

COMMISSIONERS JOURNAL NO. 78 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 18, 2023

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

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

9:45 A.M. Public Hearing For Consideration Of A Petition From The Orange Township Board Of Trustees Requesting Vacation Of A Portion Of Third Street In The Unincorporated Village Of Lewis Center, Orange Township, Delaware County, Ohio, Under The Special Procedures Of R.C. 5553.045

**1**  
RESOLUTION NO. 23-420

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 15, 2023:

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 May 15, 2023; 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  
Russell Hill, Storm water drainage

**3**  
RESOLUTION NO. 23-421

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0517 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0517:

It was moved by Mrs. Lewis, seconded by Mr. Merrell to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0517, memo transfers in batch numbers MTAPR0517 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			
P2301684 (KIDS COUNT TOO)	Job and Family Placement Ser.	22511607-5342	\$ 5,500.00
P2301685 (NYAP)	Job and Family Placement Ser.	22511607-5342	\$ 9,250.00
P2301686 (LIFE START)	Job and Family Placement Ser.	22511607-5342	\$13,925.00
P2301687 (CARE GIVERS)	Job and Family Placement Ser.	22511607-5342	\$12,500.00
P2301683 (EASTWAY)	Job and Family Placement Ser.	22511607-5342	\$16,150.00
P2301690(LOVING HEART)	Job and Family Placement Ser.	22511607-5342	\$50,000.00
P2300592 (PHOENIX)	EMS Dept. Supplies	10011303-5225	\$25,000.00
P2301519 (BEAR ENVIRONMENTAL)	Liquid Sludge Hauling	66211900-5380	\$25,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2303335	XYLEM WATER SOLUTIONS USA INC	VOLUTE SPARE PUMP FOR TARTAN FIELDS RAS	66211900 - 5450	\$9,081.00
R2303336	CDM SMITH INC	REHAB PROJECT - RESOLUTION 22-1116 - PART OF	66611900 - 5403	\$49,790.00
R2303342	TAPE CENTRAL INC	PROJECTOR FOR OECC	66211900 - 5260	\$3,300.00
R2303342	TAPE CENTRAL INC	PROJECTOR SCREEN & OTHER PROJECTOR RELATED ITEMS	66211900 - 5201	\$1,320.00

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R2303342	TAPE CENTRAL INC	PROJECTOR INSTALLATION	66211900 - 5328	\$1,625.00
R2303342	TAPE CENTRAL INC	SHIPPING	66211900 - 5331	\$110.00
R2303344	KONESCRANES INC	CRANE HOIST SAFETY TRAINING	66211900 - 5305	\$6,150.00
R2303362	CARDIOTRONIX LLC	FOUR AED'S	66211900 - 5260	\$6,320.00
R2303362	CARDIOTRONIX LLC	SHIPPING	66211900 - 5331	\$107.44

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

**4  
RESOLUTION NO. 23-422**

**IN THE MATTER OF ACCEPTING THE TREASURER’S REPORT FOR THE MONTH OF APRIL 2023:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis to accept the Treasurer’s Report for the month of April 2023.

(Copy 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

**5  
RESOLUTION NO. 23-423**

**IN THE MATTER OF APPROVING THE INVITATION TO BID (ITB #23-03) FOR APPLIANCES FOR THE DELAWARE COUNTY BYXBE CAMPUS:**

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

WHEREAS, the Director of Facilities recommends approval of the following Invitation to Bid (ITB #23-03) for appliances for the Delaware County Byxbe Campus;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves ITB #23-03 and authorizes the Director of Facilities to issue ITB #23-03 in accordance with the following Public Notice:

**PUBLIC NOTICE  
INVITATION TO BID  
ITB #23-03 – APPLIANCES  
FOR THE DELAWARE COUNTY BYXBE CAMPUS**

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 bids for Appliances for the Delaware County Byxbe Campus will be received by the Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 at 2:00 PM on Thursday, June 8, 2023, at which time they will be publicly opened and read aloud.

Each bid 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 \$500.00 made payable to Delaware County, Ohio. Bid specifications may be obtained online or by contacting the Delaware County Facilities Management Office at (740) 833-2280, email [jmelvin@co.delaware.oh.us](mailto:jmelvin@co.delaware.oh.us), or in person at 1405 US Highway 23 North, Delaware, Ohio during normal business hours. Bids shall be submitted in a sealed envelope marked “Sealed bid for Appliances for the Byxbe Campus.”

Any bid submitted to Delaware County, Ohio are to be prepared at the submitter’s expense. Delaware County reserves the right to reject any and all bids, in whole or in part, and the right to waive any immaterial defect in a bid. Acceptance of a bid shall not constitute an agreement between the offeror and Delaware County. Delaware County shall have no liability whatsoever to any offeror whose bid 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 bid is determined to be the lowest and best to Delaware County, Ohio.

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

**6  
RESOLUTION NO. 23-424**

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

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

WHEREAS, the Delaware County Commissioners passed Resolution No. 21-449 on May 24, 2021, adopting a Delaware County Facilities Permit Policy (the "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 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 Policy;

NOW, THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED that the Delaware County Board of Commissioners hereby authorizes the use of the parking lot at 145 N. Union Street on May 20, 2023; at no cost.

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

**7  
RESOLUTION NO. 23-425**

**IN THE MATTER OF RE-APPOINTING MEMBERS TO THE DELAWARE COUNTY LOCAL CORRECTIONS PLANNING BOARD:**

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

WHEREAS, on December 20, 1999, the Delaware County Board of Commissioners (the "Board of Commissioners") adopted Resolution No. 99-1058, appointing and confirming individuals as representatives to the Delaware County Local Corrections Planning Board (the "Corrections Planning Board"), pursuant to section 5149.34 of the Revised Code; and

WHEREAS, as necessary, the Board of Commissioners has made appointments to the Corrections Planning Board to fill vacancies for expired terms; and

WHEREAS, the term for Board member Seiji Kille will expire on June 30, 2023, and Mr. Kille has expressed an interest in being reappointed; and

WHEREAS, the term for Board member Neil Patel will expire on June 30, 2023, and Mr. Patel has expressed an interest in being reappointed; and

WHEREAS, on June 20, 2013, the Board of Commissioners adopted Resolution No. 13-645, adopting a policy for the appointment of members to boards and commissions (the "Policy"), which requires posting of all available positions for at least fourteen (14) days and permits the Board of Commissioners to conduct interviews of any applicants; and

WHEREAS, the Board of Commissioners desires to approve an exception to the Policy in order to re-appoint current members of the Corrections Planning Board;

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

Section 1. The Board hereby approves an exception to the Policy for the appointments made herein by choosing to waive the requirement for posting the positions and to proceed directly to appointment.

Section 2. The Board of Commissioners hereby approves the re-appointment of the following members to the Corrections Planning Board and for the terms specified herein:

<b>Position</b>	<b>Appointee</b>	<b>Term Ends</b>
Public at-large	Seiji Kille	June 30, 2025
Public at-large	Neil Patel	June 30, 2025

Section 3. The re-appointments approved in Section 2 of this Resolution shall take effect on July 1, 2023.

Section 4. The following individuals shall constitute the Delaware County Local Corrections Planning Board, as per the guidelines established in section 5149.34(A)(1) of the Revised Code:

<b>Member</b>	<b>Representing</b>	<b>Term</b>
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David M. Gormley	Judge, Court of Common Pleas	Two Years
Kyle Rohrer	Judge, Municipal Court	Two Years
James P. Schuck	Judge, Court of Common Pleas	Two Years
Barb Lewis	County Commissioner	Two Years
Jeffrey Balzer	County Sheriff	Two Years
Cory Goe	Prosecutor as defined by 2935.01 – Delaware County Assistant Prosecutor	Two Years
Amelia Bean-DeFlumer	Representative for Largest Municipal corporation located in the county - Delaware City Prosecutor	Two Years
Matt Walls	Representative of a Halfway House serving the County – Director, Jacobs Way	Two Years
Seiji Kille	Public at-large	Two Years
Neil Patel	Public at-large	Two Years
Adam Moore	Representative of Chief Law Enforcement office of the largest Municipal corporation in the county – Chief of Police, Delaware City Police Department	Two Years
Mark Taglione	Representative of a Community Corrections Act funded program in the county – Project Director/ Chief Probation Officer, Adult Court Services	Two Years
Yvette Gentry	Representative of other field of corrections – Supervisor, Adult Parole Authority	Two Years
Carlos Crawford	Attorney whose practice represents criminal defendants – Delaware County Public Defender	Two Years
Steve Hrytzik	Representative of other law enforcement – Chief of Police, Powell Police Department	Two Years
Trish Wright	Victim’s Representative - Victim’s Assistant, Prosecuting Attorney	Two Years
Craig Hill	Representative of County Board of Developmental Disabilities – Staff, Delaware County Developmental Disabilities	Two Years
Deanna Brant	Mental Health Recovery Services Board director	Two Years
Craig Shumacher	Representative of a Community-Based Correctional Facility – Director, West Central CBCF	Two Years
Kara Moore	Chief Probation Officer- Delaware Juvenile Court	Two Years
Kassandra Neff	Representative for Jail – Jail Director, Delaware County Sheriff	Two Years
James Himsworth	Delaware County Re-Entry Coordinator	Two Years
Melissa Ebling	Director of Regional Services, Maryhaven Inc.	Two Years
Kyle Rohrer	Delaware Municipal Court Judge	Two Years

Section 5. The terms for all members of the Corrections Planning Board shall commence on July 1, 2023, and shall terminate on June 30, 2025. Any vacancy for a member holding a position by virtue of elected office shall be replaced with the successor to the elected office. A vacancy for a member appointed or designated by an official or an entity other than the Board of Commissioners shall fill such vacancy promptly by notifying the Board of Commissioners in writing. All other vacancies shall be filled by the Board of Commissioners. All members shall serve without compensation.

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

**8  
RESOLUTION NO. 23-426**

**IN THE MATTER OF ADOPTING AN UPDATED IDENTIFICATION CARD AND KEY FOB POLICY:**

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

WHEREAS, the Delaware County Commissioners and its management staff have recognized the need to periodically review and revise policies and procedures to meet new requirements, provide clarification, and better serve the County’s employees and the public;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby adopts the following Delaware County Identification Card and Key Fob Policy:

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<b>Subject</b> <b>Identification Cards and Key Fobs</b>	<b>Effective</b> <b>5/18/2023</b>	<b>Supersedes</b> <b>9/1/2010</b>	<b>This Sheet</b> <b>1</b>	<b>Total</b> <b>2</b>
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1.0 Purpose

To provide a procedure for the assignment and the replacement of County issued employee, visitor and guest Identification Cards and Key Fobs for access to county buildings and facilities.

2.0 Scope

This policy applies to all Delaware County employees, visitors and guests with an Identification Card and Key Fob issued by the County's Human Resources Department.

3.0 Distribution

To all employees, visitors and guests with a County Identification Card and Key Fob issued by the County's Human Resources Department.

4.0 Definitions

County issued Identification Cards and Key Fobs are provided to County employees and in limited circumstances to County visitors and guests for business related purposes and are County property. The Identification Card will contain the name, department and phone number of the employee or visitor. In addition, the Key Fob is issued for access privileges to certain county facilities.

5.0 Policy

1. This policy applies to all Delaware County employees and certain visitors or guests that are provided with an Identification Card and Key Fob to allow the employee, and certain visitors or guests with privileges to enter secured areas within Delaware County buildings and facilities.
2. Key Fobs are programmed specifically to allow employees and certain visitors or guests into areas within the control of their respective appointing authorities and/or work requirements.
3. All employees and certain visitors or guests requiring a Key Fob shall be issued a Key Fob and Identification Card through the Human Resources Department. An employee will be issued a Key Fob only with the approval of that employee's Appointing Authority or supervisory designee. This approval may be given on the Employee Action Form at hiring or through an official email communication from the employee's Appointing Authority or supervisory designee of the Office/Department.
4. Employees must immediately contact the Human Resources Department to replace lost, stolen or damaged Identification Cards and Key Fobs. The Human Resources Department will issue a replacement with confirming approval of the employee's Appointing Authority or supervisory designee.
5. If, at no fault of the employee, a Key Fob should cease to work properly, the Human Resources Department will issue a replacement Key Fob to the employee at no charge. The non-working Key Fob must be returned to Human Resources prior to the issuance of a replacement Key Fob.
6. If an Identification Card and / or Key Fob is lost, stolen or is no longer functional, a replacement will be issued by the Human Resources Department once per calendar year at no charge to the employee or visitor.
7. If a second Key Fob is lost or stolen within the same calendar year, the employee shall reimburse the County the then current cost of replacement.
8. Visitor Key Fob's are available for visitors or guests who are doing business with a County official or employee. If a visitor or guest's Key Fob is misplaced a replacement may be issued with the cost being incurred by the associated department. If available, they may be utilized by employees who forget to bring in or misplace their Key Fob for a period not to exceed 48 hours.
9. Identification cards must be destroyed when the employee, visitor or guest is no longer affiliated with Delaware County.
10. When an employee, visitor or guest leaves or is no longer doing business with Delaware County, the supervisor must notify Human Resources immediately in order to appropriately de-activate the Key Fob. Key Fobs may be programmed for reuse, therefore, all Key Fobs must be returned to Human Resources when an employee, visitor or guest leaves or is no longer doing business with Delaware County.

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

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RESOLUTION NO. 23-427

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION FOR THE  
OLENTANGY CROSSING TIF FUND:

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

Supplemental Appropriation

44411439-5470 Olent Cross Redev Tax Equiv Fd/Non-County Own infrastructure \$ 568,000.00

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

11

ADMINISTRATOR REPORTS

Tracie Davies, County Administrator

-No reports.

Dawn Huston, Deputy Administrator

-No reports.

12

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell

- Will be attending a COYC meeting this afternoon.
- Attended Rock Jones' retirement celebration on Monday evening.
- Attended the Barn at Stratford's ribbon cutting for their new roof.

Commissioner Lewis

-Attended the farewell party for Orange Township Trustee Ben Grumbles.

Commissioner Benton

- Attended the Central Ohio Area Agency on Aging Hall of Fame ceremony for inductees on Wednesday.
- Will be attending the Sheriff's office communications Third Thursday luncheon today.
- The PGA Tournament starts today.

10

9:45 A.M. PUBLIC HEARING FOR CONSIDERATION OF A PETITION FROM THE ORANGE  
TOWNSHIP BOARD OF TRUSTEES REQUESTING VACATION OF A PORTION OF THIRD  
STREET IN THE UNINCORPORATED VILLAGE OF LEWIS CENTER, ORANGE TOWNSHIP,  
DELAWARE COUNTY, OHIO, UNDER THE SPECIAL PROCEDURES OF R.C. 5553.045:

The Board of Commissioners opened the hearing at 9:45A.M.

The Board of Commissioners closed the hearing at 9:51 A.M.

RESOLUTION NO. 23-428

IN THE MATTER OF GRANTING THE PETITION FROM THE ORANGE TOWNSHIP BOARD  
OF TRUSTEES REQUESTING VACATION OF A PORTION OF THIRD STREET IN THE  
UNINCORPORATED VILLAGE OF LEWIS CENTER, ORANGE TOWNSHIP, DELAWARE  
COUNTY, OHIO, UNDER THE SPECIAL PROCEDURES OF R.C. 5553.045:

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

WHEREAS, on April 25, 2023, the Delaware County Board of Commissioners (the "Board") received a petition filed by the Orange Township Board of Trustees, requesting the Board adopt a resolution ordering the vacation of a portion of Third Street in the unincorporated village of Lewis Center, Orange Township, Delaware County, Ohio (the "Petition"); and

WHEREAS, the Delaware County Engineer provided a written report, with recommendations, regarding the Petition; and

WHEREAS, the Board held a Public Hearing on the Petition on May 18, 2023, at the Office of the Board, 91 North Sandusky Street, Delaware, Ohio, all abutting landowners having been properly notified of the time and date thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, STATE OF OHIO, THAT:

Section 1. The Board hereby determines that the vacation requested in the Petition would be for the public

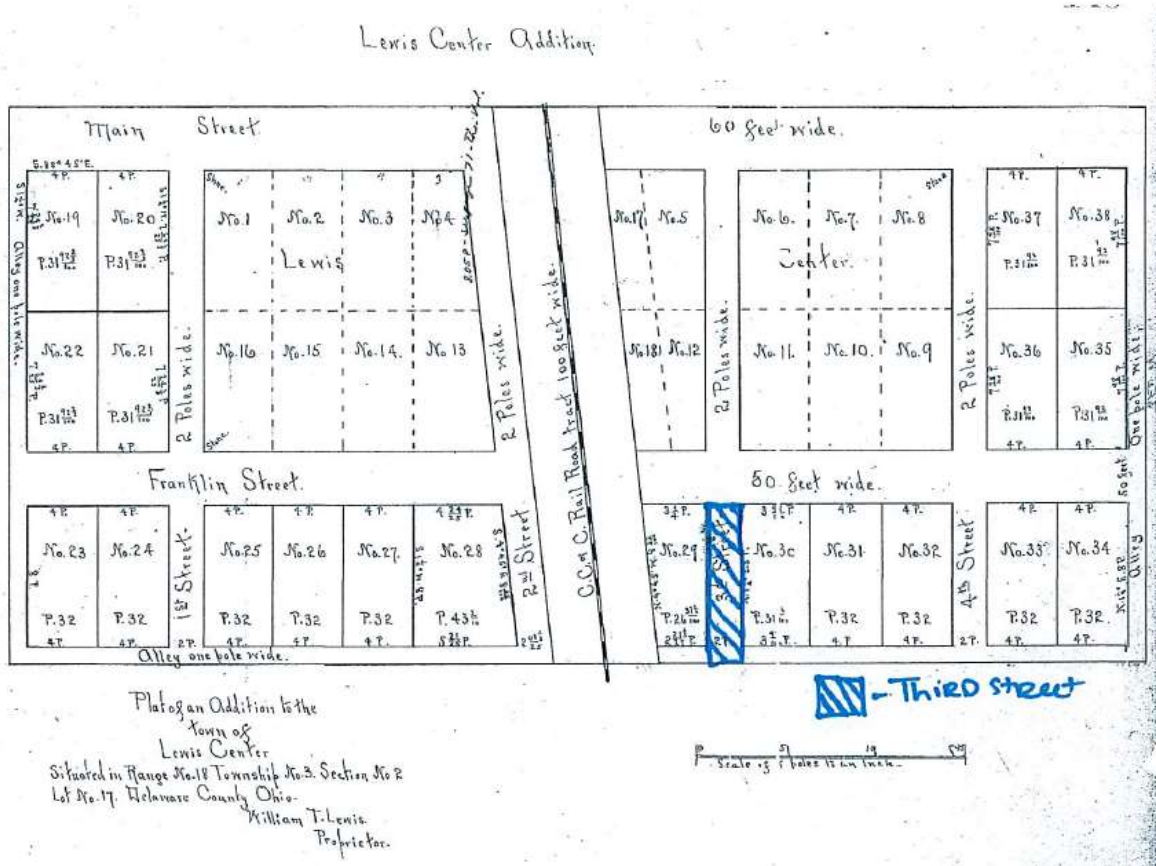


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convenience or welfare. The vacation requested is properly described as follows:

Beginning at the southern intersection of Third Street and Franklin Street in the Lewis Center Addition plat, running south to Third Street's terminus, between Lots #29 and #30, and there ending and being "2 poles wide"

EXHIBIT A



Section 2. The Board hereby GRANTS the Petition and declares the portion of Third Street in the unincorporated village of Lewis Center, Orange Township, Delaware County, Ohio, as described in Section 1 of this Resolution, vacated. The road vacated herein shall, upon passage of the additionally required resolution by the Board of Trustees of Orange Township pursuant to section 5553.045(E) of the Revised Code, pass, in fee, to the abutting landowners, subject to the following:

- (1) A permanent easement as provided in section 5553.043 of the Revised Code in, over, or under the road for the service facilities, as defined in section 5553.042 of the Revised Code, of a public utility or electric cooperative as defined in section 4928.01 of the Revised Code;
- (2) The right of ingress or egress to service and maintain those service facilities; and
- (3) The right to trim or remove any trees, shrubs, brush, or other obstacles growing in or encroaching onto the permanent easement that may affect the operation, use, or access to those service facilities.

Section 3. The Board hereby directs the Clerk of the Board to file a certified copy of this Resolution, including the Engineer's report, with the Board of Trustees of Orange Township, the Delaware County Recorder, and 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.

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

**13**  
**RESOLUTION NO. 23-429**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT; COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:**

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

WHEREAS, pursuant to section 121.23(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 121.23(G)(1)-(7) of the Revised Code; and

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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 employment; compensation of a public employee or public official.

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

**RESOLUTION NO. 23-430**

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

There being no further business, the meeting adjourned.

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Gary Merrell

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Barb Lewis

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Jeff Benton

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Jennifer Walraven, Clerk to the Commissioners