

**COMMISSIONERS JOURNAL NO. 80 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 29, 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. 24-346**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 25, 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 April 25, 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. 24-347**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0426:**

It was moved by Mr. Benton, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0426 and Purchase Orders as listed below:

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

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2403029	BUCKEYE POWER SALES CO INC	GENERATOR MAINT CONTRACTS	21411306 - 5325	\$ 6,260.00
R2403079	VAUGHN INDUSTRIES LLC	BYXBE FIRE ALARM MONITORING MODULES	42011440 - 5450	\$ 10,885.00

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

**4  
RESOLUTION NO. 24-348**

**IN THE MATTER OF DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR AND OTHER STAFF FOR CERTAIN ADMINISTRATIVE MATTERS:**

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, the County Administrator may be absent or unavailable, requiring the appointment of an acting county administrator to perform the duties delegated pursuant to section 305.30 of the Revised Code; and

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WHEREAS, pursuant to section 4115.071 of the Revised Code, the Board shall designate and appoint an employee to serve as prevailing wage coordinator for all contracts subject to prevailing wage requirements; and WHEREAS, the Board wishes to specifically authorize the County Administrator to delegate any administrative or ministerial tasks to other staff in order to promote efficiency and establish appropriate internal controls;

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

Section 1. The Board hereby delegates the following authority and duties to the County Administrator, pursuant to section 305.30 of the Revised Code:

(A) Upon prior notice to each Commissioner, negotiate, approve, and execute contracts, agreements, change orders, or acquisitions of real property or interests in real property that are for amounts not exceeding Fifty Thousand Dollars (\$50,000);

(B) Negotiate and execute settlement agreements for pending or threatened litigation, provided the County Administrator certifies in writing that discussion thereon has been conducted in a lawful executive session;

(C) Review and approve, and execute any documents in furtherance of, all personnel actions, including, but not limited to, employing new hires, job descriptions, departmental payrolls, promotions, pay increases, leaves of absence, discipline, resignations, and terminations, except as follows:

- (i) The County Administrator shall not approve any pay increase that applies to all non-union employees or a collective bargaining unit that follows the County Compensation Management Plan, unless and until the pay increase has been approved by a prior resolution of the Board;
- (ii) The County Administrator shall not approve any pay increase, or promotion that results in a pay increase, that applies to an individual employee and exceeds five percent (5%), exceeds the minimum for the wage band, or exceeds the amount of compensation approved in the current budget, unless and until the pay increase or promotion has been discussed in a lawful executive session;
- (iii) The County Administrator shall not approve any pay increase, or promotion that results in a pay increase, for a select class of two or more employees, unless and until the pay increases or promotions have been discussed in a lawful executive session;
- (iv) The County Administrator shall not fix the compensation for internal or external candidates for director-level, or higher, positions, unless and until the proposed compensation has been discussed in a lawful executive session;
- (v) The County Administrator shall not approve any leave of absence that exceed two weeks, unless and until the leave of absence has been discussed in a lawful executive session, except the County Administrator may approve any request for unpaid leave under the Family and Medical Leave Act ("FMLA") or Workers' Compensation program that meets unpaid FMLA requirements or Workers' Compensation requirements;
- (vi) The County Administrator shall not approve or execute any last chance agreement, unless and until the last chance agreement has been discussed in a lawful executive session;
- (vii) The County Administrator shall not approve a job description for a position that reports directly to the Board unless and until a draft job description for such position has been presented to the Board and left open for Board comment for at least one week;
- (viii) The County Administrator shall not approve any other personnel action pertaining to an employee that reports directly to the Board, unless and until the personnel action has been discussed in a lawful executive session; and
- (ix) The County Administrator shall not approve any personnel action that is appealable to the State Personnel Board of Review, unless and until the personnel action has been discussed in a lawful executive session.

(D) Serve as the Contract Administrator, having general supervision over the contract and any work performed thereunder, for any contracts or agreements the Board has entered into and not specifically designated a Contract Administrator;

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(E) Request written opinions or instructions from the Prosecuting Attorney on behalf of the Board and coordinate the services provided by all legal counsel employed or retained by the Board pursuant to sections 305.14 and 309.09 of the Revised Code, including authorizing and directing the prosecution or defense of claims made by or against the Board;

(F) Approve mortgage releases for mortgages that have been fully satisfied;

(G) Act as the county chief executive officer and execute standard assurances and compliance certificates for grant applications approved by the Board;

(H) Act as the county chief executive officer and approve and execute written representations as a part of routine audits;

(I) Review and approve requests for tuberculosis treatment financial assistance submitted pursuant to section 339.71, *et seq.*, of the Revised Code, provided the requested amount does not exceed the contracting authority limit established in this Resolution;

(J) Approve and allow the payment of claims against the county, pursuant to R.C. 307.55 and 319.16, when the county auditor presents a payment recap for approval on the date of a regular session of the Board that has been canceled;

(K) Approve any purchase requests for amounts not exceeding Five Thousand Dollars (\$5,000) and approve purchase requests for amounts exceeding Five Thousand Dollars (\$5,000) for offices and departments under the Board's appointing authority when presented for approval on the date of a regular session of the Board that has been canceled;

(L) Accept gifts, devises, bequests, or other donations on behalf of the county, pursuant to section 9.20 of the Revised Code, provided that the value thereof is less than \$1,000.00, that notice of each acceptance is provided to each member of the Board, and that a detailed report of all gifts, devises, bequests, or other donations accepted is provided to the Board within fifteen (15) days after the end of the fiscal year in which the acceptance occurred;

(M) Approve convention and conference travel requests up to \$1,000 cost per employee;

(N) Approve and execute sanitary sewer subdivider agreements in accordance with section 711.101 and the rules and regulations adopted pursuant to section 6117.01(D) of the Revised Code and in the standard form approved by the Board, with such minor modifications that do not substantially deviate from the standard form; accept any bond, certified check, irrevocable letter of credit, or other approved financial warranties executed to insure faithful performance of the construction or maintenance obligations contained in sanitary sewer subdivider agreements and release such warranties upon faithful performance of the obligations contained in the sanitary sewer subdivider agreements; approve sanitary sewer improvement plans and specifications submitted pursuant to section 6117.01(E) of the Revised Code; and issue certificates of substantial or final completion for or otherwise accept for ownership, operation, and maintenance by the Delaware County Sewer District any sanitary sewers, facilities, and improvements the sanitary engineer certifies have been constructed or installed in accordance with a sanitary sewer subdivider agreement or any other contract entered into by the Board; and

(O) Establish policies and procedures to delegate any administrative or ministerial tasks delegated to the County Administrator in section 305.30 of the Revised Code, or in this Resolution.

Section 2. The Board hereby declares that Resolution No. 10-211, delegating to the County Administrator the authority to carry out certain functions of the Board during a disaster or emergency, shall remain in full force and effect.

Section 3. In the event the County Administrator is or will be absent due to illness, vacation, or other approved leave, the County Administrator shall, to the extent practicable, inform all members of the Board and the Clerk to the Board in writing of the absence and its expected duration. In the event the County Administrator is unavailable or expected to be absent for less than or equal to four weeks, the Board hereby designates the Deputy Administrator/Director of Administrative Services as the Acting County Administrator with authority to perform all functions delegated in Section 1. In the event the County Administrator and Deputy Administrator/Director of Administrative Services are both unavailable or expected to be absent for less than or equal to four weeks, the Board hereby designates the Deputy Administrator/General Counsel as the Acting County Administrator with authority to perform all functions delegated in Section 1. For absences expected to be longer than four weeks, all functions delegated in Section 1 shall revert to the Board during the County Administrator's absence unless the Board specifically delegates any or all of those functions by separate action of the Board.

Section 4. The Board hereby designates and appoints the following employees or officials to serve as prevailing wage coordinator for the specified contracts that are subject to prevailing wage requirements:

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- (A) The Delaware County Engineer, for all Motor & Gas and Road & Bridge projects;
- (B) The Delaware County Sanitary Engineer, for all Sewer District and Solid Waste projects;
- (C) The Director of Finance, for all Economic Development Fund and Grant projects;
- (D) The Director of Facilities, for all other projects.

Section 5. This Resolution supersedes Resolution No. 22-995 and shall take effect immediately upon adoption.

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

**5  
RESOLUTION NO. 24-349**

**IN THE MATTER OF APPROVING A TRANSFER OF FUNDS FOR JOB AND FAMILY SERVICES:**

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>
22511607-5801	22411604-4601                \$381,153.45
Children Services Fund/Transfers	JFS Child Protection/Interfund Revenues
22311611-5801	22411601-4601                \$22,930.96
Workforce Investment Act/Transfers	JFS Income Maintenance/Interfund Revenue

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

**6  
RESOLUTION NO. 24-350**

**IN THE MATTER OF APPROVING THE FIRST AMENDMENT TO DELAWARE COUNTY REVOLVING LOAN FUND COOPERATIVE AGREEMENT BY AND AMONG DELAWARE COUNTY, OHIO; THE DELAWARE COUNTY FINANCE AUTHORITY; AND BUCKEYE STATE BANK:**

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

WHEREAS, on May 14, 2020, the Delaware County Board of Commissioners (the “Board”) adopted Resolution No. 20-414, establishing the Delaware County Revolving Loan Fund (the “Fund”); and

WHEREAS, on June 18, 2020, the Board adopted Resolution No. 20-528, approving a Cooperative Agreement with the Delaware County Finance Authority and Buckeye State Bank for funding and administration of the Fund; and

WHEREAS, the parties to the Cooperative Agreement mutually desire to terminate the Fund, subject to certain conditions;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the First Amendment to Delaware County Revolving Loan Fund Cooperative Agreement, as follows:

**FIRST AMENDMENT TO DELAWARE COUNTY  
REVOLVING LOAN FUND COOPERATIVE AGREEMENT**

This First Amendment to the Delaware County Revolving Loan Fund Cooperative Agreement, which was entered into on or about June 18, 2020, is made and entered into by and among **DELAWARE COUNTY, OHIO**, a county and political subdivision of the State of Ohio, through its Board of County Commissioners (the “County”); the **DELAWARE COUNTY FINANCE AUTHORITY**, a port authority formed and existing under the laws of the State of Ohio (the “DCFA”); and **BUCKEYE STATE BANK**, an Ohio state chartered bank (“Buckeye State”) (collectively referred to herein as the “Parties”), on April 29, 2024 (the “Effective Date”).

**RECITALS:**

- A. The County, through Resolution No. 20-414, passed May 14, 2020 by the Board of County Commissioners, established the Delaware County Revolving Loan Fund (the “Fund”).
- B. The Delaware County Revolving Loan Fund Cooperative Agreement (the “Agreement”) provided for loans to small businesses in amounts up to \$25,000, for the purpose of covering up to six months of rent or mortgage payments and utilities.

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- C. The Agreement provided for the Fund to operate for five (5) years, whereupon the County’s Revolving Loan Fund Committee (the “Committee”) would provide a written recommendation to the County regarding continuance or reorganization of the Fund.
- D. The Parties mutually desire to amend the Agreement to provide for early termination of the Fund and withdrawal of Contributions, as defined in the Agreement, subject to certain conditions to protect Buckeye State.

**NOW, THEREFORE**, the Parties hereto agree to amend the Agreement as follows:

Section 1. Termination of Fund. The Fund shall be terminated immediately upon execution of this amendment by all Parties, whereupon no loan applications shall be accepted, no loans shall be approved, and the Guidelines shall serve no further purpose. The Parties shall consider recommendations from the Committee for a new revolving loan fund program. Upon receipt of the Committee’s recommendation, the Committee’s purpose shall be considered exhausted, and the County may terminate the Committee or reassign the Committee to any new revolving loan fund program. Buckeye State shall have the opportunity to submit a proposal for administration of any new revolving loan fund program established on or before June 18, 2025.

Section 2. Maintenance of Depository Account. DCFA and Buckeye State shall maintain the Account until such time as all loans have been repaid or obligations for losses have been covered.

Section 3. Withdrawal of Contributions. The Contributions from DCFA, Liberty Township, and Orange Township may be withdrawn from the Fund immediately upon termination of the Fund and paid to each respective contributor. The County’s Contribution, less the “Guarantee Amount,” as hereinafter defined, may be withdrawn from the Fund upon written request after termination of the Fund and paid to the County. The County shall reserve in the Account an amount equal to One Million Dollars and Zero Cents (\$1,000,000.00) (the “Guarantee Amount”), as coverage for any losses Buckeye State may incur, until all loans are fully repaid.

Section 4. Approved Loans. The Parties hereby affirm and accept approval of all loans made through June 13, 2023.

Section 5. Remaining Provisions. All other terms and conditions of the Agreement not amended herein shall remain in full force and effect.

**IN WITNESS WHEREOF**, the County, the DCFA and Buckeye State have caused this First Amendment to the Delaware County Revolving Loan Fund Cooperative Agreement to be executed in their respective names by their duly authorized officers as of the Effective Date.

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

**7  
RESOLUTION NO. 24-351**

**IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2025 TAXES:**

It was moved by Mr. Benton, seconded by Mrs. Lewis, to certify to the County Auditor the delinquent accounts for placement on the tax duplicate.

WHEREAS, the Delaware County Board of Commissioners (the “Board”) owns and operates a Sewer District as authorized by Chapter 6117 of the Revised Code; and

WHEREAS, section 6117.02 of the Revised Code authorizes the Board to set rates and charges for the sanitary services provided by the Sewer District; and

WHEREAS, when any of the sanitary rates or charges are not paid when due, the Board may certify the unpaid rates or charges, together with any penalties, to the County Auditor, who shall place them upon the real property tax list and duplicate against the property served by the connection; and

WHEREAS, pursuant to Resolution No. 16-720, the Board has established that delinquent accounts will be certified after they are more than ninety days past due and the amount exceeds \$25.00; and

WHEREAS, staff has determined that there are delinquent accounts that meet this criteria, and

WHEREAS, staff recommends collection of the unpaid rates and charges by certifying these delinquent accounts to the County Auditor;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners certifies the delinquent accounts in the amount of \$194,071.77 to the County Auditor for the 2025 real property tax list and duplicate.

(Itemized listing of delinquent accounts available for review at the Commissioners’ Office until no longer of administrative value).

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To be certified by the Board of Commissioners on 4/29/2024

**Breakdown of Assessments by Treatment Plant:**

66211900-4108-11903 – OECC	\$66,551.74
66211900-4108-11904 – Alum Creek	\$104,551.76
66211900-4108-11905 – Lower Scioto	\$7,913.19
66211900-4108-11912 - Package Plants	\$15,055.08
<b>Total Assessments</b>	<b>\$194,071.77</b>

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

**8  
TIFFANY MAAG, DIRECTOR OF ENVIRONMENTAL SERVICES AND REGIONAL SEWER DISTRICT  
MONTHLY SANITARY APPROVAL UPDATE TO BOARD OF COMMISSIONERS**

**9  
RESOLUTION NO. 24-352**

**IN THE MATTER OF RELEASING THE CONSTRUCTION BOND FOR CLARKSHAW RESERVE FOR IMPROVEMENTS TO HYATTS ROAD:**

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

WHEREAS, the Engineer requests approval to return the construction bond being held for Clarkshaw Reserve for improvements to Hyatts Road to Clarkshaw Reserve I, LLC;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby releases and authorizes the return of the construction bond being held for Clarkshaw Reserve for improvements to Hyatts Road to Clarkshaw Reserve I, LLC.

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

**10  
RESOLUTION NO. 24-353**

**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:

PERMIT#	APPLICANT	LOCATION	TYPE OF WORK
UT2024-0090	AT&T	WELLINGTON BLVD	ROAD BORE
UT2024-0091	SPECTRUM	CENTER VILLAGE RD	ROAD BORE
UT2024-0092	BREEZELINE	E ORANGE RD & S OLD STATE	ROAD BORE
UT2024-0093	AEP	SAWMILL PKWY	INSTALL POLES
UT2024-0094	SUBURBAN GAS	SLATE RIDGE PHASE 3	LAY GAS MAINS
UT2024-0095	SUBURBAN GAS	BERLIN BLUFFS	LAY GAS MAINS
UT2024-0096	SUBURBAN GAS	BERLIN FARMS S2	LAY GAS MAINS

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

**OTHER BUSINESS  
RESOLUTION NO. 24-354**

**IN THE MATTER OF AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE AND EXECUTE ZONING APPLICATIONS AND OTHER DOCUMENTS IN SUPPORT OF THE REDEVELOPMENT AND IMPROVEMENT OF THE PROPERTY LOCATED AT 50 CHANNING STREET:**

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”) currently owns real property located at 50 Channing Street, Delaware, Ohio, consisting of buildings occupying the site, as well as adjacent parking areas (the “Property”); and

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WHEREAS, the Board has determined that the Property is not needed for public use and has entered into a memorandum of understanding with the Delaware County Finance Authority for redevelopment of the Property in the best interests of Delaware County and the surrounding community; and

WHEREAS, the Delaware County Finance Authority has entered into an agreement for the redevelopment of the Property upon transfer of the Property from the Board to the Delaware County Finance Authority; and

WHEREAS, in order to proceed with redevelopment of the Property, certain applications must be submitted to the City of Delaware; and

WHEREAS, as the record owner of the Property, the Board's approval is necessary for any applications, and the Board wishes to expedite any necessary approvals; and

WHEREAS, pursuant to section 305.30(K) of the Revised Code, the Board may authorize the County Administrator to perform such duties as the Board may determine by resolution;

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

Section 1. Subject to Section 2 hereof, the Board hereby authorizes the County Administrator to approve and execute zoning applications and other documents in support of the redevelopment and improvement of the Property and to submit any applications or documents so approved and executed to the City of Delaware.

Section 2. The County Administrator shall provide copies of any proposed application or document, prior to approval and execution in accordance with Section 1 hereof, to the Board for its review for a period of not less than twenty-four (24) hours.

Section 3. This Resolution shall take immediate effect upon adoption and shall supersede Resolution No. 20-1077.

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

**ADMINISTRATOR REPORTS**

**CA Davies** – Gave reminder of State of the County being held tomorrow at the Columbus Zoo, begins at 9am.

**DCA Huston and Attorney Hochstettler** – Nothing to report.

**COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Lewis** – attended the Community Corrections Board Meeting on 04/25/24. She states that Delaware County needs more counseling services for people on probation.

**Commissioner Benton** – he is excited for State of the County on 04/30/24. He reports that 260 people have RSVP'd. He will also be attending a ribbon cutting the new Sheriff's facility on 04/30/24. He attended a CEBCO Board Meeting on 04/26/24 to discuss the increase costs of healthcare and prescriptions. He will be attending the Memorial Children's Hospital Reception on 05/01/24.

**Commissioner Merrell** – He will be attending an awards ceremony for a Liberty Middle School teacher. He will also be attending a Regional Planning meeting this week.

**RESOLUTION NO. 24-355**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND FOR PENDING OR IMMINENT LITIGATION:**

It was moved by Mrs. Lewis, seconded by Mr. Benton, 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:

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(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 Employment of a Public Employee or Public Official and to consider the Purchase of Property for Public Purposes and for Pending or Imminent Litigation.

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

**14  
RESOLUTION NO. 24-356**

**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

There being no further business, the meeting adjourned.

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Jeff Benton

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Barb Lewis

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

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