

**COMMISSIONERS JOURNAL NO. 81 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD FEBRUARY 3, 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. 25-74**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JANUARY 30, 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 30, 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                      Mrs. Lewis Aye                      Mr. Merrell Aye                      Mr. Benton Absent

**2  
PUBLIC COMMENT**

**3  
RESOLUTION NO. 25-75**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0131:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 013 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2501865	VASU COMMUNICATIONS INC	RADIO REPAIRS	21411306 - 5328	\$ 4,500.00
R2501865	VASU COMMUNICATIONS INC	RADIO PARTS AND ACCESSORIES	21411306 - 5260	\$ 2,500.00
R2501866	B & C COMMUNICATIONS INC	RADIO SERVICE AGREEMENT 2 1 25-1 31 26	21411306 - 5325	\$ 5,586.00

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

**4  
RESOLUTION NO. 25-76**

**IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENTS FOR THE PETITIONER, DAVID HODGE, ESQ., AND ERIC ZARTMAN, ESQ., REQUESTING ANNEXATION OF 14.9 ACRES OF LAND IN ORANGE TOWNSHIP TO THE CITY OF COLUMBUS:**

It was moved by Mr. Merrell, seconded by Mrs. Lewis, to acknowledge that on January 24, 2025, the Clerk to the Board of Commissioners received a petition requesting annexation of 14.9 acres of land from Orange Township to the City of Columbus.

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

**5  
DELAWARE COUNTY SHERIFF JEFF BALZER AND CHIEF SCOWDEN**

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LIEUTENANT JASON PASSET’S RETIREMENT FROM THE DCSO

6  
RESOLUTION NO. 25-77

**IN THE MATTER OF DECLARING COUNTY PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE AND AUTHORIZING THE SALE OF THE PERSONAL PROPERTY TO LIEUTENANT JASON PASSET ON THE OCCASION OF HIS RETIREMENT:**

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

WHEREAS, Delaware County Sheriff’s Lieutenant Jason Passet retired from the Sheriff’s Office in good standing with the office; and

WHEREAS, Lieutenant Passet’s assigned duty firearm, Sig Sauer Caliber 9mm, Model P320Pro – Serial # 58J461599 (the “Firearm”) is no longer needed for public use; and

WHEREAS, Delaware County wishes to permit Lieutenant Passet to purchase the Firearm for One Dollar (\$1.00), pursuant to section 307.12(B)(1) of the Revised Code;

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

Section 1. The Firearm is no longer needed for public use and authorizes the sale of the Firearm to Lieutenant Jason Passet for One Dollar (\$1.00).

Section 2. The sale of the Firearm shall be conditioned upon Lieutenant Jason Passet accepting the Firearm “as is” and accepting sole responsibility for the care and maintenance of the Firearm. The sale of the Firearm is further conditioned upon the deputy executing and submitting an Acknowledgement and Release from Liability.

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

7  
RESOLUTION NO. 25-78

**RESOLUTION OF NECESSITY FOR THE PURCHASE OR LEASE OF MOTOR VEHICLES FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:**

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 Sheriff’s Office to expend county monies for the purchase of new cruisers; and

WHEREAS, the cruisers are available for purchase through the State of Ohio’s cooperative purchasing program (the “Program”); and

WHEREAS, pursuant to section 125.04(C) of the Revised Code, the Board may purchase supplies from another party instead of through participation in Program contracts if the Board can purchase those supplies or services from the other party upon equivalent terms, conditions, and specification but at a lower price than it can through the Program contract; and

WHEREAS, the necessary vehicles are available from another party, Statewide Ford-Lincoln-Mercury, Inc., upon equivalent terms, conditions, and specifications but at a lower price than through the Program contract;

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 purchase of new motor vehicles to be used by the County Sheriff or his employees for the following reasons: (1) existing cruisers have reached the end of their useful service lives; (2) new cruisers are necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) new cruisers will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of ten (10) 2025 Ford Police SUV at a cost of

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\$62,745.00 each, from Statewide Ford-Lincoln-Mercury, Inc., and declares that the purchase of said vehicles shall be upon equivalent terms, conditions, and specifications to the Program contract and terms and conditions set forth in State of Ohio Index No. GDC050, Contract #RSI023078.

Section 3. The Board hereby authorizes the Sheriff’s Office to initiate the necessary purchase order(s) to Statewide Ford-Lincoln-Mercury, Inc., and hereby approves the purchase order(s) from funds 42311453-5450.

Section 4. The Clerk of the Board is hereby directed to certify a copy of this Resolution to the County Sheriff and the County Auditor.

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

**8  
RESOLUTION NO. 25-79**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:**

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

<b>Supplemental Appropriations</b>		
10026202-5360	Juvenile Correction Center/Court Related Services	90,891.00

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

**9  
RESOLUTION NO. 25-80**

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

It was moved by Mr. Merrell, 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 Large Conference Room at the Byxbe Campus for meeting hosted by Ohio Department of Agriculture on March 6, 2025, March 27, 2025, April 9, 2025, May 20, 2025 and May 21, 2025; at no cost.

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

**10  
RESOLUTION NO. 25-81**

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

It was moved by Mr. Merrell, 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;

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NOW, THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED that the Delaware County Board of Commissioners hereby authorizes the use of the Shaw Hearing Room at the Historical Courthouse for a swearing in ceremony for Judge-Elect Robert Montgomery on February 6, 2025; at no cost.

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

**11  
RESOLUTION NO. 25-82**

**IN THE MATTER OF AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE ENGINEER’S OFFICE:**

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

WHEREAS, pursuant to section 5549.01 of the Revised Code, the Board of Commissioners (the “Board”) may purchase machinery and equipment for the construction, improvement, maintenance, or repair of the highways, bridges, and culverts under its jurisdiction as it deems necessary, including the purchase of automobiles, motorcycles, or other conveyances and maintenance thereof for the use of the County Engineer and the Engineer’s Assistants when on official business; and

WHEREAS, the County Engineer’s Office (“Engineer”) has a need for one (1) 2025 F-550 SD Crew Cab Truck, one (1) 2025 SD F-350 Super Duty Truck, and three (3) 2025 Ford F-150 Super Cab Trucks for use in performing the office’s official duties; and

WHEREAS, Franklin County Fleet Management ITB #2021-04-03 and the contract awarded thereunder contemplate the participation of other political subdivisions in the contract, and Delaware County is officially sanctioned and authorized, pursuant to R.C. 9.48, to participate in the Franklin County Fleet Management contract awarded under ITB #2021-04-03, which is valid through March 22, 2025; and

WHEREAS, the trucks needed by the Engineer are available through the Franklin County Fleet Management contract awarded under ITB #2021-04-03;

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

Section 1. The Board hereby authorizes the purchase of one (1) 2025 Ford F-550 SD Crew Cab Truck not to exceed \$57,079.00, one (1) 2025 Ford F-350 Super Duty Truck, not to exceed \$50,814.00, and three (3) 2025 Ford F-150 Super Cab Trucks not to exceed \$45,226 (each) from Byers Auto through participation in the Franklin County Fleet Management contract awarded under ITB #2021-04-03.

Section 2. The Clerk shall provide the County Engineer a copy of this Resolution.

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

**12  
RESOLUTION NO. 25-83**

**IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:**

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

WHEREAS, the Board of Delaware County Commissioners (the “Board”) deems it necessary for the public convenience and welfare to construct highway improvements to the intersection of Piatt Road and Peachblow Road, known as Project ID: DEL-CR98-1.58, by construction, reconstruction, installation, replacement, repair, maintenance and improvement of the identified roads in Delaware County, Ohio (the “Improvement”); and

WHEREAS, the Board has determined that additional land is necessary for the Improvement and that the Board and property owners were unable to agree on the terms of conveyance through good faith negotiations; and

WHEREAS, the Board has determined the fair market value (“FMV”) for the property to be appropriated and any resultant damages; and

WHEREAS, the Board has determined that it is necessary to take immediate possession of the property to be appropriated via the “quick take” procedure under section 163.06(B) of the Revised Code;

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

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Section 1. The Board deems it necessary, and it is hereby declared to be the intention of the Board, to appropriate the following property necessary for the Improvement and determines the FMV for the same:

Property Owner(s)	Interest to be Appropriated	FMV
Heather H. Tejada Hercules & Gilberto Tejada Hercules	6-SH, T	\$120,880.00

The parcel identifiers listed in the table above are taken from the approved right-of-way plans and highway construction plans for the Improvement, which are, by this reference, fully incorporated herein and are on file and available for inspection or copying at the Office of the Delaware County Engineer.

Section 2. The appropriations deemed necessary herein being for the purpose of making or repairing roads which shall be open to the public without charge, the Board further deems it necessary, and hereby states its intention, to immediately obtain and take possession of and enter upon the property to be appropriated upon filing the Petition and depositing the FMV with the Court, in accordance with section 163.06(B) of the Revised Code.

Section 3. The Board hereby directs legal counsel to commence the appropriation proceedings on behalf of the Board.

Section 4. This Resolution shall take effect and be in force immediately upon passage.

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

**13  
RESOLUTION NO. 25-84**

**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATE FOR THE PROJECT KNOWN AS DEL-CR224-5.98, STEAMTOWN ROAD BRIDGE OVER WEST BRANCH OF ALUM CREEK:**

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

WHEREAS, the County Engineer has prepared the plans, specifications, and estimate for the project known as DEL-CR224-5.98, Steamtown Road Bridge over West Branch of Alum Creek;

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

Section 1. The plans, specifications, and estimate for the project known as DEL-CR224-5.98, Steamtown Road Bridge over West Branch of Alum Creek are hereby approved.

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  
Advertisement for Bids**

Bids shall be submitted electronically through the [www.bidexpress.com](http://www.bidexpress.com) web service until 10:00 am on Tuesday, March 4, 2025, at which time they will be publicly received and read aloud, for the project known as:

**DEL-CR224-5.98  
Steamtown Road Bridge over West Branch of Alum Creek**

All proposals shall be submitted electronically through the web service [www.bidexpress.com](http://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](http://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](http://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 15, 2025. The estimated commencement of work date is March 17, 2025.

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.

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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: February 8, 2025

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

**14  
RESOLUTION NO. 25-85**

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

It was moved by Mr. Merrell, 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
Ut2025-0024	THAYER COMMUNICATIONS	ROME CORNERS RD	AERIAL & RD BORE
UT2025-0025	SPECTRUM	SAWMILL RD	RD BORE
UT2025-0026	AEP	LEWIS CENTER RD	REPLACE POLES
UT2025-0027	COLUMBIA GAS	LEWIS CENTER RD	EXCAVATE POT HOLES

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

**15  
RESOLUTION NO. 25-86**

**IN THE MATTER OF APPROVING THE DRAINAGE MAINTENANCE PETITION AND DITCH MAINTENANCE ASSESSMENT FOR DUBLIN COURT:**

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

WHEREAS, on February 3, 2025, a Ditch Maintenance Petition for Dublin Court (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 Dublin Court, 24.69 acres in Concord 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 \$ 146,919.45 and a detailed cost estimate is attached in Exhibit "D". The drainage improvements are being constructed for the benefit of the lots being created in this subdivision. 11 lots are created in these plats and each lot received an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$ 13,356.31 per lot. An annual maintenance fee equal to 2% of this basis (\$ 267.13 ) will be collected for each lot. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised

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every 6 years. The first year's assessment for all of the lots in the amount of \$ 2,938.43 has been paid to Delaware County.

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

**16**

**RESOLUTION NO. 25-87**

**IN THE MATTER OF ESTABLISHING MAINTENANCE BOND FOR EVANS FARM SECTION 6 PHASE A PART 1 AND EVANS FARM SECTION 6 PHASE B:**

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

WHEREAS, the roadway construction has been completed for the projects known as Evans Farm Section 6 Phase A Part 1 and Evans Farm Section 6 Phase B (the "Projects"); and

WHEREAS, as the result of the Engineer's recent field review of the Projects, the Engineer has determined that only minor remedial work remains, which can be accomplished during the subsequent one-year maintenance period; and

WHEREAS, the Engineer recommends that, in accordance with the Owner's Agreement, the maintenance bonds be set at ten percent (10%) of the original construction estimate for the Projects and that the Projects be placed on the required one-year maintenance period; and

WHEREAS, Bavelis Zenios Development, LLC (the "Owner") has provided a maintenance bond in the amount of \$243,400.00 for Evans Farm Section 6 Phase A Part 1 and \$130,800.00 for Evans Farm Section 6 Phase B to secure the Owner's obligations for the one-year maintenance period;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners accepts the maintenance bonds in the amounts of \$243,400.00 and \$130,800.00 for the Projects and places the Projects on the required one-year maintenance period.

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

**17**

**ADMINISTRATOR REPORTS**

**CA Davies** – Nothing to report.

**Attorney Hochstettler** – Nothing to report.

**18**

**COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Merrell** – attended the ground breaking for a new car dealership on Saturday.

**Commissioner Lewis** – Nothing to report.

**19**

**RESOLUTION NO. 25-88**

**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

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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. Merrell Aye            Mr. Benton Absent            Mrs. Lewis Aye

**20**

**RESOLUTION NO. 25-89**

**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.

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Jeff Benton

\_\_\_\_\_  
Barb Lewis

\_\_\_\_\_  
Gary Merrell

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Jennifer Walraven, Clerk to the Commissioners