

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 1, 2021**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present:
Gary Merrell, President
Barb Lewis, Vice President
Jeff Benton, Commissioner

1
RESOLUTION NO. 21-258

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 29th, 2021:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on March 29th, 2021; 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 Mrs. Lewis Aye Mr. Merrell Aye Mr. Benton Aye

2
RESOLUTION NO. 21-259

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0331:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0331 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
FUELMAN	VEHICLE MAINT. & REPAIR	10011106-5228	\$10,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2102604	PULSEPOINT FOUNDATION	PRE-HOSPITAL CARE	10011102 - 5320	\$20,500.00
R2102638	JOHNSON PROPERTY SERVICES LLC	LOT & GARAGE SWEEPING	10011105 - 5325	\$15,300.00
R2102695	COMMISSIONERS	2021 COST ALLOCATION	22411605 - 5380	\$324,357.96

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

4
RESOLUTION NO. 21-260

IN THE MATTER OF ACCEPTING AND APPROVING THE DELAWARE COUNTY SHERIFF'S OFFICE TRANSPORT REPORT FOR THE MONTHS OF FEBRUARY 2021:

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

WHEREAS, section 325.07 of the Revised Code requires the County Sheriff to submit monthly expense reports to the Board of County Commissioners; and

WHEREAS, the Delaware County Sheriff has submitted a monthly reports for February 2021;

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

Section 1. The Board hereby accepts and approves the Delaware County Sheriff's Office Transport Reports for

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 1, 2021**

February 2021.

Section 2. The Board hereby allows the expenses contained in the monthly report.

(Copies available for review at the Commissioners’ Office until no longer of administrative value.)

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

**3
UPDATE FROM FRANK LAROSE’S SECRETARY OF STATE’S OFFICE**

**5
RESOLUTION NO. 21-261**

IN THE MATTER OF REJECTING ALL BIDS RECEIVED FOR THE DELAWARE COUNTY BYXBE CAMPUS DACC REDEVELOPMENT, DELAWARE COUNTY, OHIO:

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

WHEREAS, Delaware County received four bids for the Delaware County Byxbe Campus DACC Redevelopment Project on March 9, 2021; and

WHEREAS, Delaware County reserves the right to reject any and all bids, in whole or in part;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, rejects all bids received for the Delaware County Byxbe Campus DACC Redevelopment Project, Delaware County, Ohio.

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

**6
RESOLUTION NO. 21-262**

IN THE MATTER OF APPROVING THE REQUEST FOR PROPOSAL DOCUMENTS AND SETTING THE DATE AND TIME TO RECEIVE PROPOSALS FOR CONSTRUCTION MANAGER AT RISK FOR THE DELAWARE COUNTY BYXBE CAMPUS DACC REDEVELOPMENT DELAWARE COUNTY, OHIO:

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

WHEREAS, the Delaware County Board of Commissioners desires to receive proposals for Construction Manager at Risk for the Delaware County Byxbe Campus DACC Redevelopment Delaware County, Ohio;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio, that the Request for Proposal Documents for Construction Manager at Risk for the Delaware County Byxbe Campus DACC Redevelopment Delaware County, Ohio are hereby approved, and the Director of Facilities is authorized to advertise for and receive proposals in accordance with the following Request for Proposals:

Public Notice
REQUEST FOR PROPOSALS
CONSTRUCTION MANAGER AT RISK
DELAWARE COUNTY BYXBE CAMPUS DACC REDEVELOPMENT
DELAWARE COUNTY, OHIO

The Delaware County Board of Commissioners, in accordance with Section 9.33, *et seq.*, of the Ohio Revised Code, hereby gives notice of its intent to employ a Construction Manager at Risk (CMAR) for the alteration of an existing building and new construction at the Byxbe Campus, located at 1610 State Route 521, Delaware, Ohio, for Delaware County, Ohio (the “Project”) and invites interested parties to submit proposals for consideration.

The work is to involve the associated preconstruction services and at risk construction services for the Project. Firms are to be experienced in, but not limited to, CMAR services of scheduling, value engineering, “GMP” and open book pricing, and experience in public sector construction.

The complete Request for Proposals may be obtained at the County’s web page, <http://www.co.delaware.oh.us> under the heading “Public Notices and Bids” or by contacting the Delaware County Facilities Management Office at (740) 833-2280, email jmelvin@co.delaware.oh.us, or in person at 1405 US 23 North, Delaware, Ohio during normal business hours.

COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 1, 2021

Proposals will be received at the Delaware County Commissioners’ Office, Attention: Mr. Jon Melvin, Director of Facilities, 91 North Sandusky Street, Delaware, Ohio 43015 until 4:00 PM on Thursday May 6, 2021. Five (5) copies of all submittals are to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

End of Advertisement.

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

7

RESOLUTION NO. 21-263

IN THE MATTER OF AUTHORIZING THE COUNTY ADMINISTRATOR TO PREPARE DRAFT RESOLUTIONS AND SEND ALL NECESSARY NOTICES RELATED TO EXEMPTIONS TO BE CONSIDERED PURSUANT TO R.C. 5709.78:

It was moved by Mr. Benton, 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 the 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, Ohio Revised Code Sections 5709.78 and 5709.83 require that notices of the proposed resolutions be delivered to the Boards of Education of the Olentangy Local School District and the Delaware Area Career Center;

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

Section 1. The County Administrator is hereby authorized to prepare a draft resolution and send all necessary notices related to the following exemptions to be considered pursuant to R.C. 5709.78: the Berlin Business Park TIF.

Section 2. 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 3. This Resolution shall be in full force and effect immediately upon its adoption.

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

8

RESOLUTION NO. 21-264

IN THE MATTER OF APPROVING A PERMIT FOR USE OF DELAWARE COUNTY FACILITIES:

It was moved by Mrs. Lewis, seconded by Mr. Benton 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 outside area of the Historic Court House, 91 North Sandusky Street, Delaware, Ohio 43015, by Delaware Christian Church, on April 3, 2021; at no cost.

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

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 1, 2021**

9**ADMINISTRATOR REPORTS**

Mike Frommer, County Administrator

- Station 7 has moved to the new location on Frost Road on March 30th.
- Would like to thank our law enforcement officers and emergency responders for their dedication and service to our county. This has been a tough week for everyone in those areas with the crash on I-71 Monday night and the event that took place at the Delaware Dam Tuesday evening.

10**COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Lewis

- Attended an EMA executive board meeting. One of their full-time employees has taken a job at the Ohio Health Department. A posting for that position will be up soon.
- Attended a virtual CCAO Legislative Update yesterday. The main topics were reimbursement rate for Indigent Defense, the election bill and prevailing wage.
- Virtually attended the MORPC State of the Region meeting yesterday.

Commissioner Benton

- Would like to recognize Trustee Miley in the audience.
- MORPC executive committee will meet this afternoon.
- Attended the State Farmland meeting.
- Would like to wish everyone a Happy Easter.
- Today is opening day for the Cleveland Indians.

Commissioner Merrell

- Attended the National Vietnam Veteran's Day ceremony held outside on the Plaza Monday after session.
- Received an email from Rachel Massoud (from CCAO) to thank us for a great Legislative Update meeting.

11**RESOLUTION NO. 21-265**

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

It was moved by Mrs. Lewis, seconded by Mr. Benton 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:

(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 appointment of a public employee or public official 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,

**COMMISSIONERS JOURNAL NO. 74 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 1, 2021**

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

RESOLUTION NO. 21-266

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners