

COMMISSIONERS JOURNAL NO. 72 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD FEBRUARY 13, 2020

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 Franklin Watershed Drainage  
Improvement Petition

**1**  
RESOLUTION NO. 20-147

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS  
FROM REGULAR MEETING HELD FEBRUARY 10, 2020:

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  
February 10, 2020; 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**  
RESOLUTION NO. 20-

IN THE MATTER OF A PROCLAMATION HONORING JON C. BENNEHOOF:

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

**PROCLAMATION**

WHEREAS, the Ohio Veterans Hall of Fame recognizes the efforts of Ohio's distinguished men and women  
who have worn the uniforms of our nation's armed forces and then continue to contribute to their communities,  
state and nation through exceptional acts of public service and professional distinction; and

WHEREAS, Delaware County resident and longtime public servant Jon C. Bennehoof has been named as a  
member of the Ohio Veterans Hall of Fame, joining the ranks of such Ohio veterans as astronaut Neil  
Armstrong, restaurant entrepreneur and adoption advocate R. David Thomas, actor and philanthropist Paul  
Newman, and surgeon Dr. Henry Heimlich; and

WHEREAS, Bennehoof is a distinguished veteran of the U.S. Navy, and co-founded the Delaware County  
Mission Court, which serves veterans in need of treatment and guidance from professionals and veteran  
mentors when they enter the justice system; and

WHEREAS, Bennehoof remains involved with the Mission Court as vice chairman of the Veteran Advisory  
Committee and as a Mentor Coordinator, recruiting and training fellow mentors; and

WHEREAS, Bennehoof serves on the U.S. 12<sup>th</sup> Congressional District Veterans Advisory Council and the  
Ohio Gold Star Families Memorial Committee.

THEREFORE, BE IT RESOLVED, that the Delaware County Board of Commissioners hereby honors and  
expresses its gratitude to Jon C. Bennehoof for his dedication, commitment and years of outstanding service to  
the people of Delaware County, the State of Ohio and the United States of America.

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

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**4**

**RESOLUTION NO. 20-149**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0212:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0212 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			
Altman CO. (P2000872)	Change Order Court House -16	42011438-5410	\$ 5,107.98
Altman CO. (P2000872)	Change Order Court House -17	42011438-5410	\$ 8,135.73

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R2002105	O HITOW LLC	S.O. '19 FOR INTERCEPTOR REPAIR	60111901 - 5370	\$6,032.20
R2002198	OHIOHEALTH CORPORATION	FITNESS	10011303 - 5301	\$17,500.00
R2002216	COULTER VENTURES LLC	FITNESS EQUIPMENT - EMS - RESOLUTION 20-120	61311923 - 5201	\$18,000.00
R2002217	PNC BANK	FITNESS EQUIPMENT - EMS - RESOLUTION 20-120	61311923 - 5200	\$20,000.00
R2002240	IMAGE TREND INC	SOFTWARE ANNUAL FEE	10011303 - 5320	\$22,714.60
R2002250	ALL TRAFFIC SOLUTION INC	SPEED TRAILER	41711436 - 5450	\$14,990.00

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

**5**

**RESOLUTION NO. 20-150**

**IN THE MATTER OF A TRANSFER LIQUOR LICENSE REQUEST FROM YA YUAN INC. (DBA ASIAN GARDEN BUFFET) TO YE TABLE INC. (DBA ASIAN GARDEN BUFFET) AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:**

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a transfer liquor license request from Ya Yuan Inc. (DBA Asian Garden Buffet) To Ye Table Inc. (DBA Asian Garden Buffet), located at 8633 Columbus Pike, Lewis Center, OH 43035; and

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

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

**6**

**RESOLUTION NO. 20-151**

**IN THE MATTER OF DETERMINING THE SUFFICIENCY OF THE APPLICATION TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE CONCORD/SCIOTO COMMUNITY AUTHORITY DISTRICT AND TO AMEND THE PETITION FOR ESTABLISHMENT OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY AND FIXING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING UNDER CHAPTER 349 OF THE REVISED CODE:**

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

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code, a petition (the "Petition") for the establishment of the Concord/Scioto Community Authority (the "Authority") was filed with this Board of County Commissioners of Delaware County, Ohio (the "Board") by Triangle Properties, Inc. ("Triangle"), as initial developer of the Authority on February 8, 2007, which Petition this Board approved pursuant to Resolution No. 07-331 on March 22, 2007; and

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WHEREAS, pursuant to Resolution No. 07-809, on July 2, 2007 this Board approved the assignment by Triangle of its rights, responsibilities, and duties as statutory developer of the Authority to Concord/Scioto Development, LLC (the “Developer”); and

WHEREAS, the Petition generally described the boundaries of the related new community district (the “District”); and

WHEREAS, the Board is the “organizational board of commissioners,” as that term is defined in section 349.01(F) of the Revised Code, for the Authority; and

WHEREAS, on February 6, 2020, the Developer filed one (1) application (the “Application”) with the Board requesting that certain parcels of real property controlled by the Developer be added to the District, which application was signed by the City of Delaware, Ohio, as the “proximate city,” pursuant to Chapter 349 of the Revised Code; and

WHEREAS, the Application further provides that the addition of such land will be conducive to the public health, safety, convenience and welfare of the District, will be consistent with the development of the District, will not jeopardize the plan of development of the District and that such land to be added to the District is owned by, or under the control through leases of at least seventy-five years’ duration, options or contracts to purchase, of the Developer; and

WHEREAS, pursuant to section 349.03(A) of the Revised Code, the Board has reviewed the Application and determined that the Application complies with the requirements of section 349.03 of the Revised Code as to form and substance; and

WHEREAS, the Board has further determined to fix a time and place of a public hearing on the Application, which public hearing shall be held not less than thirty days nor more than forty-five days from the date of the filing of the Application, and that notice of the public hearing shall be given by the Clerk of this Board, all as required by section 349.03(A) of the Revised Code;

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

Section 1. The Board hereby finds and determines that the Application complies with the requirements of section 349.03 of the Revised Code as to form and substance.

Section 2. The Board hereby fixes Monday, March 16, 2020 at 9:45 A.M., at the Commissioners’ Hearing Room, 101 North Sandusky Street, Delaware, Ohio, as the date, time, and place of a public hearing on the Application.

Section 3. The Clerk of this Board is directed to give notice of the public hearing on the Application by publication once each week for three consecutive weeks in *The Delaware Gazette*.

Section 4. This Board finds and determines that all formal actions of the 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 and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

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

**8  
RESOLUTION NO. 20-152**

**IN THE MATTER OF APPROVING CHANGE ORDER NO. 02 TO THE AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND PETERSON CONSTRUCTION COMPANY FOR THE ALUM CREEK WATER RECLAMATION FACILITY PROCESS IMPROVEMENTS UPGRADE:**

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

WHEREAS, there is an agreement between the Delaware County Board of Commissioners and Peterson Construction Company for the Alum Creek Water Reclamation Facility Process Improvements Upgrade; and

WHEREAS, Change Order No. 02 includes the incorporation of additional work modifications to the project, authorizes an increase to the contract in the amount of \$79,550.00, and authorizes extending the contract end date to September 1, 2020; and

WHEREAS, the Sanitary Engineer recommends approval of Change Order No. 02;

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NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves Change Order No. 02 to the Agreement between the Delaware County Board of Commissioners and Peterson Construction Company for the Alum Creek Water Reclamation Facility Process Improvements Upgrade.

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

**9**

**RESOLUTION NO. 20-153**

**IN THE MATTER OF ISSUING A PRELIMINARY CERTIFICATE OF SUBSTANTIAL COMPLETION TO PETERSON CONSTRUCTION COMPANY FOR THE ALUM CREEK WATER RECLAMATION FACILITY PROCESS IMPROVEMENTS UPGRADE PROJECT:**

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

WHEREAS, Peterson Construction Company has completed portions of the Alum Creek Water Reclamation Facility Process Improvements Upgrade Project and has requested a preliminary certificate of substantial completion only for the process mechanical equipment and material for the hyperboloid mixing equipment associated with the aeration tanks and the process mechanical equipment and material for the fine bubble aeration equipment associated with the aerobic digesters and solids holding tanks to the point where the County may start using the new equipment;

WHEREAS, the Sanitary Engineer recommends approval of the limited preliminary certificate of substantial completion, as described herein;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves a Preliminary Certificate of Substantial Completion to Peterson Construction Company for the Alum Creek Water Reclamation Facility Process Improvements Upgrade Project.

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

**10**

**RESOLUTION NO. 20-154**

**IN THE MATTER 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. 19-810 on August 19, 2019, 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 August 19, 2019 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 that the Delaware County Board of Commissioners hereby authorizes the use of the Meeting Room at the Frank B. Willis Building, 2079 U.S. 23 North, Delaware, Ohio 43015 on April 29, 2020 for the Ohio EPA Division of Drinking and Ground Waters Inspector Forum meeting at no cost.

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

**11**

**RESOLUTION NO. 20-155**

**IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARD FOR THE ADMINISTRATIVE SERVICES OFFICE:**

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

WHEREAS, on September 30, 2004, the Board of Commissioners of Delaware County (the "Board") adopted Resolution No. 04-1193, adopting a policy for the use of county procurement cards, pursuant to section 301.29 of the Revised Code; and

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WHEREAS, on October 3, 2011, the Board adopted Resolution No. 11-1040, approving amendments to the Policies and Procedures for the county procurement card program; and

WHEREAS, the Board has adopted the procurement card policy for the use of the cards to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant to section 301.29(F)(2) of the Revised Code;

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

<b>Appointing Authority:</b>	<b>Board of Commissioners</b>					
Office/Department:	Administrative Services					
Daily spending per card:	\$500					
Monthly spending per card:	\$1,000					
Single transaction limit:	\$500					
Daily number of transactions per card:	10					
Monthly number of transactions per card:	20					
Name on Card:	Linda Dodds					
Department Coordinator:	Sarah Dinovo					
Vote on Motion	Mr. Merrell	Aye	Mr. Benton	Aye	Mrs. Lewis	Aye

**12**  
**RESOLUTION NO. 20-156**

**IN THE MATTER OF AUTHORIZING THE USE OF A PROCUREMENT CARD FOR A SPECIFIC EXPENSE NOT DESIGNATED AND ABOVE THE LIMIT ESTABLISHED BY THE PROCUREMENT CARD POLICY:**

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

WHEREAS, pursuant to section 301.29 of the Revised Code, the Board of Commissioners of Delaware County (the "Board"), by Resolution No. 04-1193, dated September 30, 2004, adopted a policy for the use of county procurement cards and, by Resolution No. 11-1040, dated October 3, 2011, adopted amendments to the policies and procedures for the county procurement card program; and

WHEREAS, the Board has authorized the use of the cards to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant to section 301.29(F)(2) of the Revised Code; and

WHEREAS, while the Ohio Bureau of Worker's Compensation accepts electronic payments, such payments are not a designated allowed expense and are over the spending and transaction limits as set by the procurement card policy;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, authorizes the use of the procurement card issued to Deputy Administrator Dawn Huston for all premium payments to the Ohio Bureau of Worker's Compensation pursuant to the workers compensation self-insured payment schedules, without regard to the allowable expenses and spending limits as set within the procurement card policy, up to \$75,000 from fund 61311923-5300 from previously approved Purchase Request P2001248 for workers compensation self insurance premiums during calendar year 2020.

Vote on Motion	Mrs. Lewis	Aye	Mr. Benton	Aye	Mr. Merrell	Aye
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**14**  
**RESOLUTION NO. 20-157**

**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 motor 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

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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 (1) emergency response vehicle; and

WHEREAS, this emergency response vehicle for Delaware County EMS are necessary to ensure that a sufficient number of vehicles are maintained to provide daily coverage;

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

Section 1. The Board hereby declares that it is necessary to expend county monies for the purchase of a new motor vehicle to be used by Delaware County EMS because the purchase will ensure that a sufficient number of vehicle are maintained to provide daily coverage in furtherance of the public health, safety, and welfare.

Section 2. The Board hereby authorizes the purchase of one (1) 2020 4DR AWD Police 3.3L V6 Engine Ford Explorer at a total cost of \$33,584.00 from Lebanon Ford, Lebanon, Ohio.

Section 3. The Board hereby approves the necessary purchase order in the amount of \$33,584.00 to Lebanon Ford Commercial Vehicle Center, Lebanon, OH.

Section 4. The Board hereby approves the purchase and accompanying purchase order for the necessary graphics package, installation of electronics and emergency safety warning equipment, equipment mounts, and radio prep from Parr Public Safety Equipment, LLC, at a cost not to exceed \$11,894.00, and the purchase and accompanying purchase order for the necessary radio communications equipment from Vasu Communications, at a cost not to exceed \$1,984.40.

Section 5. This Resolution shall take immediate effect upon adoption.

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

**16**

**ADMINISTRATOR REPORTS**

Mike Frommer, County Administrator

-Attended the TID Meeting yesterday. At the meeting the Riverby Street Improvement hearing was held. The TID approved a resolution to move forward with that project.

**17**

**COMMISSIONERS’ COMMITTEES REPORTS**

Commissioner Lewis

-Attended an update on the opioid lawsuit on Tuesday.

Commissioner Merrell

-Also attended the update on the opioid lawsuit. It is a challenge for everyone in the State to come up with a similar outcome but it looks promising.

Commissioner Benton

-Will be participating in Government Day today for Leadership Delaware.

-Will be attending a MORPC meeting this afternoon.

-There will be a rededication of a memorial plaque for Rutherford B. Hayes in front of the BP gas station on Monday at 12:15 P.M.

**15**

**RESOLUTION NO. 20-158**

**10:00A.M. - PUBLIC HEARING FOR CONSIDERATION OF THE FRANKLIN WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY PETER URBANSKI AND OTHERS:**

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

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

**15 continued**

**RESOLUTION NO. 20-159**

**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

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

**15 continued**

**RESOLUTION NO. 20-160**

**IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE FRANKLIN WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY PETER URBANSKI AND OTHERS:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to close the hearing at 10:37A.M..

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

**15 continued**

**RESOLUTION NO. 20-161**

**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 FRANKLIN WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY PETER URBANSKI AND OTHERS:**

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

WHEREAS, on August 23, 2019, a Drainage Improvement Petition to The Franklin Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the "Board"); and

WHEREAS, the Board on November 18, 2019, conducted a view of the proposed improvements; and

WHEREAS, the Board on Thursday February 13, 2020, 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 Franklin 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;

NOW, 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 Franklin Watershed Drainage Improvement. The Board hereby fixes February 13, 2022 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 FRANKLIN WATERSHED DRAINAGE IMPROVEMENT PROJECT 40311478.

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. Merrell                Aye                Mr. Benton                Aye                Mrs. Lewis                Aye

**18**

**RESOLUTION NO. 20-162**

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**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; TO CONSIDER THE SALE OF PROPERTY AT COMPETITIVE BIDDING; FOR PENDING OR IMMINENT LITIGATION:**

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

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; to consider the sale of property at competitive bidding; for pending or imminent litigation.

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

**RESOLUTION NO. 20-163**

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

There being no further business, the meeting adjourned.

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Gary Merrell

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Barb Lewis

\_\_\_\_\_  
Jeff Benton