

COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
 MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 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 A.M. Public Hearing For Consideration Of The Wedgewood Subdivision Sections 2, 3, 3A, 4, 5, 7, 8, 9 Drainage Maintenance Improvement Petition

1
 RESOLUTION NO. 17-1288

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 4, 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 December 4, 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

4
 RESOLUTION NO. 17-1289

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1206:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1206 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
P1701064 Advantage	Child Care (approved 12/04/17)	22511607-5342	\$ 7,000.00
P1705495- Treasurer	Escrow Deposit Liberty Sawmill	66711908-5415	\$32,956.48
P1700965 PD Attorneys	Services at Public Defender	10011202-5301	\$50,000.00
P1704834 PNC Bank	PNC Bank Card Admin. Services	61311923-5200	\$ 9,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>	<u>Line</u>
R1705962	TOOLE & ASSOCIATES LLC	OUTSOURCE INSPECTION SERVICES	10011301 - 5301	\$25,000.00	0001
R1706078	DUDE SOLUTIONS INC	SOFTWARE MAINTENANCE	10011105 - 5320	\$ 5,575.50	0001
R1706109	XYLEM WATER SOLUTIONS USA INC	SPARE PUMPS FOR PUMP STATIONS - PUMP STATION	66211901 - 5450	\$28,067.47	0001
R1706109	XYLEM WATER SOLUTIONS USA INC	SPARE PUMPS FOR PUMP STATIONS - PUMP STATIONS	66211903 - 5450	\$32,398.30	0002
R1706109	XYLEM WATER SOLUTIONS USA INC	SPARE PUMPS FOR PUMP STATIONS - PUMP STATIONS	66211904 - 5450	\$10,346.67	0003

**COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 2017**

R1706128	DITCH MAINTENANCE	START UP FEES	40311446 - 5328	\$ 6,513.17	0001
R1706129	COMMISSIONERS	WINDING CREEK PETITION CHARGES	40311446 - 5328	\$ 1,285.26	0001
R1706129	COMMISSIONERS	WEBSTER ARNOLD PETITION CHARGES	40311455 - 5328	\$ 935.55	0002
R1706129	COMMISSIONERS	THOMAS PETITION CHARGES	40311453 - 5328	\$ 2,913.53	0003
R1706129	COMMISSIONERS	SCOTT 604 LATERAL PETITION CHARGES	40311457 - 5328	\$ 2,993.96	0004
R1706129	COMMISSIONERS	RIBOV PETITION CHARGES	40311450 - 5328	\$ 4,217.88	0005
R1706129	COMMISSIONERS	RADNOR PETITION CHARGES	40311458 - 5328	\$ 474.84	0006
R1706129	COMMISSIONERS	NORRIS RUN PETITION CHARGES	40311460 - 5328	\$ 708.43	0007
R1706129	COMMISSIONERS	HAVENS PETITION CHARGES	40311449 - 5328	\$ 1,173.91	0008
R1706129	COMMISSIONERS	FANCHER PETITION CHARGES	40311454 - 5328	\$ 4,348.06	0009
R1706130	SOIL & WATER CONSERVATION DISTRICT	DITCH PETITION CHARGES	10011102 - 5328	\$19,051.42	0001

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

**5
RESOLUTION NO. 17-1290**

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Child Support Enforcement Agency is requesting that Wendy Shannon and Maren Aikey attend a Regional Hearing Officer Meeting on January 4, 2018 in Mt. Vernon, Ohio at no cost.

The Code Compliance Department is requesting that Duane Matlack, Andrew Shorter and Ed Spiers attend a COCOA 2017 Ohio Code Changes Seminar in Dublin, Ohio on December 13, 2017 at no cost.

The Job and Family Services Department is requesting that Madison May attend a Ed2Go Intermediate User Microsoft Excel Training, Online Course at the cost of \$90.00

The Emergency Medical Services Department is requesting that Lt. Glen Keating attend a FSDAP Research Summit in Minneapolis, Minnesota from February 9-11, 2018 at no cost.

The Administrative Services Department is requesting that Jon Landrum attend a FMLA Training Conference in Dublin, Ohio on December 12, 2017 at the cost of \$699.99 (fund number 10011108).

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

**6
RESOLUTION NO. 17-1291**

IN THE MATTER OF DECLARING A PUBLIC PURPOSE AND AUTHORIZING THE USE OF DELAWARE COUNTY FUNDS FOR THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS, AND OTHER AMENITIES:

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

WHEREAS, in accordance with Ohio Attorney General Opinion No. 82-006 and Ohio Auditor of State Bulletin

**COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 2017**

68011916-5001	68011916-5101	\$200.00
Solid Waste/Compensation	Solid Waste/Insurance	

Vote on Motion	Mr. Merrell	Aye	Mrs. Lewis	Aye	Mr. Benton	Aye
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11

ADMINISTRATOR REPORTS

Si Kille, Deputy Administrator
-No Reports

12

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Lewis

-Today is the 76th Anniversary of the attack on Pearl Harbor
-Attended the EMA Executive Board meeting this week. Sandy Mackey was promoted to Deputy Director. Congratulations to her.

Commissioner Merrell

-Attended the 911 Board meeting on Tuesday.
-Remembering Pearl Harbor

Commission Benton

-Attended the DKMM Budget Committee meeting yesterday. They are planning on how to move forward strategically to be more effective and efficient.
-The drawings are nearly final for the new Junior Fair building. Construction is planned to start in February.
-The CCAO Winter Conference will be held next Monday and Tuesday. We will not have a commissioner session on the 11th.
-The P.I.N. Clearing House event will be held this Sunday.
-The BIA announced they have hired a new executive director. Welcome John Melchi to the community.
-The annual "Whatever It's Worth" breakfast at the Hardware Exchange will be this Saturday.
-Would like to compliment Auditor Kaitsa on the affirmed Triple A rating the county has received. The Finance Authority has received a Double A rating.
-Congratulations to Judge Fuller and his wife on the arrival of their baby girl.

Recess at 9:42 AM/Reconvene at 10:03 AM

10

RESOLUTION NO. 17-1295

PUBLIC HEARING FOR CONSIDERATION OF THE WEDGEWOOD SUBDIVISION SECTIONS 2, 3, 3A, 4, 5, 7, 8, 9 DRAINAGE MAINTENANCE IMPROVEMENT PETITION FILED BY WEDGEWOOD HOMEOWNERS ASSOCIATION AND OTHERS:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to open the hearing at 10:04 AM.

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

RESOLUTION NO. 17-1296

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 3-Speaker Registration; Rule 4-Limitations; Rule 7-Public Comment Procedure from the Rules Governing Public Comment Before The Board Of County Commissioners Of Delaware County, Ohio

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

RESOLUTION NO. 17-1297

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE WEDGEWOOD SUBDIVISION SECTIONS 2, 3, 3A, 4, 5, 7, 8, 9 DRAINAGE MAINTENANCE IMPROVEMENT PETITION FILED BY WEDGEWOOD HOMEOWNERS ASSOCIATION AND OTHERS:

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

**COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 2017**

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

10 continued

RESOLUTION NO. 17-1298

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 WEDGEWOOD SUBDIVISION SECTIONS 2, 3, 3A, 4, 5, 7, 8, 9 DRAINAGE MAINTENANCE IMPROVEMENT PETITION:

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

Whereas, on July 11, 2017, a Drainage Improvement Petition to The Wedgewood Subdivision Sections 2, 3, 3a, 4, 5, 7, 8, 9 Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the "Board") by the Wedgewood Homeowners Association Others; and

Whereas, the Board on October 9, 2017, conducted a view of the proposed improvements; and

Whereas, the Board on December 7, 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 Wedgewood Subdivision Sections 2, 3, 3A, 4, 5, 7, 8, 9 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 WEDGEWOOD SUBDIVISION SECTIONS 2, 3, 3A, 4, 5, 7, 8, 9 DRAINAGE MAINTENANCE PETITION Improvement. The Board hereby fixes December 7, 2019 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 WEDGEWOOD SUBDIVISION SECTIONS 2, 3, 3A, 4, 5, 7, 8, 9 DRAINAGE MAINTENANCE IMPROVEMENT PROJECT 40311462.

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

13

RESOLUTION NO. 17-1299

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Merrell, seconded by Mrs. Lewis 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

**COMMISSIONERS JOURNAL NO. 68 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 2017**

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:

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 appointment of a public employee or public official.

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

RESOLUTION NO. 17-1300

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to adjourn out of Executive Session at 11:25 AM.

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

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners