

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD MARCH 9, 2026**

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present:
Jeff Benton, President
Gary Merrell, Vice President
Barb Lewis, Commissioner

**1
RESOLUTION NO. 26-165**

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MARCH 5, 2026:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on March 5, 2026; 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 Mr. Benton Aye Mrs. Lewis Aye Mr. Merrell Aye

**2
PUBLIC COMMENT**

**3
RESOLUTION NO. 26-166**

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0306:

It was moved by Mrs. Lewis, seconded by Mr. Merrell, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0306 as listed below:

PR Number	Vendor Name	Line Description	Account	Amount
R2602414	AMCS GROUP INC	UTILITY CLOUD ASSET MANAGEMENT SOFTWARE RENEWAL	66211900 - 5321	\$ 59,293.25

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

**4
RESOLUTION NO. 26-167**

IN THE MATTER OF RECOGNIZING THE MONTH OF MARCH 2026 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH:

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

WHEREAS, March 2026 marks the 39th anniversary of National Developmental Disabilities Awareness Month, a time to recognize the contributions and lived experiences of people with developmental disabilities; and

WHEREAS, people with developmental disabilities are valued neighbors, colleagues, students, leaders, and friends who enrich the social, cultural and economic fabric of Delaware County; and

WHEREAS, more than 2,300 people with developmental disabilities are supported by the Delaware County Board of Developmental Disabilities, through partnerships with families, providers, community organizations, and local businesses; and

WHEREAS, fostering a community that promotes belonging, accessibility, and opportunity benefits everyone and strengthens Delaware County as a whole; and

WHEREAS, equitable access to meaningful opportunities to live, learn, work, and fully participate in community life is essential to ensuring that all people can thrive; and

WHEREAS, Developmental Disabilities Awareness Month provides an opportunity to celebrate

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achievements, amplify voices, and reaffirm our collective commitment to building a community where people with developmental disabilities are respected, included, and empowered.

THEREFORE, BE IT RESOLVED that the Delaware County Commissioners recognize and honor the 39th anniversary of National Developmental Disabilities Awareness Month; and

BE IT FURTHER RESOLVED that the Delaware County Commissioners designate the month of March 2026 as Developmental Disabilities Awareness Month.

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

**5
RESOLUTION NO. 26-168**

IN THE MATTER OF AWARDING A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND COMMERCIAL LAND MANAGEMENT SYSTEMS FOR 2026-2027 ROADSIDE MOWING (NORTH):

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

**Roadside Mowing Contract (North)
Bid Opening January 13, 2026**

WHEREAS, as the result of the above referenced bid opening, the Engineer recommends that a bid award be made to Commercial Land Management Systems, the low bidder for the project; and

WHEREAS, the County Engineer recommends approval of the Contract between the Delaware County Commissioners and Commercial Land Management Systems for 2026-2027 Roadside Mowing (North);

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners awards the bid to and approves the contract with Commercial Land Management Systems for 2026-2027 Roadside Mowing (North) as follows:

CONTRACT

THIS AGREEMENT is made this 9th day of March, 2026 by and between Commercial Land Management Systems (“Contractor”):

**Commercial Land Management Systems
7693 Corporate Drive
Plain City, Ohio 43064**

and the Delaware County Commissioners (“Owner.”) The Contractor and the Owner for the consideration stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the improvements embraced in the project named “2026-2027 Roadside Mowing (North of US36) Contract,” and required supplemental work for the project, all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the total sum not to exceed Fifty-Five Thousand Seven Hundred Six Dollars and Twelve Cents (\$55,706.12), subject to additions and deductions as provided in the Contract Documents. The total sum includes required mowing for 2026 at Forty-Five Thousand Seven Hundred Six Dollars and Twelve Cents (\$45,706.12), and supplemental mowing at the discretion of and only upon the authorization of the County Engineer at a price not to exceed Ten Thousand Dollars (\$10,000).

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

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IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in three original copies on the day and year first above written.

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

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RESOLUTION NO. 26-169

IN THE MATTER OF AWARDING A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND COMMERCIAL LAND MANAGEMENT SYSTEMS FOR 2026-2027 ROADSIDE MOWING (SOUTH):

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

**Roadside Mowing Contract (South)
Bid Opening January 13, 2026**

WHEREAS, as the result of the above referenced bid opening, the Engineer recommends that a bid award be made to Commercial Land Management Systems, the low bidder for the project; and

WHEREAS, the County Engineer recommends approval of the Contract between the Delaware County Commissioners and Commercial Land Management Systems for 2026-2027 Roadside Mowing (South);

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners awards the bid to and approves the contract with Commercial Land Management Systems for 2026-2027 Roadside Mowing (South) as follows:

CONTRACT

THIS AGREEMENT is made this 9th day of March, 2026 by and between Commercial Land Management Systems (“Contractor”):

**Commercial Land Management Systems
7693 Corporate Drive
Plain City, Ohio 43064**

and the Delaware County Commissioners (“Owner.”) The Contractor and the Owner for the consideration stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the improvements embraced in the project named “2026-2027 Roadside Mowing (South of US36) Contract,” and required supplemental work for the project, all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the total sum not to exceed Fifty-Four Thousand Two Hundred Three Dollars and Forty Cents (\$54,203.40), subject to additions and deductions as provided in the Contract Documents. The total sum includes required mowing for 2026 at Forty-Four Thousand Two Hundred Three Dollars and Forty Cents (\$44,203.40), and supplemental mowing at the discretion of and only upon the authorization of the County Engineer at a price not to exceed Ten Thousand Dollars (\$10,000).

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in three original copies on the day and year first above written.

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

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RESOLUTION NO. 26-170

IN THE MATTER OF APPROVING THE DRAINAGE MAINTENANCE PETITION FOR
ELEMENTARY SCHOOL NUMBER 18 – OLENTANGY LOCAL SCHOOL DISTRICT:

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

WHEREAS, on March 9, 2026, a Ditch Maintenance Petition for Elementary School Number 18 – Olentangy Local School District (the “Petition”) was filed with the Board of Commissioners of Delaware County (the “Board”); and

WHEREAS, the Petition sets forth the drainage improvements that have been or will be constructed within the development known as Elementary School Number 18 – Olentangy Local School District, 24.00 acres in Liberty Township; and

WHEREAS, the petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the real estate taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program;

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

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$128,138.93 and a detailed cost estimate is attached. The drainage improvements are being constructed for the benefit of the lot(s) being created in the subject site. The developed area of 24.00 acres will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is therefore, \$5,339.12 per acre. An annual maintenance fee equal to 2% of this basis (\$106.78) will be collected for each developed acre. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$2562.72 has been paid to Delaware County.

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

8

RESOLUTION NO. 26-171

IN THE MATTER OF APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES
AGREEMENT WITH WOOLPERT INC. FOR DEL-CR 10-2.91, SOUTH OLD STATE ROAD
WIDENING (PHASE 2):

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

WHEREAS, pursuant to Resolution 22-220, adopted on March 28, 2022, this Board declared the necessity for South Old State Road Widening (Phase 2), and entered into an agreement with Woolpert, Inc. for required engineering services associated with the widening (the “Agreement”); and

WHEREAS, Woolpert, Inc. has completed preliminary engineering for the proposed widening under the direction of the County Engineer pursuant to the Agreement; and

WHEREAS, the County Engineer has negotiated a scope of work and fee to perform detailed design of the widening and recommends modifying the Agreement for such purpose;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves the following Amendment No. 3 to the Agreement:

AMENDMENT NO. 3
PROFESSIONAL SERVICES AGREEMENT
DEL-CR 10-2.91

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This Amendment No. 3 to the Agreement dated March 28, 2022, is made and entered into this 9th day of March, 2026, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (“County”), and Woolpert Inc., One Easton Oval, Suite 400, Columbus, Ohio 43219 (“Consultant”) (hereinafter collectively referred to as the “Parties”).

ARTICLE 1 – AMENDMENT

Pursuant to Section 3.1 of the Agreement, the Parties mutually agree to amend the Agreement as follows:

- A. Section 4.2 of the Agreement shall be modified to increase the maximum total compensation to One Million One Hundred Seventy Four Thousand Two Hundred Ninety Eight Dollars and Zero Cents. (\$1,174,298.00).

- B. Section 7.1 of the Agreement shall be modified to extend the date for the completion of Services to December 31, 2026.

ARTICLE 2 – REMAINING PROVISIONS

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

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 3.

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

**9
RESOLUTION NO. 26-172**

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

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

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

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

PERMIT	APPLICANT	LOCATION	TYPE OF WORK
UT2026-0026	SPD PERMITTING	FORD ROAD	POLE TRANSFER
UT2026-0027	CROWN CASTLE	SAWMILL PKWY & HYATTS	DUCT WITH FIBER
UT2026-0028	AT & T	5703 S OLD 3C RD	BORING
UT2026-0029	COLUMBIA GAS	TENDER AVE	TIE INTO EXISTING GAS
UT2026-0030	SPD PERMITTING	SAWMILL PKWY	BORING
UT2026-0031	CINCINNATI BELL	HARRIOTT RD-FEEDER	FIBER OPTIC CABLE
UT2026-0032	AT & T	HARRIOT RD(131)	ANCHOR POLES
UT2026-0033	DEL-CO WATER	PORTER CENTRAL & KENNY RD	WATERLINE INSTALL
UT2026-0034	TEAM FISHEL FOR GLO FIBER	JEWETT RD	POLE INSTALL
UT2026-0035	TEAM FISHEL	US-36/OH-37 & WILSON RD	NEW GAS MAIN
UT2026-0036	AEP	6269-7037 PLUMB RD	REPLACE EXISTING POLES
UT2026-0037	WILL-POWER PIPELINE OH	COUNTY LINE RD	GAS LINE INSTALL
UT2026-0038	WILL-POWER PIPELINE OH	FANCHER RD	GAS LINE INSTALL
UT2026-0039	CINCINNATI BELL	CONCORD RD-FEEDER	FIBER OPTIC INSTALL
UT2026-0040	CINCINNATI BELL	LIBERTY RD	FIBER OPTIC INSTALL

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

**10
RESOLUTION NO. 26-173**

IN THE MATTER OF AWARDING A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND DOUBLE Z CONSTRUCTION COMPANY FOR THE PROJECT KNOWN AS DEL-2026 CULVERT SUPPLY CONTRACT:

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

**DEL- 2026 Culvert Supply Contract
Bid Opening: February 24, 2026:**

WHEREAS, as the result of the above referenced bid opening, the Engineer recommends that a bid award be made to Double Z Construction Company, the low bidder for the project; and

WHEREAS, the County Engineer recommends approval of the Contract between the Delaware County Commissioners and Double Z Construction Company for the project;

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NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners awards the bid to and approves the contract with Double Z Construction Company for the project known as DEL-2026 Culvert Supply Contract, as follows:

CONTRACT

THIS AGREEMENT is made this 9th day of March, 2026 by and between Double Z Construction Company, 2550 Harrison Road Columbus, Ohio 43204, hereinafter called the “Contractor” and the Delaware County Commissioners, hereinafter called the “Owner”.

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project named “DEL- 2026 Culvert Supply Contract”, and required supplemental work for the project all in strict accordance with the Contract Documents.

ARTICLE 2. The Contract Price

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed Five Hundred Fifty-Eight Thousand Nine Hundred Thirty Dollars and Zero Cents (\$558,930.00) subject to additions and deductions as provided in the Contract Documents.

ARTICLE 3. Contract

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in two original copies on the day and year first above written.

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

**11
RESOLUTION NO. 26-174**

IN THE MATTER OF AUTHORIZING THE SUBMITTING OF APPLICATIONS FOR THE COMMUNITY PROJECT GRANT PROGRAM FOR THE DELAWARE COUNTY REGIONAL SEWER DISTRICT:

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

WHEREAS, the Director of Finance requests authorization to submit applications for the following grants to be used for the Central Alum Creek WRF Project as well as the Lower Big Walnut Trunk Sewer Project:

Source: FY27 US House of Representatives – Community Project Funding Program
Central Alum Creek WRF Project

Grant Amount:	\$1,500,000
Local Match:	<u>500,000</u>
Total Grant Amount:	\$1,500,000

Source: FY27 US House of Representatives – Community Project Funding Program
Lower Big Walnut Trunk Sewer Project

Grant Amount:	\$650,000
Local Match:	<u>1,011,718</u>
Total Grant Amount:	\$650,000

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

Section 1. The Board hereby authorizes the submitting of an application for the Community Project Grant Program.

Section 2. The Board hereby designates the County Administrator as the authorized representative for the Grant with full authority to cause submission of the application, to take all other necessary actions, including approval and execution of the subrecipient agreement, to secure award of the Grant, and to accept the Grant on behalf of the Board. The Director of Finance shall be the grant contact for purposes of the Grant.

Section 3. When agreements, reports, or other documents require execution by the authorized representative, a copy thereof shall be provided to the Clerk of the Board, along with a copy of this Resolution.

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

**12
ADMINISTRATOR REPORTS**

CA Davies – will be attending the TID meeting on 03/11/26 and DCFA meeting on 03/12/26

DCA Huston and Attorney Hochstettler – Nothing to report.

**13
COMMISSIONERS' COMMITTEES REPORTS**

Commissioner Merrell – will be attending the DKMM meeting on 03/10. He is looking into an inquiry about Animal Abuse Registry.

Commissioner Benton – will be attending the Investment Committee meeting later today and the DCFA meeting on 03/12. He attended the MORPC Executive meeting on 03/05.

Commissioner Lewis – Nothing to report.

**14
RESOLUTION NO. 26-175**

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

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

WHEREAS, pursuant to section 121.22(G) of the Revised Code, a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the matters specified in section 121.22(G)(1)–(7) of the Revised Code; and

WHEREAS, pursuant to section 121.22(G)(8) of the Revised Code, a public body may hold an executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(1) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that 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 Purchase of Property for Public Purposes.

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

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RESOLUTION NO. 26-176

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

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

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

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell

Jennifer Walraven, Clerk to the Commissioners