

COMMISSIONERS JOURNAL NO. 82 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JUNE 9, 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  
Gary Merrell, Commissioner - Absent

1  
RESOLUTION NO. 25-423

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS  
FROM REGULAR MEETING HELD JUNE 5, 2025:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on June 5, 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   Absent                      Mr. Benton   Aye

2  
PUBLIC COMMENT

3  
RESOLUTION NO. 25-424

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES,  
AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0606:

It was moved by Mr. Benton, seconded by Mrs. Lewis, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0606 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO’ Increase			
(P2501880) Prime Construction	SRF Operations & Maintenance	66611900-5410	\$25,000.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2503347	BURGESS AND NIPLE INC	SUPPORT SERVICES - RESOLUTION 25-403	66211900 - 5301	\$ 35,000.00

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

4  
RESOLUTION NO. 25-425

IN THE MATTER OF SETTING DATE, TIME AND PLACE FOR THE PUBLIC HEARING ON  
THE RE-ESTIMATE OF THE CONSTRUCTION COST FOR THE WEBSTER-ARNOLD #355  
WATERSHED DRAINAGE IMPROVEMENT PROJECT:

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

WHEREAS, on June 27, 2022, the Delaware County Board of Commissioners (the “Board”) adopted Resolution Nos. 22-539, 22-540, 22-541, 22-542, No. 22-543, and 22-544 finding in favor of the Webster-Arnold #355 Main South, Main North, and Lateral #1 drainage improvement project and ordering the letting of contracts for the same; and

WHEREAS, the County Engineer solicited for public bids three separate times, failed to receive a qualifying bid, and deemed it necessary to revise the Engineer’s Estimate for the project; and

WHEREAS, the Board directed the Delaware County Engineer to prepare a new estimate for the Webster-Arnold #355 Drainage Improvement Project, pursuant to section 6131.40 of the Revised Code, and to submit the revised estimate; and

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WHEREAS, the Delaware County Engineer has filed the revised reports, plans, and schedules for the proposed improvement with the Clerk of the Board;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the County of Delaware hereby fixes **August 11, 2025, at 10:00A.M.**, at the Office of the Board of County Commissioners, 91 North Sandusky Street Delaware, Ohio, as the time and place of the public hearing on the Re-Estimate of the Construction Cost and the Addendum to the report of the County Engineer.

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

5  
**RESOLUTION NO. 25-426**

**IN THE MATTER OF SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING FOR CONSIDERATION OF A PETITION FROM THE ORANGE TOWNSHIP BOARD OF TRUSTEES REQUESTING VACATION OF A PORTION OF PARKWAY DRIVE IN ORANGE TOWNSHIP, DELAWARE COUNTY, OHIO, UNDER THE SPECIAL PROCEDURES OF R.C. 5553.045:**

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

WHEREAS, on **May 29, 2025**, the Delaware County Board of Commissioners (the “Board”) received a petition filed by the Orange Township Board of Trustees, requesting the Board adopt a resolution ordering the vacation of a portion of Parkway Drive, in Orange Township, Delaware County, Ohio (the “Petition”); and

WHEREAS, pursuant to section 5553.045 of the Revised Code, the Board shall set a public hearing on the Petition within forty-five days of the date on which the Petition was filed;

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

Section 1. The Board shall hold a public hearing on the Petition on **Monday July 7, 2025 at 10:00A.M.** at the Office of the Board, 91 North Sandusky Street, Delaware, Ohio.

Section 2. The Board hereby directs the Clerk of the Board to notify by regular mail the landowners abutting the portion of Parkway Drive requested for vacation in the Petition. That notice shall be sent at least twenty days before the Board’s public hearing, shall state that the Orange Township Board of Trustees has filed the Petition for vacation of a portion of Parkway Drive, and shall inform the landowners of the date, time, and place of the public hearing on the Petition. The notice shall be mailed to the addresses of the abutting landowners as they appear on the county auditor's current tax list or the county treasurer's mailing list.

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

6  
**RESOLUTION NO. 25-427**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFER OF FUNDS FOR THE TITLE ADMINISTRATION FUND AND GENERAL FUND:**

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

WHEREAS, pursuant to section 325.33(B) of the Revised Code, if the board of county commissioners and the clerk of courts agree that the money in the clerk of courts certificate of title administration fund exceeds what is needed to pay the costs specified in section 325.33(A) of the Revised Code, the excess may be transferred to the county general fund and used for other county purposes; and

WHEREAS, on May 28, 2025, the Delaware County Clerk of Courts submitted an email to the Delaware County Board of Commissioners (the “Board”) confirming that the amount of \$30,000 within the Clerk’s certificate of title administration fund exceeds what is needed to pay the costs specified in section 325.33(A) of the Revised Code and requests the excess amount be transferred to the County General Fund for the purpose of contributing to a driver diversion program to support first time offenders with Juvenile Court;

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

Section 1. The Board hereby agrees that the money in the Clerk’s certificate of title administration fund exceeds what is needed to pay the costs specified in section 325.33(A) of the Revised Code and that the excess, in the amount of \$30,000 may be transferred to the County General Fund for the purpose of contributing to a driver diversion program to support first time offenders with Juvenile Court.

Section 2. The Board hereby approves the following supplemental appropriation and transfer of funds:

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Supplemental Appropriation		
24820101-5801	Title Administration/Misc Cash Transfer	30,000.00
10011102-5801	Commissioners General/Misc Cash Transfer	30,000.00
Transfer of Funds		
From	To	
24820101-5801	10011102-4601	30,000.00
Title Administration/Misc Cash Transfer	Commissioners General/Interfund Revenue	
10011102-5801	27626316-4601	30,000.00
Commissioners General/Misc Cash Transfer	Juvenile Court Special Project/Interfund Revenue	

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

7  
RESOLUTION NO. 25-428

IN THE MATTER OF APPROVING THE REQUEST FOR PROPOSAL DOCUMENTS AND SETTING THE DATE AND TIME TO RECEIVE PROPOSALS FROM QUALIFIED PERSONS OR FIRMS FOR THE REVIEW AND REMEDIATION OF THE DELAWARE COUNTY, OHIO, WEBSITE TO ENSURE COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS FOR WEB ACCESSIBILITY:

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

WHEREAS, the Delaware County Board of Commissioners desires to receive proposals from qualified persons or firms for the review and remediation of the Delaware County, Ohio, website to ensure compliance with the Americans with Disabilities Act (ADA) requirements for web accessibility;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio, that the Request for Proposal Documents for the review and remediation of the Delaware County, Ohio, website to ensure compliance with the Americans with Disabilities Act (ADA) requirements for web accessibility are hereby approved, and the Director of Communications is authorized to advertise for and receive proposals in accordance with the following Public Notice:

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

The Delaware County Commissioners are seeking competitive sealed proposals from Offerors for the review and remediation of the Delaware County, Ohio, website to ensure compliance with the Americans with Disabilities Act (ADA) requirements for web accessibility. Proposals will be received at the Delaware County Commissioners’ Office, 91 North Sandusky Street, Delaware, Ohio 43015, until **4:00 p.m. on Monday, July 7, 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. Three (3) printed copies and one (1) digital copy in a PDF format on a jump drive 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 Bids and Notices or may be obtained from the Delaware County Commissioners Office, 91 N. Sandusky 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.

A bid bond, or other bid security, is not required, but if a contract is awarded, the contractor shall be required to submit a performance bond.

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

8  
RESOLUTION NO. 25-429

IN THE MATTER OF APPROVING THE SANITARY SEWER SUBDIVIDER’S AGREEMENT FOR COURTYARDS ON CONCORD PHASE 1:

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

WHEREAS, the Sanitary Engineer recommends approval of the Sanitary Sewer Subdivider’s Agreement for

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Courtyards on Concord Phase 1;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the following Sanitary Sewer Subdivider’s Agreement for Courtyards on Concord Phase 1:

**SUBDIVIDER'S AGREEMENT**  
**DELAWARE COUNTY SANITARY ENGINEER**

**SECTION I: INTRODUCTION**

This Agreement is entered into on June 9<sup>th</sup>, 2025, by and between **Epcon Concord, LLC**, hereinafter called “Subdivider”, and the Delaware County Board of Commissioners (hereinafter called “County Commissioners” or “County”), and is governed by the following considerations and conditions, to wit:

The Subdivider is to construct, install or otherwise make all public improvements (the “Improvements”) shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications for Phase 1 of **Sanitary Sewer Improvement Plan for Courtyards on Concord**, dated **March 4, 2025**, approved by the County on **March 15, 2025 and revised on April 24, 2025**, all of which are a part of this Agreement. The Subdivider shall pay the entire cost and expense of the Improvements.

The Subdivider shall evaluate replacing the existing Concord Road Pump Station pumps with new Flygt pumps and VFD motors. The County shall have the opportunity to review and comment on the pump sizing evaluation. If the Subdivider and the County agree new pumps and associated electrical improvements for the new pumps are required (collectively “Additional Improvements”), the Subdivider shall be eligible for a tap fee credit.

Upon the parties mutual agreement to proceed with the Additional Improvements to the Concord Road Pump Station, the County shall reimburse Subdivider the construction cost of the Additional Improvements through tap credits in an amount equal to the cost of the Additional Improvements but shall not exceed the total tap fees for the 54 ERUS and Clubhouse. The tap credits awarded may only be used by the Subdivider within the Courtyards on Concord Subdivision. The Subdivider and the County mutually acknowledge and agree that this grant of tap credits is intended to establish the reasonable charge for the Subdivider to connect to the County’s sanitary facilities, pursuant to R.C. 6117.02, in consideration of the Subdivider’s private investment in the sanitary facilities, such charge being a special exception to the established charge.

**SECTION II: CAPACITY**

There are **30** single family residential equivalent connections approved with this Agreement. Capacity shall be reserved for two years from the date of this Agreement, unless the County Commissioners grant an extension in writing. Capacity shall be perpetual if prior to the end of said two-year period, Subdivider prepays the County the outstanding connection fees for all, if any, yet-to-be-paid 30 single family residential equivalent connections contemplated in this Agreement. If the final Subdivision Plat is not recorded prior to expiration of the reservation deadline as set forth herein, the Subdivider agrees and acknowledges that capacity shall not be guaranteed.

The development includes a connection for a commercial building. This connection will require a Commercial Tap Fee Form be submitted to the County. The number of residential equivalent connections will be determined following submittal of this form

**SECTION III: FINANCIAL WARRANTY**

For on-site improvements the following options for financial warranty apply:

**OPTIONS:**

- (1) Should the Subdivider elect to record the plat prior to beginning construction, the Subdivider shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction (**\$326,148.39**) which is acceptable to the County Commissioners to insure faithful performance of this Agreement and the completion of all Improvements in accordance with the Subdivision Regulations of Delaware County, Ohio.
- (2) Should the Subdivider elect to proceed with construction prior to recording the plat, no approved financial warranties are necessary until such time as Subdivider elects to record the plat. At that time, the Subdivider shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction remaining to be completed as determined by the Delaware County Sanitary Engineer.

The Subdivider hereby elects to use Option 2 for this project.

The Subdivider shall within thirty (30) days following completion of construction, and prior to final acceptance, furnish to the Delaware County Sanitary Engineer a five (5) year maintenance bond, or other approved financial warranties, equal to ten percent (10%) of the construction cost.

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The Subdivider further agrees that any violations of or noncompliance with any of the provisions and stipulations of this Agreement shall constitute a breach of contract, and the County shall have the right to stop work forthwith and act against the performance surety for the purpose of proper completion of the Improvements for Phase 1 of the **Sanitary Sewer Improvement Plan for Courtyards on Concord**.

**SECTION IV: FEES**

It is further agreed that upon execution of this Agreement, the Subdivider shall pay the Delaware County Sanitary Engineer three and one-half percent (3½%) of the estimated construction cost of the Improvements for plan review of Phase 1 of the **Sanitary Sewer Improvement Plan for Courtyards on Concord (\$11,415.18)**. The Subdivider shall also pay the Delaware County Sanitary Engineer eight and one-half percent (8½ %) of the estimated construction cost of the Improvements for inspection during construction and cleaning and televising of the sewers and appurtenances of Phase 1 of **Sanitary Sewer Improvement Plan for Courtyards on Concord (\$27,722.58)**. The Delaware County Sanitary Engineer shall in his or her sole discretion inspect, as necessary, the Improvements being installed or constructed by the Subdivider and shall keep records of the time spent by his or her employees and agents in such inspections and in the event the hours worked for inspection at a rate of \$75.00 per hour and for the camera truck at \$150.00 per hour exceeds the eight and one-half percent (8½%), the County may require, and the Subdivider shall pay, additional funds based on the estimated effort for completion as determined by the Sanitary Engineer in his or her sole discretion.

In addition to the charges above, the Subdivider shall pay the cost of any third party inspection services for Phase 1 of **Sanitary Sewer Improvement Plan for Courtyards on Concord** as required by the County.

**SECTION V: CONSTRUCTION**

All public improvement construction shall be performed within eighteen (18) months from the date of the approval of this Agreement by the County Commissioners, but extension of time may be granted if approved by the County Commissioners.

The Subdivider shall indemnify and save harmless the County, Townships, Cities, and/or Villages and all of their officials, employees, and agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any action, or omissions of the Subdivider, and any of its contractors or sub-contractors, or from any material, method, or explosive used in the Work, or by or on account of any accident caused by negligence, or any other act or omission of the Subdivider, and any of its contractors or the contractors' agents or employees in connection with the Work.

The Subdivider shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading the plans and specifications and shall have authority to execute the plans and specifications and alterations required by the County. The representative shall be replaced by the Subdivider when, in the opinion of the County, the representative's performance is deemed inadequate.

If, due to unforeseen circumstances during construction activities, the Subdivider must install any of the Improvements to a different location than shown on the approved and signed construction plans, the Subdivider shall request a revision to the construction plans and the Delaware County Sanitary Engineer shall evaluate this request. If the request for a revision is approved in writing by the Delaware County Sanitary Engineer, then the Subdivider shall provide and record a revised, permanent, exclusive sanitary easement prior to the County's acceptance of the sewer. The language and dimensions of the revised, permanent, exclusive sanitary easements shall be subject to the approval of the Delaware County Sanitary Engineer.

The Subdivider shall, during the construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the County regarding submission of shop drawings, construction schedules, operation of facilities, and other matters incident to the construction and operation of the Improvements.

The Subdivider shall obtain all other necessary utility services incident to the construction of the Improvements and for their continued operation. The Subdivider shall be responsible for all utility charges and installation costs. The utility user charges shall be paid by the Subdivider and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the County.

**SECTION VI: EASEMENTS**

The Subdivider shall provide to the County all necessary easements or rights-of-way required to complete the Improvements, all of which shall be obtained at the expense of the Subdivider. All Improvements, including, but not limited to, public sanitary sewers, force mains, manholes, and private laterals to offsite properties shall be located within a recorded, permanent, exclusive sanitary easement on file at the Delaware County Recorder's Office, the language of which shall be subject to approval by the Delaware

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County Sanitary Engineer. The dimensions of all easements shall be as shown on the approved engineering drawings. If any onsite easement or necessary right of way is not to be recorded as part of a subdivision plat, such easements and rights-of- way shall be recorded and provided to the Delaware County Sanitary Engineer before a preconstruction meeting will be permitted and before construction may begin on the Improvements. All offsite easements must be recorded prior to signing the plans unless otherwise permitted, in writing, by the Delaware County Sanitary Engineer.

**SECTION VII: COMPLETION OF CONSTRUCTION**

The County shall, upon certification in writing from the Delaware County Sanitary Engineer that all construction is complete according to the plans and specifications, by Resolution, accept the Improvements described herein and accept and assume operations and maintenance of the Improvements.

The Subdivider shall within thirty (30) days following completion of construction of the Improvements, and prior to final acceptance, furnish to the County as required:

- (1) "As built" drawings of the Improvements which plans shall become the property of the County and shall remain in the office of the Delaware County Sanitary Engineer and Delaware County Engineer and/or the City of Powell. The drawings shall be on reproducible Mylar (full size) and a digital copy in .PDF format.
- (2) An Excel spreadsheet, from a template as provided by the Delaware County Sanitary Engineer, shall accompany the plan submittal showing the locations of the manholes in Ohio State Plane North Coordinates NAD 1983 (NAVD 1988 datum) and other miscellaneous project data.
- (3) An itemized statement showing the cost of the Improvements.
- (4) An Affidavit or waiver of lien from all contractors associated with the project that all material and labor costs have been paid. The Subdivider shall indemnify and hold harmless the County from expenses or claims for labor or materials incident to the construction of the Improvements.
- (5) Documentation showing the required sanitary easements.

Should the Subdivider become unable to carry out the provisions of this Agreement, the Subdivider's heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions, and requirements of this Agreement. Notwithstanding any other provision of this Agreement, the County shall have no obligation to construct any improvements contemplated herein, and any construction thereof on the part of the County shall be strictly permissive and within the County's sole discretion.

The Subdivider, for a period of five (5) years after acceptance of the Improvements by the County, shall be responsible for defective materials and/or workmanship. All warranties for equipment installed as a part of the Improvements shall be the same as new equipment warranties and shall be assigned to the County upon acceptance of the Improvements. A list of corrective items shall be provided to the Subdivider prior to expiration of the five (5) year period.

After the acceptance of the Improvements, the capacity charge **and any surcharges** shall be paid by the applicant upon request to the Delaware County Sanitary Engineer for a tap permit to connect to the sanitary sewer. User fee charges will commence the day the sanitary tap is made, regardless of completeness of construction.

**SECTION VIII: SIGNATURES**

IN CONSIDERATION WHEREOF, the County Commissioners hereby grant the Subdivider or its agent the right and privilege to make the Improvements stipulated herein and as shown on the approved plans.

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

**9**  
**RESOLUTION NO. 25-430**

**IN THE MATTER OF APPROVING MODIFICATION #2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JOHNSON, MIRMIRAN & THOMPSON, INC. FOR GENERAL ENGINEERING:**

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

WHEREAS, on April 22, 2019, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 19-378, approving the Professional Services Agreement with Johnson, Mirmiran & Thompson, Inc.; and

WHEREAS, on April 26, 2021, the Board adopted Resolution No. 21-337, approving Professional Services Agreement Modification #1 with Johnson, Mirmiran & Thompson, Inc.; and

WHEREAS, the County Engineer has negotiated additional fees for General Engineering Services and recommends modifying the Agreement accordingly;

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NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the following Modification #2 to the Agreement:

PROFESSIONAL SERVICES AGREEMENT  
General Engineering Services  
Modification #2

Original Agreement dated April 22, 2019, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (“County”), and Johnson, Mirmiran & Thompson, Inc., 4215 Worth Avenue, Suite K-230, Columbus, Ohio 43219, (“Consultant”), attached as Exhibit A, is hereby modified as follows:

Section 4.3 shall be replaced in its entirety with the following:

4.3 Total compensation under this Agreement shall not exceed Five Hundred and Sixty Thousand Dollars and no cents (\$560,000.00) without subsequent modification.

All other terms of the original Agreement shall remain in full force and effect.

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

10  
RESOLUTION NO. 25-431

IN THE MATTER OF DECLARING COUNTY PERSONAL PROPERTY OBSOLETE, UNFIT, OR NOT NEEDED FOR PUBLIC USE:

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

WHEREAS, section 307.12(E) of the Revised Code authorizes the Delaware County Board of Commissioners (the “Board”) to sell, by internet auction, county personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired; and

WHEREAS, on August 1, 2016, the Board adopted Resolution No. 16-749, declaring its intent to sell unneeded, obsolete, or unfit personal property by internet auction and establishing general guidelines for such sale; and

WHEREAS, pursuant to section 307.12(B) of the Revised Code, when the Board finds, by resolution, that the county has personal property, including motor vehicles acquired for the use of the county officers and departments, and road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and when the fair market value of the property to be sold or donated is, in the opinion of the Board, five thousand dollars or less, the Board may either sell the property by private sale, without advertisement or public notifications, or donate the property to an eligible nonprofit organization meeting the requirements of and in accordance with section 307.12(B)(2) of the Revised Code; and

WHEREAS, the Delaware County Engineer has determined that the following personal property is no longer needed for public use, is obsolete, or is unfit for the use for which it was acquired:

Asset Tag Number	Item Description	Serial Number
008742	RICOH MP C3503 COPIER/PRINTER	E164M510448
003706	HP LASERJET USQL050567	4050TN
4901210067	MILLER WELDER BOBCAT225D	UNKNOWN

(hereinafter collectively referred to as the “Property”);

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

Section 1. The Board hereby declares that the Property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired and authorizes the sale of the Property by internet auction, in accordance with the guidelines set forth in Resolution No. 16-749.

Section 2. The Board hereby determines that, if any of the Property is not sold by internet auction within a reasonable period of time, then individually, each piece of Property has a fair market value of five thousand dollars or less and may be sold by private sale without further advertisement or public notification in accordance with section 307.12(B)(1) of the Revised Code or donated to an eligible nonprofit organization meeting the requirements of and in accordance with section 307.12(B)(2) of the Revised Code.

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

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Jennifer Walraven, Clerk to the Commissioners