

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM SPECIAL JOINT SESSION WITH THE BOARD OF COMMISSIONERS OF
MARION COUNTY HELD AUGUST 6, 2024**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN A SPECIAL JOINT SESSION WITH THE BOARD OF COMMISSIONERS OF MARION COUNTY ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present:

**Gary Merrell, Delaware County Commissioner
Barb Lewis, Delaware County Commissioner - Absent
Jeff Benton, Delaware County Commissioner**

**Andy Appelfeller, Marion County Commissioner
Mark Davis, Marion County Commissioner
Kerr Murray, Marion County Commissioner**

RESOLUTION NO. 24-01

IN THE MATTER OF ORGANIZING A JOINT BOARD OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND THE MARION COUNTY BOARD OF COMMISSIONERS TO ADDRESS THE JAMES JOINT COUNTY WATERSHED DRAINAGE PETITION FILED BY JOSEPH ISLER:

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

WHEREAS, pursuant to section 6133.06 of the Revised Code, upon receipt of a joint county drainage petition the clerk of the board of commissioners of the lead county shall call a joint meeting of the boards of county commissioners of all affected for the purpose of organizing the joint board; and

WHEREAS, pursuant to section 6133.04 of the Revised Code, required that on the date fixed by the clerk of the board of county commissioners with whom the petition was filed, the board of county commissioners from each of the counties affected by a proposed joint county improvement shall meet and organize a joint board of county commissioners by electing one of their number president; and

WHEREAS, pursuant to section 6133.04 of the Revised Code, the clerk of the board of county commissioners of the lead county shall act as clerk and administrator of the joint board and shall enter the findings of the joint board in the journal of the board of county commissioners of the clerk's county, shall do all things required to be done by the clerk, and shall make the final record of the improvement in the clerk's county, providing copies of all proceedings with the clerks of the boards of all affected counties; and

WHEREAS, pursuant to section 6133.04 of the Revised Code, the director of natural resources shall be a member ex officio of the joint board and may participate, either in person or through a designated representative, in deliberations and proceedings of the joint board but shall have no vote except in case of a tie, in which case the proceedings shall be adjourned for thirty days, during which time the director shall review the proceedings and cast the deciding vote;

THEREFORE BE IT RESOLVED, on Tuesday August 6, 2024 at 9:30A.M. the Delaware County Board of Commissioners and the Marion County Board of Commissioners met and established a Joint Board of Commissioners of Delaware County, Ohio and Marion County, Ohio (the "Joint Board") to address the James Joint County Watershed Drainage Petition Filed By Joseph Isler;

FURTHER BE IT RESOLVED, that **Commissioner Gary Merrell, of Delaware County** is elected President of the Joint Board.

Vote on Motion:

**Jeff Benton, Delaware County Commissioner - Aye
Barb Lewis, Delaware County Commissioner - Absent
Gary Merrell, Delaware County Commissioner - Aye
Andy Appelfeller, Marion County Commissioner - Aye
Mark Davis, Marion County Commissioner - Aye
Kerr Murray, Marion County Commissioner - Aye**

RESOLUTION NO. 24-02

IN THE MATTER OF SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF A JOINT COUNTY DRAINAGE PETITION FILED BY JOSEPH ISLER FOR THE JAMES JOINT COUNTY WATERSHED:

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

WHEREAS, the Clerk of the Board of Commissioners of Delaware County gave notice to the Joint Board of Commissioners of Delaware County, Ohio and Marion County, Ohio (the "Joint Board") and the County Engineer of Delaware County, Ohio, on the filing with her of a petition signed by Joseph Isler, to:

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-Generally improve the drainage, both surface and subsurface, to good and sufficient outlet, by replacing, repairing or altering the existing improvements as required and/or creating new surface and subsurface drainage mains or lateral as requested, by this petition.

-In Delaware County, Marlboro Township and Marion County, Waldo Township, within the James Joint County Watershed and generally following, but not limited to, the course and termini of the existing improvement; and

WHEREAS, the proper bond has been filed with the Clerk, approved and conditioned to pay all costs associated in preparing for the view and first hearing if the petition is not granted or if the petition is for any cause dismissed;

NOW, THEREFORE, BE IT RESOLVED by the Joint Board of Commissioners of Delaware County, Ohio and Marion County, Ohio, that **Monday September 9, 2024, at 11:00A.M.**, at the Office of the Board of Delaware County Commissioners, 91 North Sandusky Street Delaware, Ohio 43015, is hereby fixed as the time and place for the Joint Board to view the proposed improvement, through the use of video technology; and

BE IT FURTHER RESOLVED that **Monday November 25, 2024 at 1:30P.M.**, at the Office of the Board of Delaware County Commissioners, 91 North Sandusky Street Delaware, Ohio, is hereby fixed as the time and place for the first hearing on the petition; and

BE IT FURTHER RESOLVED that notice of said view and hearing be given, as required by law.

Vote on Motion:

- Jeff Benton, Delaware County Commissioner - Aye**
- Barb Lewis, Delaware County Commissioner - Absent**
- Gary Merrell, Delaware County Commissioner - Aye**
- Andy Appelfeller, Marion County Commissioner - Aye**
- Mark Davis, Marion County Commissioner - Aye**
- Kerr Murray, Marion County Commissioner - Aye**

There being no further business, the meeting adjourned.

Jeff Benton, Delaware County Commissioner

Barb Lewis, Delaware County Commissioner

Gary Merrell, Delaware County Commissioner

Andy Appelfeller, Marion County Commissioner

Mark Davis, Marion County Commissioner

Kerr Murray, Marion County Commissioner

Jennifer Walraven, Clerk to the Commissioners