

COMMISSIONERS JOURNAL NO. 76 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 3, 2022

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

Present:
Barb Lewis, President
Gary Merrell, Commissioner

Absent:
Jeff Benton, Vice President

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RESOLUTION NO. 22-143

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 28, 2022:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on February 28, 2022; 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 Absent

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PUBLIC COMMENT
-None.

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RESOLUTION NO. 22-144

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0302:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0302 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Line Account	Amount
R2202261	KOMLINE SANDERSON ENGINEERING CORP	CYLINDER AND SEAL REPAIR KITS FOR ACWRF BELT PRESS	66211900 - 5228	\$10,175.00

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

4
RESOLUTION NO. 22-145

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Emergency Communications Department is requesting that Patrick Brandt and a Telecommunicator attend the Association of Public Communication Officials (APCO) Conference in Anaheim, California August 6-11, 2022 at the cost of \$6,971.00 (fund number 21411306/21711326).

The Emergency Communications Department is requesting that Jason Hutchisson, and Matthew Fletcher attend the Tyler Conference in Indianapolis, Indiana from May 15-18, 2022 at the cost of \$5,500.00 (fund number 21411306/21711326).

The Emergency Communication Department is requesting that Patrick Brandt, a Tour Commander and a Telecommunicator attend an Ohio APCO/NENA Conference in Sandusky, Ohio from April 10-13, 2022 at the cost of \$1,736.48 (fund numbers 21411306/21711326).

The Administrative Services Department is requesting that Troy Sexton attend a PRIMA Training Conference in San Antonio, Texas from June 4-8, 2022 at the cost of \$2640.00 (fund number 10011302).

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

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RESOLUTION NO. 22-146**

IN THE MATTER OF APPROVING AN UPDATED RECOMMENDATION BY THE DELAWARE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE FOR THE APPOINTMENT OF REPRESENTATIVES:

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

WHEREAS, in accordance with section 3750.03(B) of the Revised Code, the State Emergency Response Commission shall appoint the members of the Delaware County Local Emergency Planning Committee (“LEPC”) from a list of persons submitted by the Delaware County Board of Commissioners (the “Board”); and

WHEREAS, the LEPC recommends the Board submit the following person to be nominated as a representative to the LEPC, subject to appointment by the State Emergency Response Commission, for the period of March 3, 2022 through August 9, 2023:

Representatives:

Name:	Title:	Employer/Representing:
Julie Datko	Communications Coordinator	Delaware County/Other

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby accepts the LEPC’s recommendation, approves the aforementioned person to be nominated as a representative to the LEPC, and authorizes submitting this resolution to the State Emergency Response Commission for consideration of appointment to the LEPC.

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

**6
RESOLUTION NO. 22-147**

IN THE MATTER OF RE-APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE DELAWARE COUNTY TRANSPORTATION IMPROVEMENT DISTRICT:

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

WHEREAS, on May 17, 2018, the Delaware County Board of Commissioners (the “Board”) adopted Resolution No. 18-536, establishing the Delaware County Transportation Improvement District (“DCTID”) and appointing members to the DCTID Board of Trustees; and

WHEREAS, the Board shall make appointments to the DCTID Board of Trustees, pursuant to section 5540.02 of the Revised Code; and

WHEREAS, the terms for all members of the DCTID Board of Trustees shall expire on May 17, 2022;

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

Section 1. The Board hereby approves the re-appointments of the following members to the DCTID Board of Trustees:

Name	Office
Chris Bauserman	Delaware County Engineer
Tracie Davies	Delaware County Administrator
Si Kille	Delaware County Deputy Auditor
Pat Blayney	Public Member At-Large
Tom Price	Public Member At-Large

Section 2. The re-appointments approved herein shall be effective May 18, 2022, and the members shall serve terms of two years, subject to section 5540.02 of the Revised Code.

Section 3. The Delaware County Board of Commissioners hereby finds and determines that all formal actions taken by it concerning or relating to the adoption of this Resolution were taken in an open meeting of the Delaware County Board of Commissioners and that all deliberations of the Delaware County Board of Commissioners and any of its committees that resulted in those formal actions were conducted in compliance with applicable Ohio laws.

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

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RESOLUTION NO. 22-148

IN THE MATTER OF DESIGNATING DELAWARE COUNTY REPRESENTATIVES AT MEETINGS TO BE HELD IN REGARD TO ONE OHIO REGION 18 GOVERNANCE:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 18-130, declaring that the unlawful distribution of prescription opioids created a public nuisance in Delaware County, Ohio and has caused harm to the residents of Delaware County, Ohio, and authorized the retention of special counsel to commence civil litigation against opioid drug manufacturers and distributors; and

WHEREAS, the Board commenced civil litigation against opioid drug manufacturers and distributors; and

WHEREAS, the Board adopted Resolution No. 20-257, approving the One Ohio Memorandum of Understanding (the "MOU"), which provides an overall framework should a settlement be reached with opioid drug manufacturers and distributors; and

WHEREAS, the Board has approved Delaware County's participation in master settlement agreements that will be administered in accordance with the MOU; and

WHEREAS, the MOU provides for the creation of nineteen regions throughout the State of Ohio that will administer the portion of settlement funds allocated to and distributed from the statewide foundation, known as OneOhio Recovery Foundation, Inc.; and

WHEREAS, the MOU requires each region to "create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions," including representation on the statewide foundation board and the selection of projects for funding; and

WHEREAS, a meeting of representatives from political subdivisions of the seven counties within Region 18, of which Delaware County is a part, is scheduled for March 10, 2022, with the potential for additional meetings to create the Region 18 governance structure; and

WHEREAS, the Board is prepared to designate Delaware County representatives at the Region 18 meetings;

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

Section 1. The Board hereby designates the following individuals as representatives of Delaware County at meetings to determine One Ohio Region 18 governance: Gary Merrell, County Commissioner; Bob Anderson, Director of Delaware County Department of Job and Family Services; and David Hejmanowski, Delaware County Juvenile/Probate Judge.

Section 2. In the event Commissioner Merrell is unable to attend a meeting, the Board hereby designates Commissioner Barb Lewis as an alternate representative.

Section 3. The Board hereby directs the Clerk of this Board to provide certified copies of this Resolution to each of the representatives designated herein.

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

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ADMINISTRATOR REPORTS

Tracie Davies, County Administrator

- Attended the Genoa Township Business Association meeting; many thanks for the invitation.

Dawn Huston, Deputy Administrator

-No reports.

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COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

-Also attended the Genoa Township Business Association meeting.

-Will be attend a CORSA conference next week.

Commissioner Lewis

-No reports.

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RESOLUTION NO. 22-148

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT; EMPLOYMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES; FOR PENDING OR IMMINENT LITIGATION AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

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

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; employment of a public employee or public official to consider the purchase of property for public purposes; for pending or imminent litigation 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, 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 Absent

RESOLUTION NO. 22-150

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mrs. Lewis to adjourn out of Executive Session.

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

There being no further business, the meeting adjourned.

Gary Merrell

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Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners