

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

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

Present:
Jeff Benton, President
Barb Lewis, Commissioner

Absent:
Gary Merrell, Vice President

1
RESOLUTION NO. 23-857

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 9, 2023:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on October 9, 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 Absent Mr. Benton Aye

2
PUBLIC COMMENT
Rick Wieland,
Concerns On A Possible Development And Access Points, In Genoa Township Near Redbank Road
Questions On A Parcel That The County Purchase And What It May Be Used For In The Future.

3
RESOLUTION NO. 23-858

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1011, MEMO TRANSFERS IN BATCH NUMBERS MTAPR1011:

It was moved by Mrs. Lewis, seconded by Mr. Benton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1011, memo transfers in batch numbers MTAPR1011, and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
P2304044 (Polydyne)	Regional Sewer Chemical	66211900-5290	\$50,000.00
P2301011 (Consolidated)	Regional Sewer Building Services	66211900-5338	\$ 8,400.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2304795	PROGRESSIVE SOLUTIONS INC	INSTALL ANTENNA SYSTEM - HAYES	40111402 - 5450	\$ 17,567.00
R2304823	INTERACTION INSIGHT CORP	RECORDER SYSTEM ANNUAL MAINTENANCE	21711326 - 5320	\$ 14,621.00
R2304833	360WATER INC	ONLINE SAFETY AND COURSES	66211900 - 5320	\$ 9,850.00
R2304837	CITY ELECTRIC SUPPLY	LIGHTING - HICKORY KNOLL	40111402 - 5410	\$ 10,000.00

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

4
Public Comment On Item #4
2 For Item:
1) Tom Homan, Manager City of Delaware
2) Jonathan Owen, City of Delaware

1 Against Item:

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

1) **Chris Rinehart**

RESOLUTION NO. 23-859

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 230.7 ACRES OF LAND IN THE TOWNSHIP OF BROWN AND THE TOWNSHIP OF DELAWARE TO THE CITY OF DELAWARE:

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

WHEREAS, on August 31, 2023, the Clerk to the Board of the Delaware County Commissioners (the "Board") received an annexation petition filed by Aaron Underhill, Esq., David Hodge, Esq. and Eric Zartman, Esq., agents for the petitioner, of 230.7 acres, more or less, in Brown Township and Delaware Township to the City of Delaware (the "Petition"); and

WHEREAS, the Petition was filed pursuant to section 709.023 of the Revised Code; and

WHEREAS, on September 21, 2023, Brown Township filed with the Board an objection (Brown Township Resolution 2023-09-21-01) to the Petition pursuant to section 709.023(D) of the Revised Code, which states, in pertinent part, that the Petition does not comply with section 709.023(E)(6) of the Revised Code; and

WHEREAS, on September 22, 2023, Delaware Township filed with the Board an objection (Delaware Township Resolution No. 09-21-01) to the Petition pursuant to section 709.023(D) of the Revised Code, which does not cite to a specific condition in section 709.023(E) of the Revised Code; and

WHEREAS, pursuant to section 709.023(E) of the Revised Code, the Board reviewed the Petition to determine if the conditions stated therein have been met;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds, upon review of the Petition, that the Petition meets each of the conditions specified in section 709.023(E) of the Revised Code;

BE IT FURTHER RESOLVED that the Board hereby grants the annexation of 230.7 acres, more or less, in Brown Township and Delaware Township to the City of Delaware, as prayed for in the Petition.

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

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RESOLUTION NO. 23-860

IN THE MATTER OF EXTENDING THE FILING DATES FOR THE FILING OF PLANS, REPORTS, AND SCHEDULES FOR VARIOUS PENDING DRAINAGE IMPROVEMENT PROJECTS:

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

WHEREAS, on June 10, 2021, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 21-520, granting the prayer of the petition for the Zerbe-O'Keefe #265 Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Zerbe-O'Keefe #265 Watershed Drainage Improvement Project, and fixing June 10, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, on October 25, 2018, the Board adopted Resolution No. 18-1188, granting the prayer of the petition for the Orange Village Park Centre Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Orange Village Park Centre Watershed Drainage Improvement Project, and fixing October 25, 2019, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules, which date was subsequently extended to October 25, 2023; and

WHEREAS, on October 25, 2018, the Board adopted Resolution No.18-1184, granting the prayer of the petition for the Hidden Springs Condo Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Hidden Springs Condo Watershed Drainage Improvement Project, and fixing October 25, 2019, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules, which date was subsequently extended to October 25, 2023; and

WHEREAS, on January 9, 2020, the Board adopted Resolution No. 20-43, granting the prayer of the petition for the Watson-Ford #25 Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Watson-Ford #25 Watershed Drainage Improvement Project, and fixing January 9, 2022, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules, which date was subsequently extended to January 9, 2024; and

WHEREAS, on February 13, 2020, the Board adopted Resolution No. 20-161, granting the prayer of the petition for the Franklin Watershed Drainage Improvement Project, directing the Delaware County Engineer

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

to proceed with preparation of plans, reports, and schedules for the Franklin Watershed Drainage Improvement Project, and fixing February 13, 2022, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules, which date was subsequently extended to February 14, 2024; and

WHEREAS, on August 12, 2021, the Board adopted Resolution No. 21-737, granting the prayer of the petition for the Griffith 391 Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Griffith 391 Watershed Drainage Improvement Project, and fixing August 12, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, on September 2, 2021, the Board adopted Resolution No. 21-827, granting the prayer of the petition for the Slate Lick Lateral Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Slate Lick Lateral Watershed Drainage Improvement Project, and fixing September 2, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, on September 30, 2021, the Board adopted Resolution No. 21-916, granting the prayer of the petition for the Chancel Gate Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Chancel Gate Watershed Drainage Improvement Project, and fixing September 30, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, on October 7, 2021, the Board adopted Resolution No. 21-960, granting the prayer of the petition for the Buell #542 Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Buell #542 Watershed Drainage Improvement Project, and fixing October 7, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, on October 28, 2021, the Board adopted Resolution No. 21-1054, granting the prayer of the petition for the Evans #354 Watershed Drainage Improvement Project, directing the Delaware County Engineer to proceed with preparation of plans, reports, and schedules for the Evans #354 Watershed Drainage Improvement Project, and fixing October 28, 2023, as the date by which the Delaware County Engineer shall file the plans, reports, and schedules; and

WHEREAS, additional time is required to allow for field survey, design, and engineer review for the Zerbo-O'Keefe #265 Watershed Drainage Improvement Project, the Orange Village Park Centre Watershed Drainage Improvement Project, the Hidden Springs Condo Watershed Drainage Improvement Project, the Watson-Ford #25 Watershed Drainage Improvement Project, the Franklin Watershed Drainage Improvement Project, the Griffith 391 Watershed Drainage Improvement Project, the Slate Lick Lateral Watershed Drainage Improvement Project, the Chancel Gate Watershed Drainage Improvement Project, the Buell #542 Watershed Drainage Improvement Project, and the Evans #354 Watershed Drainage Improvement Project;

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

Section 1. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Zerbo-O'Keefe #265 Watershed Drainage Improvement Project to June 10, 2025.

Section 2. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Orange Village Park Centre Watershed Drainage Improvement Project to October 25, 2024.

Section 3. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Hidden Springs Condo Watershed Drainage Improvement Project to October 25, 2024.

Section 4. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Watson-Ford #25 Watershed Drainage Improvement Project to January 9, 2025.

Section 5. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Franklin Watershed Drainage Improvement Project to February 13, 2025.

Section 6. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Griffith 391 Watershed Drainage Improvement Project to September 12, 2025.

Section 7. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Slate Lick Lateral Watershed Drainage Improvement Project to September 2, 2024.

Section 8. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Chancel Gate Watershed Drainage Improvement Project to October 30, 2024.

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

Section 9. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Buell #542 Watershed Drainage Improvement Project to October 7, 2025.

Section 10. The Board hereby extends the date by which the Delaware County Engineer shall file the plans, reports, and schedules for the Evans #354 Watershed Drainage Improvement Project to October 28, 2025.

Section 11. Upon filing the plans, reports, and schedules in accordance with this Resolution, the Clerk of the Board will prepare a resolution to fix a date not fewer than twenty-five nor more than ninety days thereafter when a final hearing on the report shall be held and will give proper notification to property owners in the affected watershed of the date and time of the hearing.

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

**6
RESOLUTION NO. 23-861**

IN THE MATTER OF APPROVING AN ADVANCE OF FUNDS:

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

Advance of Funds		
10011102-8500	28631353-8400	35,000
Commissioners General/Advance Out	LEAP Forward 2022/Advance In	

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

**7
RESOLUTION NO. 23-862**

IN THE MATTER OF RE-APPOINTING MEMBERS TO THE BERLIN MEADOWS NEW COMMUNITY AUTHORITY BOARD OF TRUSTEES:

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

WHEREAS, on June 20, 2013, the Delaware County Board of Commissioners (the "Board") 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, on December 28, 2020, the Board adopted Resolution No. 20-1187, establishing the Berlin Meadows New Community Authority; and

WHEREAS, the terms for the Citizen Member seats occupied by Dawn Huston and Rob Riley on the Berlin Meadows New Community Authority will expire December 27, 2023, and both Huston and Riley have expressed an interest in being re-appointed to these seats; and

WHEREAS, the Board of Commissioners desires to approve an exception to the Policy in order to re-appoint two current members to the Berlin Meadows New Community Authority Board of Trustees;

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 re-appointment of two members to the Berlin Meadows New Community Authority.

Section 2. The Board of Commissioners hereby approves re-appointment of the following members to the Berlin Meadows New Community Authority Board of Trustees for the terms specified herein:

Position	Appointee	Term Ends
Citizen Member	Dawn Huston	December 27, 2025
Citizen Member	Rob Riley	December 27, 2025

Section 3. The re-appointments approved herein shall take effect on December 28, 2023.

Section 4. The Clerk of the Board of Commissioners is hereby directed to certify a copy of this Resolution to the statutory developers for the Berlin Meadows New Community Authority.

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

**8
RESOLUTION NO. 23-863**

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

IN THE MATTER OF AWARDING COMMUNITY ENHANCEMENT GRANTS AND APPROVING A SUPPLEMENTAL APPROPRIATION:

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”) solicited applications for funding through the Delaware County 2023 Community Enhancement Grant Program (the “Program”); and

WHEREAS, various organizations have submitted applications for Program funding from Delaware County; and

WHEREAS, the County Administrator, in consultation with other Board staff, has reviewed the applications and recommends that the Board award grants pursuant to the Program;

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

Section 1. The Board hereby approves the Program Guidelines, Terms and Conditions and form Grant Agreement, which are attached hereto and, by this reference, incorporated herein.

Section 2. The Board hereby awards Delaware County 2023 Community Enhancement Grants as follows:

Boardman Arts Park, Inc.	\$10,000
Central Ohio Symphony	\$7,100
Common Ground Free Store Ministries	\$8,000
Delaware County Community Chorus	\$3,400
Delaware County Cultural Arts Center (Arts Castle)	\$23,500
Delaware County Historical Society	\$10,800
Family Promise	\$14,700
Ohio Fallen Heroes Memorial	\$5,222.60
People In Need, Inc., of Delaware County, Ohio	\$43,400
Recreation Unlimited Farm and Fun, Inc.	\$18,073
Strand Theatre and Cultural Arts Association	\$7,400
Stratford Ecological Center	\$18,999
Unity Community Center	\$13,000
Westerville Area Resource Ministry	\$1,104

Section 3. The grant awards made herein shall be subject to the Program Guidelines, Terms and Conditions, and Grant Agreement, and each award is contingent upon the awardee returning an executed Grant Agreement, with any supplemental documentation required by the Delaware County Auditor, no later than the deadline set by the County Administrator.

Section 4. The County Administrator is hereby authorized to notify each awardee of its grant award, to execute all Grant Agreements in substantially the same form as approved herein, and to approve purchase orders necessary to effectuate the awards made herein.

Section 5. The Board hereby approves a supplemental appropriation as follows:

10011102-5602	Commissioners General/Community Enhancements	\$184,698.60
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Section 6. This Resolution shall be effective immediately upon adoption.

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

9

ADMINISTRATOR REPORTS

CA Davies

-At This Week’s TID Meeting:

- Scott Brown With The Auditor Of State, Presented An Award To The T.I.D (Delaware County T.I.D. In Top 10% on Financial Information) Thanks To Hard Work Of Member Si Kille**
- T.I.D Will Be Working With Licking County On Receipt Of State Funding For Projects In The Area Of South County Line Road And Fancher Road Due To Intel**

-Attended The Finance Authority Meeting Last Night

10

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Lewis

-Participated In A National Justice Stepping-Up Steering Committee Meeting. Invited Director Of DCEMA To Attend

**COMMISSIONERS JOURNAL NO. 79 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 12, 2023**

-Attended The EMA Meeting; Working On The Budget. EMA Is Working With HR Department

Commissioner Benton

- Land Bank Meeting Next Monday/Looking For Replacement Projects For Previous Round's Remaining Funding (Completion 2024)**
- Visited the Shooting Range on St. Rt. 229**
- Fall Festivals Starting**
- Offices Continue To Move To Byxbe Campus**

There being no further business, the meeting adjourned.

Gary Merrell

Barb Lewis

Jeff Benton

Jennifer Walraven, Clerk to the Commissioners