

**COMMISSIONERS JOURNAL NO. 75 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 14, 2021**

4

RESOLUTION NO. 21-985

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS FOR THE FACILITIES DEPARTMENT:

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

Transfer of Appropriations

From:	To:	
10011105-5001	10011106-5228	\$ 60,000.00
LAND & BUILDINGS/COMPENSATION	COUNTY GARAGE/MAINTENANCE & REPAIR SUPPLY	
10011105-5101	10011105-5325	\$ 50,000.00
LAND & BUILDINGS/HEALTH INSURANCE	LAND & BUILDINGS/MAINT CONTRACTS & AGREEMENTS	
10011106-5001	10011106-5328	\$ 20,000.00
COUNTY GARAGE/COMPENSATION	COUNTY GARAGE/MAINT & REPAIR SERVICES	
10011106-5101	10011106-5328	\$ 5,000.00
COUNTY GARAGE/HEALTH INSURANCE	COUNTY GARAGE/MAINT & REPAIR SERVICES	

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

5

RESOLUTION NO. 21-986

IN THE MATTER OF RE-APPOINTING ROBERT ANDERSON, DELAWARE COUNTY’S DIRECTOR OF JOB AND FAMILY SERVICES, AS A REPRESENTATIVE TO THE BRIDGES COMMUNITY ACTION PARTNERSHIP OF DELAWARE, MADISON, UNION, CHAMPAIGN, LOGAN, AND SHELBY COUNTIES:

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

WHEREAS, the Board of Commissioners of Delaware County may name representatives to the Bridges Community Action Partnership of Delaware, Madison, Union, Champaign, Logan, and Shelby Counties; and

WHEREAS, Resolution No. 21-05 named Commissioner Barb Lewis as the Commissioners’ representative to the Bridges Community Action Partnership Board; and

WHEREAS, Robert Anderson, Director of the Delaware County Department of Job and Family Services, currently serves as an additional representative to the Bridges Community Action Partnership Board, and his first term expires on October 23, 2021;

NOW, THEREFORE, BE IT RESOLVED that Delaware County Board of Commissioners hereby re-appoints Robert Anderson, Director of the Delaware County Department of Job and Family Services, as a Delaware County Board of Commissioners’ representative to the Bridges Community Action Partnership of Delaware, Madison, Union, Champaign, Logan, and Shelby Counties, for a second term commencing October 24, 2021, and ending October 23, 2024.

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

6

ADMINISTRATOR REPORTS

Dawn Huston
-No reports.

7

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Lewis
-The Investment Committee met on Tuesday. Treasurer Rankey has asked several finance experts to give advice on investments.

Commissioner Benton
-The Investment Committee met on Tuesday.

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- The TID met yesterday. Moving forward on the Sawmill/Home Road intersection.
- The Records Commission met yesterday. They will be asking all departments to update their retention schedules every five years.
- People In Need will hold a celebration for their 40th anniversary tonight.
- Back the Blue event will be held Saturday at Liberty Park at 11:00 AM
- Attended a gathering at Ohio Wesleyan yesterday for the US23 Corridor Study.

Commissioner Merrell

- Read a portion of a press release from Washington.

RECESSED AT 9:42 AM/RECONVENED AT 9:45 AM

8

RESOLUTION NO. 21-987

9:45A.M. - PUBLIC HEARING FOR THE LOCATION AND ESTABLISHMENT OF A NEW PUBLIC ROAD, TO BE KNOWN AS REED PARKWAY (TOWNSHIP ROAD 1782):

It was moved by Mrs. Lewis, seconded by Mr. Benton to open the hearing at 9:45 A.M..

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

8 continued

RESOLUTION NO. 21-988

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. Benton, 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

8 continued

RESOLUTION NO. 21-989

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR LOCATION AND ESTABLISHMENT OF A NEW PUBLIC ROAD, TO BE KNOWN AS REED PARKWAY (TOWNSHIP ROAD 1782):

It was moved by Mr. Benton, seconded by Mrs. Lewis to close the hearing at 9:51A.M..

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

8 continued

RESOLUTION NO. 21-990

IN THE MATTER OF PROCEEDING WITH THE LOCATION AND ESTABLISHMENT OF A NEW PUBLIC ROAD, TO BE KNOWN AS REED PARKWAY (TOWNSHIP ROAD 1782):

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

WHEREAS, on September 27, 2021, the Board of Commissioners of Delaware County, State of Ohio (hereinafter the “Board”) declared its opinion that it will be for the public convenience or welfare to locate and establish a new public road, to be known as Reed Parkway (Township Road 1782), located off Lackey Old State Road approximately one-half mile south of U.S. Route 36, extending west from Lackey Old State Road for ±1101 feet in Berlin Township, Delaware County, Ohio, which is more specifically depicted in Exhibit A, attached hereto and, by this reference, incorporated herein; and

WHEREAS, after publication of notice thereof in accordance with applicable law, the Board conducted a view of the proposed improvement on Monday, October 11, 2021, at 9:45A.M., at the Commissioners’ Hearing Room located at 91 North Sandusky Street Delaware, Ohio 43015, through the use of drone videography and photography; and

WHEREAS, on Thursday, October 14, 2021, at 9:45A.M., the Board held a final hearing on the proposed improvement, at the Office of the Board, 91 North Sandusky Street Delaware, Ohio; and

WHEREAS, at the final hearing on the improvement, the Board heard the report of the Delaware County

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Engineer and testimony for and against the improvement;

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 the location and establishment of a new public road, to be known as Reed Parkway (Township Road 1782), located off Lackey Old State Road approximately one-half mile south of U.S. Route 36, extending west from Lackey Old State Road for ± 1101 feet in Berlin Township, Delaware County, Ohio, which is more specifically depicted in Exhibit A, attached hereto and, by this reference, incorporated herein, would serve the public convenience and welfare. Accordingly, the Board hereby determines to proceed with the location and establishment of Reed Parkway (Township Road 1782) as described herein.

Section 2. The Board hereby declares that, upon expiration of the statutory appeal period, the improvement located and established herein constitutes a public road, and the road shall be constructed, kept open, maintained, and improved as provided by applicable law and separate resolution of this Board.

Section 3. The Clerk shall prepare a full record of the proceedings, including this Resolution, the survey, plat, and accurate and detailed description of the improvement, to be entered forthwith in the proper road records of the county by the Delaware County Engineer.

Section 4. The 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 5. This Resolution shall take effect immediately upon adoption.

EXHIBIT A

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

Recess at 9:53 AM/Reconvened at 9:59 AM

9
RESOLUTION NO. 21-991

10:00A.M. RECONVENING OF PUBLIC HEARING FOR CONSIDERATION OF A PETITION FROM THE LAKE-OF-THE-WOODS WATER COMPANY REQUESTING DEDICATION OF A 3.136-ACRE SEGMENT OF DUNCAN’S GLEN DRIVE AS A PUBLIC RIGHT-OF-WAY:

It was moved by Mr. Benton, seconded by Mr. Merrell to reconvene the hearing at 10:00 A.M..

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

9 continued
RESOLUTION NO. 21-992

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. Benton, seconded by Mr. Merrell to approve, for a specific occurrence, a suspension of Rule 3-Speaker Registration; Rule 4-Limitations; Rule 7-Public Comment Procedure from the Rules

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Governing Public Comment before the Board of County Commissioners of Delaware County, Ohio.

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

9 continued

RESOLUTION NO. 21-993

IN THE MATTER OF CLOSING PUBLIC HEARING FOR CONSIDERATION OF A PETITION FROM THE LAKE-OF-THE-WOODS WATER COMPANY REQUESTING DEDICATION OF A 3.136-ACRE SEGMENT OF DUNCAN’S GLEN DRIVE AS A PUBLIC RIGHT-OF-WAY:

It was moved by Mr. Benton, seconded by Mr. Merrell to close the hearing at 10:11 A.M..

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

9 continued

RESOLUTION NO. 21-994

IN THE MATTER OF GRANTING THE PETITION FROM THE LAKE-OF-THE-WOODS WATER COMPANY REQUESTING DEDICATION OF A 3.136-ACRE SEGMENT OF DUNCAN’S GLEN DRIVE AND ESTABLISHMENT OF THE SAME AS A PUBLIC ROAD:

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

WHEREAS, on November 14, 2019, the Delaware County Board of Commissioners (the “Board”) received a petition filed by the Lake-Of-The-Woods Water Company, pursuant to section 5553.04 of the Revised Code, requesting the Board adopt a resolution dedicating a 3.136-Acre Segment of Duncan’s Glen Drive, a private road, as a Public Right-of-Way, in Genoa Township, Delaware County, Ohio (the “Petition”); and

WHEREAS, the Board conducted a view of the proposed improvement on Monday, February 3, 2020, at 1:30 P.M. in the vicinity of the intersection of Duncan’s Glen Drive and Walnut Hull Drive; and

WHEREAS, after publication of notice thereof in accordance with applicable law, the Board on on February 20, 2020, opened and continued the hearing on the proposed dedication to October 22, 2020, and subsequently continued the hearing to Thursday, August 5, 2021, and subsequently continued the hearing again to Thursday, October 14, 2021 at the Office of the Board, 91 North Sandusky Street Delaware, Ohio; and

WHEREAS, at the reconvening of the final hearing on the Petition, the Board heard the report of the Delaware County Engineer and testimony for and against the improvement;

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 the dedication of a 3.136 acre segment of Duncan’s Glen Drive, as described in Exhibit A attached hereto, and establishment of the same as a public road would serve the public convenience and welfare. Accordingly, the Board hereby grants the Petition.

Section 2. The Board hereby declares that the improvement so dedicated constitutes a public road without the need for any further proceedings, and the public road hereby established shall be designated as a township road, with such number and conditions as follows:

- Duncan’s Glen Drive, to be known as Township Road Number 1786
- 25 mile per hour speed limits for Township Road Number 1786, Duncan’s Glen Drive
- Stop condition on Township Road Number 1786, Duncan’s Glen Drive, at its intersection with Private Road Robinhood Circle
- Stop condition on Township Road Number 1786, Duncan’s Glen Drive, at its intersection with County Road Number 31, Red Bank Road

Section 3. The Clerk shall prepare a full record of the proceedings, including this Resolution, the survey, plat, and accurate and detailed description of the improvement, to be entered forthwith in the proper road records of the county by the Delaware County Engineer. The Board hereby directs the Clerk of the Board to also certify a copy of the full record of the proceedings to the Delaware County Recorder.

Section 4. The 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.

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

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

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RESOLUTION NO. 21-995

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT; EMPLOYMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL; FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Benton, 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 appointment; employment of a public employee or public official; for pending or imminent litigation.

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

RESOLUTION NO. 21-996

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