

COMMISSIONERS JOURNAL NO. 82 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD AUGUST 4, 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

1
RESOLUTION NO. 25-584

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS
FROM REGULAR MEETING HELD JULY 31, 2025:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on July 31, 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 Aye

2
PUBLIC COMMENT

3
RESOLUTION NO. 25-585

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES,
AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0801:

It was moved by Mr. Merrell, seconded by Mr. Benton, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0801 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO’ Increase			

PR Number	Vendor Name	Line Description	Account	Amount

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

4
RESOLUTION NO. 25-586

IN THE MATTER OF SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING FOR
CONSIDERATION OF A PETITION FROM THE BERLIN TOWNSHIP BOARD OF TRUSTEES
REQUESTING VACATION OF VARIOUS ROADS WITHIN THE PLAT OF TANKTOWN IN
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO, UNDER THE SPECIAL PROCEDURES OF
R.C. 5553.045:

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

WHEREAS, on July 18, 2025, the Delaware County Board of Commissioners (the “Board”) received a petition filed by the Berlin Township Board of Trustees, requesting the Board adopt a resolution ordering the vacation of various roads within the Plat of Tanktown in Berlin 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 Thursday August 28, at 9:45A.M. at the

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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 roads or portions of roads 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 Berlin Township Board of Trustees has filed the Petition, 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 Mr. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

5
RESOLUTION NO. 25-587

IN THE MATTER OF SETTING THE DATE, TIME, AND PLACE FOR A PUBLIC HEARING FOR CONSIDERATION OF LEVYING DRAINAGE MAINTENANCE ASSESSMENTS APPORTIONED ACCORDING TO TAX VALUE, IN LIEU OF THE PERMANENT ASSESSMENT BASE PROCEDURE, PURSUANT TO SECTION 6137.111 OF THE REVISED CODE:

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”) has approved numerous petitions to accept drainage improvements within platted subdivisions into the Delaware County Drainage Maintenance Program, administered in partnership with the Delaware County Engineer and the Delaware Soil & Water Conservation District, in accordance with Chapters 6131 and 6137 of the Revised Code; and

WHEREAS, pursuant to section 6137.11 of the Revised Code, the standard procedure for levying drainage maintenance assessments is to levy assessments as a percentage of the permanent assessment base derived from the original construction cost, with the permanent assessment base updated on a sexennial basis; and

WHEREAS, pursuant to section 6137.111 of the Revised Code, in lieu of the permanent assessment base and procedure specified in section 6137.11 of the Revised Code, the Board may by resolution levy upon the benefited property assessments apportioned according to tax value in the amount determined by the Board to be necessary to obtain funds for the maintenance fund; and

WHEREAS, the Delaware County Engineer and the Delaware Soil & Water Conservation District recommend that the Board consider levying a drainage maintenance assessment apportioned according to tax value at a uniform millage rate on all lots within platted subdivisions in the Delaware County Drainage Maintenance Program; and

WHEREAS, prior to the adoption of a resolution levying the assessments, the Board shall give at least ten days' notice in one newspaper of general circulation in the county, which shall state the time and place when and where the resolution shall be taken up for consideration;

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

Section 1. The Board hereby sets August 18, 2025, at 10:00 a.m., at the Office of the Board, 91 North Sandusky Street Delaware, Ohio 43015, as the date, time, and place for a public hearing for consideration of a resolution to levy drainage maintenance assessments apportioned according to tax value, in lieu of the permanent assessment base procedure. The Board will then adjourn the hearing to be reconvened on August 28, 2025, at 10:00 a.m., at the Office of the Board.

Section 2. The Board hereby directs the Clerk to give notice of the public hearing as required by law.

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

6
RESOLUTION NO. 25-588

IN THE MATTER OF DESIGNATING AUGUST, 2025 AS CHILD SUPPORT AWARENESS MONTH IN DELAWARE COUNTY:

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

WHEREAS, the Delaware County Child Support Enforcement Agency recognizes the important role of many partners to support Ohio’s children today to provide them with a stronger future tomorrow, including parents, employers, government agencies and others; and

WHEREAS, the Delaware County Child Support Enforcement Agency is committed to working with families to help them overcome barriers to paying child support so that they can provide for their children’s basic needs and ensure that their children have food, clothing and shelter; and

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WHEREAS, the Delaware County Child Support Enforcement Agency appreciates staff for their hard work and commitment to ensuring that children receive the support they deserve; and

WHEREAS, the Delaware County Child Support Enforcement Agency is dedicated to investing in our children, their parents, and our partners, so that the children grow up with the love and support of their parents’ and community; and

WHEREAS, through the leadership of Delaware County Child Support Enforcement Agency, many children’s lives are brighter because of our employee’s commitment.

- *Delaware County CSEA collected \$22,929,763.14 for 2024.
- *Our Agency provides service for 5,485 children on 4,129 cases.
- *Our Agency current child support collections are at 83.76% we also collected on 77.48% of child support arrears.

WHEREAS, the theme for Child Support Awareness Month is “Support Is Key”. We applaud parents who are committed to supporting their children; therefore, during Child Support Awareness Month, we acknowledge and celebrate parents who provide positive emotional and financial foundations for their children.

NOW, THEREFORE, WE, The Delaware County Board of Commissioners of Delaware County, Ohio, do hereby designate, in conjunction with the State of Ohio,

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

7
Toni Turowski, ODOT District Six Deputy Director, Matthew McGuire, ODOT District Six Public Information Officer, Hannah Salem, ODOT District Six Public Information Officer

Presentation/Update

8
RESOLUTION NO. 25-589

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

Supplemental Appropriation		
10011106-5328	County Garage/Maint & Repair Services	20,000.00
21711326-5321	911 Wireless/Software Licenses-Subscriptions	80,000.00
24026326-5319	Juv Crt Restitution/Reimbursements-Refund	1,347.00
53911158-5720	BR Riverby Estates/Interest Payments-Bonds	22,715.00
53911158-5725	BR Riverby Estates/Principal Payments-Bonds	3,900.00

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

9
RESOLUTION NO. 25-590

IN THE MATTER OF ACCEPTING THE ROADS, APPROVING RECOMMENDED SPEED LIMIT, ESTABLISHING STOP CONDITIONS, AND RELEASING THE BOND FOR CHESHIRE WOODS SECTION 4, PHASE A:

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

WHEREAS, the Engineer has reviewed the roadway construction of the roads in Cheshire Woods Section 4, Phase A (the “Subdivision”), finds it to be constructed in accordance with the approved plans, and recommends that the following roadway within the Subdivision be accepted into the public system:

Cheshire Woods Section 4, Phase A:

- An addition of 0.337 mile to Township Road Number 1785, Grafton Lane
- An addition of 0.650 mile to Township Road Number 1580, Wrenbury Drive; and

WHEREAS, the Engineer recommends that the following stop conditions be established through the Subdivision; and

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- Establish a stop condition for Township Road 1785, Grafton Lane at its intersection with Township Road Number 1580, Wrenbury Drive; and

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

WHEREAS, the Engineer also requests approval to return the maintenance bond to the owners, Homewood Corporation;

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby accepts the Engineer’s recommendations stated herein and accepts the roads, approves the speed limit, establishes stop conditions and releases the bond in accordance with the Engineer’s recommendations stated herein.

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

10
RESOLUTION NO. 25-591

IN THE MATTER OF APPROVING AMENDMENT NO. 1 TO THE COOPERATIVE PROJECT AGREEMENT WITH BERLIN TOWNSHIP AND ORANGE TOWNSHIP FOR IMPROVEMENTS TO SHANAHAN ROAD:

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

WHEREAS, pursuant to Resolution No. 23-968, adopted on November 13, 2023, this Board entered into a “Cooperative Project Agreement Between Delaware County, Berlin Township and Orange Township for Improvements to Shanahan Road” (“Agreement”); and

WHEREAS, Berlin Township and Orange Township (collectively “Townships”) have determined the need to include a multi-use path as a component of the improvements to Shanahan Road (“Project”); and

WHEREAS, the Delaware County Engineer and Townships recommend modifying the Agreement to add the multi-use path as a component of the Project;

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

Section 1. The Board hereby approves “Amendment No. 1 Cooperative Project Agreement Improvements to Shanahan Road” as follows:

AMENDMENT NO. 1
COOPERATIVE PROJECT AGREEMENT
Improvements to Shanahan Road

This Amendment No. 1 to the Cooperative Project Agreement (“Agreement”) entered into on or about November 13, 2023, is made by and among the Board of Commissioners of Delaware County (“County”), Berlin Township and Orange Township (individually referred to as “Township” and severally as “Townships”), and the County Engineer, herein individually referred to as a “Party” and collectively referred to as the “Parties” to the Agreement.

RECITALS

WHEREAS, the Townships have determined the need to include a multi-use path as a component of the Project; and

WHEREAS, the County is willing to include a multi-use path as a component of the Project, provided the Townships shall pay for the multi-use path and the additional improvements incidental thereto, including the pavement, curb ramps, and all infrastructure and incidentals needed for a mid-block pedestrian crossing;

NOW, THEREFORE, the Parties mutually agree to amend the Agreement, pursuant to Section 5.1 of the Agreement, as follows:

ARTICLE 1 – AMENDMENT

- A. Section 1.1 is modified to include the following sentence in the description of the Project: The Project also includes pavement and curb ramps for a multi-use path along the south side of Shanahan Road that connects the existing path in Orange Summit Communities and the existing path in North Farms with a mid-block pedestrian crossing located at The Greenery.
- B. Section 2.1 is modified to change the estimated Date of Completion to December 1, 2027.
- C. Section 2.2 is modified to include a line for Path Construction for \$336,000 and the Total Project Cost is modified to \$7,046,000.
- D. Section 3.1 is removed and replaced with the following text:

Township Share of Cost. Each Township shall contribute a fixed amount of One Million Fifty Thousand Dollars (\$1,050,000.00) toward the construction cost of the Project, to be paid in one or more

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installments by the dates specified below (the “Township Cost Share”).

In addition to the Township Cost Share, each Township shall also pay equal shares for the Path Construction. Each Township shall pay an upfront deposit of One Hundred Sixty-Eight Thousand Dollars (\$168,000) to the County for the Path Construction. The deposit shall be made within thirty (30) days after the County provides written notice to the Townships that the construction contract is advertised for bids. Upon completion of construction, the County shall provide a Final Cost summary with supporting documentation for the Path Construction. If the Final Cost for the Path Construction is less than the total deposit, the difference will be reimbursed to the Townships equally. If the Final Cost for the Path Construction is more than the total deposit, the Townships shall be invoiced equally for the balance, which shall be due within thirty (30) days after the date of the invoice.

The source of funds paid by a Township for the Township Cost Share and the deposit for Path Construction shall be from non-federal sources and shall not obligate the County to any additional federal or state rules or regulations beyond those ordinarily applicable to public road projects paid for with county general revenue funds or Ohio Public Works Commission funds. Each Township, in its sole discretion, may pay for its Township Cost Share and deposit for Path Construction from the proceeds of any township tax levies or other funds legally allowed for use on road improvements, including funds from tax increment financings (TIF’s) placed by the Township upon properties in the vicinity of the Project.

Schedule of Fixed Amount Township Cost Share	
Not later than June 30, 2025	\$150,000.00
Not later than June 30, 2026, an additional	\$150,000.00
Not later than June 30, 2027, an additional	\$150,000.00
Not later than June 30, 2028, an additional	\$150,000.00
Not later than June 30, 2029, an additional	\$150,000.00
Not later than June 30, 2030, an additional	\$150,000.00
<u>Not later than June 30, 2031, an additional</u>	<u>\$150,000.00</u>
Total Fixed Amount Paid Per Township	\$1,050,000.00

ARTICLE 2 – REMAINING PROVISIONS

All other terms and conditions of the Agreement not specifically amended herein shall remain in full force and effect.

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

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

11
RESOLUTION NO. 25-592

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

It was moved by Mr. Merrell, seconded by Mr. Benton, to approve the following work permits:

WHEREAS, the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

NOW, THEREFORE, BE IT RESOLVED that the following permits are hereby approved by the Board of Delaware County Commissioners:

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PERMITS	APPLICANT	LOCATION	TYPE OF WORK
UT2025-0194	CINCINNATI BELL	DUBLIN & RESERVE	FIBER OPTIC CABLE
UT2025-0195	CINCINNATI BELL	KATHRY&HUNTERS-STEITZ RD	FIBER OPTIC CABLE
UT2025-0196	FRONTIER	SCIOTO RIDGE,TREE LAKE	FIBER OPTIC CABLE
UT2025-0197	CINCINNATI	HARRIOTT & ERIN WOODS	FIBER OPTIC CABLE
UT2025-0198	CONSOLIDATED COOP	CURTIS RD	ROAD BORE
UT2025-0199	CINCINNATI BELL	ELMGEE DR	FIBER OPTIC CABLE
UT2025-0200	CINCINNATI BELL	FOX PATH	FIBER OPTIC CABLE
UT2025-0201	CINCINNATI BELL	E SCIOTO & MIAMA	FIBER OPTIC CABLE
UT2025-0202	CINCINNATI BELL	FRESIAN & TRIPLE CROWN	BIFER OPTIC CABLE
UT2025-0203	CINCINNATI BELL	VILLAGE CLUB & WINDY FOREST	FIBER OPTIC CABLE
UT2025-0204	CINCINNATI BELL	SAWMILL & OCONNELL	FIBER OPTIC CABLE
UT2025-0205	VERO NETWORKS	WORTHINGTON RD	DIRECTIONAL BORE
UT2025-0206	VERO NETWORKS	WORTHINGTON RD	DIRECTIONAL BORE
UT2025-0207	VERO NETWORKS	E POWELL RD	DIRECTIONAL BORE
UT2025-0208	VERO NETWORKS	LEWIS CENTER	DIRECTIONAL BORE
UT2025-0209	VERO NETWORKS	E ORANGE RD	DIRECTIONAL BORE
UT2025-0210	VERO NETWORKS	AFRICA RD	DIRECTIONAL BORE
UT2025-0211	VERO NETWORKS	E ORANGE RD	DIRECTIONAL BORE
UT2025-0212	VERO NETWORKS	COLUMBUS RD	DIRECTIONAL BORE
UT2025-0213	VERO NETWORKS	DUNCAN PLAINS	DIRECTIONAL BORE
UT2025-0214	AT&T	GREEN MEADOWS	BORE
UT2025-0215	FRONTIER	SCIOTO PKWY	FIBER OPTIC CABLE
UT2025-0216	CINCINNATI BELL	DUFFY RD	FIBER OPTIC CABLE
UT2025-0217	SPECTRUM	LEWIS CENTER RD	BORE

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

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RESOLUTION NO. 25-593

IN THE MATTER OF APPROVING THE FIRST AMENDMENT TO THE COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF DELAWARE AND DELAWARE COUNTY FOR REGIONALIZATION OF CENTRAL TRAFFIC SIGNAL SOFTWARE SYSTEM (CTSSS):

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

WHEREAS, the City of Delaware, Ohio (“City”) and the Delaware County Board of Commissioners (the “Board”) entered into a “Cooperation Agreement by and Between The City of Delaware and Delaware County for Regionalization of Central Traffic Signal Software System (CTSSS)” (the “Agreement”) on January 27, 2020; and

WHEREAS, changes to the Agreement are warranted and include, but are not limited to, reallocating the cost of the CTSSS subscription fee and to moving or migrating the CTSSS (a.k.a. Centracs) from the City Traffic Control Server to the cloud on Amazon Web Services (“AWS”);

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

Section 1. The Board hereby approves the “First Amendment to the Cooperation Agreement by and Between The City of Delaware and Delaware County for Regionalization of Central Traffic Signal Software System (CTSSS)” as follows:

FIRST AMENDMENT TO THE COOPERATION AGREEMENT BY AND BETWEEN THE
CITY OF DELAWARE AND DELAWARE COUNTY FOR REGIONALIZATION OF
CENTRAL TRAFFIC SIGNAL SOFTWARE SYSTEM (CTSSS)

WHEREAS, The City of Delaware, Ohio (“City”) and the Delaware County Board of Commissioners (“County”), entered a “Cooperation Agreement By and Between The City of Delaware and Delaware County for Regionalization of Central Traffic Signal Software System (CTSSS)” (the “Agreement”) on January 27, 2020; and

WHEREAS, changes to the Agreement are warranted; and

WHEREAS, the Agreement provides that the City and County must mutually agree to any necessary changes to the Agreement and that the Agreement may only be amended in writing with the mutual consent and agreement of the City and County.

NOW, THEREFORE, the City and County mutually consent and agree to make the following necessary changes to the Agreement (the “First Amendment”):

1. Section “6 COST PARTICIPATION” of the Agreement shall be amended as follows:
- a. 6.11 shall be replaced in its entirety with the following language:
 “The City, County, and City of Powell, Ohio (“Powell”) will each be responsible for their portion of the Annual Subscription Fee, which includes all software maintenance and updates required for the CTSSS. The total fee will be split based on the percentage/number of intersections under each jurisdiction covered by the jurisdiction's cooperation agreement with the City. There are currently

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125 software licenses issued to cover the 125 intersections within the CTSSS. The 2025 annual renewal cost for the 125 licenses is \$10,940.00 (\$87.52/license).

The allocation and corresponding current annual renewal cost of the 125 licenses are as follows:

- i. City: 69 Licenses - \$6,039.33
- ii. Powell: 11 Licenses - \$962.72
- iii. County: 45 Licenses - \$3,937.95.

The City will invoice the County for its annual subscription cost each year beginning in 2025 and the County will reimburse the City within 30 days of the invoice being issued by the City. The City and County understand that the annual subscription fee may change from what is indicated above based on an increase in the number of licenses issued or the vendor’s contract terms and conditions.

The City, County, and any jurisdiction participating in the CTSSS will each be responsible for the purchase of any additional intersection licenses. Additional intersection licenses can be purchased in increments of 25 and will be done on an as needed basis with the cost split being determined based on the need of each jurisdiction. A 25-license expansion pack is estimated to be \$28,040.00.”

- b. Section 6.12 shall be replaced in its entirety with the following language: “The CTSSS (a.k.a. Centrac) will be moved or migrated from the City Traffic Control Server to the cloud on Amazon Web Services or (“AWS”). The total cost to migrate the current Centrac environment to AWS is a one-time cost of \$43,900.00 for a 5-year contract, the term of which will begin in 2025 and end in 2029. The \$43,900.00 cost will be allocated between the City, County, and Powell as follows:

- i. City Share: \$14,633.33
- ii. Powell Share: \$14,633.34
- iii. County Share: \$14,633.33

The City will invoice the County for its share one time in 2025, and the County will reimburse the City within 30 days of the invoice being issued by the City.

- c. The following language shall be added after Section “6.12”:
“6.13 The total cost for which the County will be invoiced by the City in 2025 is \$18,571.28.

- 2. Section “8 EQUIPMENT AND FACILITIES” of the Agreement shall be amended as follows:
 - a. The following language shall be added after Section “8.7”:
“Section 8.8 The City and County agree to add the jurisdiction of the City of Powell, Ohio to the CTSSS pursuant to the terms of the attached agreement identified as “Attachment A.”
- 3. Section “10 TERM” of the Agreement shall be amended as follows:
 - a. Section 10.3 shall be replaced in its entirety with the following language: “This Agreement will be reviewed and updated, as appropriate, in 2030. If no changes are made, the most recent version of the Agreement shall remain in effect.”
- 4. Section “13 MISCELLANEOUS TERMS & CONDITIONS” of the Agreement shall be amended as follows:
 - a. The following sentence is added to Section 13.2:
“The Parties agree to equally split 50/50 costs to mediate.”

The Agreement retains all terms not changed by this First Amendment.

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

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

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ADMINISTRATOR REPORTS

CA Davies, DCA Huston and Attorney Hochstettler – Nothing to report

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COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Merrell – will be attending the Hartford Fair

Commissioner Benton – will be attending the MORPC Executive Meeting and the Hartford Fair

Commissioner Lewis – Nothing to report

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15
RESOLUTION NO. 25-594

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

It was moved by Mr. Benton, seconded by Mr. Merrell, 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 Aye Mrs. Lewis Aye Mr. Merrell Aye

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RESOLUTION NO. 25-595

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners