

**COMMISSIONERS JOURNAL NO. 80 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD FEBRUARY 15, 2024**

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

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

**1  
RESOLUTION NO. 24-110**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 8, 2024:**

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 February 8, 2024; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 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**

**3  
RESOLUTION NO. 24-111**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0214 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR 0214:**

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0214, memo transfers in batch numbers MTAPR 0214, and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			

<b>PR Number</b>	<b>Vendor Name</b>	<b>Line Description</b>	<b>Account</b>	<b>Amount</b>
R2401753	STATEWIDE FORD LINCOLN MERCURY INC	REPLACING TOTALED VEHICLES S.O.	60111901 - 5370	\$ 51,927.51
R2401754	STATEWIDE FORD LINCOLN MERCURY INC	SUPPLEMENT TO REQ R2401753	42311453 - 5450	\$ 37,162.49
R2401824	OHIO WESLEYAN UNIVERSITY	ENTREPRENEURIAL CENTER	21011113 - 5601	\$ 50,000.00
R2401977	MOTOROLA SOLUTIONS INC	SHANAHAN SHELTER REPLACEMENT	21411306 - 5410	\$ 480,000.00
R2401995	THOMAS SCIENTIFIC HOLDINGS LLC	LAB DISHWASHER	66211900 - 5450	\$ 11,004.35
R2401995	THOMAS SCIENTIFIC HOLDINGS LLC	DISHWASHER ACCESSORIES	66211900 - 5201	\$ 1,310.75
R2402000	OHIOHEALTH CORPORATION	EP EXERCIS PHYSIO,DIETITIAN	10011303 - 5301	\$ 107,100.00
R2402000	OHIOHEALTH CORPORATION	TESTING PAT, TB	10011303 - 5301	\$ 15,000.00
R2402033	SPEER MECHANICAL INC	CHILLER MAINT. AGREEMENT BYXBE	10011105 - 5325	\$ 5,460.00
R2402042	ULTRATECH SYSTEMS INC	REPLACEMENT LAMPS AND SLEEVES	66211900 - 5228	\$ 14,282.50
R2402106	MAIL PRO 1 LLC	RECRUITMENT ITEMS SOCIAL SERVICES	22511607 - 5313	\$ 8,340.48

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

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**4  
RESOLUTION NO. 24-112**

**IN THE MATTER OF CANCELING THE DELAWARE COUNTY COMMISSIONERS' SESSION SCHEDULED FOR MONDAY MARCH 25, 2024:**

It was moved by Mrs. Lewis, seconded by Mr. Benton to cancel the Delaware County Commissioners' session scheduled for Monday March 25, 2024.

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

**5  
RESOLUTION NO. 24-113**

**IN THE MATTER OF APPROVING TRANSFER OF FUNDS:**

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

<b>Transfer of Funds</b>		
<b>From:</b>	<b>To:</b>	
10011102-5801	50111117-4601	2,709,200.00
Commissioners General/Interfund Cash Transfers	Bond Retirement Debt/Interfund Revenues	
10011102-5801	50811125-4601	16,726.00
Commissioners General/Interfund Cash Transfers	BR Sawmill Pkwy Ext TIF/Interfund Revenues	
10040421-5801	58011181-4601	2,349,325.00
Road & Bridge Projects/Interfund Cash Transfers	2007 CO Sales Tax Sawmill Bond/Interfund Revenues	
66211900-5801	66311901-4601	801,237.50
SRF Operations & Maintenance/Interfund Cash Transfers	Bond Service Fund/Interfund Revenues	
10011102-5801	42011438-4601	\$787,071.36
Commissioners General/Cash Transfer	Capital Improvements Reserve/Interfund Revenues	

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

**6  
RESOLUTION NO. 24-114**

**IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION:**

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

<b>Supplemental Appropriations</b>		
22111502-5365	Litter Grant/Grant Related Services	14,405.22
22111502-5319	Litter Grant/Reimbursements-Refund	17.48
20683201-5001	Law Library/Compensation	2,270.00
20683201-5131	Law Library/Medicare	33.00
20683201-5102	Law Library/Workers' Comp	21.00
21411306-5410	911/Building and Improve > 25,000	55,000.00
30311341-5319	911 Retention ARPA/Reimbursement Refunds	14,000.00
30311342-5319	EMS Retention ARPA/Reimbursement Refunds	3,338.24
30331354-5319	Sheriff Retention ARPA/Reimbursement Refunds	4,000.00
22211337-5319	ARPA Accrued Interest/Reimbursement Refunds	29.00
40311474-5301	Lanetta Lane Subdivision/Contracted Prof Services	89,823.86
42311453-5437	Capital Acquisitions & Project/Broadband & Fiber Cable	63,504.00
42311453-5450	Capital Acquisitions & Project/Machinery & Equipment	37,162.49

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

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8  
RESOLUTION NO. 24-115

**RESOLUTION OF NECESSITY FOR THE PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:**

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the "Board") may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of motor vehicles to be used by the county commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Sheriff's Office to expend county monies for the purchase of new cruisers; and

WHEREAS, the cruisers are available for purchase through the State of Ohio's cooperative purchasing program (the "Program"); and

WHEREAS, pursuant to section 125.04(C) of the Revised Code, the Board may purchase supplies from another party instead of through participation in Program contracts if the Board can purchase those supplies or services from the other party upon equivalent terms, conditions, and specification but at a lower price than it can through the Program contract; and

WHEREAS, the necessary vehicles are available from another party, Statewide Ford-Lincoln-Mercury, Inc., upon equivalent terms, conditions, and specifications but at a lower price than through the Program contract;

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

Section 1. The Board hereby declares that it is necessary to expend county monies for the purchase of new motor vehicles to be used by the County Sheriff or his employees for the following reasons: (1) existing cruisers have reached the end of their useful service lives; (2) new cruisers are necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) new cruisers will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of two (2) 2023 Ford Police SUV at a cost of \$44,545.00 each, from Statewide Ford-Lincoln-Mercury, Inc., and declares that the purchase of said vehicles shall be upon equivalent terms, conditions, and specifications to the Program contract and terms and conditions set forth in State of Ohio Index No. GDC050, Contract #RSI015078.

Section 3. The Board hereby authorizes the Sheriff's Office to initiate the necessary purchase order(s) to Statewide Ford-Lincoln-Mercury, Inc., and hereby approves the purchase order(s) from funds 42311453-5450 & 60111901-5370.

Section 4. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

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

9  
RESOLUTION NO. 24-116

**IN THE MATTER OF APPROVING THE REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR ARCHITECTURAL/ENGINEERING DESIGN SERVICES FOR DELAWARE COUNTY JAIL RENOVATIONS:**

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

WHEREAS, the Sheriff and Sheriff's Staff recommend approval of the Request for Statements of Qualifications for Architectural/Engineering Design Services for Delaware County Jail Renovations;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the Request for Statements of Qualifications for Architectural/Engineering Design Services for Delaware County Jail Renovations and authorizes the following Public Notice:

**Public Notice**  
**Request for Statements of Qualifications**  
**ARCHITECTURAL / ENGINEERING DESIGN SERVICES**

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**Delaware County Jail renovations**

**DELAWARE COUNTY, OHIO**

The Delaware County Board of Commissioners, in accordance with Section 153.67 of the Ohio Revised Code, wishes to receive Statements of Qualifications (SOQ) from experienced architectural/engineering firms to assist the County in the design and engineering for renovations to the Delaware County Jail.

The work may involve, but is not limited to, programming and schematic design, schematic design budget estimating, construction schedule, and other associated services.

The complete Request for Qualifications may be obtained at the County’s web page, <http://www.co.delaware.oh.us> under the heading “Public Notices and Bids” 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 1610 State Route 521, Delaware, Ohio 43015 during normal business hours.

Statements of Qualifications will be received at the Delaware County Commissioners’ Office, Attention: Mr. Jon Melvin, Director of Facilities, 91 North Sandusky Street, Delaware, Ohio 43015 until 4:00 PM on Tuesday March 19, 2024. Five (5) copies of all submittals are to be included. Submittals pursuant to this invitation will not be received after the hour and date stated above.

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

**10  
RESOLUTION NO. 24-117**

**IN THE MATTER OF AUTHORIZING THE USE OF PROCUREMENT CARDS FOR COMMON PLEAS – GENERAL DIVISION:**

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

WHEREAS, pursuant to section 301.29 of the Revised Code, the Board of Commissioners of Delaware County, by Resolution No. 04-1193, dated September 30, 2004, adopted a policy for the use of County Procurement Cards; and

WHEREAS, the Board of Commissioners of Delaware County, by Resolution No. 11-1040, dated October 3, 2011, adopted amendments to the Policies and Procedures for the county procurement card program; and

WHEREAS, the Board of Commissioners has adopted the procurement card policy for the use of the card to pay for specific classes of work related expenses, without submitting a monthly estimate of the expenses, pursuant to section 301.29(F)(2) of the Revised Code;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, authorizes the use of the following procurement cards to the limits indicated and for specific work related expenses designated in the Procurement Card Policy without submitting a monthly estimate of expenses:

Appointing Authority:	Common Pleas – General Division
Office/Department:	Common Pleas – General Division
Daily spending per card:	\$1,500
Monthly spending per card:	\$8,000
Single transaction limit:	\$1,000
Daily number of transactions per card:	10
Monthly number of transactions per card:	50
Name on Card:	Johnine Marsteller

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

**11  
RESOLUTION NO. 24-118**

**IN THE MATTER OF PURCHASING A REPLACEMENT COMMUNICATION EQUIPMENT SHELTER, AND RELATED EQUIPMENT AND INSTALLATION SERVICES, FOR THE SHANAHAN ROAD TELECOMMUNICATIONS TOWER SITE:**

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

WHEREAS, the Delaware County Director of Emergency Communications recommends the purchase of a replacement communication equipment shelter, and related equipment and installation services, for the Shanahan Road telecommunications tower site; and

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WHEREAS, the shelter and related equipment and installation services are available for purchase through the State of Ohio’s cooperative purchasing program (the “Program”); and

WHEREAS, the Board of County Commissioners (the “Board”) is a member of the Program and wishes to purchase the shelter, equipment, and services through the Program;

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

Section 1. The Board hereby approves the purchase of the shelter, equipment, and services from Motorola Solutions, Inc., a state-approved vendor under the Program, in accordance with the proposal dated January 17, 2024, at the total cost not to exceed \$480,000.

Section 2. The purchase approved in Section 1 of this Resolution shall be in accordance with the Program, pursuant to the contract and terms and conditions set forth in Index STS073, Contract # 573077-0, which are, by this reference, fully incorporated herein and of which the purchase order approved herein shall be made a part.

Section 3. The Board hereby approves a purchase order in the amount of \$480,000 to Motorola Solutions, Inc., from Fund Number 21411306.

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

**12  
RESOLUTION NO. 24-119**

**IN THE MATTER OF APPROVING THE INVITATION TO BID FOR ITB #24-01 – CASH LEASE OF DELAWARE COUNTY FARM LAND:**

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

WHEREAS, the Director of Facilities recommends approval of the Invitation to Bid for ITB #24-01 Cash Lease of Delaware County Farm Land;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the Invitation to Bid for ITB #24-01 Cash Lease of Delaware County Farm Land and authorizes the following notice:

**LEGAL NOTICE  
LEASE OF DELAWARE COUNTY FARM LAND  
4781 County Home Road  
1020 US Highway 42 North**

Parties interested in leasing farmland from Delaware County may submit a sealed bid to the Board of Commissioners, Delaware County, Ohio, at 91 North Sandusky Street, Delaware, Ohio 43015 until **10:00am** on Tuesday, **March 5, 2024** for the cash lease of the County’s farmland. Said land being offered for lease, located at the former Delaware County Home, 4781 County Home Road, and the Engineer’s Salt Storage Facility, 1020 US Highway 42 North, Delaware, Ohio.

There will be 210 acres at the County Home and 51 acres at the Engineer’s Salt Storage Facility for a total of 261 acres, more or less, of cropland as denoted by the ASC Maps, to be offered for rent for one (1) crop season from April 1, 2024, with options to renew for four (4) additional one (1) year terms. Payment of one half of annual rent shall be made on or before April 1<sup>st</sup> and remaining one half of the annual rent by November 1<sup>st</sup> of each crop season. The notice of intent to exercise the options to extend the lease for one year period is to be submitted to County Commissioners in writing by December 1<sup>st</sup> preceding the crop year for the extension. Said lease shall be for purpose of use of land for crop purposes and does not provide for use of buildings, utilities or pasturing livestock.

Bid blanks may be obtained online at <http://www.co.delaware.oh.us> under the heading “Public Notices and Bids” or from Delaware County Facilities Management, 1610 St Rte. 521, Delaware, Ohio during normal business hours.

Bids will be opened and a cash lease will be entered into according to the discretion of the Board of Commissioners. The Commissioners reserve the right to reject any and all bids, to waive any irregularities or informalities in each. Bids shall be submitted in a sealed envelope marked "Sealed Bid for Farmland Cash Lease." No bid shall be withdrawn for a period of sixty (60) days after being publicly opened and read.

Delaware County Commissioners  
Jon Melvin, Director of Facilities

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

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13  
RESOLUTION NO. 24-120

**IN THE MATTER OF APPROVING THE PLATS OF SUBDIVISION FOR ORANGE SUMMIT COMMUNITIES AND NINJA EXPRESS SUBDIVISION:**

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

WHEREAS, Orange Summit, LLC, has submitted the plat of subdivision for Orange Summit Communities, including related development plans, and requests approval thereof by the Board of Commissioners of Delaware County; and

WHEREAS, 3Gen Holdings, LLC, has submitted the plat of subdivision for Ninja Express Subdivision, including related development plans, and requests approval thereof by the Board of Commissioners of Delaware County;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the plats of subdivision for Orange Summit Communities and Ninja Express Subdivision:

Orange Summit Communities:

Situated in the State of Ohio, County of Delaware, Township of Orange, Quarter Township 2, Township 3, Range 18, Farm Lots 10 and 11, United States Military Lands, being 54.379 acres of land, being all of that 28.861 acre tract of land as conveyed to Orange Summit, LLC, of record in Volume 2001, Page 2879, being all of that 24.868 acre tract of land as conveyed to State St. Investors & Holding Company, LLC, of record in Official Record 1811, page 1367 and all of lot 159 of a plat entitled Old Trail Addition No. 1, of record in Plat Cabinet 6, Slide 119 and conveyed to Orange Summit, LLC, of record in Official Record 2026, Page 944, being of record in the Recorder’s Office, Delaware County, Ohio. Cost: \$12.00 (*\$3.00 per buildable lot*)

Ninja Express Subdivision:

Situate in Farm Lot 19, Section 3, Township 3, Range 18, United States Military Lands and being 5.2920 acres of the lands of 3Gen Holdings, LLC as recorded in Official Record Volume 1639, Page 2833 of the Delaware County Ohio Deed Records, on file in Delaware, Ohio. Cost: \$6.00 (*\$3.00 per buildable lot*)

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

14  
RESOLUTION NO. 24-121

**IN THE MATTER OF APPROVING DRAINAGE MAINTENANCE PETITION AND DITCH MAINTENANCE ASSESSMENTS FOR ORANGE SUMMIT COMMUNITIES SOUTH/RYAN CREEK:**

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

WHEREAS, on February 1, 2024, a Ditch Maintenance Petition for Orange Summit Communities South/Ryan Creek (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within Orange Summit Communities South/ Ryan Creek, 21.20 acres in Orange Township; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The cost of the drainage improvements is \$338,042.30 and a detailed cost estimate is attached. The

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drainage improvements are being constructed for the benefit of the lot(s) being created in the subject site. The developed area of 21.20 acres will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is therefore, \$15,945.39 per acre. An annual maintenance fee equal to 2% of this basis (\$318.91) will be collected for each developed acre. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$6,760.89 has been paid to Delaware County.

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

**15  
RESOLUTION NO. 24-122**

**IN THE MATTER OF APPROVING DRAINAGE MAINTENANCE PETITION AND DITCH MAINTENANCE ASSESSMENTS FOR ORANGE SUMMIT COMMUNITIES-NORTH:**

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

WHEREAS, on February 1, 2024, a Ditch Maintenance Petition for Orange Summit Communities-North (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within Orange Summit Communities-North, 25.65 acres in Orange Township; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The cost of the drainage improvements is \$368,571.90 and a detailed cost estimate is attached. The drainage improvements are being constructed for the benefit of the lot(s) being created in the subject site. The developed area of 25.65 acres will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is therefore, \$14,369.27 per acre. An annual maintenance fee equal to 2% of this basis (\$287.39) will be collected for each developed acre. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$7,371.55 has been paid to Delaware County.

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

**16  
RESOLUTION NO. 24-123**

**IN THE MATTER OF APPROVING DRAINAGE MAINTENANCE PETITION AND DITCH MAINTENANCE ASSESSMENTS FOR SUNBURY HOLDINGS:**

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

WHEREAS, on January 26, 2024, a Ditch Maintenance Petition for Sunbury Holdings (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within Sunbury Holdings, 95.85 acres in the City of Sunbury; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to

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this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$14,360.00 and a detailed cost estimate is attached. The drainage improvements are being constructed for the benefit of the lot(s) being created in the subject site. The developed area of 95.85 acres will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is therefore, \$149.82 per acre. An annual maintenance fee equal to 2% of this basis (\$3.00) will be collected for each developed acre. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$287.55 has been paid to Delaware County.

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

**17  
RESOLUTION NO. 24-124**

**IN THE MATTER OF APPROVING A DEVELOPER’S AGREEMENT FOR RAVINES AT HOOVER:**

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

WHEREAS, the Engineer recommends approving the Developer’s Agreement for Ravines at Hoover;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the Developer’s Agreement for Ravines at Hoover:

**DEVELOPER’S AGREEMENT  
PROJECT NUMBER: 23036**

THIS AGREEMENT made and entered into this 15th day of, February by and between the COUNTY OF DELAWARE (acting through its BOARD OF COUNTY COMMISSIONERS), hereinafter called the COUNTY, and Romanelli and Hughes Building Company, hereinafter called the OWNER, is governed by the following considerations, to wit:

- 1) The OWNER is constructing a development known as Ravines at Hoover (the “Development”), which will include a new roadway access to Tussic Street Rd and contribute to the need for improvements to Tussic Street Rd or other roadways in the vicinity of the Development which shall be constructed by the COUNTY (the “Improvements”).
- 2) On or before October 1, 2024, the OWNER shall pay to the COUNTY Two Hundred Ninety-One Thousand Dollars and No Cents (\$291,000.00), mutually agreed to be the OWNER’S proportional share of, and contribution toward, the cost and expense of the Improvements. OWNER further agrees that such contribution may be used as determined by the COUNTY for improvements to Tussic Street Rd, or any other public roadway in the vicinity thereof, benefitting the Development.
- 3) The OWNER may provide a bond, irrevocable letter of credit, or other approved financial warranty in the amount of Two Hundred Ninety-One Thousand Dollars and No Cents (\$291,000.00), payable to the BOARD OF COUNTY COMMISSIONERS, to insure the faithful performance of this AGREEMENT. Said financial warranty will be released and returned to the OWNER within thirty (30) days of the receipt of payment as required in Section 2 hereof.
- 4) To the extent the OWNER, either directly or through its agents or contractors, performs any work within the COUNTY’S right-of-way, the OWNER shall indemnify and hold the COUNTY free and harmless from any and all claims for damages of every nature arising or growing out of the work.
- 5) The OWNER further agrees that any violation of or noncompliance with any of the provisions as stipulations of this AGREEMENT shall constitute a breach of contract, and the Delaware County Engineer shall have the right to suspend or terminate any permit for access to or work within the COUNTY right-of-way.

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6) If the OWNER should become unable to carry out the provisions of this AGREEMENT, the OWNER’S heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this AGREEMENT.

7) In consideration whereof, the BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO hereby grants to the OWNER or his agent the right and privilege to access the improvements stipulated herein, subject to the issuance of a right-of-way work permit.

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

**18  
RESOLUTION NO. 24-125**

**IN THE MATTER OF APPROVING AN OWNER’S AGREEMENT FOR NELSON FARMS NORTH:**

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

WHEREAS, the Engineer recommends approving the Owner’s Agreement for Nelson Farms North;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the Owner’s Agreement for Nelson Farms North:

**OWNER'S AGREEMENT  
PROJECT NUMBER:  
22136**

THIS AGREEMENT, executed on this 15<sup>th</sup> day of February, 2024, between Pulte Homes of Ohio LLC, hereinafter called "OWNER" and the BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY OHIO (COUNTY COMMISSIONERS), for the project described as Nelson Farms North further identified as Project Number 22136 is governed by the following considerations to wit:

Said OWNER is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this AGREEMENT.

OPTIONS:

1. Should OWNER elect to record the plat prior to beginning construction, OWNER shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction as shown in Exhibit "A" attached hereto.
2. Should OWNER elect to proceed to construction prior to recording the plat, no approved financial warranties are necessary until such time as OWNER elects to record the plat. Such plat cannot be recorded until the County Engineer has determined the construction of the project is at least 80% complete.

OWNER hereby elects to use Option 2 for this project.

The financial warranties are to insure faithful performance of this AGREEMENT and the completion of all improvements in accordance with the Delaware County Design, Construction and Surveying Standards and any supplements thereto. The OWNER shall pay the entire cost and expense of said improvements, unless otherwise specifically noted herein.

The OWNER shall indemnify and save harmless Delaware County and all Townships and/or Villages within Delaware County and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one (1) year from the date on which this AGREEMENT is executed by the COUNTY COMMISSIONERS.

The OWNER further agrees that any violations of or noncompliance with any of the provisions and stipulations of this AGREEMENT shall constitute a breach of contract, and the COUNTY shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

It is further agreed that upon execution of the AGREEMENT, the OWNER shall deposit Thirty- Eight \_

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Thousand Dollars and No Cents (\$38,000.00) estimated to be necessary to pay the cost of inspection by the Delaware County Engineer. When the fund has been depleted to ten percent (10%) of the original amount deposited, the OWNER shall replenish the account upon notice by the Engineer. Upon completion of the maintenance period and acceptance of the improvements by the Delaware County Commissioners, the remaining amount in the fund shall be returned to the OWNER.

Upon completion of construction, the OWNER shall be responsible for the maintenance, repair or construction of any and all defective materials or workmanship for a period of one year. Said OWNER'S bond, certified check, irrevocable letter of credit or other approved financial warranties may be reduced to 10% of the originally approved construction estimate as shown in Exhibit "A" for said maintenance. The reduction may be approved only after the County Engineer has been provided evidence that all work has been accomplished according to the approved plan and/or to the County Engineer's satisfaction. All work is to be done in accordance with the Delaware County Design, Construction and Surveying Standards, and any supplements thereto.

Acceptance of the project into the public system shall be completed only after written notice to the COUNTY COMMISSIONERS from the County Engineer of his approval. The OWNER'S maintenance responsibility as described above shall be completed upon formal acceptance by the COUNTY COMMISSIONERS.

Any snow or ice removal, erosion and sediment control maintenance, or other safety requirements deemed necessary by the County Engineer during the period of construction or maintenance shall be the responsibility of the OWNER. All of the funds set forth in the AGREEMENT shall be made available to the County Engineer to ensure proper safety compliance.

The OWNER shall, within thirty (30) days of completion of construction and prior to final acceptance, to the COUNTY COMMISSIONERS, as required, "as-built" drawings of the improvements, which plans shall become the property of the COUNTY and remain in the office of the Delaware County Engineer.

The OWNER shall, within thirty (30) days of completion of construction, furnish to the COUNTY COMMISSIONERS an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The OWNER shall indemnify and hold harmless Delaware County and all Townships and/or Villages within and all their officials, employees or agents from expenses or claims for labor or material incident to said construction of improvements.

The OWNER shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The OWNER shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the OWNER and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the County.

Should the OWNER become unable to carry out the provisions of this AGREEMENT, the OWNER'S heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this AGREEMENT.

EXHIBIT "A"

CONSTRUCTION COST ESTIMATE	\$1,557,900.00
CONSTRUCTION BOND AMOUNT	N/A
MAINTENANCE BOND AMOUNT	\$155,800.00
INSPECTION FEE DEPOSIT	\$38,000.00

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

**19  
RESOLUTION NO. 24-126**

**IN THE MATTER OF ACCEPTING IMPROVEMENTS WITHIN THE PROJECT KNOWN AS ROADWAY IMPROVEMENTS SHEETZ DEVELOPMENT ORANGE ROAD AND RELEASING CONSTRUCTION SURETY:**

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

WHEREAS, on January 12, 2023, the Board of County Commissioners (the "Board") entered into an Owner's Agreement with Sheetz, Inc. (the "Owner") for the project known as Roadway Improvements Sheetz Development Orange Road; and

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WHEREAS, the County Engineer has inspected the improvements and finds them to be constructed in accordance with approved plans; and

WHEREAS, the County Engineer recommends the Board accept the improvements in accordance with the Owner’s Agreement and release the bond being held as construction surety to the Owner;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, Ohio hereby accepts the improvements made for Roadway Improvements Sheetz Development Orange Road in accordance with the Owner’s Agreement and releases the bond being held as construction surety to the Owner.

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

**20  
RESOLUTION NO. 24-127**

**IN THE MATTER OF RELEASING THE BOND BEING HELD FOR TRAFFIC IMPROVEMENTS ASSOCIATED WITH THE LIBERTY GRAND COMMUNITIES DEVELOPMENT:**

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

WHEREAS, on April 9, 2020 the Board of County Commissioners (the “Board”) entered into an Agreement for Traffic Improvements Associated with the Liberty Grand Communities Development (the “Agreement”) with Schottenstein Real Estate Group, LLC (the “Owner”); and

WHEREAS, the Agreement required the Owner to construct the required traffic improvements or make certain cash contributions in lieu of construction; and

WHEREAS, the Board accepted a bond from the Owner securing the cash contribution; and

WHEREAS, the Owner has made the required cash contribution, and the County Engineer recommends releasing the bond to the Owner;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners hereby accepts the County Engineer’s recommendation and releases the bond to the Owner.

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

**21  
RESOLUTION NO. 24-128**

**IN THE MATTER OF APPROVING RIGHT-OF-WAY WORK PERMIT SUMMARY SHEET:**

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

WHEREAS, the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

NOW, THEREFORE, BE IT RESOLVED that the following permits are hereby approved by the Board of Delaware County Commissioners:

<b>PERMIT #</b>	<b>APPLICANT</b>	<b>LOCATION</b>	<b>TYPE OF WORK</b>
UT2024-0025	SPECTRUM	ABBOT-DOWING BLVD	ROAD BORE
UT2024-0026	AEP	THOMAS RD	REPLACE POLES
UT2024-0027	AEP	NORTON RD	REPLACE POLES
UT2024-0028	SPECTRUM	CARTERS CORNER RD	SET POWER SUPPLY CABINET
UT2024-0029	SPECTRUM	LIBERTY RD N	ROAD BORE
UT2024-0030	AEP	S SECTION LINE RD	REMOVE & INSTALL POLES
UT2024-0031	AEP	HOME RD	ROAD BORE
UT2024-0032	SPECTRUM	AFRICA RD	ROAD BORE
UT2024-0033	AEP	MILLER PAUL & GORSUCH RDS	REPLACE POLES
UT2024-0034	FRONTIER	RUTHERFORD RD	ROAD BORE
UT2024-0035	AEP	DUSTIN RD	INSTALL NEW POLE
UT2024-0036	AEP	S WILSON RD	ROAD BORE
UT2024-0037	SUBURBAN NATURAL	SLATE RIDGE PH 1	GAS LINE
UT2024-0038	SPECTRUM	S WILSON RD	ROAD BORE
UT2024-0039	AEP	LIBERTY RD	REPLACE POLES
UT2024-0040	AEP	E POWELL RD	INSTALL POLES

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

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RESOLUTION NO. 24-129

IN THE MATTER OF AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE ENGINEER’S OFFICE:

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

WHEREAS, pursuant to section 5549.01 of the Revised Code, the Board of Commissioners (the “Board”) may purchase machinery and equipment for the construction, improvement, maintenance or repair of the highways, bridges, and culverts under its jurisdiction as it deems necessary, including the purchase of automobiles, motorcycles, or other conveyances and maintenance thereof, for the use of the county engineer and the engineer’s assistants when on official business; and

WHEREAS, the County Engineer’s Office (“Engineer”) has a need for four (4) 2023 Ford F-150 Super Cab Trucks (“Trucks”) for use in performing the Engineer’s official duties; and

WHEREAS, the County officially sanctioned and authorized to participate in the City of Columbus’s (“City”) cooperative purchasing program (“Program”), and the Trucks are available for purchase via the Program through City Contract #PO235894, which is valid through June 30, 2024; and

WHEREAS, section 6.5 of City Contract #PO235894 contemplates the participation of other political subdivisions in the contract, and the City is willing to permit the Board to participate in the contract; and

WHEREAS, participation in City Contract #PO235894 is exempt from any competitive selection requirements otherwise required by law per section 9.48(C) of the Revised Code;

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

Section 1. The Board hereby authorizes the purchase of four (4) 2023 Ford F-150 Super Cab Trucks from Byers Ford for the price of \$177,840.00, not to exceed \$188,000.00, through participation in City Contract #PO235894;

Section 2. The Clerk shall provide a copy of this Resolution to the County Engineer.

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

23

RESOLUTION NO. 24-130

IN THE MATTER OF AWARDING BIDS FOR THE 2024 ANNUAL DRAINAGE MAINTENANCE CONTRACT:

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

Drainage Maintenance Bid Award Recommendation  
Bids Opened January 9, 2024

WHEREAS, as a result of the bids opened January 9, 2024, for drainage maintenance for 2024, the Engineer recommends that a non-exclusive bid award be made to: B&K Lehner Excavating, LLC; G&G Enterprises Complete Excavating Service, LLC; MLS Construction Services, LLC; Excavation Point, LLC; RCA Hauling & Excavating, LLC; RKE Trucking and Enviro-Construction Co.;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves non-exclusive bid award for the 2024 Annual Drainage Maintenance contract to the following bidders: B&K Lehner Excavating, LLC; G&G Enterprises Complete Excavating Service, LLC; MLS Construction Services, LLC; Excavation Point, LLC; RCA Hauling & Excavating, LLC; RKE Trucking and Enviro-Construction Co.

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

Other Business  
For consideration  
February 15, 2024

RESOLUTION NO. 24-131

IN THE MATTER OF APPROVING THE REQUEST FOR PROPOSALS FOR DELAWARE COUNTY LEAD SAFE OHIO PROGRAM GRANT ADMINISTRATION AND CONSULTING SERVICES:

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

WHEREAS, on September 11, 2023, the Delaware County Board of Commissioners (the “Board”) adopted Resolution No. 23-782, authorizing submission of an application to the Ohio Department of Development for the Lead Safe Ohio Program; and

WHEREAS, the Board has been awarded the Lead Safe Ohio Program grant, and the county administrator has executed the Lead Safe Ohio Program grant agreement; and

WHEREAS, the Director of Finance recommends requesting competitive sealed proposals from qualified offerors for grant administration and consulting services related to the Lead Safe Ohio Program;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Delaware County, State of Ohio, hereby approves the request for proposals for Delaware County Lead Safe Ohio Program Grant Administration and Consulting Services and authorizes the Director of Finance to issue the request in accordance with the following public notice:

**PUBLIC NOTICE  
REQUEST FOR Proposals  
BOARD OF COMMISSIONERS  
DELAWARE COUNTY, OHIO**

The Delaware County Commissioners are seeking competitive sealed proposals from offerors for grant administration and consulting services related to Delaware County’s Lead Safe Ohio Program. Proposals will be received at the Delaware County Commissioners’ Office, 91 North Sandusky Street, Delaware, Ohio 43015, until **4:30 p.m. on March 4, 2024**. At that time, proposals will be opened publicly in a manner to avoid public disclosure of contents; however, only names of offerors will be read aloud. One (1) printed copy and one (1) digital copy in a PDF format on a jump drive are to be included. Submittals pursuant to this request will not be received after the hour and date stated above.

The complete Request for Proposals is posted and may be viewed on Delaware County’s web page at <http://www.co.delaware.oh.us> under the Quick Links heading “Public Notices and Bids” or may be obtained from the Delaware County Commissioners Office, 91 N. Sandusky Street, Delaware, Ohio, during normal business hours.

Any proposals submitted to Delaware County, Ohio are to be prepared at the submitter’s expense. A bid bond, or other bid security, is not required. Delaware County reserves the right to reject any and all proposals in whole or in part. 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.

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

**ADMINISTRATOR REPORTS**

**DCA Huston** – No Comments

**Attorney Hochstettler** – No Comments

**COMMISSIONERS’ COMMITTEES REPORTS**

**Mrs. Lewis** – Nothing to report

**Mr. Benton** – State legislature is approving to extend the Tax Free Holiday for 10 extra days. The State will reimburse the County for lost revenue. Offered congratulations to the Transit Board for receiving 2 grants. Mr. Benton will be attending Delaware’s “State of the City” today. He will also be attending OWU Community Day on Saturday.

**Mr. Merrell** – Will also be attending the OWU Community Day on Saturday. He will be attending the Orange Township business appreciation event and a CCO Board meeting on 2/16/24.

**RESOLUTION NO. 24-132**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL, FOR PENDING OR IMMINENT LITIGATION AND COLLECTIVE BARGAINING:**

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It was moved by Mr. Benton, 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 of a Public Employee or Public Official, Pending or Imminent Litigation and Collective Bargaining.

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

**RESOLUTION NO. 24-133**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by \_\_\_\_\_, seconded by \_\_\_\_\_ to adjourn out of Executive Session.

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

There being no further business, the meeting adjourned.

\_\_\_\_\_  
Jeff Benton

\_\_\_\_\_  
Barb Lewis

\_\_\_\_\_  
Gary Merrell

\_\_\_\_\_  
Jennifer Walraven, Clerk to the Commissioners