

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 17, 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. Reconvening Of Public Hearing To Consider Changing The Name Of Lane Road (Twp. Rd. 61), A Township Road In The Unincorporated Area Of Porter Township, Delaware County, Ohio

1
RESOLUTION NO. 20-1135

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 14, 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 December 14, 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
RESOLUTION NO. 20-1136

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1216 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1216:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1216, memo transfers in batch numbers MTAPR1216 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
COMMISSIONERS	OTHER SERVICES	23711630-5380	\$3,515.00
COMMISSIONERS	OTHER SERVICES	23711630-5380	\$3,890.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R2005093	DANFORTH ELLIS PROPERTIES LLC	LEASE MEDIC 7 01/01/20-03/31/2020	10011303-5335	15613.17

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

3
RESOLUTION NO. 20-

IN THE MATTER OF A TRANSFER OF A LIQUOR LICENSE REQUEST FROM TAVERN 42 LLC (DBA TAVERN 42) TO CLYDESDALE STONEHAUS LLC 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 of a D5 liquor license request from Tavern 42 LLC (DBA Tavern 42) to Clydesdale Stonehaus LLC located at 5200 US HWY 42S, Delaware, Ohio 43015; 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

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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. Benton Aye Mr. Merrell Aye Mrs. Lewis Aye

**4
RESOLUTION NO. 20-1138**

IN THE MATTER OF A TRANSFER OF A LIQUOR LICENSE REQUEST FROM AJ POWELL LLC TO AJ1 LLC (BOTH DBA JOES TAP HOUSE) AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a transfer of a D5 and D6 liquor license request from AJ Powell LLC to AJ1 LLC (Both DBA Joes Tap House); 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

**5
RESOLUTION NO. 20-1139**

IN THE MATTER OF APPOINTING A MEMBER TO THE DELAWARE COUNTY DISTRICT LIBRARY BOARD OF TRUSTEES:

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

WHEREAS, the Delaware County Board of Commissioners (the “Board of Commissioners”) is responsible for making several appointments to the Delaware County District Library Board of Trustees; and

WHEREAS, the term for Brenda Eldridge will expire on December 31, 2020;

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

Section 1. The Board of Commissioners hereby approves the appointment of Connie Skinner to the Delaware County District Library Board of Trustees for the term commencing January 1, 2021 and ending December 31, 2027.

Section 2. The appointment approved herein shall be effective on January 1, 2021.

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

**6
RESOLUTION NO. 20-1140**

IN THE MATTER OF APPROVING A TRANSFER OF FUNDS, TRANSFER OF APPROPRIATIONS, THE REPAYMENT OF ADVANCE OF FUNDS AND THE CONTINUATION OF ADVANCES FROM GENERAL FUND DOLLARS TO VARIOUS FUNDS FOR THE YEAR 2020:

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

Transfer of Funds

From	To	
10110107-5801	10011102-4601	22,788.25
Unclaimed Funds/Interfund Cash Transfer	Commissioners General/Interfund Revenues	

Transfer of Appropriation

From	To	
24820101-5101	24820101-5001	1,900.00
Title Administration/Health Insurance	Title Administration/Compensation	

Repayment of Prior Year Advance

From:	To:	
29440435-8501	10040421-8401	165,000.00

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Big Walnut Interchange/Prior Year Advances Out	Road & Bridge Projects/Prior Year Advances In
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Repayment of Advances

From:	To:	
27426313-8500	10011102-8400	12,000.00
Crime Victims Grant/Advances Out	Commissioners General/Advances In	
27426314-8500	10011102-8400	42,000.00
Crime Victims CASA/Advances Out	Commissioners General/Advances In	
28631343-8500	10011102-8400	96,260.42
LEAP Forward 2018/Advances Out	Commissioners General/Advances In	
28631344-8500	10011102-8400	50,000.00
Recovery Ohio LEAP Grant/Advances Out	Commissioners General/Advances In	

WHEREAS in previous years advances from the general fund were made to various funds; and

WHEREAS these funds are not able to repay the general fund at this time, it is necessary to carry over the advances into the year 2021; and

WHEREAS, these dollars are expected to be repaid to the general fund in the year 2021;

NOW, THEREFORE, BE IT RESOLVED that the following advances be carried over to the year 2021:

Continuation of Advances

29440435	Big Walnut Interchange	85,000.00
40311466	Ruder West	179,521.00
40311453	Thomas #9 Watershed	27,091.00
52011138	BR DI Scott	76.08
52111140	BR DI Midway Gardens	4,468.57
52211141	BR DI Chadwick	1,874.31
52411143	BR DI Roof	83.46
52611145	BR DI Scott Lateral	63.33
52311142	BR DI Hardin	423.30

Vote on Motion	Mr. Benton	Aye	Mr. Merrell	Aye	Mrs. Lewis	Aye
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7

RESOLUTION NO. 20-1141

IN THE MATTER OF DECLARING COUNTY PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE AND AUTHORIZING THE SALE OF THE PERSONAL PROPERTY TO DEPUTY CHRISTOPHER BURDEN ON THE OCCASION OF HIS RETIREMENT:

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

WHEREAS, Delaware County Sheriff's Deputy Christopher Burden will retire from the Sheriff's Office through the PERS program and in good standing with the office; and

WHEREAS, Deputy Christopher Burden's assigned duty firearm, Glock, Gen 4, Model 22, Serial # WXT638 (the "Firearm") is no longer needed for public use; and

WHEREAS, Delaware County wishes to permit Deputy Christopher Burden to purchase the Firearm for One Dollar (\$1.00), pursuant to section 307.12(B)(1) of the Revised Code;

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

Section 1. The Firearm is no longer needed for public use and authorizes the sale of the Firearm to Deputy Christopher Burden for One Dollar (\$1.00).

Section 2. The sale of the Firearm shall be conditioned upon Deputy Christopher Burden accepting the Firearm "as is" and accepting sole responsibility for the care and maintenance of the Firearm. The sale of the Firearm is further conditioned upon the deputy executing and submitting an Acknowledgement and Release from Liability.

Vote on Motion	Mr. Merrell	Aye	Mrs. Lewis	Aye	Mr. Benton	Aye
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8

RESOLUTION NO. 20-1142

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**IN THE MATTER OF APPROVING THE EXTENSION OF THE DELAWARE COUNTY 2020
COMMUNITY ENHANCEMENT GRANT PROGRAM:**

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

WHEREAS, on October 29, 2020, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 20-972, adopting the Delaware County 2020 Community Enhancement Grant Program (the "Program"), including the Program Guidelines, Terms and Conditions, and form of Grant Agreement; and

WHEREAS, pursuant to the approved Program, eligible not-for-profit organizations submitted applications for Program funding from Delaware County, and the Board approved awards to the applicants in Resolution No. 20-1127, adopted on December 14, 2020; and

WHEREAS, because the grants awarded did not exhaust the Program budget, the County Administrator recommends that the Board extend the Program for a second round of applications;

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

Section 1. The Board hereby approves extension of the Program to provide for a second round of applications, subject to the Program Guidelines, Terms and Conditions, and form of Grant Agreement approved in Resolution No. 20-972, with the following revisions:

- A. Organizations that received a grant award in the first round of the Program shall not be eligible; and
- B. Applications for the second round of the Program shall be submitted no later than Wednesday, January 6, 2021, at 2:00PM.

Section 2. The County Administrator is directed to give notice of the second round of the Program as revised and approved herein.

Section 3. This Resolution shall be effective immediately upon adoption.

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

RESOLUTION NO. 20-1143

A RESOLUTION DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A REDEVELOPMENT TAX EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS.

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

WHEREAS, Ohio Revised Code Sections 5709.77 to 5709.80 (collectively, the "TIF Statutes") authorize the legislative authority of a county, by resolution, to declare the improvement to parcels of real property located within the unincorporated territory of the county to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a redevelopment tax equivalent fund for the deposit of those service payments, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, the Delaware County Board of Commissioners (the "Board") has determined to declare the improvements to certain parcels of real property, which parcels are further described in Section 1, to be a public purpose; and

WHEREAS, this Board desires to provide for the construction and/or installation of the public infrastructure improvements described in Section 2; and

WHEREAS, notice of this proposed Resolution has been delivered to the Boards of Education of the Buckeye Valley Local School District and the Delaware Area Career Center in accordance with and within the time periods prescribed in Ohio Revised Code Section 5709.83;

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

Section 1. Parcels of Real Property. The parcels of real property subject to the exemption granted by this Resolution are identified and depicted in **EXHIBIT A** attached hereto (each, as currently or subsequently configured, individually, a "Parcel" and collectively, the "Parcels").

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Section 2. Public Infrastructure Improvements. This Board hereby designates the public infrastructure improvements described in **EXHIBIT B** attached hereto (the "*Public Infrastructure Improvements*") and any other public infrastructure improvements hereafter designated by resolution as public infrastructure improvements made, to be made or in the process of being made by the County that directly benefit, or that once made will directly benefit, the Parcels.

Section 3. Authorization of Tax Exemption. This Board hereby finds and determines that 75% of the increase in assessed value of each Parcel subsequent to the effective date of this Resolution (which increase in assessed value is hereinafter referred to as the "*Improvement*" as defined in Ohio Revised Code Section 5709.77(D)) is hereby declared to be a public purpose and shall be exempt from taxation in accordance with Ohio Revised Code Section 5709.78(A) for a period commencing for each Parcel with the first tax year that begins after the effective date of this Resolution and in which an Improvement attributable to a structure on that Parcel first appears on the tax list and duplicate of real and public utility property were it not for the exemption granted by this Resolution and ending on the earlier of (a) ten (10) years after such commencement or (b) the date on which the County can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. The real property tax exemption granted pursuant to this Section and the payment obligation established pursuant to Section 4 are subject and subordinate to any real property tax exemption granted pursuant to Sections 3735.65 to 3735.70 or Sections 5709.61 to 5709.69 of the Ohio Revised Code.

Section 4. Service Payments. Pursuant to Ohio Revised Code Section 5709.79, the owner of each Parcel is hereby required to and shall make service payments in lieu of taxes with respect to the Improvement allocable thereto to the Treasurer of Delaware County, Ohio (the "*County Treasurer*") on or before the final dates for payment of real property taxes. The service payments in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3 of this Resolution, including any penalties and interest (collectively, the "*Service Payments*"). The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reductions required by Ohio Revised Code Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property Tax Rollback Payments*"), shall be allocated, distributed and deposited in accordance with Section 6 of this Resolution.

Section 5. TIF Fund. This Board hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.80, the Kilbourne Tax Equivalent Fund (the "*TIF Fund*"). The TIF Fund shall be maintained in the custody of the County and shall receive all distributions to be made to the County pursuant to Section 6 of this Resolution. Those Service Payments and Property Tax Rollback Payments received by the County with respect to the Improvement of each Parcel and so deposited pursuant to Ohio Revised Code Section 5709.80 shall be used solely for the purposes authorized in the TIF Statutes or this Resolution. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the County's General Fund, all in accordance with Ohio Revised Code Section 5709.80.

Section 6. Distributions. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments to the County for further deposit into the TIF Fund for (a) payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any securities of the County issued to pay or reimburse financing costs or costs of those Public Infrastructure Improvements and (b) any other lawful purpose.

All distributions required under this Section 6 are requested to be made at the same time and in the same manner as real property tax distributions.

Section 7. Further Authorizations. The County Commissioners, or any of them, the County Auditor, the County Prosecutor, the County Treasurer, the County Administrator, the Economic Development Director, the Clerk of this Board and other County officials, as appropriate, are each authorized and directed to make such arrangements as are necessary and proper for collection of the Service Payments and the Property Tax Rollback Payments and to prepare and sign all documents and instruments and to take any other actions as may be appropriate to implement this Resolution.

Section 8. Tax Incentive Review Council. The applicable Tax Incentive Review Council, with the membership of that Council to be constituted in accordance with Section 5709.85 of the Ohio Revised Code, shall, in accordance with Section 5709.85 of the Ohio Revised Code, review annually all exemptions from real property taxation granted by this Resolution and any other such matters as may properly come before that Council, all in accordance with Ohio Revised Code Section 5709.85.

Section 9. Filings with Ohio Development Services Agency. Pursuant to Ohio Revised Code Section 5709.78(H), the Economic Development Director or designee is hereby directed to deliver a copy of this Resolution to the Director of the Ohio Development Services Agency within fifteen days after its effective date. Further, and on or before March 31 of each year that the tax exemption authorized by Section 3 remains in effect, the Economic Development Director or other authorized officer of the County is directed to prepare and submit to the Director of the Ohio Development Services Agency the status report required under Ohio Revised Code Section 5709.78(H).

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Section 10. Open Meetings. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board or any of its committees, and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Ohio Revised Code Section 121.22.

Section 11. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

EXHIBIT A

IDENTIFICATION AND MAP OF THE PARCELS

The numbered parcels, being 20 in total, on the following map specifically identifies and depicts the Parcels and constitutes part of this **EXHIBIT A**. The Parcels include, without limitation, the tax parcels listed below (as they existed in the County Auditor’s records on November 12, 2020).



- | | |
|------------------------|------------------------|
| 1: 518-130-070-0400-0 | 11: 518-130-050-0300-0 |
| 2: 518-130-070-0300-0 | 12: 518-130-050-0100-0 |
| 3: 518-130-070-0200-0 | 13: 518-130-050-0100-0 |
| 4: 518-130-070-0100-0 | 14: 518-130-050-0700-0 |
| 5: 518-130-070-1000-0 | 15: 518-130-050-0900-0 |
| 6: 518-130-070-0900-0 | 16: 518-130-050-0800-0 |
| 7: 518-130-070-0500-0 | 17: 518-130-020-2000-0 |
| 8: 518-130-070-0600-0 | 18: 518-130-020-2400-0 |
| 9: 518-130-070-0700-0 | 19: 518-130-020-2500-0 |
| 10: 518-130-070-0800-0 | 20: 518-130-060-0100-0 |

Map Number	Parcel Number	Owner	Address	Acreage	Market Value
	1 518-130-070-0400-0	Browntown Investment Group LLC	5662 State Route 521, Delaware OH, 43015	0.233	\$36,300
	2 518-130-070-0300-0	Browntown Investment Group LLC	5676 State Route 521, Delaware OH, 43015	0.244	\$58,300
	3 518-130-070-0200-0	Browntown Investment Group LLC	State Route 521, Delaware OH, 43015	0.156	\$9,600
	4 518-130-070-0100-0	Timothy & Sandra Carr	3971 N. Old State Rd, Delaware OH, 43015	0.168	\$108,600
	5 518-130-070-1000-0	Browntown Investment Group LLC	State Route 521, Delaware OH, 43015	0.1	\$4,600
	6 518-130-070-0900-0	Timothy & Sandra Carr	N. Old State Rd, Delaware OH, 43015	0.1	\$8,200
	7 518-130-070-0500-0	Browntown Investment Group LLC	3936 Main St, Delaware OH, 43015	0.2	\$106,900
	8 518-130-070-0600-0	3928 Eden LLC	3928 Main St, Delaware OH, 43015	0.2	\$32,000
	9 518-130-070-0700-0	Browntown Investment Group LLC	Pearl St, Delaware OH, 43015	0.2	\$10,900
	10 518-130-070-0800-0	DM Operations LLC	3923 N. Old State Rd, Delaware OH, 43015	0.2	\$86,000
	11 518-130-050-0300-0	Link & Luella M. Powell	3900 Main St, Delaware OH, 43015	0.709	\$163,000
	12 518-130-050-0100-0	Browntown Investment Group LLC	0 N. Old State Rd, Delaware OH, 43015	0.145	\$26,400
	13 518-130-050-0100-0	Browntown Investment Group LLC	0 N. Old State Rd, Delaware OH, 43015	0.145	\$10,800
	14 518-130-050-0700-0	Janet Lyn & Mark A Maroscher	3850 Main St, Delaware OH, 43015	0.321	\$126,900
	15 518-130-050-0900-0	Brian & Mona Rayburn	Old State Rd, Delaware OH, 43015	0.2	\$22,400
	16 518-130-050-0800-0	Brian & Mona Rayburn	3851 N. Old State Rd, Delaware OH, 43015	0.279	\$109,000
	17 518-130-020-2000-0	Browntown Investment Group LLC	5620 State Route 521, Delaware 43015	0.4	\$60,000
	18 518-130-020-2400-0	Browntown Investment Group LLC	3937 Main St, Delaware OH, 43015	0.2	\$79,500
	19 518-130-020-2500-0	Browntown Investment Group LLC	3925 Main St, Delaware OH, 43015	0.2	\$19,700
	20 518-130-060-0100-0	Browntown Investment Group LLC	3970 N Old State Rd, Delaware OH, 43015	0.55	\$107,500
			TOTAL	4.95	\$1,186,600

EXHIBIT B

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include the construction of any and all transportation oriented infrastructure improvements and sanitary sewer infrastructure improvements on or near the Parcels that will directly benefit the Parcels, along with the general TIF area, and all related appurtenances (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code) and in each case, together with transportation improvements, including constructing, reconstructing, extending, opening, widening, grading, draining, curbing, paving, resurfacing, and traffic signage and signalization, bridges or tunnels, public utilities, including water, sanitary sewer, storm sewers, storm water improvements, burial and/or relocation of utility lines,

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gas, electric and communications service facilities (including fiber optics), street lighting, business signage restoration or improvements, landscaping, aesthetic improvements, sidewalks, bikeways, acquisition of interests in real property, erosion and sediment control measures, and acquisition of related equipment, each together with all other necessary appurtenances thereto, which improvements will benefit the Parcels.

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

9

ADMINISTRATOR REPORTS

Mike Frommer, County Administrator
-No reports.

10

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell
-The Land Bank met yesterday. A broker was chosen to sell the Old Jail.
-DKMM met virtually on Tuesday.

Commissioner Lewis
-The Delaware County Housing Coalition met virtually yesterday.
-Attended the Genoa Police Station Open House.
-Attended the Bridges/Community Action virtual meeting.
-CCAO elected a new president to their Board: Fellow Commissioner from Licking County Tim Budd.

Commissioner Benton
-The Berlin Business Park overlay was approved at the last Berlin Township Trustee meeting.
-The State Capital budget should be passed today. Thank you to Representatives Carfagna, Jordan and Senator Brenner for their assistance in keeping this moving.

For the health, safety and well-being of county residents, in response to the continued threat of COVID-19, and in accordance with orders of the Ohio Director of Health, public participation in this hearing Will Be Taking Place Only By Virtual Means

11

RESOLUTION NO. 20-1144

10:00A.M. RECONVENING OF PUBLIC HEARING TO CONSIDER CHANGING THE NAME OF LANE ROAD (TWP. RD. 61), A TOWNSHIP ROAD IN THE UNINCORPORATED AREA OF PORTER TOWNSHIP, DELAWARE COUNTY, OHIO:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to open the hearing at 10:03A.M..

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

11

continued

RESOLUTION NO. 20-1145

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

11 continued

RESOLUTION NO. 20-1146

IN THE MATTER OF CLOSING THE PUBLIC HEARING TO CONSIDER CHANGING THE NAME OF LANE ROAD (TWP. RD. 61), A TOWNSHIP ROAD IN THE UNINCORPORATED AREA OF PORTER TOWNSHIP, DELAWARE COUNTY, OHIO:

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

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

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RESOLUTION NO. 20-1147

IN THE MATTER OF DECLARING THAT THE NAME OF LANE ROAD (TWP. RD. 61), A TOWNSHIP ROAD IN THE UNINCORPORATED AREA OF PORTER TOWNSHIP, DELAWARE COUNTY, OHIO SHALL REMAIN THE SAME:

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

WHEREAS, pursuant to section 5541.04 of the Revised Code, the board of county commissioners of any county, on its own motion or on petition by a person owning a lot in the unincorporated area of said county praying that the name of a county or township road in the immediate vicinity of such lot be changed, upon hearing, and upon being satisfied that there is good cause for such a change of name, that it will not be detrimental to the general interest, and that it should be made, may, by resolution declare the change of the name of such road; and

WHEREAS, on October 20, 2020, the Delaware County Board of Commissioners (the "Board") received a petition from James M. Thorpe, landowner, requesting the change of name of Lane Road (Township Road 61) to Lane Rinehart Road; and

WHEREAS, after providing notice to all affected parties, on December 14, 2020, the Board opened and held, and subsequently continued to December 17, 2020, a public hearing to consider changing the name of Lane Road (Township Road 61) to Lane Rinehart Road;

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

Section 1. The Board hereby finds and determines that good cause has not been shown to change the name of Lane Road (Township Road 61), a township road in the unincorporated area of Porter Township, Delaware County, Ohio, that the change will be detrimental to the general interest, and that the change in name should not be made.

Section 2. The Board hereby declares that the name of Lane Road (Township Road 61), a township road in the unincorporated area of Porter Township, Delaware County, Ohio, shall remain the same.

Section 3. The Clerk of the Board is hereby directed to mail courtesy copies of this Resolution via regular U.S. Mail to the petitioner and the Porter Township Board of Trustees.

Section 4. The Board finds and determines that all formal actions of this Board and any of its committees 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 any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including section 121.22 of the Revised Code.

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

12

RESOLUTION NO. 20-1148

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; TO CONSIDER THE SALE OF PROPERTY AT COMPETITIVE BIDDING:

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

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 sale of property at competitive bidding.

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

RESOLUTION NO. 20-1149

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.

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 17, 2020**

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