

**COMMISSIONERS JOURNAL NO. 66 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MARCH 9, 2017**

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

**Present:**

**Jeff Benton, President**

**Gary Merrell, Vice President**

**Barb Lewis, Commissioner**

**10:00 AM Public Hearing For Consideration Of The Libertydale Drainage Improvement Petition**

**1**

**RESOLUTION NO. 17-232**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 6, 2017:**

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 March 6, 2017; 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**

Auditor George Kaitsa, Announcing the new Sewer Bond Ratings

**4**

**RESOLUTION NO. 17-233**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0308:**

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0308 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount
R1702456	MT BUSINESS TECHNOLOGIES INC	PHOTOCOPIER RENTAL & SUPPORT	22411605 - 5325	\$17,000.00
R1702567	CITY OF DELAWARE TANNER SUPPLY COMPANY	EMS RUNS MATERIAL & SUPPLIES FOR	10011303 - 5345	\$325,000.00
R1702610	INC	DOORS AND TOILETS	10011105 - 5201	\$5,200.00
R1702623	HAZEN AND SAWYER PC	SCIOTO RESERVE WWTP EVALUATION	66611907 - 5301	\$5,273.88
R1702624	HAZEN AND SAWYER PC	OECC UV HYDRAULIC DESIGN	66211903 - 5301	\$10,760.00
R1702647	FOX RUN HOSPITAL	SERV RESIDENTIAL TREATMENT	22511607 - 5342	\$15,000.00
R1702651	HAZEN AND SAWYER PC	ALUM CREEK FILTER UPGRADES - PROF SERV	66611904 - 5301	\$188,362.18
R1702652	JWC ENVIRONMENTAL LLC	NEW GRINDER AND MOTOR FOR LEATHERLIPS	66211903 - 5450	\$16,756.59

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

**5**

**RESOLUTION NO. 17-234**

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

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

The Chief of Emergency Medical Services is requesting that Lt. Glen Keating attend an Airway Emergencies in Columbus, Ohio on May 19, 2017 at the cost of \$75.00 (fund number 10011303).

The Chief of Emergency Medical Services is requesting that Jessica Karns and Lt. Glen Keating attend The Ohio Health EMS Conference in Columbus, Ohio from May 22-23, 2017 at the cost of \$100.00 (fund number 10011303).

The Chief of Emergency Medical Services is requesting that Lt. Dan Jividen, Jessica Karns, Lt. Glen Keating, Lt. Jen Ransom and Hiro Kobayshi attend and EMS Leadership Development Conference in Columbus, Ohio on March 15, 2017 at no cost.

The Chief of Emergency Medical Services is requesting that Lt. Glen Keating, Lt. Dan Jividen, Lt. Jessica Karns, Chuck Berry, Steve Alexander, Frank Meredith and Josh Harper attend an Emergency Care Conference from April 21-23, 2017 at the cost of \$1750.00 (fund number 10011303).

The Auditor's Office is requesting that Brad Higgins, Linda O'Rourke and Tina Archangel attend a SUGA 2017 International Education & Training in Nashville, Tennessee from June 19-23, 2017 at the cost of 6,000.00 (fund number 10010101).

The Chief of Emergency Medical Services is requesting that Lt. Zach Wolfe attend a COTS Mass Casualty Drill in Columbus, Ohio on April 4, 2017 at no cost.

The Chief of Emergency Medical Services is requesting that Sam Skipworth and Hilary Days attend a Grain Bin Rescue Training at Buckeye Valley High School on June 3, 2017 at no cost.

The Chief of Emergency Medical Services is requesting that Lt. Curt Hill attend an Ohio Health Conference in Columbus, Ohio from May 22-23, 2017 at the cost of \$50.00 (fund number 10011303).

The Chief of Emergency Medical Services is requesting that Lt. J. Webb and T. Webb attend the Ohio EMS Conference in Columbus, Ohio from May 22-23, 2017 at the cost of \$124.00 (fund number 10011303).

The Emergency Communications Department is requesting that Patrick Brandt attend the NENA/APCO Ohio State Conference in Sandusky, Ohio from April 10-12, 2017 at the cost of \$729.00 (fund number 21411306).

The Emergency Communications Department is requesting that Kathleen Parker attend the NENA/APCO Ohio State Conference in Sandusky, Ohio on April 12, 2017 at the cost of \$89.60 (fund number 21411306).

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

**6**

**RESOLUTION NO. 17-235**

**IN THE MATTER OF CANCELING THE COMMISSIONERS' SESSION SCHEDULED FOR THURSDAY MARCH 23, 2017:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to cancel the Commissioners' session scheduled for Thursday March 23, 2017.

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

**7**

**RESOLUTION NO. 17-236**

**RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF AUTOMOBILES FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:**

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new automobile to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Sheriff's Office to expend county monies for the purchase of new cruisers; and

WHEREAS, the cruisers are available for purchase through the State of Ohio's cooperative purchasing program (the "Program"); and

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WHEREAS, pursuant to section 125.04(C) of the Revised Code, the Board may purchase supplies from another party instead of through participation in Program contracts if the Board can purchase those supplies or services from the other party upon equivalent terms, conditions, and specification but at a lower price than it can through the Program contract; and

WHEREAS, two of the necessary vehicles are available from another party, Statewide Ford Lincoln Mercury, upon equivalent terms, conditions, and specifications but at a lower price than through the Program contract;

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

Section 1. The Board hereby declares that it is necessary to expend county monies for the purchase of new automobiles to be used by the County Sheriff or his employees for the following reasons: (1) existing cruisers have reached the end of their useful service lives; (2) new cruisers are necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) new cruisers will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of one (1) 2017 Ford Transit-350 Cargo van at a cost of \$28,732.00 and one (1) Ford Fusion at a cost of \$19,845.00 from Statewide Ford Lincoln Mercury, upon the equivalent terms, conditions, and specifications of State of Ohio STS Contract #RS901017 and #RS900817.

Section 3. The Board hereby authorizes the purchase of one (1) 2017 Chevy Tahoe at a cost of \$34,299.00 from Byers Chevrolet, and declares that the purchase of said vehicle shall be in accordance with the State of Ohio's cooperative purchasing program, pursuant to the contract and terms and conditions set forth in Contract # RS900917, which is, by this reference, fully incorporated herein and of which the purchase orders approved herein shall be made a part.

Section 4. The Board hereby authorizes the Sheriff's Office to initiate the necessary purchase order(s) to one or more approved vendors and hereby approves the purchase order(s) from fund number 41711436-5450.

Section 5. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

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

**8**

**RESOLUTION NO. 17-237**

**IN THE MATTER OF APPROVING THE SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY; THE SHERIFF OF DELAWARE COUNTY AND RECOVERY AND PREVENTION RESOURCES OF DELAWARE AND MORROW COUNTIES, INC. FOR INMATE OUTPATIENT TREATMENT SERVICES AT THE DELAWARE COUNTY JAIL:**

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

Whereas, the Sheriff and Office Staff recommend approval of the Second Amendment to the Memorandum of Understanding with the Recovery And Prevention Resources Of Delaware And Morrow Counties, Inc. for services at the Delaware County Jail;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the Second Amendment to the Memorandum of Understanding with the Recovery And Prevention Resources Of Delaware And Morrow Counties, Inc. for Inmate Outpatient Treatment services at the Delaware County Jail:

**SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING  
Delaware County Jail and Recovery & Prevention Resources**

This is the Second Amendment to the Memorandum of Understanding (hereinafter "MOU") for Inmate Outpatient Treatment Services at the Delaware County Jail effective January 1, 2017 through December 31, 2017 between Recovery & Prevention Resources of Delaware and Morrow Counties, Inc., (hereinafter "RPR") and Delaware County, Ohio (hereinafter the "County").

WHEREAS, section 3.1 of the MOU provides that the MOU may be renewed for three (3) additional one (1) year renewable periods, the second of which would commence on January 1, 2017 through December 31, 2017;

WHEREAS, the parties desire to so renew the MOU and to amend it in accordance in herewith.

NOW THEREFORE, IN CONSIDERATION of the foregoing facts, the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree that the MOU shall be renewed for an additional term of one (1) year commencing on January 1, 2017 and continuing to December 31, 2017, the MOU shall be amended as follows:

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1. Section 3.1 of the MOU shall be deleted in its entirety and the following language shall be inserted in lieu thereof:

3.1 This MOU shall be effective from January 1, 2017 through December 31, 2017 with one (1) additional one (1) year renewable periods as annually approved by both Parties.

Except for the provisions amended by this document, all other provisions of the MOU shall remain in in full force and effect and unchanged.

**EXHIBIT A**

**Recovery & Prevention Resources of Delaware and Morrow Counties, Inc.  
Delaware County Jail Addiction Recovery Treatment & Mental Health Services Program  
Budget for the period from January 1, 2017 through December 31, 2017**

	<u>FTE's</u>	<u>01/01/17 through 12/31/17</u> <u>(12 months)</u>
<b>Salaries &amp; Wages</b>		
Therapist Hours	.25 FTE	
Clinical Director	.05 FTE	\$21,666.60 **Included in blended rate**
Total		\$21,666.60
Fringe Benefits		"Included in blended rate**"
<b>Total Expenses</b>		<b>\$21,666.60</b>

**Narrative:**

- RPR therapists assigned to this program will provide direct services to program participants and complete necessary documentation per the attached MOU. Estimated time involved: 43.33 hours per month.
- Clinical Director will provide clinical supervision per OhioMHAS Standards and CARF Regulations.
- Fringe benefits include employer's share of payroll taxes, unemployment insurance, worker's compensation premiums, health, dental, vision, life and LTD insurance premiums a

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

**9  
RESOLUTION NO. 17-238**

**RESOLUTION OF NECESSITY FOR THE PURCHASE OF A MOTOR VEHICLE FOR THE USE OF THE DELAWARE COUNTY EMERGENCY MEDICAL SERVICES DEPARTMENT:**

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Delaware County Board of Commissioners (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of a new vehicle to be used by the Board, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Delaware County Emergency Medical Services Department ("EMS") to expend county monies for the purchase of one new ambulance vehicle; and

WHEREAS, an ambulance vehicle for Delaware County EMS is necessary to ensure that a sufficient number of ambulance vehicles are maintained to provide daily coverage; and

WHEREAS, the Board participates in the State of Ohio's cooperative purchasing program (the "Program"), and an ambulance vehicle is available for purchase through the Program;

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

Section 1. The Board hereby declares that a necessity exists to purchase one new ambulance vehicle for use by Delaware County Emergency Medical Services.

Section 2. The Board hereby declares that the make and model of the vehicle is one (1) Horton Model 623

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aluminum body conversion, mounted on a 2017 Ford F-550 4x2 chassis, delivered in accordance with the Ohio STS Pricing Schedule, and attached Selected Features #12055, complete and delivered for the sum of \$193,733.00

Section 3. The Board hereby declares that the purchase shall be in accordance with the Program, pursuant to the contract and terms and conditions set forth in State of Ohio Index # STS233, Contract number 800330, which is, by this reference, fully incorporated herein and of which the purchase order approved herein shall be made a part.

Section 4. The Board hereby approves a purchase order in the amount of \$193,733.00 to Horton Emergency Vehicles.

Section 5: The Board hereby approves the purchase and accompanying purchase order for the necessary lettering and safety striping from Columbus Signworks, LLC, at a cost of \$4348.00; and the purchase and accompanying purchase order for the necessary radio communications equipment from Motorola Communications at a cost of \$4,503.70; and the purchase and accompanying purchase order for the installation of electronics from Hall Public Safety at a cost of \$800., and the purchase and accompanying purchase order for one (1) Stryker Power Load ambulance cot and loading system as a cost of \$43,715.76.

Section 6: The Board hereby approves a supplemental appropriation in the amount of \$22,100.00 to 41711436-5450.

Section 7: This Resolution shall take immediate effect upon passage.

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

**10**

**RESOLUTION NO. 17-239**

**IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARDS FOR THE EMERGENCY MEDICAL SERVICES DEPARTMENT:**

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

WHEREAS, pursuant to Ohio Revised Code Section 301.29, the Board of Commissioners of Delaware County by Resolution No. 04-1193 dated September 30<sup>th</sup>, 2004, adopted a policy for the use of County Procurement Cards. In addition, The Board of Commissioners of Delaware County by Resolution No. 11-1040 dated October 3<sup>rd</sup> 2011, adopted amendments to the Policies and Procedures for the county procurement card program; and

WHEREAS, the appointing authority for the procurement card being the Board of Commissioners has adopted the procurement card policy for the use of the card to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant ORC 301.29 (F)(2).

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, authorize the use of the following procurement cards to the limits indicated and for specific work related expenses designated in the Procurement Card Policy without submitting a monthly estimate of expenses:

<b>Name on Card:</b>	Eric J. Burgess
Appointing Authority:	Board of Commissioner
Office/Department:	Emergency Medical Services Department
Daily spending per card:	\$1,000
Monthly spending per card:	\$5,000
Single transaction limit:	\$1,000
Daily number of transactions per card:	5
Monthly number of transactions per card:	25
Department Coordinator:	Mike Schuiling

<b>Name on Card:</b>	Aaron D. Jennings
Appointing Authority:	Board of Commissioner
Office/Department:	Emergency Medical Services Department
Daily spending per card:	\$1,000
Monthly spending per card:	\$5,000
Single transaction limit:	\$1,000
Daily number of transactions per card:	5
Monthly number of transactions per card:	25
Department Coordinator:	Mike Schuiling

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

**11**

**RESOLUTION NO. 17-240**

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**IN THE MANNER OF APPROVING A PERMIT FOR USE OF DELAWARE COUNTY FACILITIES:**

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

WHEREAS, the Delaware County Commissioners passed Resolution No. 02-758 on June 10, 2002 adopting a Delaware County Facilities Permit Policy; and

WHEREAS, it is the intent of the policy to allow persons and organizations access to appropriate Delaware County facilities, grounds and meeting places; and

WHEREAS, each request will only be considered after the receipt of a completed Delaware County Facilities Permit Form; and

WHEREAS, the June 10, 2002 policy mandates approval from the Commissioners for use of county facilities by groups of 30 participants or more that have agreed in writing to full compliance with the Permit Policy;

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

That the Delaware County Board of Commissioners hereby authorizes the use of the Willis Building Conference Room for use by Southeast, Inc., to conduct a career fair on Thursday, March 23, 2017, from 3:00 p.m. to 7:00 p.m. The event will be attended by more than thirty (30) participants and Southeast, Inc., will pay a fee of \$25 per hour for the two hours (5:00 p.m.-7:00 p.m.) of operation that fall after regular business hours.

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

**12**

**RESOLUTION NO: 17-241**

**IN THE MATTER OF ADOPTING THE CONCEALED CARRY POLICY UPDATE IN THE DELAWARE COUNTY PERSONNEL POLICY MANUAL:**

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

WHEREAS, the Delaware County Board of Commissioners adopted the Personnel Policy Manual on April 29, 2013, to revise management practices, procedures, and policies to appropriately manage federal, state, and civil service laws and regulations and to administer and set employment standards, and provide for the general management of employees, based upon best practices recommended by the County Risk Sharing Authority; and

WHEREAS, Effective March 21, 2017, and consistent with R.C. 2923.1210, a business entity, property owner, private or public employer may not establish, maintain, or enforce a policy or rule that prohibits or has the effect of prohibiting an employee that holds a valid license to carry a concealed handgun from “transporting or storing a firearm or ammunition” on County property so long as both of the following conditions are met:

1. The firearm and all ammunition must remain inside the employee’s personal vehicle while the employee is in the vehicle or must remain locked in the glove compartment, trunk, or secure compartment; and
2. The employee’s personal vehicle is in a location that it is otherwise permitted to be. (e.g. Employer parking lot); and

WHEREAS, a modification to the Delaware County Personnel Policy Manual Concealed Carry policy is necessary to clarify that the policy does not prohibit an employee’s statutory right to transport and store a firearm or ammunition in their personal vehicle in a County parking lot; and

WHEREAS, Employees should note the update in their manuals with the understanding that the remainder of the manual remains in full force and effect;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio, that the Delaware County Personnel Policy Manual page 45 be amended by substitution to recognize the changes to the Concealed Carry policy as follows:

**XXVIII. CONCEALED CARRY**

Consistent with the Ohio Revised Code, no employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon or ordnance onto the property of the County. A valid concealed carry license does not authorize an individual to carry such a weapon onto these premises. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a concealed weapon.

County employees are prohibited from carrying firearms any time they are working for the County or acting within the

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course and scope of employment. These situations include, but are not limited to attending training sessions or seminars, wearing a County identification badge, uniform, or other County issued paraphernalia that an employee is required to wear relative to their employment and working in resident's homes or other sites off County premises. Except for law enforcement officers, no employee or member of the public may carry, transport, or store a concealed weapon, firearm, or ammunition in a County owned vehicle.

This policy does not prohibit employees, possessing a valid license to carry a concealed handgun, from transporting and/or storing a firearm or ammunition in their personal vehicle at work locations where their personal vehicle is otherwise permitted to be (e.g. County Parking Lot). However, the employee must leave the firearm and ammunition in their personal vehicle. Employees are neither permitted to remove their firearm or ammunition from their personal vehicles while at work locations nor are they permitted to bring a concealed firearm or ammunition into a County owned building. The employee's firearm and ammunition must be stored in their personal vehicle in accordance with the storage provisions of the Concealed Carry statute. The firearm and ammunition must be in a locked vehicle either in the glove compartment, a lock box or the trunk.

Employees shall immediately contact a supervisor if they suspect an employee or member of the public is carrying a concealed weapon, firearm, or ammunition on County premises. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon or firearm in violation of this policy at any time while they are working for the County, acting within the course and scope of employment, or acting as a representative of the County.

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

**14**

**ADMINISTRATOR REPORTS**

Ferzan Ahmed, County Administrator

- Bob Lamb will be presenting at the Powell Chamber of Commerce this afternoon
- Will be attending the State of the City for Dublin this evening
- Visited Greene County on Tuesday to get some ideas of how they do centralized purchasing. Got an example to work off of for this county
- Dawn Huston has started to go around to the different departments with CEBCO to go over the health insurance plan and all it offers

**15**

**COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Lewis

- Passed around an example of the new EMA logo and wanted thoughts from the Board on it

Commissioner Merrell

- Will be attending MORPC this afternoon

Commissioner Benton

- Will be attending the Powell Chamber lunch this afternoon
- Listened to the NACo legislative update. They are a very active organization
- MORPC will be later this afternoon
- OWU celebrated their 175 Charter this week
- Attended the DKMM Task Force meeting yesterday
- Will be attending the Dublin entrepreneur center tomorrow

**13**

**RESOLUTION NO. 17-242**

**PUBLIC HEARING FOR CONSIDERATION OF THE LIBERTYDALE DRAINAGE  
IMPROVEMENT PETITION FILED BY LIBERTYDALE HOMEOWNERS ASSOCIATION:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to open the hearing at 10:12 AM.

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

**13 continued**

**RESOLUTION NO. 17-243**

**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 Mrs. Lewis to approve, for a specific occurrence, a suspension of Rule

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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            Mrs. Lewis            Aye            Mr. Benton            Aye

**13 continued**

**RESOLUTION NO. 17-244**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE LIBERTYDALE DRAINAGE IMPROVEMENT PETITION FILED BY LIBERTYDALE HOMEOWNERS ASSOCIATION:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to close the hearing at 10:22 AM.

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

**13 continued**

**RESOLUTION NO. 17-245**

**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 LIBERTYDALE DRAINAGE MAINTENANCE IMPROVEMENT PETITION:**

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

Whereas, on September 15, 2016, a Drainage Improvement Petition to The Libertydale Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the "Board") by the Libertydale Homeowners Association (Nico Franano and Others); and

Whereas, the Board on December 12, 2016, conducted a view of the proposed improvements; and

Whereas, the Board on March 9, 2017, 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 Libertydale 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.

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 Libertydale Watershed Drainage Improvement. The Board hereby fixes March 9, 2018 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 LIBERTYDALE DRAINAGE IMPROVEMENT PROJECT 40311456.

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. Benton            Aye            Mr. Merrell            Aye            Mrs. Lewis            Aye



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There being no further business, the meeting adjourned.

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Gary Merrell

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Barb Lewis

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Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners