

**COMMISSIONERS JOURNAL NO. 80 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD, MAY 20, 2024**

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

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

10:00 A.M. Public Hearing for Consideration of the Drainage Improvement Petition for the Wertz #459 Watershed

**1
RESOLUTION NO. 24-401**

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 16, 2024:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 16, 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 Absent Mr. Benton Aye Mrs. Lewis Aye

**2
PUBLIC COMMENT**

**3
RESOLUTION NO. 24-402**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0517 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR 0517:

It was moved by Mr. Benton, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0517, memo transfers in batch numbers MTAPR 0517 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2401339) EMT Transportation	JFS Income Maintenance	22411601-5348	\$13,000.00
(P2401213) Various JFS Employee	JFS Administration	22411605-5309	\$8,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>

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

**4
RESOLUTION NO. 24-403**

IN THE MATTER OF SETTING DATE, TIME AND PLACE FOR THE FINAL HEARING BY THE COMMISSIONERS FOR THE PROPOSED GRIFFITH #391 WATERSHED DRAINAGE IMPROVEMENT:

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

WHEREAS, on August 12, 2021, the Board of Commissioners of Delaware County (the "Board") held a public hearing and determined that the proposed Griffith #391 Watershed Drainage Improvement is necessary and conducive to the public welfare, and that it is reasonably certain that the benefits of the proposed improvement will outweigh its costs; and

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WHEREAS, the Board also ordered the Delaware County Engineer to prepare the reports, plans, and schedules for the proposed improvement; and

WHEREAS, the Delaware County Engineer has filed the reports, plans, and schedules for the proposed improvement with the Clerk of the Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the County of Delaware hereby fixes **Monday, July 1, 2024, at 10:00A.M.**, at the Office of the Board of County Commissioners, 91 North Sandusky Street Delaware, Ohio, as the time and place of the final hearing on the report of the County Engineer.

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

5

RESOLUTION NO. 24-404

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

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

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

WHEREAS, it is the intent of the Policy to allow persons and organizations access to appropriate Delaware County facilities, grounds and meeting places; and

WHEREAS, each request will only be considered after the receipt of a completed Delaware County Facilities Permit Form; and

WHEREAS, the Policy mandates approval from the Commissioners for use of county facilities by groups of 30 participants or more that have agreed in writing to full compliance with the Policy;

NOW, THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED that the Delaware County Board of Commissioners hereby authorizes the use of the Byxbe Campus and for Leadership Delaware hosted by Delaware Area Chamber of Commerce on November 13 & 14, 2024; at no cost.

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

6

RESOLUTION NO. 24-405

IN THE MATTER OF HONORING THE PRESERVATION PARK DISTRICT OF DELAWARE COUNTY ON THE OCCASION OF ITS 50TH ANNIVERSARY:

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

WHEREAS, on April 1, 1974, the Delaware County Board of Commissioners adopted a resolution making application to the probate judge to create a metropolitan park district to be known as the Delaware County Metropolitan Park District; and,

WHEREAS, on May 21, 1974, in accordance with state law, Probate Judge Paul Barrett signed a Judgment Entry for the creation of the Delaware County Metropolitan Park District, subsequently renamed the Preservation Park District of Delaware County in 1995; and

WHEREAS, the mission of Preservation Parks is to protect and conserve the natural and historical features of Delaware County and to inspire outdoor exploration and learning; and

WHEREAS, the Park District accomplishes this mission through native habitat protection, restoration and management of woodlands, rivers, streams, wetlands and prairies; educational opportunities such as school field trips, interpretive exhibits, and public programs and events for all ages; and outdoor exploration opportunities including hiking, paddling, fishing, archery and cross-country skiing; and

WHEREAS, over the last 50 years, Preservation Parks has grown to protect nearly 2,400 acres of land in our rapidly growing county for perpetual public use and enjoyment, including approximately seven miles of the Ohio to Erie Trail; and

WHEREAS, Preservation Parks strengthens community and improves the lives of Delaware County residents through access and connection to nature, protecting clean water and air, and offering numerous physical and mental health and wellness opportunities.

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THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners is proud to honor the Preservation Park District of Delaware County on the occasion of its 50th anniversary and commends the District's efforts and accomplishments in fulfilling its mission to protect and conserve the natural and historical features of Delaware County and to inspire outdoor exploration and learning.

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

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**ALEX MCCARTHY,
DIRECTOR DELAWARE COUNTY OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT
SEAN MILLER, OHIO EMA
ARMANDO NAVARRO (FEMA)
CURVIN SNYDER IV (FEMA)
SHARON DOOLEY (SMALL BUSINESS ADMINISTRATION)
FEMA REPRESENTATIVES**

8

RESOLUTION NO. 24-406

IN THE MATTER OF PROCLAIMING THE WEEK OF MAY 19-24, 2024, AS EMERGENCY MEDICAL SERVICES WEEK IN DELAWARE COUNTY:

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

WHEREAS, Emergency Medical Services (EMS) personnel provide a vital public service; and

WHEREAS, timely access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the members of EMS teams engage in thousands of hours of specialized training and continuing education to enhance their skills; and

WHEREAS, EMS personnel are dedicated to providing life-saving care to individuals in need, often under challenging circumstances; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of EMS providers through the annual observance of Emergency Medical Services Week during the third week of May; and

WHEREAS, the theme of this year's observance—"Honoring our past. Forging our future."—provides an opportunity to recognize and honor the contributions of EMS personnel and the vital role they play in our society while embodying the guiding principle of Delaware County EMS: "Committed to Community";

THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners (the Board) does hereby proclaim the week of May 19-25, 2024, as Emergency Medical Services Week in Delaware County;

FURTHER BE IT RESOLVED that the Board extends its gratitude to all EMS personnel for their unwavering commitment to public service and acknowledges the sacrifices made by EMS personnel and their families, who support them in their challenging and demanding roles. The Board further encourages our community to express its appreciation for EMS personnel during EMS Week and throughout the year, and directs that a copy of this Resolution be presented to Delaware County EMS as a token of the Board's gratitude for the invaluable services provided by EMS personnel.

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

9

RESOLUTION 24-407

IN THE MATTER OF APPROVING A PARTIAL RELEASE AND VACATION OF SANITARY SEWER EASEMENT FOR KATHERINE BENALCAZAR, GENOA TOWNSHIP, DELAWARE COUNTY, OHIO (OFFICIAL RECORD 759, PAGE 328):

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

WHEREAS, the Sanitary Engineer has received a request to vacate a portion of an existing sanitary sewer easement located within The Ravines at Hoover Subdivision; and

WHEREAS, the Sanitary Engineer has determined that a portion of the sanitary sewer easement can be released and vacated without adversely affecting Delaware County; and

WHEREAS, the Sanitary Engineer recommends approving the following a Vacation and Release of Easement to vacate a portion of the sanitary sewer easement, as requested;

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NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the following Vacation and Release of Easement:

VACATION AND RELEASE OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS THAT effective this 20th day of May, 2024, the undersigned COUNTY OF DELAWARE, STATE OF OHIO, a political subdivision of the State of Ohio, hereby permanently surrenders, vacates, and releases portions of that certain Sanitary Sewer Easement granted to it by Katherine Benalcazar, recorded in Volume 759, Pages 328-331, Recorder’s Office, Delaware County, Ohio, such surrendered, vacated, and released portion of the easement being described and depicted on Exhibits A & B attached hereto.

Further, the undersigned hereby authorizes and directs the Delaware County Recorder to record this Vacation and Release of Easement, and to make any necessary marginal notations, in the County Records.

IN WITNESS WHEREOF, the undersigned has caused this Vacation and Release of Easement to be executed effective the day and year first above stated.

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

**10
RESOLUTION NO. 24-408**

IN THE MATTER OF APPROVING CHANGE ORDER NO. 02 TO THE AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND OHIO WATER DEVELOPMENT AUTHORITY FOR THE OECC HEADWORKS AND AERATION UPGRADES PROJECT:

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

WHEREAS, the Delaware County Board of Commissioners entered into a Cooperative Agreement with Ohio Water Development Authority for the OECC Headworks and Aeration Upgrades Project on December 22, 2022; and

WHEREAS, Change Order No. 02 does not constitute an increase in the total loan amount, but authorizes work changes; and

WHEREAS, the Sanitary Engineer recommends approval of Change Order No. 02;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves Change Order No. 02 to the Cooperative Agreement between the Delaware County Board of Commissioners and Ohio Water Development Authority for the OECC Headworks and Aeration Upgrades Project.

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

**11
RESOLUTION NO. 24-409**

IN THE MATTER OF APPROVING AN ADVANCE OF FUNDS AND SUPPLEMENTAL APPROPRIATIONS FOR THE ENGINEER’S OFFICE:

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

ADVANCE OF FUNDS		
From	To	
10040421-8500	40940465-8400	1,069,000.00
Road & Bridge Projects/Advance Out	Warrensburg Bridge/Advance In	
SUPPLEMENTAL APPROPRIATION		
40940465-5425	Warrensburg Bridge/Bridge Construction	790,600.00
40940465-5425	Warrensburg Bridge/Bridge Construction	1,069,000.00
29440461-5470	Old Sawmill & Presidential Pwy/Non-County Owned Infrastructure	289,304.56

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

**12
RESOLUTION NO. 24-410**

IN THE MATTER OF APPROVING THE PLATS OF SUBDIVISION FOR BERLIN BLUFFS

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SECTION 1, BERLIN BLUFFS SECTION 2, BERLIN FARM WEST SECTION 2 AND LIBERTY GRAND DISTRICT SECTION 10:

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

WHEREAS, Pulte Homes of Ohio, LLC, has submitted the plats of subdivision for Berlin Bluffs Section 1 and Berlin Bluffs Section 2, including related development plans, and requests approval thereof by the Board of Commissioners of Delaware County;

WHEREAS, M/I Homes of Central Ohio, LLC, has submitted the plats of subdivision for Berlin Bluffs Section 2 and Liberty Grand District Section 10, 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 for Berlin Bluffs Section 1 and Berlin Bluffs Section 2, Berlin Farm West Section 2 and Liberty Grand District Section 10:

Berlin Bluffs Section 1:

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lots 9 and 10, Section 3, Township 4, Range 18, United States Military Lands, being 36.366 acres all out of that original 58.75 acre tract of land, as conveyed to Pulte Homes of Ohio, LLC, a Michigan Limited Liability Company, of Record in Official Records 2010, Page 217, being of record in the Recorder’s Office, Delaware County, Ohio. Cost \$126.00 (*\$3.00 per buildable lot*)

Berlin Bluffs Section 2:

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lot 9, Section 3, Township 4, Range 18, United States Military Lands, being 16.897 acres all out of that original 58.75 acre tract of land, as conveyed to Pulte Homes of Ohio, LLC, a Michigan limited liability company, of Record in Official Records 2010, Page 217, being of record in the Recorder’s Office, Delaware County, Ohio. Cost: \$93.00 (*\$3.00 per buildable lot*)

Berlin Farm West Section 2:

Situated in the State of Ohio, County of Delaware, Township of Berlin, in Farm Lots 13 (15.233 AC.) and 15 (3.179 Ac.), Quarter Township 2, Township 4, Range 18, United States Military Lands, containing 18.412 acres of land, more or less, said 18.412 acres being comprised of a part of each of those tracts of land conveyed to M/I Homes of Central Ohio, LLC by deeds of record in Official Record 1974, Page 2607 and Official Record 2038, Page 2620, Recorder’s Office, Delaware County, Ohio. \$165.00 (*\$3.00 per buildable lot*)

Liberty Grand District Section 10:

Situated in the State of Ohio, County of Delaware, Township of Liberty, in Farm Lot 26, Quarter Township 2, Township 3, Range 19, United States Military Lands, containing 13.499 acres of land, more or less, said 13.499 acres being comprised of a resubdivision of Lot 6169 of the subdivision entitled “Liberty Grand Communities Section 1”, of record in Official record 1793, Page 2847, said Lot being part of that tract of land conveyed to M/I Homes of Central Ohio, LLC by deed of record in Official Record 1705, Page 1453, Recorder’s Office, Delaware County, Ohio. \$123.00 (*\$3.00 per buildable lot*)

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

**13
RESOLUTION NO. 24-411**

IN THE MATTER OF APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT FOR DEL-CR 10-05.60, SOUTH OLD STATE AND HOLLENBACK INTERSECTION IMPROVEMENTS:

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

WHEREAS, pursuant to Resolution No. 22-1162, adopted on December 29, 2022, this Board declared necessity for DEL-CR 10-05.60, South Old State and Hollenback Intersection Improvements and entered into an agreement with HNTB Ohio, Inc., for required engineering services associated with the improvements (the “Agreement”); and

WHEREAS, HNTB Ohio, Inc., has completed preliminary engineering for the proposed improvements under the direction of the County Engineer, pursuant to the Agreement; and

WHEREAS, the County Engineer has negotiated a scope of work and fee to perform detailed design of the improvements and recommends modifying the Agreement for such purpose;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the following Amendment No. 1 to the Agreement:

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**AMENDMENT NO. 1
PROFESSIONAL SERVICES AGREEMENT**

South Old State and Hollenback Intersection Improvements

This Amendment No. 1 to the Agreement dated December 29, 2022, is made and entered into on May 20, 2024, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (“County”), and HNTB Ohio Inc., 88 E. Broad Street, Suite 1600, Columbus, Ohio ,43215 (“Consultant”) (hereinafter collectively referred to as the “Parties”).

ARTICLE 1 – AMENDMENT

Pursuant to Section 3.1 of the Agreement, the Parties mutually agree to amend the Agreement as follows:

- A. Section 4.2 of the Agreement shall be modified to increase the maximum total compensation to Seven Hundred Twenty-Six Thousand Seven Hundred Seventy-One Dollars and Zero Cents (\$726,771.00).

ARTICLE 2 – REMAINING PROVISIONS

All other terms and conditions of the Agreement not specifically amended herein shall remain in full force and effect.

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

**14
RESOLUTION NO. 24-412**

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

It was moved by Mr. Benton, seconded by Mrs. Lewis, 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
UT2024-0099	SPECTRUM	VARIOUS	ROAD BORE
UT2024-0100	FRONTIER	COOVER RD	PLACE FIBER OPTIC CABLE
UT2024-0101	SPECTRUM	S 3 B'S & K RD	ROAD BORE
UT2024-0102	COLUMBIA GAS OF OHIO	HILLS MILLER RD	INSTALL GAS MAIN
UT2024-0103	COLUMBIA GAS OF OHIO	UNITAS LOOP IN LIBERTY GRAND	INSTALL GAS MAIN
UT2024-0104	COLUMBIA GAS OF OHIO	BOONE DR	INSTALL GAS MAIN

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

**15
RESOLUTION NO. 24-413**

IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATE FOR THE PROJECT KNOWN AS DEL-CR72-2.50 CHESHIRE ROAD:

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

WHEREAS, the County Engineer has prepared the plans, specifications and an estimate for the project known as DEL-CR72-2.50 Cheshire Road;

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

Section 1. The Board hereby approves the plans, specifications and estimate for the project known as DEL-CR72-2.50 Cheshire Road.

Section 2. The County Engineer is authorized to advertise for and receive bids on behalf of the Board in accordance with the following Public Notice:

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com web service until 10:00 am on Tuesday, June 18, 2024, at which time they will be publicly received and read aloud, for the project known as:

**DEL-CR72-2.50
Cheshire Road**

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All proposals shall be submitted electronically through the web service www.bidexpress.com. The bid shall be accompanied by a Bid Security in the form of a bid bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost.

The Owner of the project is the Delaware County Board of Commissioners. Copies of the plans and specifications must be obtained from www.bidexpress.com. All bidders must register and be a member of the web service to bid on the project.

This notice is posted on the Delaware County website at www.co.delaware.oh.us and may be accessed by selecting "Public Notices and Bids."

The Owner requires that all work associated with the project be completed before October 25, 2024. The estimated commencement of work date is July 9, 2024.

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4115 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. Bidders shall comply with all applicable provisions.

No bids shall be withdrawn for a period of sixty (60) days after the opening thereof. Awarding of the contract shall be to the Lowest and Best bidder as determined by the Delaware County Board of Commissioners in the best interest of Delaware County. The Board reserves the right to reject any or all bids.

Delaware Gazette Advertisement Dates: June 1, 2024

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

16

RESOLUTION NO. 24-414

IN THE MATTER OF RELEASING AND RETURNING THE FINANCIAL WARRANTY FOR BERLIN FARM WEST:

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

WHEREAS, on March 2, 2023, the Board of County Commissioners (the "Board") entered into a Developer's Agreement for new roadway access and improvements to Berlin Station Road with M/I Homes of Central Ohio, LLC (the "Owner") for Berlin Farm West; and

WHEREAS, the Owner has complied with their obligation under the Agreement; and

WHEREAS, the Engineer requests approval to return the financial warranty for Berlin Farm West being held as surety to the Owner;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby accepts the Engineer's recommendations stated herein and releases and returns the financial warranty in accordance with the Engineer's recommendations stated herein.

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

17

RESOLUTION NO. 24-415

IN THE MATTER OF AUTHORIZING THE SUBMITTING OF AN APPLICATION FOR THE OHIO AMBULANCE IMPACTED INDUSTRY PROGRAM GRANT FOR THE EMERGENCY MEDICAL SERVICES DEPARTMENT:

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

WHEREAS, the Director of Finance requests authorization to submit an application for the following grant to be used to distribute premium pay to eligible workers that performed essential work during the COVID-19 pandemic:

Grant # OH-ARPA-SLRF-HB 45-AMBULANCE 2
Source: U.S Department of Treasury, through the Ohio Office of Budget & Management
Grant Period: May 8, 2024 – September 30, 2024

Grant Amount: \$20,447.32
Local Match: 0.00
Total Grant Amount: \$20,447.32

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

Section 1. The Board hereby authorizes the submitting of an application for the Ohio Ambulance Impacted Industry Program Grant.

Section 2. The Board hereby designates the County Administrator as the authorized representative for the Grant with full authority to cause submission of the application, to take all other necessary actions, including approval and execution of the subrecipient agreement, to secure award of the Grant, and to accept the Grant on behalf of the Board. The Director of Finance shall be the grant contact for purposes of the Grant.

Section 3. When agreements, reports, or other documents require execution by the authorized representative, a copy thereof shall be provided to the Clerk of the Board, along with a copy of this Resolution.

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

RECESS AT 10:15 A.M. / RECONVENE AT 10:25 A.M.

10:00A.M. - PUBLIC HEARING FOR CONSIDERATION OF THE WORTZ #459 WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY CHRISTOPHER ACKER AND OTHERS:

The Board of Commissioners opened the hearing at 10:25 A.M.

The Board of Commissioners closed the hearing at 10:42 A.M.

RESOLUTION NO. 24-416

IN THE MATTER OF PROCEEDING WITH THE PROJECT SURVEY AND DESIGN FOR THE WORTZ #459 WATERSHED DRAINAGE IMPROVEMENT, PETITIONED BY CHRISTOPHER ACKER AND OTHERS:

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

WHEREAS, on October 31, 2023, a petition for the Wortz #459 Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the "Board"); and

WHEREAS, on February 22, 2024, the Board conducted a view of the proposed improvement; and

WHEREAS, on May 20, 2024, the Board held the first hearing on the petition; and

WHEREAS, after hearing the preliminary report of the Delaware County Engineer and any evidence offered by any owner for or against the granting of the proposed improvement or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, the Board is prepared to vote to determine whether to proceed with the project survey and design or to dismiss the petition, taking into consideration the petition, the preliminary report, and comments on the proposed improvement;

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

Section 1. The Board hereby finds that the proposed improvement is necessary, that it will be conducive to the public welfare, and that it is reasonably certain that the benefits of the proposed improvement will outweigh its costs. Accordingly, the Board hereby decides to proceed with the project survey and design.

Section 2. The Board hereby determines that the route and termini of the proposed improvement, and the manner of construction thereof, shall be as set forth in the Delaware County Engineer's preliminary report.

Section 3. The Board hereby orders the Delaware County Engineer to prepare reports, plans, and schedules for the proposed WORTZ #459 Watershed Drainage Improvement. The Board hereby sets May 20, 2026, as the date by which the Delaware County Engineer shall file the reports, plans, and schedules, whereupon a public hearing date will be set and proper notification given to property owners in the affected watershed.

Section 4. THE BOARD HEREBY APPROVES ESTABLISHING A NEW ORGANIZATION KEY FOR THE WORTZ #459 WATERSHED DRAINAGE IMPROVEMENT PROJECT 40311506.

Section 5. This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were conducted in compliance with the laws of the State of Ohio.

Section 6. This Resolution shall be effective immediately upon adoption.

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

ADMINISTRATOR REPORTS

CA Davies, DCA Huston, Attorney Hochstettler – Nothing to report

COMMISSIONERS' COMMITTEES REPORTS

Commissioner Benton – will be attending the Foster Parent dinner hosted by JFS on 05/21/24.

Commissioner Lewis – Nothing to report

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners