

**Commissioners Minutes No. 1 – Delaware County
Minutes of Regular Meeting Held June 28, 1999**

Pledge to the Flag

Approval of Resolutions and Minutes from meeting held June 21,1999.

Commissioners Approved

Public Comment:

Mr. Ward made a statement against the flying of the “Rainbow Flag” on the Ohio State House flag pole this past weekend. He said he finds this very disturbing. He went on to say he wonders what will be flying under our national flag in days to come – are we going to be flying a Nazi flag under our flag.. Mr. Ward said, “It is time to stand up for what is right. Personally, I believe that when you have the symbol of state government, and the symbol of our country being flown, no other flag other than the state flag should ever be flown at our symbol, State House. Two individuals were arrested for tearing the flag down and burning it and how many times has our US flag been burnt on television and other places. It really disturbs me that government allows this to go on. I think enough is enough. There are millions of people throughout this country who quietly disapprove of this sort of thing. I think it is maybe time that they stand up and be counted and tell our legislators and our Governor, people in office that are in charge down there that we do not appreciate this sort of thing. That this opens it up to any flag being flown now and we don’t think this is correct. And as I stated before, enough is enough.”

Mr. Wuertz commented in defense of the Governor and the legislature that there was an article in the news media on Saturday stating that this was not a state flag pole but one that was erected to the side. It is no different than when the Klu Klux Klan and a lot of other groups have had assemblies at the State House and flow their flags. There were some legislatures who were against this occurring,, but legally there was no way of stopping it

Mrs. Martin added she feels that once we start limiting the rights and freedoms of those we don’t like, we don’t agree with, then everyone’s rights and freedoms can be affected by those decisions.

Mr. Ward then commented that if it must be allowed, then don’t put the US flag up. Just put their flag up, if that must legally be permitted. Don’t put the US flag above it and condone it.

Approval for Payment Warrants Numbered 245600 through 246314.

Commissioners Approved

Approving Transfer of Funds, Appropriations, and Supplemental Appropriations.

Commissioners Approved

Approval of Resolution of Congratulations for Jimmy Irwin Upon Receiving the Eagle Scout Award. Commissioners Approved

Approving Plan for Sherbrook, Phase 5 and Plat and Ditch Petition for Shores, Phase 11. Commissioners Approved

Accepting Maintenance Bonds for Walker Wood, Section 3, Phase 2 and Bonding for Shores, Phase 11. Commissioners Approved

Approval of Subdividers Agreements for Whitetail Meadows, Berkshire Development and Plum Estates. Commissioners Approved

Approval of a Road Designation Change for Oak Creek, Section 1, Phase 6.

Commissioners Approved

Approval of Right-of-Way Work Permit Summary Sheet. Commissioners Approved

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Accepting and Awarding the Bid Submitted by Kokosing Construction Company for the 1999 Resurfacing Program. Commissioners Approved.

Approving the Engineering Estimate for the Curtis Road Bridge Replacement. Commissioners Approved

Adopting a Resolution Providing for the Issuance and sale of \$970,000 Bonds for the Purpose of Paving the Property Owners' Portion in Anticipation of the Collection of Special Assessments for the Improving of Concord Road. Mr. Cannon explained that last year a one year note was taken out to pay for the road improvements in Tartan Fields. The County will now issue bonds for this project and assessments from the property owners will be used to pay off the debt service of those bonds. The note is due July 27, 1999; therefore, this action is needed to proceed with the Issuance of the Bonds. Commissioners Approved

Jessie Carter asked how this arrangement is similar to the proposed Polaris project. Mr. Bauserman commented that this is additional tax over and above any present property tax. As he understands the Polaris proposal, that proposal would utilize existing tax dollars to be used for infrastructure in the developing area. But there would be no new taxes in that proposal.

Mr. Wuertz added, many people, probably the majority of the people do not understand a TIF. They think that we are giving a tax break to a developer. That is not the case. There is no tax relief, they pay the same taxes. The difference is the tax dollars that are negotiated in the TIF are to make road improvements in the area. Rather than using those tax dollars just anywhere, they are designated to the specific use of road construction and repair.

The County must consider that if a major development does occur, there will be road improvements needed out of the immediate area that will have to be addressed to handle the traffic that is created by that development. Mr. Bauserman is always reviewing these possibilities.

Mr. Wuertz explained to Mr. Carter that there is no special assessments on the Polaris area for improvements. The project in Tartan Fields includes the homeowners paying an assessment to pay for the improvements in the area.

Mr. Carter then asked if the Commissioners would like to speak to what the goals are for the County in the negotiations that are in process with Mr. Glimpcher and the Olentangy Schools and the City of Columbus.

Mr. Wuertz asked Mr. Garver to respond. Mr. Garver commented, this project is unique in that it would generate significant sales tax dollars as well as significant property tax dollars and significant income tax dollars. All the entities at the table, the schools, the City of Columbus, and Delaware County can be winners in this project.

Mr. Carter asked what the county wants. Mr. Garver responded the County wants to see this project move forward which will generate significant tax dollars, but at the same time be supportive of the individual entities, especially the schools.

When comparing the possibility of office building development to a shopping center, Mr. Garver explained that office development does not happen quickly, it takes many years. The Mall would be almost immediate taxes for all the entities involved. Offices do not generate any significant sales tax, -- but they do generate traffic.

This particular project provided the opportunity to do a TIF. If constructed properly, all the entities benefit. The proposed road improvements do not just benefit the mall. Other employers and employees and the general public would also be users of the roads and the road improvements. Traffic in this area is growing at an amazing pace without the mall, and will need to be addressed whether this project is successful or not.

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Authorizing the Use of Delaware County RLF Funds for the CORC Summer Youth Employment and Training Program. Mr. Garver reported that the RLF Fund is up to almost \$5,000,000.00 and it is reported that it is the highest in the State. There has never been a loan default. This program has been very successful and has been turned into a secondary basis to do some community development. There have been projects for Ashley, Galena and now Shawnee Hills. There is a direct link between job training and Economic Development. He noted that unquestionable the lowest in the state unemployment rate can be contributed to this program. The success of the jobs creation programs has shown the need for programs to provide individuals with training so they can be successful in filling the employment needs of this area.

Mrs. Martin commented that she has worked with the CORC and there have been successes with this program.

Mr. Wuertz commented that in the past much of this counties workforce has come from the surrounding counties, especially to the north and now there is competition for those jobs in those counties. It is hard to attract new businesses to the this county when there are concerns in getting a work force.

Mr. Ward commented that the 1.7 or 1.8 percentage of unemployed has been considered to be unemployable and this program addresses those that have been considered unemployable.

Commissioners Approved

Approving Sanitary Sewer Plans for Cheshire Cove, Section 1; River Bend, Sections 2 & 3; Scioto Reserve, Section 1, Phases 1 & 2. Commissioners Approved

Approving Sanitary Sewer Agreements with Berkshire Development , Phase 1; Tartan Fields, Phase 17; Village at Walker Wood and Villas at River Bend. Commissioners Approved

Approving a Resolution Directing Sale of Real Estate Belonging to Delaware County, Ohio Pursuant to Ohio Revised Code 307.09 and 307.10. Mr. Pike explained this is a part of the Butler Property that was acquired by Eminent Domain and is not needed by the County. The Prosecutor has determined the best way to deal with this Issue is to have an auction. The suggested day for the auction is August 4, 1999, at 9:00 AM. Mr. Ward asked the acreage and Mr. Pike estimated it to be about 3.5 acres. This portion of land to be sold would be land locked. Commissioners Approved

Lita Chidester, Assistant Sanitary Engineer – OECC Permit Modification Presentation

Ms. Chidester reported that in the late 1970's Delaware County began planning for centralized wastewater collection and treatment for the southern half of the County. The Olentangy Environmental Control Center was constructed in 1980 (design capacity of 1.5 MGD). It is located just north of the Franklin and Delaware County Line on SR 315. It discharges into the Olentangy River

Accelerated development in the late 1980's prompted expansion to a design capacity of 6.0 MGD. The expansion was started in 1995 and startup was in 1997. In 1996 the EPA issued a permit for the OECC to discharge 4.5 MGD. Currently the OECC has an additional 1.5 MGD of capacity available until design is reached. From 1982 till 1987 the flow increased 0.134 MGD, from 1992 to 1996 the flow increased 1.916 MGD, and from 1997 to 1998 the increase was 0.707 MGD with the rapid growth of the County.

The OECC will reach capacity of 4.5 MGD by the end of this year, and it will reach design capacity of 6.0 MGD by mid 2001. The new Alum Creek Water Reclamation Facility will be operational by mid 2001.

The Repercussions to be consider if this application is not submitted to the EPA

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Consequences of not modifying existing permit to 6.0 MGD would be to cease residential and commercial development in the County until Alum Creek Water Reclamation Facility is operational.

The Plan of Action

Submit to the Ohio EPA a proposed modification of the existing National Pollution Discharge Elimination System (NPDES) Permit for the OECC to Increase current discharge limits from 4.5 to 6.0 and to Revise Current Discharge Limits to Best Available Demonstrated Control Technology (BADCT) Limits.

Justification for Modification

Anticipated arrival of current capacity limits (4.5 MGD) by the end of 1999.
Proposed capacity of 6.0 MGD to be reached mid-2001 when ACWRF operational.
BADCT limits less stringent than current limits

Two consultants were hired to support the request for modifications.

Biological survey completed by Enviro Science, Inc. in 1997

Proposed increase in discharge poses no harm to Olentangy River

Water Quality Modeling survey completed by LimnoTech, Inc. in 1998

Report in support of increased discharge to 6.0 MGD at BADCT limits

Submission to OEPA for Antidegradation Review must include Pollution Prevention Alternatives

- Connection into an existing regional sewer system
- No discharge to the Olentangy River
- Limited discharge to the Olentangy River
- Preferred Design Alternative

Connection into an existing regional sewer system would be to tie into the Columbus Alum Creek Interceptor

This would not be possible due to Capacity Limitations and Combined Sewer Overflows

No Discharge to the Olentangy River by reuse of OECC effluent would not be feasible due to vast land requirements for storage and associated construction costs.

Limited Discharge to the Olentangy River by use of Wetlands would not be feasible due to large land requirements, and useful life of constructed wetland system is unknown.

Preferred Design alternative would be continued treatment by the OECC with no additional construction costs, no additional land requirements and exceptional and reliable treatment

Submission to the OEPA for Antidegradation Review Process as follows:

- Timeline Specified
 - Within 30 days of application receipt, OEPA will publish a Public Notice in the County newspaper First Public Hearing will be held at least 75 days after receipt of application (hearing is required since the OECC discharges into a State Resource Water)
 - Second public hearing necessary only if OEPA issues a draft motion (to accept comments prior to issuing a final action)

Ms. Chidester closed by stating that if this proposal is approved to 6.0 MGD at BADCT limits development can continue. Once the Alum Creek Water Reclamation Facility is operational, OECC will continue to service the Olentangy Watershed and the ACWRF

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will service the Alum Creek Watershed. Additional 2.5 MGD capacity at the OECC will allow for future growth.

There being no need for official action the board by consensus gave their approval to submit the application to the OEPA.

10:00 – Bid Opening for the Olive Green Bridge Replacement

Righter Company	\$374,179.90
Kelcorp	\$432,576.00
Armstrong Steel Erectors	\$514,531.80
Estimate	\$534,500.00

Approving Application for Family Stability Grant and Motion of Assurance. This is asking the Commissioners for their assurance that the Incentive Funds received under this program be used to enhance the community's child and family-serving systems and that savings resulting from diversion strategies will be substantively retained in the child and family serving systems. Commissioners Approved

Rejecting all Bids Received for Bulk Gasoline and Diesel Fuel for Delaware County. Mr. Melvin explained that only one bid was received on June 21, 1999, and the county reserves the right to reject all bids. This item will go out to bid again. Commissioners Approved

Approving Specifications and Setting Bid Opening Date and Time for Bulk Gasoline and Diesel Fuels. Commissioners Approved

Approval of Execution of the Partnership Agreement Between the Board of Commissioners and the Ohio Department of Human Services. Ms. Riley explained this is a renewal of last years agreement with only minor changes regarding the responsibility of Y2K problems which lies with the State, not the County in this agreement. Commissioners Approved

Approving Personnel Actions. Commissioners Approved

10:15 – Bid Opening for the Passenger Bids

Star Fleet Automotive Sales & Service	\$22,474.29
Robey Auto Group	\$16,743.00
Bob's Chevrolet	\$18,636.00

There being no further business, the meeting adjourned.

Debbie Martin

James D. Ward

Don Wuertz

Letha George, Clerk to the Commissioners