

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JANUARY 23, 2025**

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

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

**1
RESOLUTION NO. 25-31**

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 16, 2025:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on January 16, 2025; 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 Absent Mrs. Lewis Aye

**2
PUBLIC COMMENT**

**3
RESOLUTION NO. 25-32**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0122, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0122, AND PROCUREMENT CARD PAYMENTS IN BATCH NUMBER PCAPR0122:

It was moved by Mr. Merrell, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0122, memo transfers in batch numbers MTAPR0122, Procurement Card Payments in batch number PCAPR0122, and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2500960) Various JFS Adopt	Children's Services	22511607-5350	\$32,150.00

PR Number	Vendor Name	Line Description	Account	Amount
R2501291	TERRACON CONSULTANTS INC	PROFESSIONAL SERVICE L	10011105 - 5301	\$ 6,750.00
R2501302	PNC BANK	MATERIALS & SUPPLIES	10011302 - 5200	\$ 5,000.00
R2501302	PNC BANK	SERVICES & CHARGES	10011302 - 5300	\$ 5,000.00
R2501449	ABLE FENCE OF COLUMBUS INC	BYXBE GATE REPAIR	60111901 - 5370	\$ 6,836.00
R2501495	KE WA PA SALES INC	JANITORIAL SUPPLIES	10011303 - 5201	\$ 10,000.00
R2501507	MISSIONCIT LLC	EMS PROMOTIONAL EXAM SVCS	10011303 - 5301	\$ 13,500.00
R2501513	EMS TECHNOLOGY SOLUTIONS LLC	RFID READER LIC PRINTER LABEL TAG	10011303 - 5260	\$ 39,850.00
R2501513	EMS TECHNOLOGY SOLUTIONS LLC	RFID REMOTE TRAINING	10011303 - 5305	\$ 1,060.00
R2501539	COMMISSIONERS	2025 COST ALLOCATION	22411605 - 5380	\$ 526,293.96
R2501547	COMMISSIONERS	WIOA COST ALLOCATION 2025	22311611 - 5380	\$ 13,975.00
R2501547	COMMISSIONERS	CCMEP COST ALLOCATION 2025	22411603 - 5380	\$ 600.00
R2501557	ERGOTECH CONTROLS INC	(5) CRADLEPOINT ROUTERS	66211900 - 5260	\$ 5,718.60
R2501635	SUPERION LLC	ANNUAL RENEWAL - ENGINEER	29214001 - 5321	\$ 4,244.62

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R2501635	SUPERION LLC	ANNUAL RENEWAL - BUILDING SAFETY	10011301 - 5321	\$ 6,602.75
R2501635	SUPERION LLC	ANNUAL RENEWAL - REGIONAL SEWER	66211900 - 5321	\$ 3,773.00
R2501635	SUPERION LLC	ANNUAL RENEWAL - SOIL & WATER	72190901 - 5321	\$ 1,414.88
R2501635	SUPERION LLC	ANNUAL RENEWAL - REGIONAL PLANNING	72070701 - 5321	\$ 943.25
R2501639	BLUEBEAM INC	ANNUAL RENEWAL - BUILDING SAFETY	10011301 - 5321	\$ 2,012.20
R2501639	BLUEBEAM INC	ANNUAL RENEWAL - ENGINEER	29214001 - 5321	\$ 9,256.10
R2501639	BLUEBEAM INC	ANNUAL RENEWAL - REGIONAL SEWER	66211900 - 5321	\$ 4,024.39
R2501639	BLUEBEAM INC	ANNUAL RENEWAL - SOIL & WATER	72190901 - 5321	\$ 804.87
R2501639	BLUEBEAM INC	ANNUAL RENEWAL - FACILITIES	10011105 - 5321	\$ 402.44
R2501659	CLEMANS NELSON & ASSOC INC	PROFESSIONAL SERVICES FOR MARKET RESEARCH	66211900 - 5301	\$ 15,000.00
R2501666	CDM SMITH INC	RESOLUTION 22-1116	66611900 - 5415	\$ 9,958.00
R2501668	MS CONSULTANTS INC	PACKAGE PLANT UPGRADES PROJECT - RESOLUTIONS	66611900 - 5410	\$ 394,381.61
R2501671	MS CONSULTANTS INC	ALUM CREEK UV UGRADES PROJECT - RESOLUTION 22-693	66611900 - 5410	\$ 104,212.50
R2501673	PETERSON CONSTRUCTION CO	OECC HEADWORKS AND AERATION PROJECT	66611900 - 5410	\$ 2,731,041.16
R2501674	DELL MARKETING LP	5 DELL OPTIPLEX ALL IN ONE 7420 COMPUTERS	66211900 - 5260	\$ 6,962.20
R2501675	MS CONSULTANTS INC	RESOLUTIONS 19-969 AND 23-202	66711900 - 5410	\$ 5,085.58
R2501686	TREASURER, DELAWARE COUNTY	PROPERTY TAX - 888 US HWY 42 N	10011102 - 5380	\$ 53,328.39
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - AUDITOR	10010102 - 5335	\$ 7,500.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - COMMISSIONERS	10011102 - 5335	\$ 5,400.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - FACILITIES	10011105 - 5335	\$ 45,800.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - BUILDING SAFETY	10011301 - 5335	\$ 70,000.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - EMS	10011303 - 5335	\$ 17,500.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - PROSECUTOR	10012101 - 5335	\$ 5,400.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - JUVENILE COURT	10026201 - 5335	\$ 18,900.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - CORONER	10030301 - 5335	\$ 4,900.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - SHERIFF	10031301 - 5335	\$ 80,000.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - VETERANS SERVICES	10062601 - 5335	\$ 55,800.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - AUDITOR REA	20110105 - 5335	\$ 4,200.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - DOG WARDEN	20411305 - 5335	\$ 32,700.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - JOB & FAMILY SERVICES	22411605 - 5335	\$ 27,100.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - GUARDIANSHIP SERVICES BOARD	25087023 - 5335	\$ 5,400.00
R2501687	ENTERPRISE FM TRUST	VEHICLE LEASES - REGIONAL SEWER	66211900 - 5335	\$ 155,000.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - AUDITOR FISCAL	10010101 - 5325	\$ 1,900.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - COMMISSIONERS	10011101 - 5325	\$ 3,700.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - RECORDS CENTER	10011103 - 5325	\$ 650.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - FACILITIES	10011105 - 5325	\$ 500.00

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R2501689	PERRY PROTECH INC	COPIER CONTRACT - HUMAN RESOURCES	10011108 - 5325	\$ 1,850.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - BUILDING SAFETY	10011301 - 5325	\$ 1,300.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - EMS	10011303 - 5325	\$ 1,300.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - PROSECUTOR	10012101 - 5325	\$ 3,900.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - BOE	10016101 - 5325	\$ 20,000.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - CLERK OF COURTS	10020201 - 5325	\$ 4,500.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - DOMESTIC RELATIONS	10023201 - 5325	\$ 3,200.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - COMMON PLEAS	10025201 - 5325	\$ 2,000.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - JUVENILE COURT	10026201 - 5325	\$ 5,000.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - SHERIFF	10031301 - 5325	\$ 6,500.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - JAIL	10031303 - 5325	\$ 2,000.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - VETERANS SERVICES	10062601 - 5325	\$ 1,225.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - PUBLIC DEFENDER	10083801 - 5325	\$ 2,900.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - AUDITOR REA	20110105 - 5325	\$ 2,200.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - AUDITOR GIS	20110106 - 5325	\$ 600.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - DOG WARDEN	20411305 - 5325	\$ 125.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - LAW LIBRARY	20683201 - 5325	\$ 800.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - 911	21411306 - 5325	\$ 800.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - JFS	22411605 - 5325	\$ 4,750.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - CSEA	23711630 - 5325	\$ 3,100.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - RECORDER	24113102 - 5325	\$ 2,500.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - CLERK OF COURTS NP	24820102 - 5325	\$ 500.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - GUARDIANSHIP SERVICES BOARD	25087023 - 5325	\$ 250.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - ADULT COURT SERVICES	25622303 - 5325	\$ 1,950.00
R2501689	PERRY PROTECH INC	COPIER CONTRACT - REGIONAL SEWER	66211900 - 5325	\$ 2,600.00

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

4

RESOLUTION NO. 25-33

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Job and Family Services Department is requesting that Robert Anderson attend NPELRA National Conference in Portland, OR, from June 22-26, 2025, at the cost of \$2,165.00.

The Emergency Services Department is requesting that Jess Paqari and Libby Wurst attend CIC Power Prep Course and CIC Examination virtually, on March 17, 2025, at the cost of \$2,850.00.

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

5

RESOLUTION NO. 25-34

IN THE MATTER OF SUBMITTING TO THE ELECTORS AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN MILL LIMITATION FOR THE DELAWARE COUNTY DISTRICT LIBRARY (R.C.

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SECTIONS 5705.03, 5705.23):

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

WHEREAS, the Board of Library Trustees of the Delaware County District Library, Delaware, Franklin, Marion, Morrow and Union Counties, Ohio (the “Library”), a public library subject to the jurisdiction of Delaware County, has passed a resolution requesting Delaware County to seek voter approval of an additional tax levy for current expenses of the Library; and

WHEREAS, the Delaware County Auditor (“County Auditor”) has certified that such tax will generate \$10,459,000 during the first year of collection, based on the current tax valuation of the Library’s service area (as defined by the State Library Board, pursuant to Ohio Revised Code Section 3375.01, the “Library Service Area”) of \$10,459,320,080, and that 1.00 mill for each \$1 of taxable value amounts to \$35 for each \$100,000 of the County Auditor’s appraised value; and

WHEREAS, pursuant to Ohio Revised Code Section 5705.23, upon receipt of the Library’s resolution, the Board of County Commissioners of Delaware County, Ohio, shall adopt a resolution providing for the submission of such tax levy to the electors of the Library Service Area, which resolution shall otherwise conform to the resolution certified to it by the Library and which shall be certified to the Board of Elections not less than ninety days before the date of such election;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Delaware County, Ohio, two-thirds of the members elected thereto concurring, that:

Section 1. The Library has, pursuant to Ohio Revised Code Section 5705.23, adopted a resolution declaring that it is necessary to levy an additional tax in excess of the ten-mill limitation for current expenses of the Library.

Section 2. The question of such additional tax levy shall be submitted to the electors of the entire territory of the Library Service Area at the election to be held therein on May 6, 2025. The tax shall be levied upon the entire territory of the Library Service Area. All of the territory of the Library Service Area is in Delaware, Union, Morrow, Marion and Franklin Counties, Ohio. The Library shall reimburse the County for costs of the election as certified by the Board of Elections of Delaware County.

Section 3. Such additional tax levy shall be at a rate not exceeding 1.00 mill for each \$1 of taxable value, which amounts to \$35 for each \$100,000 of the County Auditor’s appraised value, for 15 years.

Section 4. The form of the ballot to be used at said election shall be substantially as follows:

“An additional tax for the benefit of the Delaware County District Library for the purpose of current expenses that the County Auditor estimates will collect \$10,459,000 annually, at a rate not exceeding 1.00 mill for each \$1 of taxable value, which amounts to \$35 for each \$100,000 of the County Auditor’s appraised value, for 15 years, commencing in 2025, first due in calendar year 2026.”

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 5. This Board hereby finds that the Library has found, determined and declared that the additional tax, if approved by the electors, is necessary to the proper furnishing and rendering of free public library services in the Library Service Area and for the residents of the Library Service Area.

Section 6. The additional tax levy shall be placed upon the tax list and duplicate for the 2025 tax year, first due in calendar year 2026, if a majority of the electors voting thereon vote in favor thereof.

Section 7. The Clerk of this Board is hereby directed to certify a copy of this Resolution to the Board of Elections of Delaware County, Ohio, not later than February 5, 2025.

Section 8. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 9. This Resolution shall take effect and be in force from and immediately after its passage.

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

**6
RESOLUTION NO. 25-35**

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

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It was moved by Mrs. Lewis, seconded by Mr. Merrell, 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 Meeting Room 235 at the Rutherford B. Hayes Building for meeting hosted by Ohio EMS Chiefs Association on February 13, 2025; at no cost.

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

**7
RESOLUTION NO 25-36**

IN THE MATTER OF RE-APPOINTING MEMBERS TO THE CONCORD/SCIOTO COMMUNITY AUTHORITY BOARD OF TRUSTEES:

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

WHEREAS, on March 22, 2007, the Delaware County Board of Commissioners (the “Board of Commissioners”) adopted Resolution No. 07-331, establishing the Concord/Scioto Community Authority, pursuant to Chapter 349 of the Revised Code; and

WHEREAS, as the organizational board of commissioners, the Board of Commissioners shall make appointments to the Community Authority Board of Trustees, pursuant to Resolution No. 07-331 and section 349.04 of the Revised Code; and

WHEREAS, the term of Tiffany Maag as the local government representative shall expire on March 21, 2025, and Ms. Maag has expressed interest in re-appointment; and

WHEREAS, the term of Robert Grant as a citizen member shall expire on March 21, 2025, and Mr. Grant has expressed interest in re-appointment; 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 of the board of trustees of the Concord/Scioto Community Authority.

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

Section 1. The Board 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-appointments of the following members to the Concord/Scioto Community Authority Board of Trustees:

Position	Appointee	Term Ends
Local Government Representative	Tiffany Maag	March 21, 2027
Citizen Member	Robert Grant	March 21, 2027

Section 3. The re-appointments shall be effective March 22, 2025.

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

**8
RESOLUTION NO. 25-37**

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS:

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

Transfer of Appropriations		
From:	To:	
24113102-5201	24113102-5450	12,103.89
County Recorder Equipment/Gen Supplies & Equip <1,000	County Recorder Equipment/Machinery & Equip >5,000	

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

**9
RESOLUTION NO. 25-38**

IN THE MATTER OF DECLARING A PUBLIC PURPOSE AND AUTHORIZING THE USE OF DELAWARE COUNTY FUNDS FOR THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS, AND OTHER AMENITIES AND APPROVING A TRANSFER OF APPROPRIATION:

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

WHEREAS, in accordance with Ohio Attorney General Opinion No. 82-006 and Ohio Auditor of State Bulletin 2003-005, the Delaware County Board of Commissioners (the "Board") may expend public funds to purchase coffee, meals, refreshments, and other amenities for its officers or employees or other persons if it determines that such expenditures are a "public purpose" and are necessary to perform a statutory function or power, provided the determination is not manifestly arbitrary or unreasonable; and

WHEREAS, the Board's determination must be memorialized by a duly enacted resolution and may have prospective effect only; and

WHEREAS, from time to time, it becomes necessary for the Board or county agencies to hold meetings during lunch, requiring meals to be provided for the participants; and

WHEREAS, the Board and county agencies routinely host community events or seminars that are attended by members of the public, visiting officials from other jurisdictions or organizations, and program participants; and

WHEREAS, the meetings and events described herein provide for timely and efficient completion of the public business, promote plans and programs, and foster cooperation with public and private partners both within Delaware County and throughout the State of Ohio; and

WHEREAS, the County Administrator and Deputy County Administrator recommend authorization to use Delaware County funds to pay for the coffee, meals, refreshments, and other amenities for these meetings and events;

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

Section 1. The Board hereby declares that the provision of coffee, meals, refreshments, and other amenities for the following purposes and amounts constitute a public purpose:

60211924-5294	Employee Wellness Program	\$1,000	Refreshments for events and Employee Wellness
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Section 2. The Board hereby authorizes the purchase of coffee, meals, refreshments, and other amenities in accordance with Section 1 of this Resolution for the current fiscal year, subject to the ordinary approval of a purchase order, submission of complete and accurate receipts, invoices, and any other supporting documentation required by the County Auditor, and approval of the voucher by the Board.

Section 3. The Board hereby approves the following transfer of appropriation:

Transfer of Appropriation		
From:	To:	
60211924-5201	60211924-5294	\$1,000
Employee Wellness Program/General Supplies	Employee Wellness Program/Food	

Section 4. This Resolution shall take effect immediately upon adoption.

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

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10

RESOLUTION NO. 25-39

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE DELAWARE COUNTY FACILITIES MANAGEMENT:

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the “Board”) may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of motor vehicles to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Director of Facilities to expend county monies for the lease of new motor vehicles; and

WHEREAS, the motor vehicles are available for lease through the Enterprise Government Vehicle Leasing Program, TIPS Contract 190402 (the “Program”);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. The Board hereby declares that it is necessary to expend county monies for the lease of motor vehicles to be used by the Delaware County Facilities Management Office because existing motor vehicles have reached the end of their useful service lives.

Section 2. The Board hereby approves the lease of the following motor vehicles from the Program and declares that the lease of said motor vehicles shall be in accordance with the Lease Rate Quote for each vehicle, pursuant to the contract and terms and conditions set forth in Resolution No. 18-824 approving the Fleet Management Master Equity Lease Agreement, Amendment to Master Equity Lease Agreement, and Credit Application with Enterprise FM Trust:

All General Fund and Other Fund Vehicles to be Leased

Vehicle Type	2025 Vehicle Make and Model	Estimated Annual Lease Payment	Number to be Leased	Estimated Total Annual Lease Payment Per Type
Cargo Van	Chevy Express 2500	\$11,964.60	3	\$35,893.80
Pick Up	Chevy Silverado 2500HD	\$10,878.36	1	\$10,878.36
		TOTAL	4	\$46,772.06

Section 3. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the Director of Facilities and the County Auditor.

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

11

RESOLUTION NO. 25-40

IN THE MATTER OF ACCEPTING A DONATION MADE TO THE DEPARTMENT OF JOB AND FAMILY SERVICES:

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

WHEREAS, pursuant to section 9.20 of the Revised Code, the Board may receive by gift, devise, or bequest moneys, lands, or other properties, for their benefit or the benefit of those under their charge; and

WHEREAS, the Delaware County Department of Job and Family Services has received multiple donations to be given to parent/adult caregivers and their children/foster children; and

WHEREAS, gifts included Nutcracker ballet tickets, clothing, pajamas, outerwear, books, games, bikes, toys, gift cards, stuffed animals, sports gear, arts and crafts, etc.; and

WHEREAS, these donations along with the donations of other area businesses, agencies, and area residents provided Christmas to 150 adults and 300 children and youth; and

WHEREAS, these gifts were received from the following organizations in the amounts as follows:

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SERVICES AGREEMENT

This Agreement is made and entered into on January 23, 2025, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (“County”), and Innovative Hardware, Inc., dba EPS, 8845 Basil Western Road, Canal Winchester, Ohio 43110 (“Contractor”), hereinafter collectively referred to as the “Parties.”

1 SERVICES PROVIDED BY CONTRACTOR

- 1.1 The Contractor shall provide equipment for and installation of security cameras for various County EMS stations (the “Services”). This Agreement is entered into pursuant to a competitively awarded contract of The Interlocal Purchasing System (“TIPS”), of which the County is a member, TIPS Contract #230202, which is incorporated by reference.
- 1.2 The Contractor shall perform the Services in a competent workmanlike manner. The Services shall be further defined in and rendered by the Contractor in accordance with the following documents, by this reference made part of this Agreement:
- Contractor’s Proposal EPSQ13671-03, submitted December 17, 2024 (hereinafter referred to as “Exhibit A”).
- 1.3 In the event of a conflict between the terms and conditions stated in this Agreement, consisting of pages 1 through 5, and any of the documents incorporated by reference herein, the terms and conditions stated herein shall take precedence.

2 SUPERVISION OF SERVICES

- 2.1 The Delaware County Board of Commissioners hereby designates the Delaware County Director of Emergency Medical Services (the “Director”) as the agent of the County for this Agreement.
- 2.2 The Director shall have authority to review changes to, and order commencement or suspension of, the Services performed under this Agreement.

3 AGREEMENT AND MODIFICATIONS

- 3.1 This Agreement, and those documents incorporated by reference herein, shall constitute the entire understanding and agreement between the County and the Contractor, shall supersede all prior understandings and agreements relating to the Services, and may only be modified or amended in writing with the mutual consent and agreement of the Parties.

4 FEES AND REIMBURSABLE EXPENSES

- 4.1 Compensation for Services provided under this Agreement shall be in accordance with Exhibit A.
- 4.2 For all Services, the lump sum fee shall be \$77,837.54.
- 4.3 Total compensation under this Agreement shall not exceed \$77,837.54 without subsequent modification of this Agreement in accordance with Section 3.1.
- 4.4 The fees specified above shall constitute full compensation for all direct labor, payroll burden, general and administrative overhead, profit, travel, equipment, and materials necessary to complete the Services.

5 PAYMENT

- 5.1 Compensation shall be paid periodically, but no more than once per month, based on invoices submitted by the Contractor and approved by the Director and shall be in accordance with Exhibit A.
- 5.2 Invoices shall be submitted to the Director by the Contractor on company letterhead clearly listing the word “Invoice” with a sequential invoice number provided. The County may request additional documentation to substantiate said invoices and the Contractor shall promptly submit documentation as needed to substantiate said invoices.
- 5.3 The County shall pay invoices within thirty (30) days of receipt.

6 COMMENCEMENT, COMPLETION, DELAYS AND EXTENSIONS

- 6.1 The Contractor shall commence Services upon the order of the Director and shall complete the Services promptly in accordance with Exhibit A.
- 6.2 In the event that unforeseen and unavoidable delays prevent the timely completion of this Agreement, the Contractor may make a written request for time extension, and the Director may grant such an extension provided that all other terms of the Agreement are adhered to.

7 SUSPENSION OR TERMINATION OF AGREEMENT

- 7.1 The County may, upon providing written notice to the Contractor, suspend or terminate this Agreement at any time for the convenience of the County, at which time the Contractor shall immediately suspend or terminate Services, as ordered by the County.

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7.2 In the case of termination, the Contractor shall submit a final invoice within sixty (60) days of receiving notice of termination for Services completed up to the date of termination. The County is not liable for payment for Services performed after the date of termination.

8 INDEMNIFICATION

8.1 The Contractor shall indemnify and hold free and harmless Delaware County and its officials and employees from any and all damages, injury, costs, expenses, judgments or decrees, or any other liabilities that they may incur as a result of bodily injury, sickness, disease or death or injury to or destruction of tangible property including the loss of use resulting therefrom, to the proportionate extent caused by any negligent acts, errors or omissions of the Contractor, its employees, agents, subcontractors, and their employees and agents' subcontractors and their employees or any other person for whose acts any of them may be liable.

9 INSURANCE

9.1 General Liability Coverage: Contractor shall maintain commercial general liability insurance of \$1,000,000 each occurrence with an annual aggregate of \$2,000,000. Identical coverage shall be required to be provided by all subcontractors, if any.

9.2 Automobile Liability Coverage: Contractor shall maintain automobile liability insurance of \$1,000,000 each accident. Such coverage shall include coverage for owned, hired and non-owned automobiles. Identical coverage shall be required to be provided by all subcontractors, if any.

9.3 Workers' Compensation Coverage: Contractor shall maintain workers' compensation coverage as required by the laws of the State of Ohio. Identical coverage shall be required to be provided by all subcontractors, if any.

9.4 Additional Insureds: Delaware County, its elected officials and employees, shall be named as additional insureds with respect to all activities under this Agreement in the policies required by Subsections 9.1 and 9.2. Contractor shall require all of its subcontractors to provide like endorsements.

9.5 Proof of Insurance: Prior to the commencement of any work under this Agreement, Contractor, and all of its subcontractors, shall furnish the County with properly executed certificates of insurance for all insurance required by this Agreement. Certificates of insurance shall provide that such insurance shall not be cancelled without thirty (30) days prior written notice to the County. Contractor will replace certificates for any insurance expiring prior to completion of work under this Agreement.

10 MISCELLANEOUS TERMS AND CONDITIONS

10.1 Prohibited Interests: Contractor agrees that no agent, officer, or employee of the County during his/her tenure or for one year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof. Contractor further agrees that it will not employ in any manner a current County employee for a minimum period of one (1) year from the completion date of this Agreement, without the prior express written consent of County.

10.2 Independent Contractor: The Parties acknowledge and agree that Contractor is acting as an independent contractor and that no agency, partnership, joint venture, or employment relationship has been or will be created between the Parties. Contractor also agrees that, as an independent contractor, Contractor assumes all responsibility for any federal, state, municipal, or other tax liabilities along with workers compensation, unemployment compensation, and insurance premiums that may accrue as a result of compensation received for services or deliverables rendered hereunder. **Contractor hereby certifies that it has five or more employees and that none of the employees are public employees for purposes of Chapter 145 of the Ohio Revised Code.**

10.3 Governing Law: This Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Agreement shall be filed in and heard before the courts of Delaware County, Ohio.

10.4 Headings: The subject headings of the Sections and Subsections in this Agreement are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This Agreement shall be deemed to have been drafted by both Parties and no purposes of interpretation shall be made to the contrary.

10.5 Waivers: No waiver of breach of any provision of this Agreement shall in any way constitute a waiver of any prior, concurrent, subsequent, or future breach of this Agreement or any other provision hereof. No term or provision of this Agreement shall be deemed waived, and no breach excused, unless such a waiver or consent is expressly made in writing and signed by the party claimed to have waived or consented. Such waiver shall not constitute and shall not in any way be interpreted as a waiver of any other term or provision or future breach unless said waiver expressly states an intention to waive another specific term or provision or future breach.

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- 10.6 Severability: If any item, condition, portion, or section of this Agreement or the application thereof to any person, premises, or circumstance shall to any extent, be held to be invalid or unenforceable, the remainder hereof and the application of such term, condition, provision, or section to persons, premises, or circumstances other than those as to whom it shall be held invalid or unenforceable shall not be affected thereby, and this Agreement and all the terms, conditions, provisions, or sections hereof shall, in all other respects, continue to be effective and to be complied with.

- 10.7 Findings for Recovery: Contractor certifies that it has no unresolved findings for recovery pending or issued against it by the State of Ohio.

- 10.8 Authority to Sign: Any person executing this Agreement in a representative capacity hereby warrants that he/she has authority to sign this Agreement or has been duly authorized by his/her principal to execute this Agreement on such principal's behalf and is authorized to bind such principal.

- 10.9 County Policies: The Contractor shall adhere to all applicable Delaware County policies, including, but not limited to, the following: Discrimination Policy, Ethics Policy, Contractor Safety Policy. The Contractor shall require any and all of its boards, board members, officers, officials, employees, representatives, agents, and/or volunteers performing work under this Agreement and/or for or on behalf of the County to comply with all applicable Delaware County policies and shall be responsible for such compliance. The County may, in its sole discretion, immediately terminate this Agreement for failure of the Contractor to comply with this Subsection. Copies of applicable policies are available upon request or online at <https://humanresources.co.delaware.oh.us/policies/>. The County reserves the authority to change, amend, replace, enact, repeal, and/or rescind any or all of the policies at any time and without notice.

- 10.10 Drug-Free Workplace: The Contractor agrees to comply with all applicable federal, state, and local laws regarding drug-free and smoke-free workplaces and environments and shall have established and have in place a drug-free workplace policy. The Contractor shall make a good faith effort to ensure that all of its employees and subcontractors engaged in the work being performed hereunder will not purchase, transfer, use, or possess illegal drugs or alcohol, or abuse prescription drugs.

- 10.11 Non-Discrimination/Equal Opportunity: Contractor hereby certifies that, in the hiring of employees for the performance of work under this Agreement or any subcontract, that neither it nor any subcontractor, by reason of race, color, religion, sex, age, disability as defined in section 4112.01 of the Revised Code, national origin, or ancestry, shall discriminate against any citizen of this state in the employment of a person qualified and available to perform the work to which the Agreement relates. Contractor further certifies that neither it nor any subcontractor, or person acting on behalf of it or any subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under this Agreement on account of race, color, religion, sex, age, disability as defined in section 4112.01 of the Revised Code, national origin, or ancestry. Contractor certifies that it complies with all applicable laws regarding Non-Discrimination / Equal Opportunity and will not discriminate.

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

**14
RESOLUTION NO. 25-43**

IN THE MATTER OF APPROVING THE REQUEST FOR PROPOSALS FOR THE PROVISION OF OCCUPATIONAL HEALTH AND WELLNESS SERVICES FOR EMPLOYEES AND EMPLOYMENT CANDIDATES OF DELAWARE COUNTY EMERGENCY MEDICAL SERVICES:

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

WHEREAS, the Emergency Medical Services Director recommends requesting competitive sealed proposals from qualified offerors for the provision of occupational health and wellness services for employees and employment candidates of Delaware County Emergency Medical Services;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Delaware County, State of Ohio, hereby approves the request for proposals for occupational health and wellness services for employees and employment candidates of Delaware County Emergency Medical Services and authorizes the following public notice:

**PUBLIC NOTICE
REQUEST FOR
PROPOSALS BOARD OF
COMMISSIONERS
DELAWARE COUNTY,
OHIO**

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The Delaware County Commissioners are seeking competitive sealed proposals from contractors for the provision of occupational health and wellness services for employees and employment candidates of Delaware County Emergency Medical Services. Proposals will be received at the Delaware County Commissioners’ Office, 91 North Sandusky Street, Delaware, Ohio 43015, until 4:00 p.m. on, March 14th, 2025. At that time, proposals will be opened publicly in a manner to avoid public disclosure of contents; however, only names of offerors will be read aloud. One (1) original and five (5) copies are to be included. Submittals pursuant to this request will not be received after the hour and date stated above.

The complete Request for Proposals is posted on the internet and may be viewed on Delaware County’s web page at <http://www.co.delaware.oh.us> under the heading “Public Notices and Bids” or may be obtained from the Delaware County Emergency Medical Services office, 10 Court Street, Delaware, Ohio, during normal business hours.

Any proposals submitted to Delaware County, Ohio are to be prepared at the submitter’s expense. Delaware County reserves the right to reject any and all proposals in whole or in part. Acceptance of a proposal shall not constitute an agreement between the submitter and Delaware County. Delaware County shall have no liability whatsoever to any submitter whose proposal is not accepted. The decision to award a contract is within the sole discretion of the Board of Commissioners. If an award is made, it shall be to the offeror whose proposal is determined to be the most advantageous to Delaware County, Ohio.

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

**15
RESOLUTION NO. 25-44**

RESOLUTION OF NECESSITY FOR PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE DELAWARE COUNTY REGIONAL SEWER DISTRICT:

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

WHEREAS, pursuant to section 307.41 of the Revised Code, the Board of Commissioners of Delaware County, Ohio (the “Board”) may find, by resolution of necessity, that it is necessary to expend county monies for the purchase or lease of motor vehicles to be used by the County Commissioners, by any county department, board, commission, office or agency, or by any elected county official or his or her employees; and

WHEREAS, the Board has before it a request from the Director of Facilities to expend county monies for the lease of new motor vehicles; and

WHEREAS, the motor vehicles are available for lease through the Enterprise Government Vehicle Leasing Program, TIPS Contract 190402 (the “Program”);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, OHIO:

Section 1. The Board hereby declares that it is necessary to expend county monies for the lease of motor vehicles to be used by the Delaware County Regional Sewer District for the following reasons: an existing motor vehicle has reached the end of its useful service life; an existing motor vehicle was turned into the Facilities Department in July 2024; and an additional vehicle as needed due to increased inspection demands through new development.

Section 2. The Board hereby approves the lease of the following motor vehicles from the Program and declares that the lease of said motor vehicles shall be in accordance with the Lease Rate Quote for each vehicle, pursuant to the contract and terms and conditions set forth in Resolution No. 18-824 approving the Fleet Management Master Equity Lease Agreement, Amendment to Master Equity Lease Agreement, and Credit Application with Enterprise FM Trust:

All General Fund and Other Fund Vehicles to be Leased

Vehicle Type	2025 Vehicle Make and Model	Estimated Annual Lease Payment	Number to be Leased	Estimated Total Annual Lease Payment Per Type
SUV	Jeep Grand Cherokee	\$9,475.08	1	\$9,475.08
Pickup Truck	Chevrolet Silverado 1500	\$10,580.40	2	\$21,160.80
		TOTAL	3	\$30,635.88

Section 3. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the Director of Facilities and the County Auditor.

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

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Now comes the Prosecuting Attorney for Delaware County, Ohio (the “Prosecutor”), pursuant to R.C. 305.14(A), and hereby moves this Court to authorize the Board of County Commissioners of Delaware County, Ohio (the “Board”) (collectively, the “Applicants”) to employ outside legal counsel (“Legal Counsel”) to assist the Treasurer for Delaware County, Ohio, Donald E. Rankey, Jr. (“Treasurer”), regarding the matters of public business specified below. Employment of Legal Counsel would be retained for the sole purposes of assisting the Treasurer: (i) to understand and interpret the Delaware County Investment Advisory Committee’s amendment to its policies that was duly adopted, by a unanimous vote (including the Treasurer), on May 11, 2023, which states:

The Delaware County Investment Advisory Committee hereby amends **Section V. (Allowable Investments)** of the Investment and Depository Policy by deleting existing **Section V.** and replacing it with the following:

V. Allowable Investments

- A. Subject to the limitations in Section V.B. of this Policy, the Treasurer may invest in any instrument or security authorized in ORC Chapter 135, as amended.
- B. The Treasurer shall not purchase directly by private placement any bonds or other obligations of political subdivisions or other public entities, unless prior to the purchase the Investment Advisory Committee approves and authorizes the purchase by a unanimous vote of the full membership of the Investment Advisory Committee.

(Exhibit A, *Amendment to Investment and Depository Policy*); and (ii) to evaluate whether the Board duly adopted Resolution No. 24-759 on September 16, 2024, which found and determined that:

WHEREAS, the Board has conducted a review of the investment procedures of the investing authority for the time period of January 1, 2024, through June 30, 2024, and is prepared to issue written findings based on the review;

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

Section 1. The Board hereby confirms that it has conducted a semiannual review of the investment procedures of the investing authority, based on the investing authority’s reports, public records, and additional information provided in accordance with section 135.34 of the Revised Code.

Section 2. Based on the review of investment procedures, the Board hereby finds and determines that the investing authority has failed to invest the inactive moneys of the county as provided by law, or has invested the inactive moneys of the county in documented, substantial, material, and continuing disregard of the advice or written policies of the Committee, specifically with respect to investments that are in violation of Section V.B. of the Committee’s Investment and Depository Policy.

Section 3. The Board hereby directs the Clerk of the Board to provide written notice and a copy of this Resolution to the investing authority informing him of the Board’s findings.

(Exhibit B, *Commissioners’ Journal*.)

Representation would be limited to advising the Treasurer as to the propriety of items (i) and (ii) as stated above (collectively, the “Scope of Representation”). The Prosecutor defers to the Court’s discretion on the maximum fixed term of compensation for legal work regarding the Scope of Representation, requesting that the compensation be reasonable and consistent with the compensation paid other legal counsel employed pursuant to R.C. 305.14(A). However, the Prosecutor suggests a maximum fixed term of compensation of \$5,000.00 at an hourly rate not to exceed \$220 an hour. The length of such employment would be until such employment is no longer necessary or should be terminated, or until Donald E. Rankey, Jr. is no longer the Delaware County Treasurer, whichever occurs first.

The reason that such employment is necessary is because, based on the newly obtained information contained in the Treasurer’s complaint for a writ of mandamus filed with the Supreme Court of Ohio on November 5, 2024, entitled *State of Ohio, ex rel. Donald E. Rankey, Jr. v. Melissa A. Schiffel, et al.*, Case No. 2024-1556

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(Exhibit C, *Complaint*), there could be a conflict regarding the Prosecutor’s representation of both the Treasurer and the Board pertaining to the Board’s adoption of Resolution No. 24-759. Prior to this Joint Application, the Treasurer failed to provide the Prosecutor with information requested from the Treasurer necessary to determine whether such a conflict existed. However, in the interests of judicial economy, the Prosecutor and Board’s steadfast desire to appropriately safeguard public resources and taxpayer dollars and considering the new facts that the Treasurer included in the Complaint, this application is appropriate.

Based on the foregoing, the Applicants respectfully request that this Court approve and authorize the Treasurer to employ outside legal counsel to assist him regarding the Scope of Representation. The Board authorized this Joint Application in Resolution No. 25-46, adopted on January 23, 2025, a copy of which is attached hereto as Exhibit D.

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

**18
ADMINISTRATOR REPORTS**

CA Davies – Congratulations to Ohio State on National Championship.

DCA Huston and Attorney Hochstettler – Nothing to report.

**19
COMMISSIONERS’ COMMITTEES REPORTS**

Commissioner Merrell – Congratulations to the new Ohio Senator Husted, will be attending a CCAO meeting on 01/24/25

Commissioner Benton – Congratulation to Ohio State on National Championship.

**20
RESOLUTION NO. 25-47**

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Merrell, 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 Pending or Imminent Litigation.

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

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21

RESOLUTION NO. 25-48

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Merrell, seconded by Mrs. Lewis, to adjourn out of Executive Session.

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

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners