

**COMMISSIONERS JOURNAL NO. 77 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 17, 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. 22-1006

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD NOVEMBER 14, 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 November 14, 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. 22-1007

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1116:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1116 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2202192) TIDEWATER	Chemicals	66211900-5290	\$53,555.09

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Line Account</u>	<u>Amount</u>
R2204943	SUPREME COURT OF OHIO	FY22 RETIRED ASSIGNED JUDGES FOR MUNI COURT	10029203 - 5301	\$7,440.92
R2204946	ELECTRONIC SPECIALTY COMPANY	COURTROOM TECHNOLOGY PROJECT	41711436 - 5450	\$117,065.70
R2204948	COUNTY RISK SHARING AUTHORITY	LEGAL FEES CLAIM DATE 12.20.2021	60111901 - 5370	\$5,546.50

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

4
RESOLUTION NO. 22-1008

IN THE MATTER OF GRANTING THE ANNEXATION PETITION 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 address the following:

WHEREAS, on October 18, 2022, the Clerk to the Delaware County Board of Commissioners (the “Board”) received an annexation petition, filed by Jeffrey W. Sharp, an agent for the petitioner, of 5.838 acres, more or less, in Scioto Township to the Village of Ostrander; and

WHEREAS, pursuant to section 709.023 of the Revised Code, if the Municipality or Township does not file an objection within 25 days after filing of the annexation petition, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

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WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the Village of Ostrander or the Township of Scioto;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners grants the petition requesting annexation of 5.838 Acres of Land in Scioto Township to the Village of Ostrander.

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

**5
RESOLUTION NO. 22-1009**

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR ADULT COURT SERVICES:

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

Transfer of Appropriation

From:	To:	
25422301-5101	25422301-5001	\$546.52
CBCG Intensive/Health Insurance	CBCG Intensive/Compensation	
25522309-5101	25522309-5001	\$3,000.00
Drug Court Docket/Health Insurance	Drug Court Docket/Compensation	
25522309-5101	25522309-5332	\$30.00
Drug Court Docket/Health Insurance	Drug Court Docket/Cell Phone Allowance	
25922307-5101	25922307-5001	\$3,200.00
Mental Health Docket/Health Insurance	Mental Health Docket/Compensation	

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

**6
RESOLUTION NO. 22-1010**

IN THE MATTER OF RECOGNIZING NOVEMBER 2022 AS NATIONAL ADOPTION MONTH:

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

WHEREAS, the theme for November 2022 is “National Adoption Month –Small Steps Open Doors”; and

WHEREAS, more than 15,000 Ohio children live in foster homes or other out-of-home settings; and

WHEREAS, the Delaware County Department of Job and Family Services continues to recruit, train, and license qualified applicants for the sole purposes of providing loving and stable foster and adoptive homes to children and youth; and

WHEREAS, in Delaware County, 38 children and youth are residing in foster homes or other out of home settings; and

WHEREAS, there is one youth, age 17, who will transition out of the children services system without having a place to call home; and

WHEREAS, there are 8 children/youth ages 2 to 16 awaiting adoption who have been in foster care for an average of 1,002 days; and

WHEREAS, youth are never too old to need permanent, lifelong relationships and meaningful connections to supportive adults to reach their full potential and be adopted by loving families; and

WHEREAS, engaging children and youth in conversations can have large impacts in permanency planning and can lead to opening the doors to permanency that once seemed impossible; and

WHEREAS, profiles of the older youth in need of adoptive families can be found at FosterAndAdopt.jfs.ohio.gov/profiles; and

WHEREAS, adoption enriches the lives of the children, families, and communities who welcome them; and

WHEREAS, the Delaware County Department of Job and Family Services and public and private child caring agencies throughout the state work diligently to provide safe, stable, permanent homes for Ohio’s most vulnerable children; and

WHEREAS, it takes 100% Heart to Foster and Adopt in Ohio;

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NOW, THEREFORE, BE IT RESOLVED we, Barb Lewis, Gary Merrell, and Jeff Benton, Commissioners of Delaware County, Ohio, do hereby recognize November 2022

ADOPTION RECOGNITION AND RECRUITMENT MONTH

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

7

RESOLUTION NO. 22-1011

IN THE MATTER OF SETTING THE BID DATE AND TIME TO RECEIVE BIDS FOR UNIFORMED ARMED SECURITY OFFICERS FOR DELAWARE COUNTY:

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

PUBLIC NOTICE
REQUEST FOR COMPETITIVE SEALED PROPOSALS
RFP #22-05 – UNIFORMED ARMED SECURITY OFFICERS

This Notice to offerors is posted on the internet and may be viewed on Delaware County’s web page at <http://www.co.delaware.oh.us> under the heading “Public Notices and Bids.”

Sealed proposals for Uniformed Armed Security Officers for Delaware County will be received by the Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 at 2:00 PM on Monday, December 12, 2022. At that time, proposals will be opened publicly in a manner to avoid public disclosure of contents, and only names of offerors will be read aloud.

Each proposal must contain the full name of every person or company interested in same, and be accompanied by a bond or certified check in the amount of \$1,000.00 made payable to Delaware County, Ohio. Contract specifications may be obtained online 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 Highway 23 North, Delaware, Ohio during normal business hours. Proposals shall be submitted in a sealed envelope marked “Sealed Proposal for Uniformed Armed Security Officers.”

Any proposals submitted to Delaware County, Ohio are to be prepared at the submitter’s expense. Delaware County reserves the right to reject any and all proposals, in whole or in part, and the right to waive any immaterial defect in a proposal. Acceptance of a proposal shall not constitute an agreement between the offeror and Delaware County. Delaware County shall have no liability whatsoever to any offeror whose proposal is not accepted. The decision to award a contract is within the sole discretion of the Board of Commissioners. If an award is made, it shall be to the offeror whose proposal is determined to be the most advantageous to Delaware County, Ohio.

<End of Advertisement>

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

Other Business:

RESOLUTION NO. 22-1012

IN THE MATTER OF DECLARING A PUBLIC PURPOSE AND AUTHORIZING THE USE OF DELAWARE COUNTY FUNDS FOR THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS, AND OTHER AMENITIES AND APPROVING A TRANSFER OF APPROPRIATION:

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

WHEREAS, in accordance with Ohio Attorney General Opinion No. 82-006 and Ohio Auditor of State Bulletin 2003-005, the Delaware County Board of Commissioners (the “Board”) may expend public funds to purchase coffee, meals, refreshments, and other amenities for its officers or employees or other persons if it determines that such expenditures are a “public purpose” and are necessary to perform a statutory function or power, provided the determination is not manifestly arbitrary or unreasonable; and

WHEREAS, the Board’s determination must be memorialized by a duly enacted resolution and may have prospective effect only; and

WHEREAS, from time to time, it becomes necessary for the Board or county agencies to hold meetings during lunch, requiring meals to be provided for the participants; and

WHEREAS, the Board and county agencies routinely host community events or seminars that are attended by members of the public, visiting officials from other jurisdictions or organizations, and program participants;

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and

WHEREAS, the meetings and events described herein provide for timely and efficient completion of the public business, promote plans and programs, and foster cooperation with public and private partners both within Delaware County and throughout the State of Ohio; and

WHEREAS, the County Administrator and Deputy County Administrator recommend authorization to use Delaware County funds to pay for the coffee, meals, refreshments, and other amenities for these meetings and events;

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

Section 1. The Board hereby declares that the provision of coffee, meals, refreshments, and other amenities for the following purposes and amounts constitute a public purpose:

10011160-5294	Comm Pre Hospital Care Board	\$2,200.00	Refreshments for events hosted by County Commissioners
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Section 2. The Board hereby authorizes the purchase of coffee, meals, refreshments, and other amenities in accordance with Section 1 of this Resolution for the current fiscal year, subject to the ordinary approval of a purchase order, submission of complete and accurate receipts, invoices, and any other supporting documentation required by the County Auditor, and approval of the voucher by the Board.

Section 3. This Resolution shall take effect immediately upon adoption.

Transfer of Appropriation

From:	To:	
10011160-5201	10011160-5294	\$2,200.00
Comm Pre Hospital Care Board/General Supplies	Comm Pre Hospital Care Board/Food	

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

RESOLUTION NO. 22-1013

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION:

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

Supplemental Appropriation

22211330-5410	American Rescue Plan/Building & Improvements	\$500,000.00
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Vote on Motion Mr. Benton Aye Mr. Merrell Aye Mrs. Lewis Aye

ADMINISTRATOR REPORTS

Tracie Davies, County Administrator

- Participated in a MORPC committee meeting yesterday.
- Budget hearings will start this afternoon.

Dawn Huston

- Attended the Transit Board meeting last night. It was the first meeting for Andy Volenik, their new director.

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Benton

- Attended the State LAEPP meeting yesterday. Sarah Huffman has done a great job in getting things moving at a better pace for approval.
- Attended the Engineer's Township Luncheon yesterday.
- Will be attending the COYC meeting this afternoon.
- Regional Planning will meet tonight.

Commissioner Merrell

- Attended the Solar meeting yesterday at the Radnor Township Hall.
- Will be attending a virtual CCAO policy meeting this afternoon before the Prosecutor's budget hearing.
- Will be attending a CCAO board meeting tomorrow meeting.

Commissioner Lewis

- No reports.

RESOLUTION NO. 22-1014

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IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF PENDING OR IMMINENT LITIGATION AND FOR CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

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

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 pending or imminent litigation and for 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 Aye

RESOLUTION NO. 22-1015

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

There being no further business, the meeting adjourned.

Gary Merrell

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Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners