

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 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

10:00 A.M. Public Hearing for consideration of the Indian Run Lateral #3 Watershed Drainage
Improvement Petition filed by The Bernis Farms, LLC

1
RESOLUTION NO. 25-1023

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS
FROM REGULAR MEETING HELD DECEMBER 1, 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
December 1, 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. 25-1024

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES,
AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 1205:

It was moved by Mr. Merrell, seconded by Mr. Benton, to approve Then and Now Certificates, payment of
warrants in batch numbers CMAPR 1205 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO’ Increase			
(P25021119) Ohio Cat	SRF Operations & Maintenance	66211900-5450	\$10,375.00
(P2501880) Prime Construction	URFOperations & Maintenance	66611900-5410	\$100,000.00
(P2500531) AEP	Land and Buildings	10011105-5338	\$40,000.00

PR Number	Vendor Name	Line Description	Account	Amount
INSURANC	GERMAIN FORD OF COLUMBUS LLC	INSURANCE AUTO REPAIR	60111901 - 5370	\$ 20,076.36
R2505149	XYLEM WATER SOLUTIONS USA INC	REPAIR PARTS FOR LEATHERLIPS PUMP STATION	66211900 - 5228	\$ 46,932.04
R2505152	CIVICSERVE INC	ECONOMIC DEVELOPMENT SOFTWARE SUBSCRIPTION	21011113 - 5321	\$ 31,500.00
R2505154	FISCAL OFFICER,LIBERTY TOWNSHIP	2025 TRAILS GRANT	10011102 - 5601	\$ 32,500.00
R2505170	MIELKE MECHANICAL INC	REPLACE DAMPERS IN AIR HANDLERS - COURTHOUSE ROOF	40111402 - 5228	\$ 4,393.00
R2505170	MIELKE MECHANICAL INC	REPLACE DAMPERS IN AIR HANDLERS - COURTHOUSE ROOF	40111402 - 5328	\$ 4,083.00
R2505178	CARR SUPPLY INC	HVAC REPLACEMENT - EMS STATION 8	40111402 - 5410	\$ 5,834.46
R2505192	PEDIATRIC EMERGENCY STANDARDS INC	HANDTEVY SOFTWARE SUBSCRIPTION	10011160 - 5321	\$ 26,163.65

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

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

4
RESOLUTION NO. 25-1025

IN THE MATTER OF ACKNOWLEDGING THE ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, THOMAS L. HART, PAINTER & ASSOCIATES, LLC, REQUESTING ANNEXATION OF 95.982 ACRES OF LAND IN TRENTON TOWNSHIP TO THE CITY OF SUNBURY:

It was moved by Mr. Benton, seconded by Mr. Merrell, to acknowledge that on November 24, 2025, the Clerk to the Board of Commissioners received a petition requesting annexation of 95.982 acres of land from Trenton Township to the City of Sunbury.

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

5
**GEORGE KAITSA, DELAWARE COUNTY AUDITOR AND SCOTT BROWN, CENTRAL REGIONAL LIAISON FOR STATE AUDITOR FABER
AWARD PRESENTATION AND RECOGNITION**

6
RESOLUTION NO. 25-1026

IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, SETTING THE BID DATE AND TIME FOR 2026 MATERIALS AND SERVICES FOR THE DELAWARE COUNTY ENGINEER:

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

WHEREAS the Delaware County Engineer recommends and approves the bid specifications and the bid opening date and time for the following materials and services: 2026 Drainage Maintenance; 2026 Asphalt Materials; 2026 Curb and Sidewalk Construction; 2026 Guardrail installation; 2026 Roadside Mowing North; 2026 Roadside Mowing South; 2026 Pavement Markings; and 2026 Tree Clearing;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the bid specifications and bid opening date and time for the following materials and services: 2026 Drainage Maintenance; 2026 Asphalt Materials; 2026 Curb and Sidewalk Construction; 2026 Guardrail installation; 2026 Roadside Mowing North; 2026 Roadside Mowing South; 2026 Pavement Markings; and 2026 Tree Clearing;

2026 Drainage Maintenance:

**Public Notice
Advertisement for Bids**

Bid shall be submitted electronically through the www.bidexpress.com web service until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as

2026 Drainage Maintenance Annual Contract

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. 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 “Public Notices and Bids” page at <https://co.delaware.oh.us/media-room/bids/> and the County’s social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2026. The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

Contract prices shall also be made available for cooperative purchasing with the Delaware Soil and Water Conservation District.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer’s Office website advertisement dates: December 12, 2025

2026 Asphalt Materials:

**Public Notice
Advertisement for Bids**

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025**

Bids shall be submitted electronically through the www.bidexpress.com webservice until 10:00 am on Tuesday, March 2, 2026, at which time they will be publicly received and read aloud, for the project known as:

2026 Asphalt Materials Supply Contract

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. 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 "Public Notices and Bids" page at <https://co.delaware.oh.us/media-room/bids/> and the County's social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The Owner requires that all work associated with the project be completed before December 31, 2026. The estimated commencement of work date is April 1, 2026.

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.

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 County Engineer's Office website advertisement dates: February 13, 2026

2026 Curb and Sidewalk Construction:

**Public Notice
Advertisement for Bids**

Bid shall be submitted electronically through the www.bidexpress.com web service until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as

2026 Curb and Sidewalk Construction Annual Contract

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. 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 "Public Notices and Bids" page at <https://co.delaware.oh.us/media-room/bids/> and the County's social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2026. The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

Contract prices shall also be made available for cooperative purchasing by all townships within Delaware County, City of Delaware, the Delaware County Preservations Parks District, and Delaware Soil and Water Conservation District.

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.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer's Office website advertisement dates: December 12, 2025

2026 Guardrail Installation:

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com web service until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly opened and read aloud, for the project known as

2026 Guardrail Installation Annual Contract

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025**

The owner of the project is the Delaware County Board of Commissioner's. Copies of the plans and specifications must be obtained from 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 "Public Notices and Bids" page at <https://co.delaware.oh.us/media-room/bids/> and the County's social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2026. The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

Contract prices shall also be made available for cooperative purchasing by all townships within Delaware County, City of Delaware, Delaware County Preservations Parks District, and Delaware Soil and Water Conservation District.

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.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer's Office website advertisement dates: December 12, 2025

2026-2027 Roadside Mowing (North):

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com webservice until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as:

2026-2027 Roadside Mowing (North)

All proposals shall be submitted electronically through the web service 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. 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 "Public Notices and Bids" page at <https://co.delaware.oh.us/media-room/bids/> and the County's social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2027.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer's Office website advertisement dates: December 12, 2025

2026-2027 Roadside Mowing (South):

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com webservice until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as:

2026-2027 Roadside Mowing (South)

All proposals shall be submitted electronically through the web service 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.

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025**

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. 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 “Public Notices and Bids” page at <https://co.delaware.oh.us/media-room/bids/> and the County’s social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2027.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer’s Office website advertisement dates: December 12, 2025

2026 Pavement Markings:

**Public Notice
Advertisement for Bids**

Bid shall be submitted electronically through the www.bidexpress.com web service until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as

2026 Pavement Markings Annual Contract

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. 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 “Public Notices and Bids” page at <https://co.delaware.oh.us/media-room/bids/> and the County’s social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2026. The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

Contract prices shall also be made available for cooperative purchasing by all townships within Delaware County, City of Delaware, the Delaware County Preservations Parks District, and Delaware Soil and Water Conservation District.

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.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer’s Office website advertisement dates: December 12, 2025

2026 Tree Clearing:

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com webservice until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as:

2026 Annual Tree Clearing

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. 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 “Public Notices and Bids” page at <https://co.delaware.oh.us/media-room/bids/> and the County’s social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The prices of this contract shall be in effect from January 26, 2026, to December 31, 2026. The Board of Commissioners reserves the right to make a non-exclusive award and to issue purchase orders on an as needed basis.

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

Contract prices shall also be made available for cooperative purchasing by all townships within Delaware County, City of Delaware, the Delaware County Preservations Parks District, and Delaware Soil and Water Conservation District.

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 the County. The Board reserves the right to reject any or all bids.

Delaware County Engineer’s Office website advertisement dates: December 12, 2025

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

7
RESOLUTION NO. 25-1027

IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATE AND SETTING THE BID DATE FOR THE PROJECT KNOWN DEL-CR014-0.45 EAST POWELL ROAD SHARED USE PATH AND SIDEWALK:

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

WHEREAS, the County Engineer has prepared specifications and an estimate for the project known as DEL-CR014-0.45 East Powell Road Shared Use Path and Sidewalk;

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

Section 1. The Board hereby approves the specifications and estimate for the project known as DEL-CR014-0.45 East Powell Road Shared Use Path and Sidewalk.

Section 2. The Board hereby authorizes the County Engineer to advertise for and receive bids on behalf of the Board in accordance with the following public notice:

**Public Notice
Advertisement for Bids**

Bids shall be submitted electronically through the www.bidexpress.com webservice until 10:00 am on Tuesday, January 13, 2026, at which time they will be publicly received and read aloud, for the project known as:

**DEL-CR014-0.45
East Powell Road Shared Use Path and Sidewalk**

All proposals shall be submitted electronically through the web service 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. 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 “Public Notices and Bids” page at <https://co.delaware.oh.us/media-room/bids/> and the County’s social media account, pursuant to Ohio Revised Code Section 307.87(A)(3).

The Owner requires that all work associated with the project be completed before July 1, 2026. The estimated commencement of work date is February 1, 2026.

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.

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 County Engineer’s Office website advertisement dates: December 12, 2025

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

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

8
RESOLUTION NO. 25-1028

IN THE MATTER OF ACCEPTING THE ROADS, APPROVING RECOMMENDED SPEED LIMIT, ESTABLISHING STOP CONDITIONS, AND RELEASING THE MAINTENANCE BOND FOR BERLIN FARM WEST SECTION 2:

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 Berlin Farm West Section 2 (the “Subdivision”), finds it to be constructed in accordance with the approved plans, and recommends that the following roadways within the Subdivision be accepted into the public system:

Berlin Farm West Section 2:

- An addition of 0.317 mile to Township Road number 1916 Marie Way
- An addition of 0.358 mile to Township Road number 1918 Longhill Drive
- An addition of 0.197 mile to Township Road number 1917 Stinson Road
- An addition of 0.091 mile to Township Road number 1933 Kenneth Drive; and

WHEREAS, the Engineer recommends that the following stop conditions be established within the Subdivision:

- Establish a stop condition for Township Road 1918, Longhill Drive, at its intersection with Township Road Number 1933, Kenneth Drive.
- Establish a stop condition for Township Road 1917, Stinson Road at its intersection with Township Road 1918. Longhill Drive
- Establish a stop condition for Township Road 1933, Kenneth Drive at its intersection with Township Road 1916, Marie Way; 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 owner, M/I Homes of Ohio, LLC;

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 maintenance bond in accordance with the Engineer’s recommendations stated herein.

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

9
RESOLUTION NO. 25-1029

IN THE MATTER OF APPROVING WEIGHT LIMIT REDUCTIONS ON VARIOUS ROADS IN DELAWARE COUNTY:

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

WHEREAS, section 5577.07 of the Ohio Revised Code provides for the reduction of the weight limits on roads when thaws or excessive moisture render roads insufficient to bear normal traffic; and

WHEREAS, the Engineer recommends and requests that the Board reduce the load limits on the below listed Township Roads by 40 percent of the legal limit in accordance with section 5577.07 of the Ohio Revised Code, based on the presence of excessive soil moisture and the detrimental effect of numerous freeze/thaw cycles;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby reduces the load limits on the below listed Township Roads by 40 percent of the legal limit in accordance with section 5577.07 of the Ohio Revised Code, based on the presence of excessive soil moisture and the detrimental effect of numerous freeze/thaw cycles:

2026 POSTED ROADS

COUNTY/TWP ROAD	#	ROAD NAME	BEGIN LIMIT	END LIMIT
TOWNSHIP	66	BEACOM		
TOWNSHIP	140	BEAN OLLER		

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

TOWNSHIP	67	BLUE CHURCH		
TOWNSHIP	92	BRAUMILLER		
TOWNSHIP	141	BUNTY STATION		
TOWNSHIP	165	BURNT POND	US 36	FONTANELLE
TOWNSHIP	152	CALHOUN		
TOWNSHIP	166	CARR		
TOWNSHIP	334	CARRIAGE		
TOWNSHIP	63	CHAMBERS		
TOWNSHIP	33	CLARK		
TOWNSHIP	139	CLARK SHAW	SAWMILL PKWY	LIBERTY
TOWNSHIP	132	COOK		
TOWNSHIP	167	DEGOOD		
TOWNSHIP	35	DOMIGAN		
TOWNSHIP	135	DUFFY		
TOWNSHIP	55	EAST LIBERTY NORTH		
TOWNSHIP	142	FORD		
TOWNSHIP	164	FONTANELLE		
TOWNSHIP	143	FRESHWATER		
TOWNSHIP	262	FRY		
TOWNSHIP	174	HODGES		
TOWNSHIP	156	JACKTOWN		
TOWNSHIP	60	JUSTAMERE		
TOWNSHIP	62	KENNEY		
TOWNSHIP	149	KLONDIKE		
TOWNSHIP	61	LANE		
TOWNSHIP	155	LARCOMB		
TOWNSHIP	133	MERCHANT		
TOWNSHIP	59	MOODY	OLIVE GREEN	JUSTAMERE
TOWNSHIP	160	NEWHOUSE		
TOWNSHIP	142	OWEN FRALEY		
TOWNSHIP	50	PATRICK	MONKEY HOLLOW	FREDRICKS
TOWNSHIP	56	PEERLESS		
TOWNSHIP	196	PENRY		
TOWNSHIP	12	PORTER CENTRAL	CENTERBURG	OLIVE GREEN
TOWNSHIP	69	ROSECRANS		
TOWNSHIP	122	RUTHERFORD		
TOWNSHIP	258	SHORTCUT		
TOWNSHIP	162	SMART		
TOWNSHIP	168	SLOCUM		
TOWNSHIP	94	SWEENEY		
TOWNSHIP	58	TRIMMER		
TOWNSHIP	57	ULERY	OLIVE GREEN	PORTER CENTRAL
TOWNSHIP	173	WARREN		
TOWNSHIP	56	WILSON	CARTERS CORNER	SR 61

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

10
RESOLUTION NO. 25-1030

IN THE MATTER OF APPROVING THE THIRD AMENDMENT TO THE SOFTWARE MAINTENANCE AGREEMENT BETWEEN COURTVIEW JUSTICE SOLUTIONS, INC., D/B/A EQUIVANT AND THE BOARD OF DELAWARE COUNTY COMMISSIONERS, ON BEHALF OF THE DELAWARE COUNTY COMMON PLEAS COURT, GENERAL DIVISION; THE DELAWARE COUNTY COMMON PLEAS COURT, DOMESTIC RELATIONS DIVISION; THE DELAWARE COUNTY COMMON PLEAS COURT, JUVENILE/PROBATE DIVISION; THE DELAWARE COUNTY CLERK OF COURTS; AND THE DELAWARE COUNTY PUBLIC DEFENDER, FOR A CASE MANAGEMENT SYSTEM:

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

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025**

WHEREAS, the Delaware County Common Pleas Court, General Division; the Delaware County Common Pleas Court, Domestic Relations Division; the Delaware County Common Pleas Court, Juvenile/Probate Division; the Delaware County Clerk of Courts; and the Delaware County Public Defender, and staff recommend approval of the third amendment to the Software Maintenance Agreement with Courtview Justice Solutions, Inc., D/B/A Equivant, for a Case Management System;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners approves the third amendment to the Software Maintenance Agreement with Courtview Justice Solutions, Inc., D/B/A Equivant, as follows:

THIRD AMENDMENT TO THE SOFTWARE MAINTENANCE AGREEMENT

This Third Amendment ("Third Amendment") to the Software Maintenance Agreement ("Agreement") is entered into on January 1, 2026 ("Third Amendment Effective Date") by and between CourtView Justice Solutions Inc. d/b/a equivalent, a Delaware corporation, with offices at 2014 Champions Gateway, Suite 301, Canton, OH 44708 ("equivalent"), and the Board of Commissioners, Delaware County, Ohio ("Board") with offices at 91 North Sandusky Street, Delaware, Ohio, 43015, on behalf of the following:

- Delaware County Common Pleas Court, General Division, with offices located at 117 North Union Street, 500 Level, Delaware, Ohio 43015 ("Gen. Div.")
- Delaware County Common Pleas Court, Domestic Relations Division, with offices located at 117 North Union Street, 400 Level, Delaware, Ohio, 43015 ("DR Div.")
- Delaware County Juvenile and Probate Court, with offices located at 145 North Union Street, Ground Floor, Delaware Ohio 43015 ("Juv/Prob")
- Delaware County Clerk of Courts, with offices located at 117 North Union Street, 300 Level, Delaware, Ohio 43015 ("Clerk")
- Delaware County Public Defender's Office, with offices located at 109 North Sandusky Street, Delaware County, Ohio, 43015 ("Public Defender")(Gen. Div., DR Div., and Juv/Prob collectively "Court") (Board, Court, Clerk, and Public Defender collectively "Customer") (Individually "Party" collectively "Parties").

Whereas, the Parties entered into a Software Maintenance Agreement ("Agreement") on December 19, 2022 that expired on December 31, 2023.

Whereas, the Parties entered into the First Amendment ("First Amendment") to the Software Maintenance Agreement on November 27, 2023, that expired on December 31, 2024

Whereas, the Parties entered into the Second Amendment ("Second Amendment") to the Software Maintenance Agreement on January 1, 2025, that expires on December 31, 2025

Whereas, Pursuant to Section 2 of the Agreement the Agreement may be renewed for additional one (1) year periods subject to the same terms and conditions as provided in the Agreement and upon any such terms and conditions as may be specifically agreed upon, added and/or amended in writing by the Parties; and

Whereas, the Parties now desire to renew and amend the Agreement.

Now therefore, the Parties agree to renew and amend the Agreement as follows:

1. DEFINITIONS. Unless otherwise defined in this Third Amendment, words and phrases defined in the Agreement shall have the same meanings as defined in the Agreement.
2. RENEWAL. The Agreement is renewed for one (1) year subject to the same terms and conditions as provided in the Agreement, First Amendment, Second Amendment, and those contained in this Third Amendment. Such renewal shall begin on January 1, 2026, and continue through December 31, 2026 ("Third Amendment Term").
3. SCOPE OF SERVICES. For the Third Amendment Term, equivalent shall provide those services listed in the Agreement.
4. SCHEDULE 1. For this Third Amendment, "Schedule 1" of the Agreement, First Amendment, and Second Amendment shall be deleted in their entireties and replaced with the new "Schedule 1" titled "Software Maintenance Fee Schedule, Delaware County 2026 Support Renewal" attached to this Third Amendment ("Third Schedule 1"). Third Schedule 1 attached to this Third Amendment is made a part of this Third Amendment and by this reference incorporated herein.
5. SOFTWARE MAINTENANCE FEE. In consideration of the Maintenance services to be provided for this Third Amendment Term, Customer shall pay to equivalent the amount shown on Third Schedule 1 as the "Total Delaware County" amount.
6. THIRD AMENDMENT MAXIMUM. The maximum amount payable pursuant to this Third Amendment is one hundred nine thousand, six hundred sixty-six dollars (\$109,666.00).
7. UPDATED CERTIFICATE OF INSURANCE. Prior to commencement of this Third Amendment,

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

equivant shall present to the Clerk current certificates of insurance for the insurance policies required by Section 15 of the Agreement. Such certificates shall meet all requirements contained in Section 15 of the Agreement.

8. CERTIFICATION REGARDING FINDINGS FOR RECOVERY. equivalent, by signature of its authorized representative below, hereby certifies that it is not subject to any current unresolved findings for recovery pending or issued against it by the State of Ohio.

() 11/5/2025
Signature date
Stuart Rosove
Printed Name
General Manager
Title

9. AMENDMENT OF LIMITATION OF LIABILITY. Notwithstanding Section 13 of the Agreement or anything else to the contrary in the Agreement and in accordance with R.C. § 307.901(8)(4), nothing in the Agreement is or should be interpreted to limit liability for any direct loss to Customer for bodily injury, death, or damage to property of Customer caused by the negligence, intentional or willful misconduct, fraudulent act, recklessness, or other tortious conduct of equivalent or its officers, officials, boards, directors, employees, or agents.

10. AMENDMENT TO GOVERNING LAW. In accordance with RC. § 307.901(8)(3), Section 28(e) of the Agreement is deleted in its entirety and shall have no effect and is replaced with the following:

"Subject to Paragraph 28(g) of the Agreement, this Agreement shall be governed by and interpreted in accordance with the laws of the State of Ohio. Any and all legal disputes arising from this Agreement shall be filed in and heard before an appropriate Delaware County, Ohio court or federal court having jurisdiction over Delaware County, Ohio and such courts shall be deemed to have jurisdiction and venue. The Parties hereby irrevocably consent to such applicable law, venue, and jurisdiction."

11. OTHER TERMS OF AGREEMENT UNCHANGED. All terms and conditions of the Agreement, First Amendment, and Second Amendment not changed by this Third Amendment remain the same, unchanged, and in full force and effect.

12. CONFLICTS. In the event of a conflict between the terms of the Agreement, First Amendment, Second Amendment, and this Third Amendment, the terms of this Third Amendment shall prevail.

13. COUNTERPARTS. This Third Amendment may be executed in counterparts.

14. SIGNATURES. Any person executing this Third Amendment in a representative capacity hereby warrants that he/she has the authority to sign this Third Amendment or has been duly authorized by his/her principal to execute this Third Amendment on such principal's behalf and is authorized to bind such principal.

SCHEDULE 1
SOFTWARE MAINTENANCE FEE SCHEDULE
DELAWARE COUNTY 2026 SUPPORT RENEWAL

SOFTWARE	LICENSES	JANUARY 1, 2026 TO DECEMBER 31, 2026
Common Pleas Court and Clerk of Court		
CourtView Case Management	35	\$37,741.00
eAccess single portal included with CMS	1	\$0.00
eAccess additional portal	1	\$1915.00
Justicefiling	1	\$3,032.00
ePayment -Web Deployment	1	\$116.00
CourtView Dashboards	5	\$587.00
Ohio Tax lien	1	\$0.00
integration for eFiling	1	\$2,726.00
Subtotal Common Pleas Court / Clerk of Courts		\$46,117.00
Public Defender's Office		
CourtView Case Management	2	\$1,596.00
Subtotal Public Defender's Office		\$1,596.00
Juvenile and Probate Courts		
CourtView Case Management	50	\$46,705.00

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

BankedCourtView CMS	5	\$1,402.00
CourtView Dashboards	55	\$6,409.00
CourtView Ohio DPS eCitation Interface	1	\$7,437.00
Subtotal Juvenile & Probate Courts		\$61,953.00
TOTAL DELAWARE- COUNTY		\$109,666.00

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

11
RESOLUTION NO. 25-1031

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

Supplemental Appropriations		
21411306-5452	911/Software > \$100,000	1,500.00

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

12
RESOLUTION NO. 25-1032

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:

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

Supplemental Appropriations		
40311489-5328	Buell #542/DI Project/Maintenance and Repair	193.97
40311488-5328	Chancel Gate DI/Maintenance and Repair	678.32
40311494-5328	Daventry Park Watershed/Maintenance and Repair	2,781.74
40311480-5328	Davis #240/Maintenance and Repair	2,420.18
40311490-5328	Evan #354/Maintenance and Repair	1,351.17
40311509-5328	Evergreen Cemetery/Maintenance and Repair	446.25
40311500-5328	Felkner #302/Maintenance and Repair	73.54
40311478-5328	Franklin Drainage Improv/Maintenance and Repair	1,302.82
40311484-5328	Griffith #391/Maintenance and Repair	6,056.76
40311496-5328	Jones #60/Maintenance and Repair	613.67
40311499-5328	Moore #1 #361 Watershed/Maintenance and Repair	756.65
40311450-5328	Ribov #620/Maintenance and Repair	205.35
40311487-5328	Slate Lick Lateral #1/Mainentance and Repair	378.14
40311493-5328	Vienot #23/Maintenance and Repair	4,702.23
40311510-5328	Warren #129/Maintenance and Repair	231.28
40311482-5328	Zerbe-O'Keefe #265/Maintenance and Repair	389.48

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

13
ADMINISTRATOR REPORTS

CA Davies and Attorney Hochstettler – Nothing to report.

14
COMMISSIONERS' COMMITTEES REPORTS

Commissioner Merrell – attended the ED 411 and congratulations to Olentangy Orange on winning State Football Championship.

Commissioner Benton – attended the CCAO Conference, ED 411. He will be attending the Investment Committee meeting later today and DKMM meeting on 12/09/25. Announced that Land Bank has submitted 3 applications for the Brownfield Grant.

Commissioner Lewis – remembering the attack on Pearl Harbor.

15
RESOLUTION NO. 25-1033

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION TO CONSIDER THE
PURCHASE OF PROPERTY FOR PUBLIC PURPOSES:

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 to consider the Purchase of Property for Public Purposes.

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

16
RESOLUTION NO. 25-1034

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

17
10:00A.M.- PUBLIC HEARING FOR CONSIDERATION OF THE INDIAN RUN LATERAL #3
WATERSHED DRAINAGE IMPROVEMENT PETITION FILED BY THE BERNIS FARMS, LLC:

The Board of Commissioners opened the hearing at 10:08 A.M.

The Board of Commissioners closed the hearing at 11:12 A.M.

RESOLUTION NO. 25-1035

IN THE MATTER OF PROCEEDING WITH THE PROJECT SURVEY AND DESIGN FOR THE
INDIAN RUN LATERAL #3 WATERSHED DRAINAGE IMPROVEMENT, PETITIONED BY THE
BERNIS FARMS, LLC:

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

WHEREAS, on June 20, 2025, a petition for the Indian Run Lateral #3 Watershed Drainage Improvement was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, on October 13, 2025, the Board conducted a view of the proposed improvement; and

WHEREAS, on December 8, 2025, the Board held the first hearing on the petition; and

WHEREAS, after hearing the preliminary report of the Delaware County Engineer and any evidence offered by any owner for or against the granting of the proposed improvement or for or against the granting of any laterals, branches, spurs, or change of route, course, termini, or manner of construction described in the petition, the Board is prepared to vote to determine whether to proceed with the project survey and design or to dismiss the petition, taking into consideration the petition, the preliminary report, and comments on the proposed improvement;
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, Ohio as follows:

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 8, 2025

Section 1. The Board hereby finds that the proposed improvement is necessary, that it will be conducive to the public welfare, and that it is reasonably certain that the benefits of the proposed improvement will outweigh its costs. Accordingly, the Board hereby decides to proceed with the project survey and design.

Section 2. The Board hereby determines that the route and termini of the proposed improvement, and the manner of construction thereof, shall be as set forth in the Delaware County Engineer’s preliminary report.

Section 3. The Board hereby orders the Delaware County Engineer to prepare reports, plans, and schedules for the proposed Indian Run Lateral #3 Watershed Drainage Improvement. The Board hereby sets December 8, 2027, as the date by which the Delaware County Engineer shall file the reports, plans, and schedules, whereupon a public hearing date will be set and proper notification given to property owners in the affected watershed.

Section 4. THE BOARD HEREBY APPROVES ESTABLISHING A NEW ORGANIZATION KEY FOR THE INDIAN RUN LATERAL #3 WATERSHED DRAINAGE IMPROVEMENT PROJECT 40311511.

Section 5. This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were conducted in compliance with the laws of the State of Ohio.

Section 6. This Resolution shall be effective immediately upon adoption.

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

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners