

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD APRIL 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. 26-235

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 9, 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 April 9, 2026, 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. 26-236

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0408:

It was moved by Mrs. Lewis, seconded by Mr. Merrell, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0408:

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

4  
RESOLUTION NO. 26-237

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Economic Development Department is requesting that Chad Smith attend SelectUSA event in National Harbor, MD from May 3-6, 2026; at the cost of \$3,350.00.

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

5  
RESOLUTION NO. 26-238

IN THE MATTER OF ADOPTING AN EAGLE SCOUT PROCLAMATION FOR AUDRA LEADBETTER:

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

WHEREAS, Audra Leadbetter has been a true pioneer with the entry of females into the Scouting America organization, joining as a Cub Scout and then graduating to a series of Troops, two of which she was a founding member; and

WHEREAS, Leadbetter's commitment to Scouting America and her pursuit of the Eagle Scout rank has been exemplary. She has earned 57 merit badges, including all four levels of religious badges, when only 21 are required for Eagle Scout status. She has completed 84 nights of camping and more than 450 miles of hiking; and

WHEREAS, Leadbetter has unquestionably met all the requirements to achieve the rank of Eagle Scout,

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

including completion of an Eagle Scout project that created a parade ground honoring all six branches of the U.S. military for the American Legion Post 457; and

WHEREAS, Leadbetter plans to continue her involvement with Scouting America, despite passing the "retirement" age of 18, by serving as a summer camp counselor.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners congratulates Audra Leadbetter on attaining Scouting America's highest rank and commends her for both her achievements and her commitment to our community.

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

6  
RESOLUTION NO. 26-239

**IN THE MATTER OF APPROVING PERPETUAL STANDARD HIGHWAY EASEMENTS TO THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, FOR HIGHWAY PURPOSES RELATED TO IMPROVEMENTS TO STATE ROUTE 315 (PROJECT DEL-315-0.86):**

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

WHEREAS, the Ohio Department of Transportation is making certain improvements to State Route 315 within Delaware County (Project DEL-315-0.86) and requires perpetual standard highway easements from the County of Delaware, Ohio and the Delaware County Board of Commissioners to complete the project; and

WHEREAS, the Deputy County Administrator/General Counsel recommends that the easements be granted;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Delaware County, State of Ohio, hereby approves granting the following easements to the State of Ohio, Department of Transportation, and authorizes the President of the Board to execute the easements on behalf of the Board:

**EASEMENT**

Delaware County Board of Commissioners, the Grantor, in consideration of the sum of \$23,598.00 to be paid by the State of Ohio, Department of Transportation, does convey to the State of Ohio for the use and benefit of the Department of Transportation, the Grantee, an easement, which is more particularly described in Exhibit A, attached, the following described real estate:

PARCEL(S): 13-SH1, SH2  
DEL-315-0.86  
SEE EXHIBIT A ATTACHED

Delaware County Current Tax Parcel No. 318-333-01-006-000, 318-333-01-003-000, 318-333-01-002-000  
Prior Instrument Reference: OR 580, Pg. 122, Delaware County Recorder's Office.

Grantor, for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that it is the true and lawful owner in fee simple of the property, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable.

The property conveyed to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

IN WITNESS WHEREOF, Delaware County Board of Commissioners, by and through its duly authorized representative, has hereunto subscribed their name on the 9<sup>th</sup> day of April, 2026.

**EASEMENT**

County of Delaware, Ohio, the Grantor, in consideration of the sum of \$8,999.00 to be paid by the State of Ohio, Department of Transportation, does convey to the State of Ohio for the use and benefit of the Department of Transportation, the Grantee, an easement, which is more particularly described in Exhibit A, attached, the following described real estate:

PARCEL(S): 10-SH  
DEL-315-0.86  
SEE EXHIBIT A ATTACHED

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

Delaware County Current Tax Parcel No. 318-333-01-008-000  
Prior Instrument Reference: Vol. 403, Pg. 515, Delaware County Recorder’s Office.

Grantor, for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that it is the true and lawful owner in fee simple of the property, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations.

The property conveyed to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

IN WITNESS WHEREOF, the County of Delaware, Ohio, by and through its duly authorized representative, has hereunto subscribed their name on the 9<sup>th</sup> day of April, 2026.

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

**OTHER BUSINESS**

**RESOLUTION NO. 26-240**

**IN THE MATTER OF APPROVING A JOINT APPLICATION BY THE PROSECUTING ATTORNEY AND THE BOARD OF COUNTY COMMISSIONERS TO THE COMMON PLEAS COURT TO AUTHORIZE THE BOARD TO EMPLOY FRANK REED JR. AND THE LAW FIRM FBT GIBBONS AS OUTSIDE LEGAL COUNSEL TO ADVISE, REPRESENT, PROSECUTE ON BEHALF OF, AND/OR DEFEND THE DELAWARE COUNTY BOARD OF ELECTIONS IN CHALLENGES TO THE RIGHT TO VOTE OF PATRICK LENEGHAN, TARA LENEGHAN, AND GRACE LENEGHAN, ALL THREE (3) BEING RELATED TO BOARD OF ELECTIONS MEMBER MELANIE LENEGHAN, AND, ANY CURRENT OR SUBSEQUENT LITIGATION, APPEALS, AND/OR RELATED MATTERS THAT MAY FLOW FROM THESE CHALLENGES:**

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

**PREAMBLE**

**WHEREAS**, pursuant to R.C. § 305.14(A), the Delaware County Board of Commissioners (“Board”) desires to approve a joint application by it and the Prosecuting Attorney, Delaware County, Ohio (“Prosecutor”) to the Common Pleas Court, Delaware County, Ohio (“Court”) to authorize the Board to employ Frank Reed Jr. and the law firm FBT Gibbons as outside legal counsel to advise, represent, prosecute on behalf of, and/or defend the Delaware County Board of Elections (“BOE”) in the challenges to the right to vote of Patrick Leneghan, Tara Leneghan, and Grace Leneghan, all three (3) being related to BOE member Melanie Leneghan, and/or any current or subsequent litigation, appeals, and/or related matters that may flow from these challenges; and,

**WHEREAS**, the appointment of legal counsel is necessary because the Prosecutor has a conflict of interest; and,

**WHEREAS**, the compensation for Attorney Frank Reed Jr. and the law firm FBT Gibbons shall not exceed \$25,000.00 at an hourly rate not to exceed \$395.00 an hour; and,

**WHEREAS**, Attorney Frank Reed Jr. will be Counsel of Record, but may utilize associates or partners at the law firm of FBT Gibbons to assist him, who will bill at the same hourly rate; and

**WHEREAS**, the length of employment for Attorney Frank Reed Jr. and the law firm FBT Gibbons will be until such employment is no longer necessary.

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED:**

- A. For the foregoing reasons, the Board, pursuant to R.C. § 305.14(A), hereby approves the attached joint application (Exhibit A) by it and the Prosecutor to the Court to authorize the Board to employ Frank Reed Jr. and the law firm FBT Gibbons as outside legal counsel, with compensation not to exceed \$25,000.00 at the hourly rate not to exceed \$395.00 an hour, to advise, represent, prosecute on behalf of, and/or defend the BOE in the above-named matters and/or any current or subsequent litigation, appeals, and/or related matters that may flow from these challenges.
- B. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in

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

---

such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

C. This Resolution shall be in full force and effect immediately upon adoption.

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

**7  
ADMINISTRATOR REPORTS**

**DCA Huston and Attorney Hochstettler** – Nothing to report.

**8  
COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Lewis** – Congratulations to Audra on her Eagle Scout achievement.

**Commissioner Merrell** – completed early voting on Tuesday, he encourage people to work the polling sites.

**Commissioner Benton** – he will be attending the Central Annual meeting on 04/10. He gave a reminder that the Masters tourney starts today.

**9  
RESOLUTION NO. 26-241**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF EMPLOYMENT AND COMPENSATION OF A PUBLIC EMPLOYEE OR A PUBLIC OFFICIAL, TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND FOR PENDING OR IMMINENT LITIGATION:**

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 Employment and Compensation of a Public Employee or a Public Official, to consider the Purchase of Property for Public Purposes and for Pending or Imminent Litigation.

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

**10  
RESOLUTION NO. 26-242**

**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            Mr. Benton Aye            Mrs. Lewis Aye            Mr. Merrell Aye

There being no further business, the meeting adjourned.

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

---

---

Jeff Benton

---

Barb Lewis

---

Gary Merrell

---

Jennifer Walraven, Clerk to the Commissioners