

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 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. 24-895**

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 31, 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 31, 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. 24-896**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 1101:

It was moved by Mr. Benton, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 1101 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2403285) Image Trend	Emergency Medical Services	100011303-5320	\$10,543.60

PR Number	Vendor Name	Line Description	Account	Amount
R2405011	LAWHON AND ASSOCIATES INC	HOME RD CEMETERY - MECHANICAL TRENCHING SURVEY	10011102 - 5301	\$ 5,500.00
R2405080	NORTHWOODS CONSULTING PARTNERS INC	DOCUMENT MIGRATION TO EDMS	23711630 - 5301	\$ 31,000.00
R2405117	WATEREUSE ASSOCIATION	2025 WATEREUSE MEMBERSHIP FEE	66211900 - 5308	\$ 5,459.00
R2405123	DITCH MAINTENANCE	RADNOR #2015-1 START UP FEES	40311458 - 5328	\$ 7,145.12
R2405124	DITCH MAINTENANCE	LANETTA LANE START UP FEES	40311474 - 5328	\$ 7,000.00
R2405126	SOIL & WATER CONSERVATION DISTRICT	DITCH PETITION CHARGES	10011102 - 5328	\$ 39,219.63
R2405127	COMMISSIONERS	BIG BEAR FARMS 2-2 DITCH PETITION CHARGES	40311505 - 5328	\$ 487.50
R2405127	COMMISSIONERS	BUELL #542 DITCH PETITION CHARGES	40311489 - 5328	\$ 2,720.51
R2405127	COMMISSIONERS	CHANCEL GATE DITCH PETITION CHARGES	40311488 - 5328	\$ 580.14
R2405127	COMMISSIONERS	DAVIS #240 DITCH PETITION CHARGES	40311480 - 5328	\$ 2,372.96
R2405127	COMMISSIONERS	EVANS #354 DITCH PETITION CHARGES	40311490 - 5328	\$ 1,799.16
R2405127	COMMISSIONERS	FELKNER #302 DITCH PETITION CHARGES	40311500 - 5328	\$ 367.29
R2405127	COMMISSIONERS	FRANKLIN DITCH	40311478 - 5328	\$ 2,900.83

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 2024**

		PETITION CHARGES		
R2405127	COMMISSIONERS	GRIFFITH #391 DITCH PETITION CHARGES	40311484 - 5328	\$ 3,236.26
R2405127	COMMISSIONERS	HARSH #480 DITCH PETITION CHARGES	40311491 - 5328	\$ 1,181.17
R2405127	COMMISSIONERS	HOOVER #61 DITCH PETITION CHARGES	40311475 - 5328	\$ 1,435.72
R2405127	COMMISSIONERS	JONES #60 DITCH PETITION CHARGES	40311496 - 5328	\$ 157.47
R2405127	COMMISSIONERS	LANETTA LANE DITCH PETITION CHARGES	40311474 - 5328	\$ 7,324.97
R2405127	COMMISSIONERS	MCNAMARA #582 DITCH PETITION CHARGES	40311483 - 5328	\$ 1,346.60
R2405127	COMMISSIONERS	LAWRENCE #22 DITCH PETITION CHARGES	40311492 - 5328	\$ 56.32
R2405127	COMMISSIONERS	MOORE NO 1 #361 DITCH PETITION CHARGES	40311499 - 5328	\$ 458.70
R2405127	COMMISSIONERS	RADNOR TWP #2015-1 DITCH PETITION CHARGES	40311458 - 5328	\$ 4,441.90
R2405127	COMMISSIONERS	RIBOV #620 DITCH PETITION CHARGES	40311450 - 5328	\$ 224.96
R2405127	COMMISSIONERS	VIENOT #23 DITCH PETITION CHARGES	40311493 - 5328	\$ 82.85
R2405127	COMMISSIONERS	MILLER-WILLIAMS-HOLMES DITCH PETITION CHARGES	40311495 - 5328	\$ 1,251.22
R2405127	COMMISSIONERS	WATSON FORD #25 DITCH PETITION CHARGES	40311477 - 5328	\$ 2,161.26
R2405127	COMMISSIONERS	WEBSTER ARNOLD #355 DITCH PETITION CHARGES	40311455 - 5328	\$ 185.45
R2405127	COMMISSIONERS	WORTZ #459 DITCH PETITION CHARGES	40311506 - 5328	\$ 404.05
R2405127	COMMISSIONERS	ZERBE-O'KEEFE #265 DITCH PETITION CHARGES	40311482 - 5328	\$ 4,042.34

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

**4
RESOLUTION NO. 24-897**

IN THE MATTER OF RECOGNIZING NOVEMBER 2024 AS ADOPTION RECOGNITION AND RECRUITMENT MONTH IN DELAWARE COUNTY:

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

WHEREAS, the theme for National Adoption Month - November 2024 is “Honoring Youth: Strengthening Pathways for Lasting Bonds”; and

WHEREAS, more than 3,300 Ohio children live in out-of-home settings awaiting adoption; and

WHEREAS, the Delaware County Department of Job and Family Services continues to recruit, train and license qualified applicants for the sole purpose of providing loving and stable foster and adoptive homes to children and youth; and

WHEREAS, in Delaware County, 16 children and youth in the temporary or permanent custody of the Department are residing in licensed foster homes or other out-of-home settings including group homes and residential centers; and four are awaiting adoption, with two of them matched with adoptive parents; and the Department is working in conjunction with other states to facilitate the adoptions of three children with Delaware County families; and

WHEREAS, children and youth fare best when placed in loving families where permanence has been achieved, with adoption enriching the lives of the children, families and the communities who welcome them; and

WHEREAS, profiles of all Ohio youth in need of adoptive families can be found at FosterAndAdopt.jfs.ohio.gov/profiles.

NOW THEREFORE, we, the Commissioners of Delaware County, Ohio, do hereby recognize November 2024 as Adoption Recognition and Recruitment Month.

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

COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 2024

5
RESOLUTION NO. 24-898

IN THE MATTER OF RE-ELECTING MEMBERS OF THE DELAWARE COUNTY VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND BOARD:

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

WHEREAS, on April 7, 2016, the Delaware County Board of Commissioners (the "Board of Commissioners") adopted Resolution No. 16-324, establishing the Delaware County Volunteer Peace Officers' Dependents Fund Board pursuant to section 143.02 of the Revised Code; and

WHEREAS, the Board of Commissioners shall elect two members to the Delaware County Volunteer Peace Officers' Dependents Fund Board each year not earlier than the first day of November and not later than the second Monday in December for terms that commence on the first day of January and that are for one year; and

WHEREAS, the terms of Sheriff Jeffrey Balzer and Brad Euans will expire on December 31, 2024; and

WHEREAS, Sheriff Balzer and Mr. Euans have applied for re-election to the Delaware County Volunteer Peace Officers' Dependents Fund Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby re-elects Sheriff Jeffrey Balzer and Brad Euans as members of the Delaware County Volunteer Peace Officers' Dependents Fund Board for terms of one year, commencing on January 1, 2025, and expiring on December 31, 2025.

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

6
RESOLUTION NO. 24-899

IN THE MATTER OF ACCEPTING THE ROADS, APPROVING RECOMMENDED SPEED LIMITS, ESTABLISHING STOP CONDITIONS, AND RELEASING THE MAINTENANCE BOND FOR ORANGE SUMMIT COMMUNITIES - RAIL TIMBER WAY:

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

WHEREAS, the Engineer has reviewed the roadway construction of the roads in Orange Summit Communities Rail Timber Way (the "Subdivision"), finds it to be constructed in accordance with the approved plans, and recommends that the following roadways within the Subdivision be accepted into the public system:

- An addition of 0.998 miles to Township Road Number 1478, Rail Timber Way; and

WHEREAS, the Engineer recommends that the following stop conditions be established within the Subdivision:

- On Township Road Number 1478, Rail Timber Way, at its intersection with Township Road Number 100, Shanahan Road; and

WHEREAS, the Engineer recommends that 25-mile-per-hour speed limits be established throughout the Subdivision; and

WHEREAS, the Engineer also requests approval to return the maintenance bond to Nickolas M. Savko & Sons, Inc.;

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 accepts the roads, approves speed limits and stop conditions, and releases the maintenance bond in accordance with the Engineer's recommendations stated herein.

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

7
RESOLUTION NO. 24-900

IN THE MATTER OF APPROVING THE DRAINAGE MAINTENANCE PETITION AND DITCH MAINTENANCE ASSESSMENT FOR INDEPENDENT LIVING AT OLD STATE:

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

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 2024**

WHEREAS, on November 4, 2024, a Ditch Maintenance Petition for Independent Living at Old State (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within Independent Living at Old State, 5 acres in Orange Township; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$31,783.88 and a detailed cost estimate is attached. The drainage improvements are being constructed for the benefit of the lot(s) being created in the subject site. The developed area of 5.00 acres will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is, therefore, \$6,356.78 per acre. An annual maintenance fee equal to 2% of this basis (\$127.14) will be collected for each developed acre. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$635.70 has been paid to Delaware County.

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

**8
RESOLUTION NO. 24-901**

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:

<u>PERMIT #</u>	<u>APPLICANT</u>	<u>LOCATION</u>	<u>TYPE OF WORK</u>
UT2024-0215	AT&T	VICTORIA CT	ROAD BORE
UT2024-0216	COLUMBIA GAS	TUSSIC STREET RD	REPLACE GAS LINE
UT2024-0217	THAYER POWER	ENTERPRISE DR	ROAD BORE
UT2024-0218	AT&T	SAWMILL PKWY	ROAD BORE
UT2024-0219	SUBURBAN NATURAL GAS	EVANS FARM 5&6	GAS LINE
UT2024-0220	SUBURBAN NATURAL GAS	RAVINES AT HOOVER	GAS LINE

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

**9
ADMINISTRATOR REPORTS**

- CA Davies** – Reminder of Budget Hearings this week.
- DCA Huston** – Reminder of open enrollment for benefits ends this Friday.
- Attorney Hochstettler** – Nothing to report.

COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 2024

**10
COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Lewis – The new Sunbury Police Station will have it’s Grand Opening this week.

Commissioner Benton – Attended the Berkshire Park Ribbon Cutting Ceremony on 11/02/24. He also attended the Life Long Learning Institute at OWU over the weekend. Reminder of Election Day is tomorrow 11/05/24.

Commissioner Merrell – Participated in the Veteran’s Day Parade on 11/03/24, gave appreciation to Margo Michaels on coordinating the parade every year.

**11
MID-OHIO REGIONAL PLANNING COMMISSION PRESENTATION**

**WILLIAM MURDOCK, EXECUTIVE DIRECTOR OF MORPC
JOE GARRITY, SENIOR DIRECTOR OF GOVERNMENT AFFAIRS AND COMMUNITY
RELATIONS
EILEEN LEUBY, MEMBER SERVICES OFFICER**

**12
RESOLUTION NO. 24-902**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF
THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND TO CONSIDER THE SALE OF
PROPERTY AT COMPETITIVE BIDDING:**

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 the Purchase of Property for Public Purposes and to consider the Sale of Property at Competitive Bidding.

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

**13
RESOLUTION NO. 24-903**

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 Mrs. Lewis Aye Mr. Merrell Aye Mr. Benton Aye

Recessed at 10:15 a.m. / Reconvene at 10:30 a.m.

There being no further business, the meeting adjourned.

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 4, 2024**

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners