

**COMMISSIONERS JOURNAL NO. 80 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD FEBRUARY 22, 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

10:00 A.M. Viewing For Consideration Of The Drainage Improvement Petition For The Wortz #459 Watershed

10:30 A.M. Viewing For Consideration Of The Drainage Improvement Petition For The Big Bear Farms Section 2 Part 2 Watershed

1
RESOLUTION NO. 24-134

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD FEBRUARY 15, 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 15, 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 Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

2
PUBLIC COMMENT

3
RESOLUTION NO. 24-135

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR02212, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0221, AND PROCUREMENT CARD PAYMENTS IN BATCH NUMBER PCAPR:

It was moved by Mr. Benton, seconded by Mrs. Lewis to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0221, memo transfers in batch numbers MTAPR0221, Procurement Card Payments in batch number PCAPR0221, and Purchase Orders as listed below:

PR Number	Vendor Name	Line Description	Account	Amount
R2401956	COMMISSIONERS	2024 COST ALLOCATION	22411605 - 5380	\$ 400,000.00
R2401960	COMMISSIONERS	2024 CCMEP COST ALLOCATION	22411603 - 5380	\$ 1,100.00
R2401960	COMMISSIONERS	2024 WIOA COST ALLOCATION	22311611 - 5380	\$ 9,900.00
R2401999	ACCENT DRAPERY CO INC	SHADES - BYXBE CAMPUS	42011440 - 5410	\$ 9,794.00
R2402064	SI TECHNOLOGIES LLC	INSTALL SPEAKERS IN HEARING ROOM - HISTORIC	40111402 - 5450	\$ 7,998.44
R2402127	HOUSE OF SECURITY	REFURBISH & REPLACEMENT OF LOCKSETS - HAYES	40111402 - 5201	\$ 32,793.40
R2402136	SAFEBUILT OHIO LLC	OUTSOURCE INSPECTIONS AND PLAN REVIEW SERVICES	10011301 - 5301	\$ 100,000.00
R2402138	BUCKEYE POWER SALES CO INC	GENERATOR - EMS #8	40111402 - 5450	\$ 44,955.00
R2402139	BUCKEYE POWER SALES CO INC	GENERATOR - EMS #9	40111402 - 5450	\$ 44,955.00
R2402144	BKM CONSTRUCTION LLC	WIDEN DRIVE ENTRANCE - EMS #1	40111402 - 5328	\$ 6,990.50

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R2402145	BKM CONSTRUCTION LLC	REPLACE SIDEWALK & STEPS - CARNEGIE	40111402 - 5328	\$ 16,780.00
R2402146	BKM CONSTRUCTION LLC	CONCRETE WORK REAR ENTRANCE - 109 BUILDING	40111402 - 5328	\$ 5,669.00
R2402148	BKM CONSTRUCTION LLC	CONCRETE WORK - JAIL	40111402 - 5328	\$ 18,925.00
R2402149	BKM CONSTRUCTION LLC	REPLACE SIDEWALK - HISTORIC COURTHOUSE	40111402 - 5328	\$ 8,620.00
R2402163	BERLIN TOWNSHIP TRUSTEES	2024 LEASE AGREEMENT EMS 10	10011303 - 5335	\$ 18,500.00
R2402177	DOMESTIC RELATIONS COURT	IV-D CONTRACT SERVICES 2024	23711630 - 5360	\$ 54,486.90
R2402179	SHERIFF'S OFFICE	IV-D CONTRACT SERVICES 2024	23711630 - 5301	\$ 110,475.53
R2402180	PROSECUTORS	IV-D CONTRACT SERVICES 2024	23711630 - 5301	\$ 27,812.10
R2402187	TREASURER, DELAWARE COUNTY	RETAINAGE - PACKAGE PLANT UPGRADES PROJECT -	66611900 - 5415	\$ 205,925.52
R2402189	NEW MERCY OUTREACH INC	PLACEMENT CARE	22511607 - 5348	\$ 17,300.00
R2402197	HEALTH DEPARTMENT	2024 LITTER GRANT & ALLOWABLE CARRYOVER	22111502 - 5365	\$ 94,711.70
R2402220	TREASURER, DELAWARE COUNTY	RETAINAGE - ALUM CREEK POST TREATMENT PROJECT -	66611900 - 5410	\$ 191,682.72

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

**4
RESOLUTION NO. 24-136**

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Delaware County Commissioners' Office is requesting that Capt. Glen Keating from Emergency Medical Services attend NAAC CAC Continuing Education via online; at the cost of \$1,075.00.

The Delaware County Commissioners' Office is requesting that Hilary Days – Honor Guard from Emergency Medical Services attend National Honor Guard Academy in Trotwood, Ohio on May 19, 2024- May 24, 2024; at the cost of \$1,857.00.

The Delaware County Commissioners' Office is requesting that Assistant Chief Jeremy Miller from Emergency Medical Services attend a Tactical Operations and Public Safety Conference in Sandusky, Ohio on June 9, 2024 – June 14, 2024; at the cost of \$1,852.00.

The Delaware County Commissioners' Office is requesting that Training Captain Scott Gano from Emergency Medical Services attend JEMS / FDIC in Indianapolis, IN on April 15, 2024 – April 20, 2024; at the cost of \$1,819.50.

The Delaware County Commissioners' Office is requesting that Shawn Coontz – Honor Guard from Emergency Medical Services attend National Honor Guard Academy in Trotwood, Ohio on May 19, 2024- May 24, 2024; at the cost of \$1,857.00.

The Delaware County Commissioners' Office is requesting that Erik McPeek from Regional Sewer District attend Design-Build for Water / Wastewater Conference 2024 in Cincinnati, Ohio on April 15, 2024 – April 17, 2024; at the cost of \$1,450.00.

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

**5
RESOLUTION NO. 24-137**

IN THE MATTER OF A NEW LIQUOR LICENSE FROM DARNER ENTERPRISES LLC (DBA HAMMER & NAILS LEWIS CENTER) AND FORWARDING TO THE OHIO DIVISION OF LIQUOR

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CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a request for a new D2 license from Darner Enterprises, LLC DBA Hammer & Nails Lewis Center, located at 6547 Artesian Run Ste 220, Orange Township, Lewis Center, Ohio 43035; and

WHEREAS, the Delaware County Board of Commissioners has found no reason to file an objection;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

**6
RETIREMENT TRIBUTE,
RANDY ORMEROID**

**7
RESOLUTION NO. 24-138**

IN THE MATTER OF ESTABLISHING A NEW FUND AND ORGANIZATION KEY AND APPROVING AN ADVANCE OF FUNDS AND SUPPLEMENTAL APPROPRIATIONS FOR THE DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES:

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

New Fund		
306	HCBS ARPA Grant	
New Organization Key		
30652507	HCBS ARPA Grant	
Advance of Funds		
From:	To:	
29552501-8500	30652507-8400	595,300.00
Developmental Disabilities/Advance Out	HCBS ARPA Grant/Advance In	
Supplemental Appropriation		
30652507-5260	HCBS APRA Grant/Inventoried Tools	4,000.00
30652507-5601	HCBS ARPA Grant/Grants in Aid	591,300.00

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

**8
RESOLUTION NO. 24-139**

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE DELAWARE COUNTY REGIONAL SEWER DISTRICT, THE FACILITIES DEPARTMENT, THE COMMISSIONERS' OFFICE, THE PROSECUTOR'S OFFICE AND THE JUVENILE COURT:

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 Director of Facilities to expend county monies for the lease of new motor vehicles; and

WHEREAS, the motor vehicles are available for lease through the Enterprise Government Vehicle Leasing Program, TIPS Contract 190402 (the "Program");

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

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\$25,000,000.00, unless and until the Board amends this Resolution to provide for additional amounts to be accumulated in the Fund for the purposes stated herein.

Section 4. In accordance with section 5705.13(C), all funds accumulated in the Fund shall not be accumulated beyond February 22, 2034, and any contract for the acquisition, construction, or improvement of the fixed assets identified in this Resolution to be paid for out of the Fund shall be entered into on or before February 22, 2034. Any remaining unencumbered funds accumulated in the Fund on February 22, 2034 shall be transferred to the county general fund, and the Fund shall thereupon be rescinded.

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

RESOLUTION NO. 24-141

IN THE MATTER OF CANCELING THE DELAWARE COUNTY COMMISSIONERS' SESSION SCHEDULED FOR THURSDAY FEBRUARY 29, 2024:

It was moved by Mr. Benton, seconded by Mrs. Lewis to cancel the Delaware County Commissioners' session scheduled for Thursday February 29, 2024.

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

RESOLUTION NO. 24-142

IN THE MATTER OF DELEGATING TEMPORARY AUTHORITY TO THE COUNTY ADMINISTRATOR:

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

WHEREAS, pursuant to section 305.30 of the Revised Code, the Delaware County Board of Commissioners (the "Board") may delegate specific executive or discretionary authority to the County Administrator for contracting on behalf of the Board, allowing and paying claims, performing personnel functions, performing Board functions in the event of a disaster or emergency, and performing additional duties as the Board may determine by resolution; and

WHEREAS, due to the cancelation of some regular sessions of the Board's meetings, the Board wishes to specifically authorize the County Administrator to perform certain duties of the Board necessary for continued efficient operation of county government;

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

Section 1. The Board hereby authorizes the County Administrator, pursuant to section 305.30 of the Revised Code, from February 27, 2024 through March 6, 2024, to review and approve the following: supplemental appropriations; transfers of appropriations; reductions in appropriations; transfers of funds; advances of funds; repayments of advances; reclassifications of advances; continuations of advances; establishing new funds; establishing new organization keys; renaming organization keys; and approval of purchase requests over \$5,000 for the Commissioners' departments.

Section 2. The authority granted herein shall be in addition to the authority delegated in Resolution No. 22-995, which shall remain in full force and effect.

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

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

DELAWARE COUNTY SOIL AND WATER CONSERVATION

10:00A.M. VIEWING FOR CONSIDERATION OF THE DRAINAGE IMPROVEMENT PETITION FOR THE WORTZ #459 WATERSHED

10:30A.M. VIEWING FOR CONSIDERATION OF THE DRAINAGE IMPROVEMENT PETITION FOR THE BIG BEAR FARMS SECTION 2 PART 2 WATERSHED

RESOLUTION NO. 24-143

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT AND COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR 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

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 and compensation of a public employee or public official and for collective bargaining list all other purposes under (G)(1) through (7)].

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

RESOLUTION NO. 24-144

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

RESOLUTION NO. 24-145

IN THE MATTER OF APPOINTING A MEMBER TO THE DELAWARE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES:

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

WHEREAS, the Delaware County Board of Developmental Disabilities (the “DCBDD”) is the body existing, pursuant to Chapter 5126 of the Revised Code, to administer and provide developmental disability services within Delaware County; and

WHEREAS, the Delaware County Board of Commissioners (the “Board”) shall appoint individuals to the DCBDD, pursuant to section 5126.021, et seq., of the Revised Code; and

WHEREAS, a seat on the Board occupied by Dennis Mowrey has been vacated, and a vacancy now exists for this seat, the term for which expires December 31, 2024; and

WHEREAS, appointment to the unexpired term shall be made within sixty (60) days after the vacancy occurs and after publication of notice of the vacancy in accordance with section 5126.027 of the Revised Code; and

WHEREAS, the Board caused a notice of the vacancy to be published on at least two separate dates in one or more newspapers serving Delaware County, as required in section 5126.027 of the Revised Code; and

WHEREAS, Michael Fulton has applied for appointment to the DCBDD, has submitted the required declaration of eligibility, and is not otherwise term-limited or disqualified from appointment;

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

Section 1. The Board hereby appoints Michael Fulton as a member of the DCBDD for the unexpired term ending December 31, 2024, in accordance with section 5126.027 of the Revised Code.

Section 2. This appointment shall be effective immediately upon adoption of this Resolution.

Section 3. The Board hereby directs the Clerk of the Board to certify a copy of this Resolution and copies of all declarations of eligibility to the Superintendent of the DCBDD.

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

ADMINISTRATOR REPORTS

-None

Commissioners’ Committees Reports

Commissioner Benton

-Will Be Attending Owu Mock Convention This Weekend

- Attend The Chamber’s State Of The City, Tom’s Last One Before Retirement

Commissioner Lewis

- Attend The Chamber’s State Of The City, Tom’s Last One Before Retirement

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-NACCO Included EMA In The Justice And Public Safety Steering Committee; Alex From Ema Attend The Conference With Her/ Email On Benefits Of Working Together

Commissioner Merrell

-Attend The Chamber’s State Of The City, Tom’s Last One Before Retirement

-Attend The Area 18 Opioid Meeting Last Night

RESOLUTION NO. 24-146

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT AND COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR COLLECTIVE BARGAINING:

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

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 and compensation of a public employee or public official and for collective bargaining list all other purposes under (G)(1) through (7)].

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

RESOLUTION NO. 24-147

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners