

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 2022**

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

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

1
RESOLUTION NO. 22-926

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 24, 2022:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on October 24, 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 Aye

2
PUBLIC COMMENT
 None.

3
RESOLUTION NO. 22-927

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1026 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1026:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1026, memo transfers in batch numbers MTAPR1026 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Account	Amount
R2204733	TREASURER, STATE OF OHIO	PERMIT TO INSTALL - TARTAN FIELDS WRF -	66611900 - 5410	\$ 15,100.00
R2204750	TREASURER, STATE OF OHIO	MARCS TOWER LEASE AGREEMENT	21411306 - 5335	\$ 14,021.70
R2204753	SCHOTTENSTEIN REAL ESTATE GROUP	SLATE RIDGE II TIF PAYMENTS	45111446 - 5715	\$323,405.06
R2204754	KERBLER FARMS LLC	SLATE RIDGE II TIF PAYMENTS	45111446 - 5715	\$323,405.06

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

4
RESOLUTION NO. 22-928

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, JEFFREY W. SHARP, ATTORNEY-AT-LAW, REQUESTING ANNEXATION OF 5.838 ACRES OF LAND IN SCIOTO TOWNSHIP TO THE VILLAGE OF OSTRANDER:

It was moved by Mr. Benton, seconded by Mr. Merrell to acknowledge that on October 18, 2022, the Clerk to the Board of Commissioners received a petition requesting annexation of 5.838 acres from Scioto Township to the Village of Ostrander.

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

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 2022**

S**RESOLUTION NO. 22-929**

**IN THE MATTER OF APPROVING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE DELAWARE-MORROW MENTAL HEALTH & RECOVERY SERVICES
BOARD AND THE SHERIFF OF DELAWARE COUNTY, OHIO, FOR A MENTAL HEALTH
CLINICIAN FY2023:**

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

**Memorandum of Understanding
Between the Delaware-Morrow Mental Health & Recovery Services Board and the Sheriff of
Delaware County, Ohio, For a Mental Health Clinician FY2023**

This **Memorandum of Understanding** ("MOU") is entered into between the Delaware- Morrow Mental Health & Recovery Services Board (the "Board") and the Sheriff of Delaware County, Ohio (the "Sheriff").

Whereas, the parties have entered into a Memorandum of Understanding for each fiscal year of the Board since March 10, 2014 for the securing and funding of a position for a full-time mental health professional to provide mental health services to persons incarcerated at the Delaware County Jail; and,

Whereas, the Board considers the services provided by this professional to continue being essential to the needs of the Sherriff and the Delaware County Jail population; and,

Whereas, the parties desire to execute this MOU for another, subsequent term of one (1) year during the Board's FY2023 upon the terms and conditions set forth herein.

Now Therefore, the parties agree:

1. Memorandum Term. This MOU shall be effective commensurate with the Board's FY2022 for a period of one (1) year commencing on July 1, 2022 and continuing to June 30, 2023. Attached hereto as *Exhibit "A"* and incorporated herein is a copy of the original Memorandum of Understanding, effective March 10, 2014, including the *Proposal for a Mental Health Clinician for Delaware County Jail*. *Exhibit "A"* sets forth the overall structure of this collaborative arrangement and services to be provided by the mental health professional position.
2. Financial Contributions. The Board is responsible for making payment to Maryhaven in the amount of up to **\$105,000**, to cover the professional and administrative costs for the mental health professional position to be staffed by Maryhaven during the term of this extension. The Sheriff agrees to reimburse the Board for 20% of this cost in the amount of up to **\$21,000**. Attached hereto as *Exhibit "B"* and incorporated herein is the Budget and Proposal for the mental health professional position for FY2023.
3. Obligations of the Parties. The parties agree to continue to provide the support and services as set forth in *Exhibits "A" and "B"* and such other services as they mutually agree will enhance the provision of mental health services at the Delaware County Jail.
4. All Other Terms Remain in Effect. Except as modified herein, all terms and conditions of the attached *Exhibits "A" and "B"* shall remain in full force during the period of this MOU.

EXHIBIT A

**Memorandum of Understanding between the
Delaware-Morrow Mental Health & Recovery Services Board and the Sheriff of Delaware County,
Ohio for a
Mental Health Clinician for the Delaware County Jail**

Background:

The Sheriff of Delaware County, Ohio (the "Sheriff") has identified the need for a full time mental health professional who will provide mental health services, including the assessment and treatment of mental and emotional disorders, to persons incarcerated at the Delaware County Jail.

Maryhaven, Inc. ("Maryhaven") provides comprehensive behavioral healthcare services specializing in the treatment of individuals with addictive and mental illness. Maryhaven has in a separate agreement with the Board, agreed to provide mental health services to persons incarcerated at the Jail, as set forth in the *Proposal for a Mental Health Clinician for Delaware County Jail*, (Exhibit "A" attached hereto).

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 2022**

Delaware-Morrow Mental Health & Recovery Services Board (the "Board") agrees to contribute to the funding for the mental health professional position together with the Sheriff, as set forth in the Memorandum.

The Parties Agree as Follows:

Financial Contributions. The Board is responsible for making payment to Maryhaven in the amount of \$32,084, to cover the professional and administrative costs for the mental health professional position to be staffed by Maryhaven. The Sheriff agrees to reimburse the Board for 20% of the above described costs in the amount of \$6,417. The Sheriff will reimburse Board following receipt of an invoice from Board evidencing Board's payment to Maryhaven as described above. Attached hereto as Exhibit "B" is the *Budget for Delaware County Jail Mental Health Professional*, setting forth the respective financial obligations of the parties during the term of this Memorandum. The budget will be in place until the end of the Board's fiscal year (June 30, 2014).

1. **Obligations of the Parties.** The Board and the Sheriff, together with Maryhaven, will collaborate to develop the job description and qualifications for the full time mental health professional position, as well as other policies needed to facilitate the timely and efficient delivery of mental health services at the Jail. The Sheriff will provide appropriate space for the mental health professional to counsel clients, as well as to perform administrative functions. It is anticipated that the mental health professional will be on-site full time at the Jail to counsel clients and will perform other duties associated with the delivery of services as deemed appropriate in the judgment of the mental health professional.
2. **No Responsibility for Mental Health Services.** Notwithstanding anything in this Memorandum to the contrary, neither the Sheriff nor the Board will be responsible in any manner for the delivery or oversight of the delivery of mental health services to persons incarcerated at the Jail; all such services shall be the sole professional responsibility of Maryhaven's employees or agents.
3. **Confidentiality.** To the extent that it may be applicable, the parties agree that each will abide by applicable confidentiality laws and regulations, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Federal Regulations governing the confidentiality of alcohol and drug abuse patient records, 42 CFR Part 2, 46 CFR Parts 160 and 164, and all applicable state laws relating to the confidentiality of medical records.
4. **Memorandum Term.** This Memorandum of Understanding shall be effective on the 18th day of March, 2014, and shall continue until June 30, 2014, the end of the Board's fiscal year. Thereafter, the parties anticipate but do not guarantee that they will renew this Memorandum to continue this project during the Board's ensuing fiscal year.

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

**6
RESOLUTION NO. 22-930**

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATION FOR ADULT COURT SERVICES:

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

Transfer of Appropriation		
From:	To:	
25422302-5001	25422302-5332	100.00
CBCG Electronic Monitoring/Compensation	CBCG Electronic Monitoring/Cell Phone Allowance	

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

**7
RESOLUTION NO. 22-931**

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

Supplemental Appropriation		
22111502-5365	Litter Grant/Grant Related Services	25,682.76
29911190-5380	AG Society Excise Tax/Other Services	205,000.00

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

COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 2022

8

ADMINISTRATOR REPORTS

Tracie Davies, County Administrator

-Thank you to the Board of Commissioners and the Finance Authority for hosting the welcome reception for Monica Conners (Economic Development Director) on Tuesday evening.

Dawn Huston, Deputy Administrator

-The Open Enrollment meetings have ended. Thank you to Cindi Herring and Amanda Kreft for their hard work getting the meetings scheduled and the packets ready.
-Open Enrollment does end on November 4, 2022.

9

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

-Attended the Region 18 OneOhio Opioid Meeting last night.

Commissioner Benton

-The reception for Monica was well attended.
-Attended the Records Commission meeting yesterday.
-EMS will celebrate their national award today.
-Regional Planning meeting is the evening.
-CEBCO meeting will be tomorrow.
-Attended the Strand Theatre event Tuesday night.

Commissioner Lewis

-Thank you to Jane Hawes and Julie Datko for their organization of Monica's reception.
-Will be attending a Stepping Up meeting this afternoon.
-Will be attending a Community Corrections Board meeting this afternoon.

10

RESOLUTION NO. 22-932

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT; EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE; FOR PENDING OR IMMINENT LITIGATION; FOR SECURITY ARRANGEMENTS AND EMERGENCY RESPONSE PROTOCOLS:

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; compensation of a public employee; for pending or imminent litigation; for security arrangements and emergency response protocols.

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

RESOLUTION NO. 22-933

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

There being no further business, the meeting adjourned.

COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 27, 2022

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners