

COMMISSIONERS JOURNAL NO. 84 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 14, 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

**Absent:**  
Barb Lewis, Commissioner

**1**  
RESOLUTION NO. 26-329

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 7, 2026:**

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on May 7, 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                      Mrs. Lewis              Absent      Mr. Merrell              Aye              Mr. Benton              Aye

**2**  
PUBLIC COMMENT

**3**  
RESOLUTION NO. 26-330

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0513 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0513:**

It was moved by Mr. Merrell, seconded by Mr. Benton to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR0513, memo transfers in batch numbers MTAPR0513, and Purchase Orders as listed below:

| <u>Vendor</u>                 | <u>Description</u>       | <u>Account</u> | <u>Amount</u> |
|-------------------------------|--------------------------|----------------|---------------|
| <b>PO' Increase</b>           |                          |                |               |
| (P2601586) Prime Construction | Regional Sewer           | 66211900-5301  | \$50,000.00   |
| (P2601665) Nutter Center      | JFS Child Placement      | 22511607-5350  | \$50,000.00   |
| (P2601402) Youth Village      | JFS Child Placement/FCFC | 77361611-5342  | \$11,000.00   |
| (P2601669) NYAP               | JFS Child Placement      | 22511607-5350  | \$27,500.00   |

| <u>PR Number</u> | <u>Vendor Name</u>        | <u>Line Description</u>                        | <u>Account</u>  | <u>Amount</u>   |
|------------------|---------------------------|--|-----------------|-----------------|
| R2603195         | POWER SOLUTIONS GROUP LTD | UTILITY REPAIR AT ACPS                         | 66211900 - 5328 | \$ 6,895.00     |
| R2603222         | AT & T MOBILITY LLC       | CRADLEPOINTS & ANTENNAS - SHERIFF NEW CRUISERS | 42311453 - 5450 | \$ 6,148.89     |
| R2603222         | AT & T MOBILITY LLC       | CRADLEPOINTS & ANTENNAS - SHERIFF REPLACEMENTS | 10031301 - 5201 | \$ 8,384.85     |
| R2603234         | PETERSON CONSTRUCTION CO  | EAST ALUM CREEK PUMP STATION - RESO. 26-295    | 66711900 - 5410 | \$ 4,532,466.00 |

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

**4**

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**RESOLUTION NO. 26-331**

**IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, ELIZABETH SEEDORF, ESQ., REQUESTING ANNEXATION OF 175.00 ACRES OF LAND IN TROY TOWNSHIP TO THE CITY OF DELAWARE:**

It was moved by Mr. Merrell, seconded by Mr. Benton to acknowledge that on May 4, 2026, the Clerk to the Board of Commissioners received a petition requesting annexation of 175.00 acres of land from Troy Township to the City of Delaware.

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

**5**

**RESOLUTION NO. 26-332**

**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

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

The Regional Sewer District is requesting that Bichvan Boyles, Julie McGill, Kellie Pike, and Kelly Thiel attend the One Water Technical Conference & Expo in Cincinnati, Ohio from August 17–20, 2026, at the cost of \$4,665.00.

The Delaware County Office of Homeland Security and Emergency Management is requesting to send Scott Stewart to the International Hazardous Materials Response Teams conference in Baltimore, Maryland June 17–21, 2026; at the cost of \$1,920.00 (fund 80% HMEP and 20% EM).

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

**6**

**RESOLUTION NO. 26-333**

**IN THE MATTER OF APPROVING A TRANSFER OF FUNDS AND SUPPLEMENTAL APPROPRIATIONS:**

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

| <b>Transfer of Funds</b>            |  |            |
|-------------------------------------|--|------------|
| <b>From:</b>                        | <b>To:</b>                                       |            |
| 10011102-5801                       | 42311453-4601                                    |            |
| Commissioners General/Cash Transfer | Capital Acquisition & Project/Interfund Revenues | 892,077.26 |
| <b>Supplemental Appropriation</b>   |  |            |
| 54011159-5720                       | BR DI Griffith #391/Interest Payments-Bonds      | 384.00     |

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

**7**

**RESOLUTION NO. 26-334**

**IN THE MATTER OF APPROVING AN EASEMENT TO OHIO POWER COMPANY, AN OHIO CORPORATION AND A UNIT OF AMERICAN ELECTRIC POWER, FOR ELECTRICAL UTILITY WORK FOR THE PROPERTY LOCATED AT 1405 US 23 NORTH:**

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

WHEREAS, an easement to Ohio Power Company, an Ohio corporation and a unit of American Electric Power, is necessary in conjunction with electrical utility work for the property located at 1405 US 23 North; and

WHEREAS, the Delaware County Facilities Director recommends that the easement be granted;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves granting the following easement to Ohio Power Company, an Ohio corporation and a unit of American Electric Power:

**AEP Ohio  
Easement & Right of Way**

BOARD OF COUNTY COMMISSIONERS, DELAWARE, COUNTY, OHIO, "Grantor", in consideration of \$1.00, the easement terms, and other good and valuable consideration from Ohio Power Company an Ohio corporation and a unit of American Electric Power, 700 Morrison Road, Gahanna, OH 43230, "Grantee", the

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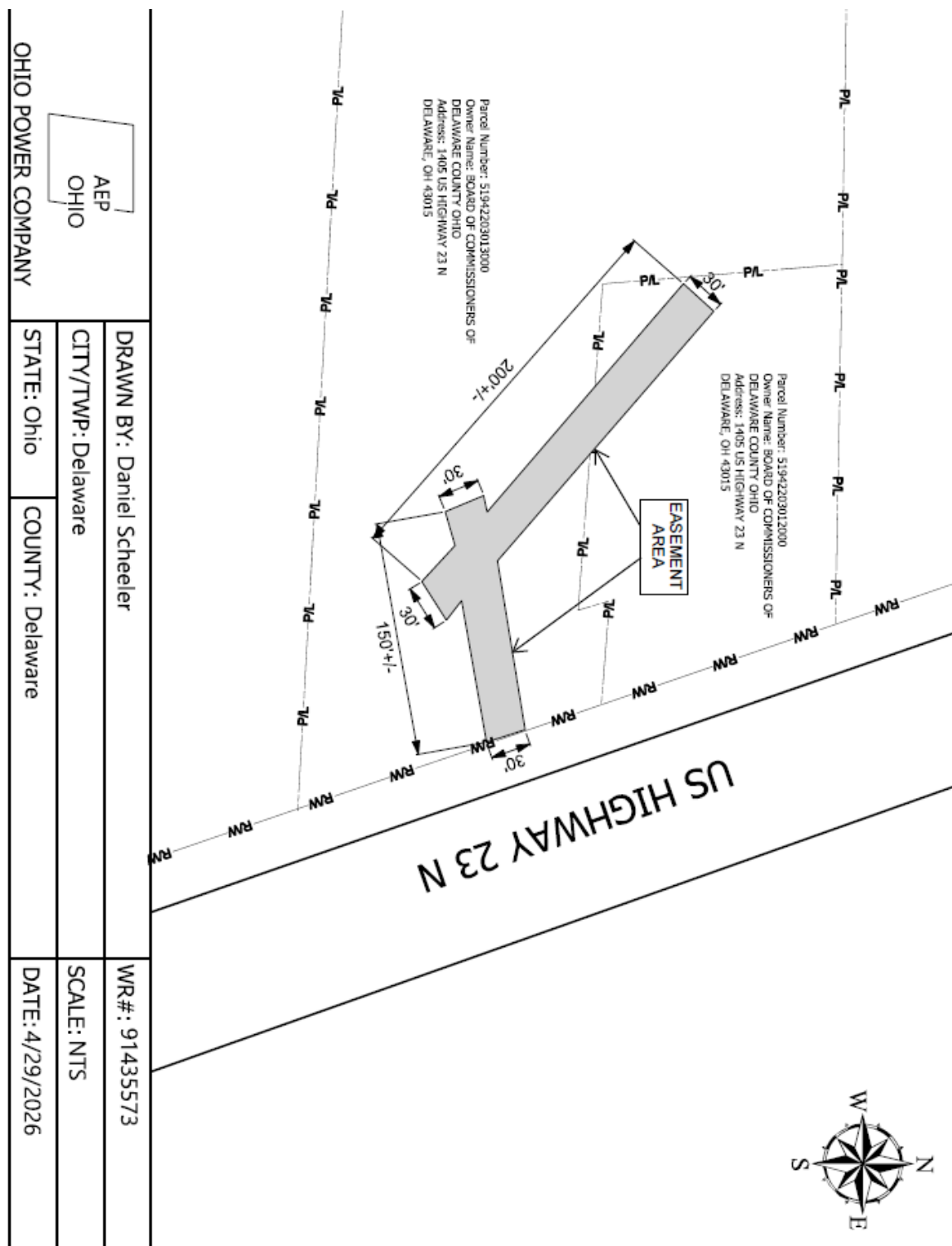
receipt and sufficiency of which is acknowledged, grants and conveys to Grantee its successors, assigns, lessees, licensees and tenants, a right of way and easement, "Easement" for electric and other current/future energy or communication purposes, overhead and underground, in, on, over, through and across the following described lands situated in the County of Delaware, in the State of Ohio, lying in a part of Lot 4, Section 4, Township 5, Range 19, U.S.M. Lands, Delaware Township. Being part of a .946 acre tract of land as described in Official Records Volume 419, Page 454, and part of a 6.59 acre tract of land as described in Official Records Volume 612, Page 328. All records of the Delaware County Recorder's Office (Parcel #519-422-03-012-000 and #519-422-03-013-000).

Said lines and facilities shall be constructed within a certain strip of land thirty (30) feet in width, the centerline being the facilities as installed. The approximate location of said easement is depicted on Exhibit A, attached hereto and incorporated herein.

This Easement conveys all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, extend and remove utility facilities and relocate within the Easement, all necessary and convenient facilities which include but are not limited to: poles, anchors, guys, supporting structures, conductors, conduits, enclosures, grounding systems, foundations, manholes, transformers, and associated equipment, adding thereto from time to time; perform grading or filling for such facilities; cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee's option (without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, or other obstructions that in Grantee's reasonable judgment endanger or interfere with the safety or use of its facilities, both within and adjoining the Easement. Within the Easement, Grantor shall not: place any structures, piles or debris, interfere with lateral support, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the National Electric Safety Code or Grantee's design standards, and, for underground lines, permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times. If any governmental authority requires Grantee to relocate the facilities contemplated by this grant, this Easement conveys the right to relocate such facilities to a comparable location of Grantee's choosing, without the need for a new easement.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement, but Grantor acknowledges high voltage electric lines will be constructed within the Easement and Grantor shall use its property in a manner consistent with all applicable safety rules and regulations for working near electric lines. Safety/required clearance issues may be referred to Grantee's Engineering Group. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby.

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

**26**  
**RESOLUTION NO. 26-335**

**IN THE MATTER OF APPROVING A PERMIT FOR USE OF DELAWARE COUNTY FACILITIES:**

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

WHEREAS, on May 29, 2025, the Delaware County Board of Commissioners (the “Board”) passed Resolution No. 25-394, adopting a Delaware County Facility Use Policy (the “Policy”); and

WHEREAS, it is the intent of the Policy to allow persons and organizations access to appropriate Delaware County facilities, grounds and meeting places; and

WHEREAS, each request will only be considered after the receipt of a completed Delaware County Facility Use Permit Form; and

WHEREAS, the Policy requires approval from the Board for use of county facilities by groups of thirty or more participants;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners hereby grants a

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facility use permit to The Alpha Group for the use of the large meeting room at the Byxbe Campus for its annual all staff training on September 24, 2026; at a flat fee of \$25.00.

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

9

ADMINISTRATOR REPORTS

CA Davies:

- Transportation Improvement District meeting/ plans for Stockwell project approved
- Delaware County Finance Authority/  
    asked Dana McDaniel to announce SNP’s rating of a BBB-Flat rating for the DCFA

10

COMMISSIONERS’ COMMITTEES REPORTS

Commissioner Merrell

- CCAO Policy Committee meeting/Sen. bill 396 (leave issues) discussion only
- will attend MORPC meeting today/presentation on DATA Centers
- on Friday will attend the CCAO Board Meeting

Commissioner Benton

- will attend MORPC meeting today/presentation on DATA Centers
- MORPC executive meeting was last week
- upcoming CEBCO meeting

11

RESOLUTION NO. 26-336

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES AND FOR CONFIDENTIAL INFORMATION RELATED TO ECONOMIC DEVELOPMENT:**

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 the purchase of property for public purposes.

Section 2. The Board hereby adjourns into 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.

Section 3. The Board hereby finds and determines that the information listed in Section 2 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.

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Section 4. The Board hereby finds and determines that the executive session held pursuant to Section 2 is necessary to protect the interests of an applicant for economic development assistance or the possible investment or expenditure of public funds to be made in connection with the economic development project.

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

**RESOLUTION NO. 26-337**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

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

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

There being no further business, the meeting adjourned.

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Jeff Benton

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Barb Lewis

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Gary Merrell

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Jennifer Walraven, Clerk to the Commissioners