

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 24, 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. 24-849**

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 21, 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 October 21, 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. 24-850**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 1023 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR 1023:

It was moved by Mr. Benton, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 1023, memo transfers in batch numbers MTAPR 1023 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2400310) Fishel Downey Albrecht	Self Insured Workers Comp	61311923-5361	\$10,000.00
(P2400978) KE WA PA Sales	Land & Buildings	10011105-5201	\$10,000.00
(P2403374) 2K General	Capital Improvements Reserve	42011438-5410	\$47,788.22
(P22402112) Commissioners	JFS Administration	22411605-5380	\$65,189.96
(P2400291) JFS	Human Resources	10011108-5370	\$14,754.59

PR Number	Vendor Name	Line Description	Account	Amount
R2404953	OFFICE CITY EXPRESS INC	FURNITURE - PUBLIC DEFENDER RENOVATIONS	42011438 - 5410	\$ 126,493.77
R2404957	SELLERS ELECTRIC CO INC	GENERATOR EMS 1 - MATERIALS	40111402 - 5228	\$ 8,500.00
R2404957	SELLERS ELECTRIC CO INC	GENERATOR EMS 1 - LABOR	40111402 - 5328	\$ 6,000.00
R2405000	VASU COMMUNICATIONS INC	P25 COMPLIANT MOBILES FOR PUBLIC SAFETY VEHICLES	21411306 - 5260	\$ 42,302.96

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

**4
RESOLUTION NO. 24-851**

IN THE MATTER OF SCHEDULING THE SPECIAL COMMISSIONERS' SESSIONS FOR THE 2025 BUDGET HEARINGS STARTING AT 11:30A.M. WEDNESDAY, NOVEMBER 6, 2024, AND CONTINUING THRU THURSDAY, NOVEMBER 7, 2024:

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It was moved by Mrs. Lewis, seconded by Mr. Benton, to approve scheduling the Special Commissioners' Sessions for the 2025 budget hearings starting at 11:30A.M. Wednesday, November 6, 2024, and continuing thru Thursday, November 7, 2024;

Starting times for each day are as follows:
Wednesday, November 6, 2024 at 11:30 A.M.
Thursday, November 7, 2024 at 10:30 A.M.

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

**5
RESOLUTION NO. 24-852**

IN THE MATTER OF A TRANSFER LIQUOR LICENSE REQUEST FROM TAMARKINN CO. DBA GETGO 3503 TO GETGO OPERATING LLC DBA GETGO 3503 AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a transfer of a D1 and C2 license from Tamarkinn Co. DBA Getgo 3503 to Getgo Operating LLC dba Getgo 3503, located at 9151 Columbus Pike, 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. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

**6
RESOLUTION NO. 24-853**

IN THE MATTER OF RE-APPOINTING MEMBERS TO VARIOUS BOARDS:

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

WHEREAS, the Delaware County Board of Commissioners (the "Board of Commissioners") established the Delaware County Board of Building Appeals (the "BBA") pursuant to section 307.381 of the Revised Code and is responsible for making appointments thereto pursuant to section 307.381 of the Revised Code and DC 501 of the Building Code of Delaware County; and

WHEREAS the Board of Commissioners created the Delaware County Board of Zoning Appeals (the "BZA") and is responsible for making appointments thereto pursuant to section 303.13 of the Revised Code; and

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 the Board of Commissioners is responsible for making appointments thereto pursuant to section 5126.021, *et seq.*, of the Revised Code; and

WHEREAS, the Delaware County Law Library Resources Board was established on July 1, 2009, pursuant to section 307.51, *et seq.*, of the Revised Code, and the Board of Commissioners is responsible for the appointment of two (2) members pursuant to section 307.511 of the Revised Code; and

WHEREAS, the Board of Commissioners created the Delaware County Rural Zoning Commission (the "RZC") pursuant to section 303.04 of the Revised Code, and as necessary, the Board of Commissioners is responsible for making appointments to the RZC to fill vacancies in both unexpired and expired terms; and

WHEREAS, the Delaware County Convention & Visitors Bureau (the "Visitors Bureau") is a not-for-profit organization established and existing under Ohio laws and operating as the convention and visitors bureau within Delaware County to promote tourism and attract visitors and conventions to the County, and the Board of Commissioners is responsible for appointing one (1) representative pursuant to the Visitors Bureau's organizing documents; and

WHEREAS, the term of Ray Blinn (BBA-4) will expire on December 31, 2024, and Mr. Blinn has expressed a desire to be re-appointed to the BBA-4 seat; and

WHEREAS, the term of Kent Manley (BZA-4) will expire on December 31, 2024, and Mr. Manley has expressed a desire to be re-appointed to the BZA-4 seat; and

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WHEREAS, the terms of Erica Fouss, Michael Fulton and Howard Heffelfinger on the DCBDD will expire on December 31, 2024, and Ms. Fouss, Mr. Fulton and Mr. Heffelfinger desire to be re-appointed; and

WHEREAS, the term of Dorci Gass-Lower on the Law Library Resources Board will expire on December 31, 2024, and Ms. Gass-Lower has expressed a desire to be re-appointed; and

WHEREAS, the term of Kent King (RZC-4) will expire on December 31, 2024, and Mr. King has expressed a desire to be re-appointed to the RZC-4 seat; and

WHEREAS, the term of Rob Leeds on the Visitors Bureau will expire December 31, 2024, and Mr. Leeds has expressed a desire to be re-appointed; and

WHEREAS, on June 20, 2013, the Board of Commissioners adopted Resolution No. 13-645, adopting a policy for the appointment of members to boards and commissions (the "Policy"), which requires posting of all available positions for at least fourteen (14) days and permits the Board of Commissioners to conduct interviews of any applicants; and

WHEREAS, the Board of Commissioners desires to approve an exception to the Policy in order to re-appoint members to the BBA, BZA, DCBDD, Law Library Resources Board, RZC and Visitors Bureau;

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

Section 1. The Board of Commissioners hereby approves an exception to the Policy for the re-appointments made herein by choosing to waive the requirement for posting the positions and to proceed directly to re-appointment.

Section 2. The Board of Commissioners hereby approves the re-appointment of the following members for the terms specified herein:

Position	Appointee	Term Ends
BBA-4	Ray Blinn	December 31, 2029
BZA-4	Kent Manley	December 31, 2029
DCBDD	Erica Fouss	December 31, 2028
DCBDD	Michael Fulton	December 31, 2028
DCBDD	Howard Heffelfinger	December 31, 2028
Law Library Resources Board	Dorci Gass-Lower	December 31, 2029
RZC-4	Kent King	December 31, 2029
Visitors Bureau	Rob Leeds	December 31, 2027

Section 3. The re-appointments made herein shall be effective January 1, 2025:

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

7

RESOLUTION NO. 24-854

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

It was moved by Mrs. Lewis, seconded by Mr. Benton, 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 Front of Historic Courthouse Grounds for Veteran's Day Ceremony hosted by Delaware County Veteran Services Office on November 11, 2024; at no cost.

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

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RESOLUTION NO 24-855

IN THE MATTER OF ESTABLISHING A NEW FUND AND NEW ORGANIZATION KEY, APPROVING SUPPLEMENTAL APPROPRIATIONS, A REVISED REVENUE ESTIMATE, AND A TRANSFER OF FUNDS:

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

New Fund		
367	Escrow Administration	
New Organization Key		
36714109	Escrow Administration	
Supplemental Appropriation		
36714109-5001	Escrow Administration/Compensation	41,990.00
36714109-5102	Escrow Administration/Workers Comp	7,560.00
36714109-5120	Escrow Administration/County Shares/OPERS	2,856.00
36714109-5131	Escrow Administration/County Share/Medicare	500.00
76714903-5801	Escrow Administration/Miscellaneous Cash Transfers	288,977.88
Revenue Estimate Revision		
36714109-4733	Escrow Administration/Misc Non-Revenue Receipts	155,500.00
36714109-4601	Escrow Administration/Interfund Revenues	288,977.88
Transfer of Funds		
From:	To:	
76714903-5801	36714109-4601	288,977.88
Escrow Administration/Miscellaneous Cash Transfers	Escrow Administration/Interfund Revenues	

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

9
RESOLUTION NO. 24-856

IN THE MATTER OF APPROVING AN ADVANCE OF FUNDS:

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

Advance of Funds		
From:	To:	
10011102-8500	20411305-8400	75,000.00
Commissioners General/Advance Out	Dog and Kennel/Advance In	

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

10
RESOLUTION NO. 24-857

IN THE MATTER OF AUTHORIZING THE PURCHASE OF FURNITURE, FIXTURES, AND EQUIPMENT FOR THE PUBLIC DEFENDER’S OFFICE:

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

WHEREAS, pursuant to section 307.01 of the Revised Code, the Delaware County Board of Commissioners (the “Board”) shall provide offices for county officers and departments, including all necessary furniture, fixtures, and equipment (“FFE”) for such offices; and

WHEREAS, the Delaware County Director of Facilities has received quotes to provide FFE for the Delaware County Public Defender’s Office, as a part of the 109 North Sandusky Street renovation project, and recommends authorizing purchase of the FFE in accordance with the quote submitted by Office City Express; and

WHEREAS, the Board participates in the OMNIA Partners cooperative purchasing program (the “Program”), and the FFE is available for purchase through the Program;

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

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Section 1. The Board hereby authorizes the purchase of FFE from Office City Express at the total cost of \$126,493.77, in accordance with the quotation dated October 15, 2024, and the Standard Terms & Conditions of Sale attached thereto, which are hereby approved.

Section 2. The purchase authorized in Section 1 shall be subject to the terms, conditions, and specifications of Program Contract # R190301, for which Office City Express is an authorized dealer.

Section 3. The Board hereby approves the necessary purchase order(s) for the purchase approved herein, incorporating by reference the terms and conditions of the documents referenced herein.

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

11**ADMINISTRATOR REPORTS**

CA Davies – Nothing to report.

Attorney Hochstettler – Nothing to report.

12**COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Benton – Attended the Sunbury Chamber Housing panel discussion. He also attended a 10 year Celebration for Goodwill. He will be attending the Chamber of Commerce open house event this evening and a Regional Planning meeting.

Commissioner Lewis – Attended the 10 year celebration of Goodwill. Mrs. Lewis would like to recognize Carlos Crawford, Delaware County Public Defender, on his achievement of receiving a State Award for his outstanding performance.

Commissioner Merrell – Will be attending the Regional Planning meeting this evening. He will also be attending a CCAO board meeting on 10/25/24. Mr. Merrell gave a reminder about early voting and gave comments about sales tax.

13**RESOLUTION NO. 24-858**

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT AND DISCIPLINE OF A PUBLIC EMPLOYEE OR A PUBLIC OFFICIAL AND CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:

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 Employment and Discipline of a Public Employee or a Public Official and 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 Negotiations with other political subdivisions respecting requests for Economic Development Assistance.

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Section 2. The Board hereby adjourns into 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.

Section 3. The Board hereby finds and determines that the information listed in Section 2 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.

Section 4. The Board hereby finds and determines that the executive session held pursuant to Section 2 is necessary to protect the interests of an applicant for economic development assistance or the possible investment or expenditure of public funds to be made in connection with the economic development project.

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

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RESOLUTION NO. 24-859**

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. Benton Aye Mrs. Lewis Aye Mr. Merrell Aye

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners