

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD NOVEMBER 6, 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

9:45 A.M. Public Hearing to consider the Approval and Adoption of Amendments to the
Subdivision Regulations of Delaware County, Ohio pursuant to the Ohio Revised Code
Sections 711.10, 711.132, and 711.133

1
RESOLUTION NO. 25-920

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS
FROM REGULAR MEETING HELD NOVEMBER 3, 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
November 3, 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. 25-921

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES,
AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1105, MEMO TRANSFERS IN
BATCH NUMBERS MTAPR1105:

It was moved by Mr. Merrell, seconded by Mr. Benton, to approve Then and Now Certificates, payment of
warrants in batch numbers CMAPR1105, memo transfers in batch numbers MTAPR1105, and Purchase
Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO’ Increase			
(P2501044) Converge Psychological	Childrens Services	22511607-5342	\$6.,500.00
(P2504306) Ohio Dept of Medicaid	FCF System of Care	70161605-5319	\$13,200.00
(P2501079) Facilities	Operations & Maintenance	66211900-5328	\$8,000.00
(P2501079) Facilities	Operations & Maintenance	66211900-5331	\$1,500.00

PR Number	Vendor Name	Line Description	Account	Amount
R2504832	STATEWIDE FORD LINCOLN MERCURY INC	REPLACEMENT COST FOR TOTALED VEHICLE	60111901 - 5370	\$ 27,786.00
R2504848	UNITED SURVEY INC	SEWER REPAIRS ALONG WILSON ROAD - RESOLUTION	66611900 - 5415	\$ 77,250.00
R2504856	CDM SMITH INC	BIOSOLIDS MASTER PLAN - RESOLUTION 25- 875	66611900 - 5410	\$ 876,612.00
R2504857	UNITED SURVEY INC	AMENDMENT 1 - NORTHSTAR SEWER REHAB PROJECT -	66611900 - 5415	\$ 15,500.00
R2504892	LANE,ANDREW SCOTT	REFUND UNCLAIMED INHERITANCE	78011118 - 5319	\$ 22,726.46

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

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RESOLUTION NO. 25-922

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IN THE MATTER OF REJECTING FOR CONSIDERATION THE AMENDMENT TO THE PETITION FOR THE INDIAN RUN LATERAL #3 WATERSHED DRAINAGE IMPROVEMENT PETITION:

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

WHEREAS, on June 20, 2025, Bernis Farms, LLC, filed a petition with the Clerk of the Board of Commissioners, pursuant to Chapter 6131 of the Revised Code, requesting certain improvements to the Indian Run Lateral #3 Watershed Drainage Improvement (the “Petition”); and

WHEREAS, pursuant to section 6131.05 of the Revised Code, any benefiting owner may, not more than twenty-one days after the date of the view, file an amendment to a petition for a drainage improvement that expands the length of the proposed improvement, provided that such amendment does not expand the area to be benefited by the proposed improvement, and any amendment shall include the information required by section 6131.04 of the Revised Code along with the amendment; and

WHEREAS, Richard F. Perry is a benefiting owner who filed an amendment to the Petition pursuant to section 6131.05 of the Revised Code on October 28, 2025, prior to expiration of the amendment deadline; and

WHEREAS, the amendment filed does not contain the information required by section 6131.04 of the Revised Code;

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

Section 1. The amendment to the Petition filed by Richard F. Perry on October 28, 2025, was timely filed but does not meet all the substantive requirements of section 6131.05 of the Revised Code and is, therefore, rejected for consideration.

Section 2. The Delaware County Engineer and Delaware Soil & Water Conservation District are hereby directed to not include consideration of the amendment to the Petition in the preliminary report on the proposed improvement.

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

5
RESOLUTION NO. 25-923

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Commissioners’ Office is requesting that Barb Lewis attend the 2026 NACO Legislative Conference, in Washington, DC on February 21-24, 2026, at the cost of \$2,790.00.

The Emergency Management Department is requesting that Alex McCarthy attend the 2026 NACO Legislative Conference, in Washington, DC on February 21-24, 2026, at the cost of \$2,965.00.

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

6
RESOLUTION NO. 25-924

IN THE MATTER OF INCREASING THE MEMBERSHIP OF THE DELAWARE COUNTY INVESTMENT ADVISORY COMMITTEE TO FIVE MEMBERS:

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

WHEREAS, pursuant to section 135.341(A) of the Revised Code, there shall be a county investment advisory committee consisting of three members: two county commissioners to be designated by the board of county commissioners, and the county treasurer; and

WHEREAS, pursuant to section 135.341(A) of the Revised Code, a board of county commissioners may declare that all three county commissioners shall serve on the county investment advisory committee, and if the board so declares, the county investment advisory committee shall consist of five members: the three county commissioners, the county treasurer, and the clerk of the court of common pleas of the county; and

WHEREAS, the current membership of the Delaware County Investment Advisory Committee consists of three members; and

WHEREAS, the Delaware County Board of Commissioners (the “Board”), upon recommendation of the Delaware County Treasurer, wishes to increase the membership of the Delaware County Investment Advisory Committee, in accordance with section 135.341(A) of the Revised Code, by declaring that all three county

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commissioners shall serve on the Delaware County Investment Advisory Committee;

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

Section 1. The Board hereby declares, in accordance with section 135.341(A) of the Revised Code, that all three county commissioners shall serve on the Delaware County Investment Advisory Committee.

Section 2. As a result of the Board’s declaration made in Section 1 of this Resolution, the Delaware County Investment Advisory shall consist of five members: the three members of the Board, the Delaware County Treasurer, and the Delaware County Clerk of the Court of Common Pleas.

Section 3. This Resolution shall take effect immediately upon adoption and shall supersede all prior resolutions inconsistent herewith.

Section 4. The Board hereby directs the Clerk to provide a copy of this Resolution to the Delaware County Treasurer and the Delaware County Clerk of the Court of Common Pleas.

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

7
RESOLUTION NO. 25-925

IN THE MATTER OF APPOINTING NEW MEMBERS AND REAPPOINTING EXISTING MEMBERS OF THE DELAWARE COUNTY TRAIL COMMITTEE:

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

WHEREAS, the Delaware County Board of Commissioners (the “Board”) formed a committee to create a plan to develop and fund a countywide multipurpose trail system per Resolution No. 16-755, and appointed members per Resolution No. 16-1005; and

WHEREAS, the Board established the terms for committee members and made appointments to the committee per Resolution Nos. 19-704, 20-413, and 21-718; and

WHEREAS, the Board wishes to appoint new members and reappoint existing members to the committee and reestablish terms for all members of the committee;

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

Section 1. The Board hereby appoints and reappoints members of the Delaware County Trail Committee and reestablishes terms for the members, as follows:

Position	Appointee	Term Ends
Delaware County Regional Planning Commission	Scott Sanders	October 31, 2029
Delaware County Engineer’s Office	Tiffany Jenkins	October 31, 2027
Delaware County Economic Development Department	Jonathan Kabat	October 31, 2027
Delaware Public Health District	Abbey Trimble	October 31, 2029
Preservation Parks	Matt Simpson	October 31, 2027
Mid-Ohio Regional Planning Commission (MORPC)	Melinda Vonstein	October 31, 2027
Member to represent county residents	Zach O’Dell	October 31, 2029

Section 2. This Resolution shall be effective immediately upon adoption.

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

8
RESOLUTION NO. 25-926

IN THE MATTER OF APPROVING A GRANT AWARD FOR THE DELAWARE COUNTY TRAIL ASSISTANCE PROGRAM:

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

WHEREAS, Delaware County Board of Commissioners (the “Board”), through its Trail Committee, administers the Delaware County Trail Assistance Program to help further multi-use trail development throughout Delaware County; and

WHEREAS, the Trail Committee has received an application for grant funding assistance for the 2025 funding cycle as follows:

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LIBERTY TOWNSHIP \$ 65,000.00

WHEREAS, the Trail Committee reviewed the application for compliance with the program’s defined Eligibility Requirements and Factors for Consideration; and

WHEREAS, the Trail Committee recommends the Board grant an award to the following applicant:

LIBERTY TOWNSHIP \$ 32,500.00

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

Section 1. The Board hereby approves the grant award through the Delaware County Trail Assistance Program funds as follows:

LIBERTY TOWNSHIP \$ 32,500.00

Section 2. The Board hereby authorizes the County Administrator to prepare, approve, and execute a Recreational Trail Grant Agreement with the Liberty Township Board of Trustees consistent with the award approved herein.

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

9
RESOLUTION NO. 25-927

RESOLUTION OF NECESSITY FOR THE PURCHASE OR LEASE OF A MOTOR VEHICLE FOR THE USE OF THE COUNTY SHERIFF OR HIS EMPLOYEES:

It was moved by Mr. Merrell, seconded by Mr. Benton, 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 a new cruiser; and

WHEREAS, the cruiser is 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 vehicle is 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 a new motor vehicle 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) a new cruiser is necessary to provide safe and reliable transportation for the County Sheriff and his employees; and (3) a new cruiser will ensure optimal service, safety, and security for the citizens of Delaware County.

Section 2. The Board hereby authorizes the purchase of one (1) 2024 Ford Police SUV at a cost of \$49,581.00 from Statewide Ford-Lincoln-Mercury, Inc., and declares that the purchase of said vehicle 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 #RSI031795.

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 10031301-5450 & 60111901-5370.

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 Aye Mrs. Lewis Aye Mr. Merrell Aye

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10
RESOLUTION NO. 25-928

IN THE MATTER OF APPROVING A TRANSFER OF APPROPRIATIONS FOR THE SHERIFF’S OFFICE:

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

Transfer of Appropriation		
From:	To:	
10031301-5361	10031301-5450	\$22,000.00
Sheriff Deputies Attorney Services	Sheriff Deputies Machinery & Equip (>\$5,000)	

This is to adjust the budget to allow for purchase of a cruiser to replace a cruiser that was totaled. Equipment from the totaled cruiser and insurance adjustment reduce the overall replacement total.

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

11
9:45A.M. -PUBLIC HEARING TO CONSIDER THE APPROVAL AND ADOPTION OF AMENDMENTS TO THE SUBDIVISION REGULATIONS OF DELAWARE COUNTY, OHIO PURSUANT TO THE OHIO REVISED CODE SECTIONS 711.10, 711.132, and 711.133:

The Board of Commissioners opened the hearing at 9:48 A.M.

The Board of Commissioners closed the hearing at 9:54 A.M.

RESOLUTION NO. 25-929

IN THE MATTER OF APPROVING AND ADOPTING AMENDMENTS TO THE SUBDIVISION REGULATIONS OF DELAWARE COUNTY:

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

WHEREAS, the Delaware County Regional Planning Commission (hereinafter the “Commission”) originally adopted Subdivision Regulations of Delaware County, Ohio on March 16, 1967 and subsequently amended those regulations on July 27, 1986; April 1, 1992; July 20, 1992; January 1, 1997; September 8, 1998; January 2, 2007; September 6, 2007; June 20, 2013; October 27, 2016; February 15, 2018; June 28, 2021; and November 1, 2021; and

WHEREAS, pursuant to Ohio Revised Code section 711.10, the Commission has authority to adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction, to secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan, for adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air, and for the avoidance of congestion of population. The rules may provide for their modification by the Commission in specific cases where unusual topographical and other exceptional conditions require the modification. In addition, the rules may require the board of health to review and comment on a plat before the Commission acts upon it and also may require proof of compliance with any applicable zoning resolutions, and with household sewage treatment rules adopted under section 3718.02 of the Revised Code, as a basis for approval of a plat; and

WHEREAS, the Commission held the required public hearings for the following Amendments to the Subdivision Regulations of Delaware County, Ohio:

- Amendment #1 Amendments to approval periods and Extensions
- Amendment #2 Section 102.03 Expirations or Extension of Subdivision
- Amendment #3 Section 204.04 Commission Action and Expiration
- Amendment #4 Section 205.06 Minor Amendments to a Recorded Subdivision Plat
- Amendment #5 Section 206.02 Final Plat Contents and Format

(the “Amendments”), pursuant to the Ohio Revised Code Sections 711.10, 711.132, and 711.133 [Subdivision Regulations of Delaware County, Ohio are available for review in the Delaware County Regional Planning Office and on the web at <https://regionalplanning.co.delaware.oh.us/wp-content/uploads/sites/17/2025/07/2025-Sub-Regs-Amendments.pdf>]; and

WHEREAS, the Commission adopted the Amendments on August 28, 2025, to be effective upon approval and adoption by the Board of Commissioners of Delaware County, Ohio (hereinafter the “Board”); and

WHEREAS, the Board held a public hearing on the proposed Amendments on November 6, 2025;

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

Section 1. The Amendments are hereby approved and adopted, effective immediately upon passage of this Resolution.

Section 2. All formal deliberations and actions of the Board concerning the adoption of this Resolution were made in an open meeting of the Board.

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

12
ADMINISTRATOR REPORTS

CA Davies – thankful for the Delaware County citizens for voting in favor of the 9-1-1 Levy.

DCA Huston and Attorney Hochstettler – Nothing to report.

13
COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Merrell – grateful for community support to pass 9-1-1 Levy, Worked the polls on Election Day and was impressed by Berlin High School students who volunteered. Attended “Make a Wish” and Preservation Parks and Stockhands events on 11/5. He will be attending a CCAO Board meeting and speaking at a ground breaking event.

Commissioner Benton – attended the CCAO Taxation Finance meeting and Preservation Parks event. He will be attending a MORPC Executive Committee meeting later today.

Commissioner Lewis – grateful for support of 9-1-1 Levy and she attended an EMA Board meeting.

14
RESOLUTION NO. 25-930

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT OF A PUBLIC EMPLOYEE OR A PUBLIC OFFICIAL AND FOR PENDING OR IMMINENT LITIGATION:

It was moved by Mr. Merrell, seconded by Mr. Benton, 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 Appointment of a Public Employee or a Public Official and for Pending or Imminent Litigation.

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

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RESOLUTION NO. 25-931

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

Vote on Motion Mr. Merrell Aye 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