

**COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 6, 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

1:30 P.M. Viewing For Consideration Of The Clarkshaw Drainage Improvement Petition Filed By Clarkshaw LLC And Others

1
RESOLUTION NO. 17-1168

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD NOVEMBER 2, 2017:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on November 2, 2017; 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
RESOLUTION NO. 17-1169

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1103:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1103 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
P1700849- Finance Director City Delaware	County Share Municipal Court Fees	10029203-5360	\$10,600.00

PR	Vendor Name	Line Description	Account	Amount
Number				
R1705655	FINANCE DIRECTOR CITY DELAWARE	2ND QUARTER 2017 EMS RUNS	10011303- 5345	\$141,329.69
R1705657	LIBERTY TWP FIRE DEPT	3RD QUARTER EMS RUNS	10011303 - 5345	\$70,587.88
R1705666	COUNTY RISK SHARING AUTHORITY	DEDUCTIBLE PAYMENT DOL 08.10.16	60111901 - 5370	\$5,743.39
R1705666	COUNTY RISK SHARING AUTHORITY	DEDUCTIBLE PAYMENT DOL 07.07.16	60111901 - 5370	\$650.00

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

5
RESOLUTION NO. 17-1170

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 Emergency Medical Department is requesting that Lieutenants Glen Keating and Jennifer Ranson attend an Ohio Resuscitation Academy course November 8, 2017 in Columbus, Ohio; at no cost.

The Emergency Medical Department is requesting that Lieutenant Jessica Murray attend a Field Force Extrication tactics course from December 4-9, 2017 in Anniston, Alabama at no cost.

The Regional Sewer District is requesting that Mike Frommer, Tiffany Maag, and Erik McPeek attend a CSEAO Annual Winter Conference in Columbus, Ohio on December 11 and December 12, 2017 at a total cost of \$975.00 from fund 66211902.

The Code Compliance Department is requesting that Ross Bigelow, Ric Irvine and Andrew Shorter attend a Koorsen Fire and Security Seminar in Columbus, Ohio November 7, 2017, at no cost.

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

6
RESOLUTION NO. 17-1171

IN THE MATTER OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS, SUPPORTING THE INITIATIVES AND OPPORTUNITIES LEAD BY SOURCEPOINT, IN PARTNERSHIP WITH THE DELAWARE GENERAL HEALTH DISTRICT, TO DESIGNATE DELAWARE COUNTY AN AGE-FRIENDLY COMMUNITY:

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

**DELAWARE COUNTY
PROCLAMATION**

WHEREAS, in 2012 people aged 60 and older comprised 11 percent of the global population and will reach 22 percent by 2050; and

WHEREAS, in the United States one in five residents will be age 65 or older by 2030; and

WHEREAS, from 2010 to 2030, the growth of Ohio’s over-60 population will grow by 47 percent, and the population of over-85 will grow by 46 percent, compared to a 2 percent population growth overall; and

WHEREAS, from 2010 to 2030, the growth of Delaware County’s over-60 population will grow by 153.2 percent, and the population of over-85 will grow by 187 percent; and

WHEREAS, research shows older adults wish to remain in their homes and communities as they age; and

WHEREAS, access to quality health care and long-term services and support is essential for individuals to remain living in their homes and communities; and

WHEREAS, approximately 49 percent of Delaware County older adults experience recurrent falls and 67 percent haven fallen at least once since turning 60; and

WHEREAS, transportation barriers lead to barriers to accessing health care and opportunities to engage with the communities in which they live; and

WHEREAS, in older adults, loneliness is associated with higher rates of mental illness; and social isolation is associated with higher rates of self-reported poor health; and

WHEREAS, the Delaware County community benefits from the many contributions offered by our older residents, including their years of experience and expertise in both volunteer work and paid employment; and

WHEREAS, the older residents of Delaware County provide support to their families and help make our community a great place to live and work; and

WHEREAS, active aging is a life-long process, whereby an age-friendly community is not just “elder-friendly” but also intended to be friendly for all ages and abilities; and

WHEREAS, the World Health Organization (WHO), in partnership with AARP, has developed a network of Age-Friendly Cities and Communities to encourage and promote public policies to increase the number of cities and communities that support healthy aging and thereby improve the health, well-being, satisfaction, and quality of life for older Americans; and

WHEREAS, SourcePoint, in partnership with the Delaware General Health District, and the support of the Delaware County Commissioners, wish to join in making Delaware age-friendly in “one of the most effective policy approaches for responding to demographic aging,” and

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WHEREAS, SourcePoint and the Delaware General Health District seek to assist the leaders of Delaware County in creating a community that supports optimum health and quality of life of its older residents through the eight domains of community life, as identified by WHO:

1. **Outdoor spaces and buildings:** Accessibility to and availability of clean, safe community centers, parks, and other recreational facilities and spaces;
2. **Transportation:** Safe and affordable modes of private and public transportation; "Complete Streets" types of initiatives; hospitable built environments;
3. **Housing:** Wide range of housing options for older residents; aging in place and other home modification programs; housing that is accessible to transportation and community and health services;
4. **Social participation:** Access to leisure and cultural activities; opportunities for older residents to participate in social and civic engagement with their peers and younger people;
5. **Respect and social inclusion:** Programs to support and promote ethnic and cultural diversity; programs to encourage multigenerational interaction and dialogue; programs to combat loneliness and isolation among older residents;
6. **Civic participation and employment:** Promotion of paid work and volunteer opportunities for older residents; opportunities for older residents to engage in formulation of policies relevant to their lives;
7. **Communication and information:** Promotion of and access to the use of technology to keep older residents connected to their community and friends and family, both near and far; and
8. **Community support and health services:** Access to homecare services, clinics, and programs to promote active aging, including physical exercise and healthy habits.

NOW, THEREFORE, WE, the Delaware County Board of Commissioners, do hereby endorse and support the initiatives and opportunities lead by SourcePoint, in partnership with the Delaware General Health District, to designate Delaware County an Age-Friendly Community.

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

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RESOLUTION NO. 17-1172

SETTING DATE AND TIME FOR REQUEST FOR PROPOSALS FOR THE DELAWARE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES (DCDJFS) DIGITAL AUDIO VIDEO RECORDING SYSTEM RFP #: 07-CY17:

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

Delaware County Department of Job and Family Services (DCDJFS) is seeking proposals from qualified consultants and organizations to assist DCDJFS with the installation and training of a digital audio/video recording system. The successful candidate must have extensive experience with installation of digital recording systems that are integrated with a user's information technology network.

The Board of Delaware County Commissioners (Board) intends to award a contract to one provider, as appropriate in the judgment of the Board, for its Delaware County Department of Job & Family Services. For the purposes of this document, collectively, the Board and DCDJFS will be referred to as the County.

The complete Request for Proposal Packet and related information is posted on the internet and may be viewed and downloaded at Delaware County's website at:

<http://www.co.delaware.oh.us/index.php/bids>

Any proposals submitted to Delaware County are to be prepared at the submitter's expense. Delaware County reserves the right to reject any and all proposals in whole or in part. Acceptance of a proposal shall not constitute an agreement between the submitter and Delaware County. Delaware County shall not have any liability whatsoever to any submitter whose proposal is not accepted.

A Public Information Session regarding proposal interest or questions will be held on November 15, 2017 at 11:00am in Room 235, The Hayes Administration Building, 140 North Sandusky Street, Delaware, Ohio, 43015. A tour of the rooms impacted by the recording system will be conducted immediately following the meeting.

Proposals will be received at:

Delaware County Department of Job and Family Services
Attention: Mr. Steve Ehrle
Contracts Administrator
140 North Sandusky Street

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Delaware, Ohio, 43015

The outside of the sealed proposal package should also include the title “Audio/Video Recording System Proposal”.

All proposals must be received by the addressee no later than 4:00pm, local time, December 11, 2017.
No Exceptions.

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

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DAVID DOMBROSKY, DIRECTOR OF JOB AND FAMILY SERVICES
PRESENTATION OF THE DELAWARE COUNTY DEPARTMENT OF JOB & FAMILY
SERVICES’ FIVE-YEAR STRATEGIC PLAN

9
RESOLUTION NO. 17-1173

IN THE MATTER OF APPROVING OWNER’S AGREEMENT FOR NELSON FARMS SECTION 2, PHASE C:

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

Whereas, The Engineer recommends approving the Owner’s Agreement for Nelson Farms Section 2, Phase C;

Now Therefore Be It Resolved, that the Delaware County Board of Commissioners approve the Owner’s Agreement for Nelson Farms Section 2, Phase C as follows:

OWNER’S AGREEMENT
PROJECT NUMBER: 7025

THIS AGREEMENT, executed on this 6th day of November, 2017, between **NELSON FARMS ASSOCIATES, INC.**, hereinafter called ‘**OWNER**’ and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY OHIO (COUNTY COMMISSIONERS)**, for the project described as **NELSON FARMS SECTION 2, PHASE C**, further identified as Project Number 7025, is governed by the following considerations to wit:

Said **OWNER** is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this **AGREEMENT**.

OPTIONS:

1. Should **OWNER** elect to record the plat prior to beginning construction, **OWNER** shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction as shown in **Exhibit “A”** attached hereto.
2. Should **OWNER** elect to proceed to construction prior to recording the plat, no approved financial warranties are necessary until such time as **OWNER** elects to record the plat. Such plat cannot be recorded until the County Engineer has determined the construction of the project is at least 80% complete.

OWNER hereby elects to use Option 2 for this project.

The financial warranties are to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Delaware County Design, Construction and Surveying Standards and any supplements thereto**. The **OWNER** shall pay the entire cost and expense of said improvements, unless otherwise specifically noted herein.

The **OWNER** shall indemnify and save harmless **Delaware County and all Townships and/or Villages** within Delaware County and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one (1) year from the date on which this **AGREEMENT** is executed by the **COUNTY COMMISSIONERS**.

The **OWNER** further agrees that any violations of or noncompliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract, and the **COUNTY** shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

It is further agreed that upon execution of the **AGREEMENT**, the **OWNER** shall deposit **FIFTEEN THOUSAND THREE HUNDRED DOLLARS (\$15,000)** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer**. When the fund has been depleted to **ten percent (10%)** of the original amount deposited, the **OWNER** shall replenish the account upon notice by the **Delaware County Engineer**. Upon completion of the maintenance period and acceptance of the improvements by the **Delaware County Commissioners**, the remaining amount in the fund shall be returned to the **OWNER**.

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Upon completion of construction, the **OWNER** shall be responsible for the maintenance, repair or construction of any and all defective materials or workmanship for a period of **one year**. Said **OWNER'S** bond, certified check, irrevocable letter of credit or other approved financial warranties may be reduced to 10% of the originally approved construction estimate as shown in **Exhibit "A"** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance with the **Delaware County Design, Construction and Surveying Standards, and any supplements thereto**.

Acceptance of the project into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **OWNER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

Any snow or ice removal, erosion and sediment control maintenance, or other safety requirements deemed necessary by the County Engineer during the period of construction or maintenance shall be the responsibility of the **OWNER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

The **OWNER** shall, within thirty (30) days of completion of construction and prior to final acceptance, to the **COUNTY COMMISSIONERS**, as required, "as-built" drawings of the improvements, which plans shall become the property of the **COUNTY** and remain in the office of the **Delaware County Engineer**.

The **OWNER** shall, within thirty (30) days of completion of construction, furnish to the **COUNTY COMMISSIONERS** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **OWNER** shall indemnify and hold harmless **Delaware County and all Townships and/or Villages** within Delaware County and all their officials, employees or agents from expenses or claims for labor or material incident to said construction of improvements.

The **OWNER** shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The **OWNER** shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the **OWNER** and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the **County**.

Should the OWNER become unable to carry out the provisions of this AGREEMENT, the **OWNER'S** heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this **AGREEMENT**.

In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants the **OWNER** or his agent, the right and privilege to make the improvements stipulated herein.

EXHIBIT "A"

CONSTRUCTION COST ESTIMATE	\$764,100
CONSTRUCTION BOND AMOUNT	\$ N/A
MAINTENANCE BOND AMOUNT	\$ 76,400
INSPECTION FEE DEPOSIT	\$ 25,000

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

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RESOLUTION NO. 17-1174

IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR LIBERTY TRACE SECTION 3, PHASE B:

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

WHEREAS, on November 6, 2017, a Ditch Maintenance Petition for Liberty Trace Section 3, Phase B 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 Liberty Trace Section 3, Phase B off of Liberty and Home Roads in Liberty 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:

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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 \$92,226.72 for the benefit of the lots being created in this subdivision. 14 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 \$6,587.62 per lot. An annual maintenance fee equal to 2% of this basis (\$131.75) 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 in the amount of \$1,845.00 has been paid to Delaware County, receipt of which is hereby acknowledged.

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

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RESOLUTION NO. 17-1175

IN THE MATTER OF ESTABLISHING MAINTENANCE BONDS FOR GLENMEAD SECTION 1, PHASES A AND B; AND VINMAR VILLAGE SECTION 3:

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

Glenmead Section 1, Phases A & B

WHEREAS, the roadway construction has been completed for the projects known as Glenmead Section 1, Phases A and B (“Projects”); and

WHEREAS, as the result of The Engineer’s recent field review of the Projects, The Engineer has determined that only minor remedial work remains which can be accomplished during the subsequent one year maintenance period; and

WHEREAS, The Engineer recommends that in accordance with the Owner’s Agreement the Maintenance Bonds be set at **\$98,610 for Phase A and \$173,390 for Phase B** (10% of the original construction estimate) and the Projects be placed on the required one year maintenance period; and

WHEREAS, Romanelli & Hughes (“Owner”) has provided Maintenance Bonds in the amount of \$98,610 for Phase A and \$173,390 for Phase B as surety to cover the one year maintenance period.

Now Therefore Be It Resolved that The Delaware County Board of Commissioners (Board) accepts the Maintenance Bonds in the amount of \$98,610 and \$173,390 for the Projects and place the Projects on the required one year maintenance period.

Vinmar Village Section 3

WHEREAS, the roadway construction has been completed for the project known as Vinmar Village Section 3 (“Project”); and

WHEREAS, as the result of The Engineer’s recent field review of the Project, The Engineer has determined that only minor remedial work remains which can be accomplished during the subsequent one year maintenance period; and

WHEREAS, The Engineer recommends that in accordance with the Owner’s Agreement the Maintenance Bond be set at **\$64,700** (10% of the original construction estimate) and the Project be placed on the required one year maintenance period; and

WHEREAS, Vinmar Investment Limited (“Owner”) has provided a Maintenance Bond in the amount of \$64,700 as surety to cover the one year maintenance period.

Now Therefore Be It Resolved, that The Delaware County Board of Commissioners (Board) accepts the Maintenance Bond in the amount of \$64,700 for the Project and place the Project on the required one year maintenance period.

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

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RESOLUTION NO. 17-1176

IN THE MATTER OF APPROVING THE PLAT OF SUBDIVISION FOR VINMAR VILLAGE

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**SECTION 3; LIBERTY TRACE SECTION 2, PHASE A; LIBERTY TRACE SECTION 2, PHASE B;
NORTHSTAR SECTION 3, PHASES A & B; WILSON ROAD IMPROVEMENTS FOR
NORTHSTAR SECTION 3 DEDICATION PLAT:**

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

Vinmar Village Section 3

Whereas, Vinmar Investment Limited has submitted the Plat of Subdivision ("Plat") for Vinmar Village Section 3, including related development plans ("Plans") and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Genoa Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on July 13, 2017; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on July 20, 2017; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on July 24, 2017; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on August 9, 2017; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on September 5, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Vinmar Village Section 3.

Vinmar Village Section 3:

Situate in the State of Ohio, County of Delaware, Township of Genoa, LYING IN Farm Lot 5, Quarter Township 2, Township 3 North, Range 17 West, United States Military District, containing 21.793 acres, more or less, including 2.056 acres of right-of-way area, being out of 73.111 acre tract as conveyed to Vinmar Investment Limited, by deed of record In Official Record 456, Page 1187, and Official Record 156, Page 1187, all records of the Recorder's Office, Delaware County, Ohio. Cost: \$72.

Liberty Trace Section 2, Phase A

Whereas, Pulte Homes of Ohio LLC has submitted the Plat of Subdivision ("Plat") for Liberty Trace Section 2, Phase A, including related development plans ("Plans") and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Liberty Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on November 15, 2016; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on November 18, 2016; and

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

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 28, 2017; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on October 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Liberty Trace Section 2, Phase A.

Liberty Trace Section 2, Phase A

Situated in the State of Ohio, County of Delaware, Township of Liberty, and in Farm Lots 12 (6.446 acres) and 13 (9.547 acres), Quarter Township 1, Township 3, Range 19, United States Military Lands, containing 15.993 acres of land, more or less, said 15.993 acres being part of that tract of land conveyed as Tract 3 to Pulte Homes of Ohio LLC by deed of record in Official Record 1305, Page 2561, Recorder's Office, Delaware County, Ohio. Cost: \$72.

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Liberty Trace Section 2, Phase B

Whereas, Pulte Homes of Ohio LLC has submitted the Plat of Subdivision (“Plat”) for Liberty Trace Section 2, Phase B, including related development plans (“Plans”) and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Liberty Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on November 15, 2016; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on November 18, 2016; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on November 30, 2016; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on September 28, 2017; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on October 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Liberty Trace Section 2, Phase B.

Liberty Trace Section 2, Phase B

Situated in the State of Ohio, County of Delaware, Township of Liberty, and in Farm Lots 12 (2.903 acres) and 13 (7.774 acres), Quarter Township 1, Township 3, Range 19, United States Military Lands, containing 10.677 acres of land, more or less, said 10.677 acres being part of that tract of land conveyed as Tract 3 to Pulte Homes of Ohio LLC by deed of record in Official Record 1305, Page 2561, Recorder’s Office, Delaware County, Ohio. Cost: \$72.

Northstar Section 3, Phases A & B

Whereas, Northstar Residential Development, LLC, an Ohio Limited Liability Company, has submitted the Plat of Subdivision (“Plat”) for Northstar Section 3, Phases A & B, including related development plans (“Plans”) and requests approval thereof by the Board of Commissioners of Delaware County; and

Whereas, the Kingston Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on September 28, 2017; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on September 27, 2017; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 28, 2017; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on October 3, 2017; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on October 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Northstar Section 3, Phases A & B.

Northstar Section 3, Phases A & B

Situated in the State of Ohio, County of Delaware, Kingston Township, Farm Lot 1, Quarter Township 3, and Farm Lot 1, Quarter Township 4, Township 5, Range 17, United States Military Survey, being 74.459 acres of land located in that 597.166 acre tract of land as described in a deed to Northstar Residential Development, LLC of record in Official Record 879, Page 1476, Recorder’s Office, Delaware County, Ohio. Cost: \$177.

Wilson Road Improvements for Northstar Section 3 – Dedication Plat

Whereas, Northstar Residential Development, LLC, an Ohio Limited Liability Company, has submitted the Plat of Subdivision (“Plat”) for Wilson Road Improvements for Northstar Section 3 – Dedication Plat, including related development plans (“Plans”) and requests approval thereof by the Board of Commissioners of Delaware County; and

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Whereas, the Kingston Township Zoning Officer has reviewed said Plat and Plans for conformance with Township Zoning Regulations and approved said Plat on September 28, 2017; and

Whereas, Del-Co Water Company has reviewed said Plat and Plans for conformance with its rules and regulations and approved said Plat on September 27, 2017; and

Whereas, the Delaware County Sanitary Engineer has reviewed said Plat and Plans for conformance with the Rules, Regulations, Standards and General Procedures Governing Sewerage in Delaware County and approved said Plat on September 28, 2017; and

Whereas, the Delaware County Engineer has reviewed said Plat and Plans for conformance with Delaware County Engineering and Surveying Standards and approved said Plat on October 3, 2017; and

Whereas, the Delaware County Regional Planning Commission has reviewed said Plat and Plans for conformance with Delaware County Subdivision Regulations and approved said Plat on October 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the Plat of Subdivision for Wilson Road Improvements for Northstar Section 3 – Dedication Plat.

Wilson Road Improvements for Northstar Section 3 – Dedication Plat

Situated in the State of Ohio, County of Delaware, Kingston Township, Quarter Township 3, Farm Lot 1 and Quarter Township 4, Farm Lot 1, Township 5, Range 17, United States Military Lands, being part of that 766.886 acre tract conveyed to Northstar Residential Development, LLC by deed of record in Official Record Volume 879, Page 1476, all references refer to the records of the Recorder’s Office, Delaware County, Ohio. Cost: \$0

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

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ADMINISTRATOR REPORTS

-none

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COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Lewis

-none

Commissioner Merrell

- Brown Township; new township hall ribbon cutting this weekend
- the New Delaware County Court House Flag raising was at 7:45a.m. tod
- Voting day is tomorrow

Commissioner Benton

- New Delaware County Court House remarks
- Smart Columbus meeting on Tuesday
- later today, 1:30 P.M. Viewing For Consideration Of The Clarkshaw Watershed Area Drainage Petition
- thanks to Auditor Kaitsa For the 5 year forecast information

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RESOLUTION NO. 17-1177

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; FOR PENDING OR IMMINENT LITIGATION; FOR COLLECTIVE BARGAINING AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

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

WHEREAS, pursuant to section 121.22(G) of the Revised Code, a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the matters specified in section 121.22(G)(1)–(7) of the Revised Code; and

WHEREAS, pursuant to section 121.22(G)(8) of the Revised Code, a public body may hold an executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

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(1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and

(2) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project;

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

Section 1. The Board hereby adjourns into executive session for consideration of employment; compensation of a public employee or public official; to consider the purchase of property for public purposes; for pending or imminent litigation; for collective bargaining and confidential information related to economic development .

Section 2. The Board hereby adjourns into executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

Section 3. The Board hereby finds and determines that the information listed in Section 2 is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

Section 4. The Board hereby finds and determines that the executive session held pursuant to Section 2 is necessary to protect the interests of an applicant for economic development assistance or the possible investment or expenditure of public funds to be made in connection with the economic development project.

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

RESOLUTION NO. 17-1178

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to adjourn out of Executive Session.

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

RECESS 12:14P.M./RECONVENE 1:30P.M. (IN THE FIELD, AT THE SOUTHERN TERMINUS OF LANDGATE DRIVE)

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**IN THE FIELD:
1:30 P.M. VIEWING FOR CONSIDERATION OF THE CLARKSHAW WATERSHED AREA DRAINAGE PETITION**

On November 6, 2017 at 1:30P.M. starting near the southern terminus of Landgate Drive, the Delaware County Commissioners viewed the watershed area with staff members from the Delaware County Engineer’s Office and the Delaware County Soil and Water Conservation District.

(View location, turn south on Meadowhaven Drive from Clark-Shaw Road, proceed approximately 500 feet, and then turn right onto Landgate Drive. Proceed on Landgate Drive to the end of the street. Meadowhaven Drive is located approximately ¾ of a mile east of the intersection of Clark-Shaw Road and South Section line Road.)

Commissioners Present: Jeff Benton, Gary Merrell, and Barb Lewis

On August 8, 2017, a drainage petition for the Clarkshaw watershed was filed with the Board of County Commissioners to:

-generally improve the drainage, subsurface, to a good and sufficient outlet by replacing or repairing, or altering the existing improvement as required and/or creating new surface and/or subsurface drainage mains as requested by this petition.

-the following is the course and termini of said proposed improvement, to wit: Commencing at the southern property line of an original 57.078 acre parcel conveyed to Clarkshaw, LLC in Official Record 1394, Page 539.

Thence south across a 5.98 tract owned by Susan Massaro Jackson (PIN 41933002061000) to a point

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where an adequate and sufficient outlet is provided.

NOTE: the first hearing on the petition is scheduled for Thursday January 25, 2018 at 10:00A.M.

The Commissioners:

-Due to heavy rains late on the 5th, SWCD provided pictures of the area, during the viewing at the southern terminus of Landgate Drive. Copy available in the Commissioners' Office file for The Clarkshaw Drainage Improvement Petition Project

- The Proposed improvement tile Areas to outlets on Hyatts road
- proposed tile area to a good and sufficient outlet lies behind trees
- the Laser 537 (old project) may have remains here, but not on the maintenance program
- viewed maps of area (current drainage infrastructure has a retention basin with 2 outlets: a low flow and a high flow
- Developer filed petition to improved /additional/downstream flow
- no estimates of cost and only draft map of watershed at this point in the petition process
- the petition (signatures and words) determines the upstream part of a project the "sufficient outlet" determines the bottom of a project
- area to the West is a separate watershed
- projects since 1998 are automatically placed on County Drainage Maintenance Program
- this is a landowner initiated process and detailed surveys follow if the project moves past the first hearing
- if approved the storm water infrastructure will be placed on the County Drainage Maintenance Program
- if approved money pooled only for this project; assessments placed on build-able lots current and future

-4 Factors Determine Possible Assessment: Acres Benefited, Land Use, Percent Of Improvement Used; Remote Factor

The following is a PDF copy of the Commissioners' Office sign-in sheet of the people present at the viewing who chose to sign the sign-in sheet.

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Delaware County Commissioners

Jeff Benton
 Barb Lewis
 Gary Merrell

SIGN-IN SHEET FOR NOVEMBER 6, 2017

**1:30P.M. Viewing For Consideration Of The Clarkshaw
 Drainage Improvement Petition Filed By Clarkshaw
 LLC And Others**

NAME	ADDRESS
1 Wesleyne Niemeyer	4161 Clark Shaw Rd
2 Marty Palmer	4168 Clark Shaw Rd
3 David Pierce	" " " "
4 Ron Deulin	3873 Bean & Oller
5 Amy Deulin	"
6 Joel Pierce	4215 Clark Shaw Rd
7 Jim Russell	4121 Clark Shaw Rd.
8 Eric Niemeyer	4140 Clark Shaw Rd
9 Christina Veach	6099 Chancel Gate Dr.
10 Steve Veach	6099 Chancel Gate Dr.
11 Patrick Harnish	4574 Hyatts Rd
12 Ralph D Gannon	6054 Chancel Gate Dr
13 Edwin A Miller	3664 Bean Oller Rd.
14 Kelly Ziegler	679 Coover Rd. Delaware

15 Jeff Benton	7552 Clark Shaw
16 Dan Snobs	3580 Clark Shaw
17 Brett Bergefurd	DCEO
18 Mike + Susan Jackson	4025 Hyatts Rd
19	

There being no further business, the meeting adjourned.

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Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners