:00 am on Tuesday, November 29, 2016, at which time they will be publicly received and read aloud, for the project known as:

DEL-CR 13-4.04
Worthington Road-Big Walnut Road Intersection

All proposals shall be submitted electrically through the web service 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.

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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. 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 and may be accessed by selecting "Bids and Notices"

The Owner requires that all work associated with the project be completed before October 31, 2017. The estimated commencement of work date is December 12, 2016.

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4111 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. 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:
November 4, 2016
November 11, 2016

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

**15
RESOLUTION NO 16-1114**

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE DELINQUENT TAX FUND:

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

Supplemental Appropriations:

23512102-5001	Salary	\$ 3,200.00
23612302-5101	Health insurance	\$ 325.00
23612302-5102	Workers comp	\$ 32.00
23612302-5120	OPERS	\$ 450.00

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

**16
RESOLUTION NO 16-1115**

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS IN THE VICTIM SERVICES UNIT SVAA GRANT FUNDS:

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

Transfer of Appropriations:

From-	To-	
23612305-5001	23612305-5120	\$ 15.00
23612305-5001	23612305-5102	\$ 5.00

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

**17
RESOLUTION NO. 16-1116**

IN THE MATTER OF APPROVING CHANGE ORDER #2 FOR THE PROJECT KNOWN AS THE VILLAGE OF GALENA CLEAN OHIO TRAIL FUND – GALENA BRICK TRAIL PROJECT:

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

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WHEREAS, the Board of Delaware County Commissioners approved an inter-agency agreement with the Village of Galena per Resolution No. 13-156 to administer a Clean Ohio Trail Fund Project; and

WHEREAS, CT Consultants have been hired as the engineering consult per Resolution 15-366; and

WHEREAS, the project known as the Village of Galena Clean Ohio Trail Fund – Galena Brick Trail Project was bid December 10, 2015; and

WHEREAS, the Righter Company, Inc. accepted and was awarded the bid for the project on March 24, 2016 per Resolution 16-286; and

WHEREAS, the CT Consultants submitted Change Order #2 resulting in the increase of \$2,808.00; and

WHEREAS, the Delaware County Economic Development Coordinator and the Village of Galena jointly recommend approving the change order for the project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio, hereby approve the change order for the Village of Galena Clean Ohio Trail Fund – Galena Brick Trail Project.

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

18

RESOLUTION NO. 16-1117

IN THE MATTER OF ACCEPTING SANITARY SEWER EASEMENTS FROM THE MEADOWS AT SCIOTO RESERVE CONDOMINIUM ASSOCIATION:

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

WHEREAS, Sanitary Easements are required for the extension of public sewer on a 10.292 acre tract of land owned by The Meadows at Scioto Reserve Condominium Association in conjunction with Clark-Shaw Project 1 and 2;

WHEREAS, The Meadows at Scioto Reserve Condominium Association is granting permanent and temporary sanitary easements for sanitary sewer purposes as shown on the attached Exhibits;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby accept the aforementioned sanitary sewer easements granted by The Meadows at Scioto Reserve Condominium Association.

(Copy available for review at the Sanitary Engineer’s Office until no longer of administrative value.)

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

19

RESOLUTION NO. 16-1118

IN THE MATTER OF ACCEPTING A SANITARY SEWER EASEMENT FROM METRO DEVELOPMENT LLC:

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

WHEREAS, a Sanitary Easement is required for the extension of public sewer on a 6.00 acre tract of land owned by Metro Development LLC in conjunction with Clark-Shaw Project 1 and 2;

WHEREAS, Metro Development LLC is granting a permanent sanitary easement for sanitary sewer purposes as shown on the attached Exhibit;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby accept the aforementioned sanitary sewer easement granted by Metro Development LLC.

(Copy available for review at the Sanitary Engineer’s Office until no longer of administrative value.)

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

20

RESOLUTION NO. 16-1119

IN THE MATTER OF ACCEPTING A SANITARY SEWER EASEMENT FROM RIVER BLUFF LLC:

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

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WHEREAS, a Sanitary Easement is required for the extension of public sewer on a 43.424 acre tract of land owned by River Bluff LLC in conjunction with Clark-Shaw Project 1 and 2;

WHEREAS, River Bluff LLC is granting a permanent sanitary easement for sanitary sewer purposes as shown on the attached Exhibit;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby accept the aforementioned sanitary sewer easement granted by River Bluff LLC.

(Copy available for review at the Sanitary Engineer’s Office until no longer of administrative value.)

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

21

RESOLUTION NO. 16-1120

IN THE MATTER OF ACCEPTING A SANITARY SEWER EASEMENT FROM ROCKFORD HOMES INC:

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

WHEREAS, a Sanitary Easement is required for the extension of public sewer on a 54.649 acre tract of land owned by Rockford Homes Inc. in conjunction with Clark-Shaw Project 1 and 2;

WHEREAS, Rockford Homes Inc. is granting a permanent sanitary easement for sanitary sewer purposes as shown on the attached Exhibit;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby accept the aforementioned sanitary sewer easement granted by Rockford Homes Inc.

(Copy available for review at the Sanitary Engineer’s Office until no longer of administrative value.)

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

22

RESOLUTION NO. 16-1121

IN THE MATTER OF ACCEPTING SANITARY SEWER EASEMENTS FROM SCIOTO RESERVE MASTER ASSOCIATION, INC:

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

WHEREAS, Sanitary Easements are required for the extension of public sewer on a 13.426 acre tract of land and a 34.385 acre tract of land owned by Scioto Reserve Master Association, Inc. in conjunction with Clark-Shaw Project 1 and 2;

WHEREAS, Scioto Reserve Master Association, Inc. is granting permanent sanitary easements for sanitary sewer purposes as shown on the attached Exhibits;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby accept the aforementioned sanitary sewer easements granted by Scioto Reserve Master Association, Inc.

(Copy available for review at the Sanitary Engineer’s 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. 16-1122

IN THE MATTER OF ACCEPTING SANITARY SEWER IMPROVEMENTS FOR NORTHSTAR SECTION 1, PHASE C, PART 2 AND SPECTRUM RETIREMENT COMMUNITIES SANITARY PLAN:

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

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Whereas, the construction of new sanitary sewers for Northstar Section 1 Phase C Part 2 and Spectrum Retirement Communities 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:

Northstar Section 1, Phase C, Part 2	1386’ of 8- inch sewer	\$150,490.00
	5- manholes	\$11,500.00
Spectrum Retirement Communities Sanitary Plan	263’ of 8-inch sewer	\$16,200.37
	2- manholes	\$ 2,569.88

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

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RESOLUTION NO. 16-1123**

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLANS FOR THE WOODS OF DORNOCH SECTION 5, CLARKSHAW MOORS SECTION 2, AND 176 & 178 WEST OLENTANGY STREET PROJECT:

It was moved by Mr. Benton, seconded by Mr. Merrell to approve the following sanitary sewer improvement plans for The Woods of Dornoch Section 5, Clarkshaw Moors Section 2, and 176 & 178 West Olentangy Street Project for submittal to the Ohio EPA for their approval.

WHEREAS, the Sanitary Engineer recommends the sanitary sewer improvement plans for submittal to the Ohio EPA for their approval.

THEREFORE BE IT RESOLVED, that the Board of Commissioners approve the sanitary sewer improvement plans for The Woods of Dornoch Section 5, Clarkshaw Moors Section 2, and 176 & 178 West Olentangy Street Project for submittal to the Ohio EPA for their approval.

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

**25
RESOLUTION NO. 16-1124**

IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2017 TAXES:

It was moved by Mr. Benton, seconded by Mr. Merrell to certify to the County Auditor the delinquent accounts for placement on the tax duplicate.

Whereas, the County owns and operates a Sewer District as authorized by Ohio Revised Code (ORC) 6117, and

Whereas, ORC 6117.02 authorizes the County to set rates and charges for the sanitary services provided by the Sewer District, and

Whereas, when any of the sanitary rates or charges are not paid when due, the board may certify the unpaid rates or charges, together with any penalties, to the County Auditor, who shall place them upon the real property tax list and duplicate against the property served by the connection, and

Whereas, pursuant to resolution 16-720, the Board has established that delinquent accounts will be certified after they

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are more than ninety days past due and the amount exceeds \$25.00, and

Whereas, staff has determined that there are delinquent accounts that meet this criteria, and

Whereas, staff recommends collection of the unpaid rates and charges by certifying these delinquent accounts to the County Auditor.

Therefore be it resolved that the Board of County Commissioners certify the delinquent accounts in the amount of \$132,740.82 to the County Auditor for the 2017 real property tax list and duplicate.

(Itemized listing of delinquent accounts available for review at the Commissioners’ Office until no longer of administrative value).

**2017 Sewer Tax Assessments
To be certified by the Board of Commissioners on 10/31/16**

Breakdown of Assessments by Treatment Plant:

66211903 – OECC	\$45,516.41
66211904 – Alum Creek	\$78,673.66
66211906 – Tartan Fields	\$1,122.30
66211907 – Scioto Reserve	\$6,879.27
66211908 – Bent Tree	\$0.00
66211909 – Hoover Woods	\$151.20
66211910 – Scioto Hills	\$397.98
66211911 - Northstar	\$0.00
Total Assessments	\$132,740.82

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

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ADMINISTRATOR REPORTS

-Attended the Delaware Partnership meeting on Friday in the City of Westerville

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COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Benton

- Attended the Name the Crane event on Thursday. Scott Sanders’ (Regional Planning) daughter won the contest for naming the crane “King Kong”
- Tonight is trick or treat night for a lot of communities. Be safe.
- Indians won two games over the weekend.

Commissioner Merrell

- Attended the Delaware Partnership meeting last Friday. The meeting was very informative. The City of Westerville has been a good partner to Delaware County.
- Commissioner Lewis and I will be presenting at the Genoa Township business meeting Wednesday morning.
- I will also be speaking at Alum Creek Elementary Wednesday afternoon

Commissioner Lewis

- Appreciates the City of Westerville’s cooperative spirit

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RESOLUTION NO. 16-1125

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES:

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

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

RESOLUTION NO. 16-1126

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Benton, seconded by Mr. Merrell to adjourn out of Executive Session at 10:34 AM.

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

There being no further business, the meeting adjourned.

1:30PM WORK SESSION

**Michael Frommer, Executive Director Delaware County Regional Sewer District
Update Delaware County Sewer Master Plan**

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners