

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 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

9:45 A.M. Public Hearing with respect to the proposed issuance by Delaware County of Its Revenue Bonds pursuant to Chapter 140, Ohio Revised Code, to finance and refinance hospital facilities for the benefit of Ohio Living Powell, LLC located in Delaware County

1
RESOLUTION NO. 26-257

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD APRIL 13, 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 13, 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. 26-258

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR 0415 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR 0415:

It was moved by Mrs. Lewis, seconded by Mr. Merrell, to approve Then and Now Certificates, payment of warrants in batch numbers CMAPR 0415, memo transfers in batch numbers MTAPR 0415 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
PO' Increase			
(P2602456) Eurofins	SRF Operations & Maintenance	66211900-5301	\$39,694.00
(P2601668) Board of Dev	Childrens Services	22511607-5348	\$32,000.00
(P2600967) Property Worx	Land and Buildings	10011105-5325	\$40,000.00
(P2601622) Gilbane Building	Capital Facility	42411477-5410	\$75,381.00

<u>PR Number</u>	<u>Vendor Name</u>	<u>Line Description</u>	<u>Account</u>	<u>Amount</u>
R2602853	UNIVERSAL PROTECTION LLC	SECURITY SERVICE	10011102 - 5301	\$ 680,000.00
R2602893	HENRY P THOMPSON CO INC	SENSORS FOR THE CONCORD ROAD PUMP STATION	66211900 - 5450	\$ 62,964.00
R2602901	FERGUSON WATERWORKS	REPLACEMENT MUD VALVES AND PARTS	66211900 - 5228	\$ 6,262.77
R2602906	US BANK	BOND INTEREST PAYMENTS - COURTHOUSE	50111117 - 5720	\$ 1,075,450.00
R2602906	US BANK	BOND PRINCIPAL PAYMENTS - COURTHOUSE	50111117 - 5725	\$ 100,000.00
R2602907	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - US23	50411121 - 5720	\$ 357.62
R2602907	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - US23	50411121 - 5725	\$ 3,686.39

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026**

R2602907	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - SAWMILL PKWY TIF	50811125 - 5720	\$ 331.14
R2602907	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - SAWMILL PKWY TIF	50811125 - 5725	\$ 3,413.61
R2602908	US BANK	BOND INTEREST PAYMENTS - US23	50411121 - 5720	\$ 12,800.00
R2602908	US BANK	BOND PRINCIPAL PAYMENTS - US23	50411121 - 5725	\$ 160,000.00
R2602908	US BANK	BOND INTEREST PAYMENTS - SAWMILL PKWY TIF	50811125 - 5720	\$ 11,800.00
R2602908	US BANK	BOND PRINCIPAL PAYMENTS - SAWMILL PKWY TIF	50811125 - 5725	\$ 145,000.00
R2602909	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - WINDING CREEK	52511144 - 5720	\$ 350.48
R2602909	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - WINDING CREEK	52511144 - 5725	\$ 10,722.00
R2602909	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - SCOTT LATERAL	52611145 - 5720	\$ 361.85
R2602909	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - SCOTT LATERAL	52611145 - 5725	\$ 11,070.00
R2602909	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - HAVENS	52711146 - 5720	\$ 353.07
R2602909	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - HAVENS	52711146 - 5725	\$ 10,801.00
R2602910	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - FANCHER	52811147 - 5720	\$ 912.46
R2602910	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - FANCHER	52811147 - 5725	\$ 8,274.00
R2602910	FIRST COMMONWEALTH BANK	BOND INTEREST PAYMENTS - RUDER EAST	52911148 - 5720	\$ 538.47
R2602910	FIRST COMMONWEALTH BANK	BOND PRINCIPAL PAYMENTS - RUDER EAST	52911148 - 5725	\$ 4,883.00
R2602911	TREASURER,DELAWARE COUNTY	BOND INTEREST PAYMENTS - RUDER WEST	53011149 - 5720	\$ 1,921.68
R2602911	TREASURER,DELAWARE COUNTY	BOND PRINCIPAL PAYMENTS - RUDER WEST	53011149 - 5725	\$ 26,742.00
R2602911	TREASURER,DELAWARE COUNTY	BOND INTEREST PAYMENTS - THOMAS #9	53111150 - 5720	\$ 435.42
R2602911	TREASURER,DELAWARE COUNTY	BOND PRINCIPAL PAYMENTS - THOMAS #9	53111150 - 5725	\$ 6,059.00
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - KINGSTON #2017-1	53211151 - 5720	\$ 4,071.71
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - KINGSTON #2017-1	53211151 - 5725	\$ 13,000.00
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - KINGSTON #2017-2	53311152 - 5720	\$ 2,266.32
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - KINGSTON #2017-2	53311152 - 5725	\$ 7,000.00
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - GORSUCH #88	53411153 - 5720	\$ 8,258.16
R2602913	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - GORSUCH #88	53411153 - 5725	\$ 25,000.00
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - RADNOR #2015-1	53511154 - 5720	\$ 1,613.44
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - RADNOR #2015-1	53511154 - 5725	\$ 4,000.00
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - MILLER	53611155 - 5720	\$ 1,342.98

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026**

		WILLIAMS HOLMES #2		
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - MILLER WILLIAMS HOLMES	53611155 - 5725	\$ 4,000.00
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - ENGLISH #346	53811157 - 5720	\$ 3,579.42
R2602914	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - ENGLISH #346	53811157 - 5725	\$ 10,000.00
R2602916	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - LANETTA LANE	53711156 - 5720	\$ 4,646.66
R2602916	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - LANETTA LANE	53711156 - 5725	\$ 5,000.00
R2602918	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND INTEREST PAYMENTS - GRIFFITH #391	54011159 - 5720	\$ 11,541.09
R2602918	HUNTINGTON PUBLIC CAPITAL CORPORATION	BOND PRINCIPAL PAYMENTS - GRIFFITH #391	54011159 - 5725	\$ 22,000.00
R2602919	US BANK	BOND INTEREST PAYMENTS - OLENTANGY CROSSING TIF	44411439 - 5720	\$ 7,800.00
R2602919	US BANK	BOND PRINCIPAL PAYMENTS - OLENTANGY CROSSING TIF	44411439 - 5725	\$ 95,000.00
R2602921	US BANK	BOND INTEREST PAYMENTS - SAWMILL TAX BOND	58011181 - 5720	\$ 1,198,625.00
R2602921	US BANK	BOND PRINCIPAL PAYMENTS - SAWMILL TAX BOND	58011181 - 5725	\$ 2,775,000.00
R2602922	OHIO WATER DEVELOPMENT AUTHORITY	BOND INTEREST PAYMENTS - SEWER REVENUE BONDS	66311901 - 5720	\$ 149,966.22
R2602922	OHIO WATER DEVELOPMENT AUTHORITY	BOND PRINCIPAL PAYMENTS - SEWER REVENUE BONDS	66311901 - 5725	\$ 482,166.08
R2602923	OHIO WATER DEVELOPMENT AUTHORITY	BOND INTEREST PAYMENTS - SEWER REVENUE BONDS OECC	66311901 - 5720	\$ 1,433,614.08
R2602923	OHIO WATER DEVELOPMENT AUTHORITY	BOND PRINCIPAL PAYMENTS - SEWER REVENUE BONDS OECC	66311901 - 5725	\$ 1,305,204.28

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

**4
RESOLUTION NO. 26-259**

IN THE MATTER OF A NEW LIQUOR LICENSE FROM AVENTUS NAIL SPA AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a request for a new D1, D2 and D3 license from Aventus Nail Spa, located at 94 Meadow Park Avenue, Orange Township, Lewis Center, Ohio 43035; and

WHEREAS, the Delaware County Board of Commissioners has found no reason to file an objection;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

**5
RESOLUTION NO. 26-260**

IN THE MATTER OF A TRANSFER LIQUOR LICENSE REQUEST FROM H2R2 HOLDINGS LLC DBA FRACASSO'S VILLAGE PIZZA TO HATTISON HOSPITALITY GROUP LLC DBA

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026

FRACASSO’S PIZZA VILLAGE AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

WHEREAS, the Ohio Division of Liquor Control has notified the Delaware County Board of Commissioners of a transfer of a D1 and D2 license from H2R2 Holdings LLC, dba Fracasso’s Village Pizza to Hattison Hospitality Group LLC dba Fracasso’s Village Pizza, located at 3699 Ohio 605, Harlem Township, Galena, Ohio 43021; and

WHEREAS, the Delaware County Board of Commissioners has found no reason to file an objection;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

**6
RESOLUTION NO. 26-261**

IN THE MATTER OF APPROVING A SECOND EXTENSION OF A SERVICES AGREEMENT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND UNIVERSAL PROTECTION SERVICE, LLC DBA ALLIED UNIVERSAL SECURITY SERVICES, LLC, FOR UNIFORMED ARMED SECURITY SERVICES:

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

WHEREAS, the Director of Facilities recommends approval of an agreement between the Delaware County Board of Commissioners and Universal Protection Service, LLC dba Allied Universal Security Services, LLC, for uniformed armed security services;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners approves the following second extension of an agreement with Universal Protection Service, LLC dba Allied Universal Security Services, LLC, for uniformed armed security services:

**SECOND EXTENSION OF SERVICES AGREEMENT
Uniformed Armed Security**

This Second Extension of the Services Agreement dated on or about March 9, 2023 (the “Agreement”) is made and entered into on April 16, 2026, by and between the Delaware County Board of Commissioners, Delaware County, Ohio, 91 North Sandusky Street, Delaware, Ohio 43015 (the “County”), and Universal Protection Service, LLC, dba Allied Universal Security Services, LLC, 630 Morrison Rd., Unit 110, Gahanna, Ohio 43230 (the “Contractor”) (hereinafter collectively referred to as the “Parties”).

ARTICLE 1 – EXTENSION AND AMENDMENT

Pursuant to Sections 3.1 and 7.2 of the Agreement and Paragraph A of the Specifications incorporated therein, the Parties mutually agree to extend the Agreement for the second of three possible one-year renewal periods and to amend the Agreement as follows:

- A. Section 4.2 of the Agreement shall be amended to increase the maximum total compensation from \$2,000,000 to \$2,680,000.
- B. Section 7.2 of the Agreement shall be amended to extend the termination date of the Agreement to April 30, 2027.
- C. The Change Order setting forth revised wage rates is attached hereto and, by this reference, incorporated herein.

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 Second Extension of the Agreement

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

**7
ADMINISTRATOR REPORTS**

DCA Huston – attended a board meeting on 04/15/26

CA Davies and Attorney Hochstettler – Nothing to report.

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026

8
COMMISSIONER REPORTS

Commissioner Merrell – attended the Powell State of the City event on 04/13/26, also attended the Deputy Graduation along with Commissioner Benton on 04/15/26. He will be attending a CCO Policy meeting on 04/16/26 and a CCO Board meeting on 04/17/26.

Commissioner Lewis – Nothing to report.

Commissioner Benton – attended the Deputy Graduation on 04/15/26 along with Commissioner Merrell. He also attended a Records Commission meeting on 04/15/26. He will be attending the Telecommunication Appreciation Lunch on 04/16/26 and the Main Street Gala on 04/17/26.

9
RESOLUTION NO. 26-262

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 SALE OF PUBLIC PROPERTY AT COMPETITIVE BIDDING AND FOR COLLECTIVE BARGAINING:

It was moved by Mrs. Lewis, 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 for consideration of Employment and Compensation of a Public Employee or a Public Official, to consider the Sale of Property at competitive bidding and for Collective Bargaining.

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

10
RESOLUTION NO. 26-263

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. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

11
9:45A.M. PUBLIC HEARING WITH RESPECT TO THE PROPOSED ISSUANCE BY DELAWARE COUNTY OF ITS REVENUE BONDS PURSUANT TO CHAPTER 140, OHIO REVISED CODE, TO FINANCE AND REFINANCE HOSPITAL FACILITIES FOR THE BENEFIT OF OHIO LIVING POWELL, LLC LOCATED IN DELAWARE COUNTY

The Board of Commissioners opened the hearing at 9:52 A.M.

The Board of Commissioners closed the hearing at 9:55 A.M.

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026**

RESOLUTION NO. 26-264

A RESOLUTION DETERMINING THE NECESSITY OF AND AUTHORIZING THE ISSUANCE AND SALE OF ONE OR MORE SERIES OF HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2026 (OHIO LIVING POWELL) OF THE COUNTY OF DELAWARE, OHIO IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF A BASE LEASE AND A LEASE IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT WITH RESPECT TO SAID BONDS; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS:

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

WHEREAS, pursuant to the authority contained in the laws of the State of Ohio (“State”), including without limitation, Chapter 140 of the Ohio Revised Code (“Act”), the County of Delaware, Ohio (“Issuer”), a county and political subdivision duly organized and validly existing under and by virtue of the Constitution and the laws of the State, is authorized and empowered, among other things: (i) to acquire, construct, improve and equip “hospital facilities” as defined in the Act (“Hospital Facilities”), and to acquire real estate and interests therein, including without limitation, improvements situated thereon comprising “hospital facilities;” (ii) to issue its revenue bonds for the purpose of (a) paying the “costs of hospital facilities,” as defined in the Act, (b) refunding obligations previously issued for such purpose, (c) paying for the reimbursement of all moneys advanced or applied by a hospital agency or others or borrowed from others for the payment of any item or items of “costs of hospital facilities,” and (d) paying all other necessary or incidental expenses thereto and to the issuance of such revenue obligations; (iii) to enter into lease agreements with a “nonprofit hospital agency,” as defined in the Act, to provide for revenues to pay the principal of and interest and any premium on those revenue bonds; (iv) to secure those revenue bonds by the pledge and assignment of its rights under such lease agreements, by a pledge and lien on certain revenues and by an absolute and irrevocable assignment of certain funds; and (v) to enact this Bond Legislation, to enter into the Base Lease, the Lease and the Bond Purchase Agreement (all as hereinafter defined and collectively referred to herein as the “Issuer Documents”), and to execute and deliver certain other documents and instruments upon the terms and conditions provided herein and therein; and

WHEREAS, Ohio Living Powell, LLC, an Ohio limited liability company (the “Borrower”), the sole member of which is Ohio Living Communities, a nonprofit corporation (the “Corporation”), has requested the Issuer to issue revenue bonds in one or more series (initially anticipated to be one series) pursuant to the Act, styled County of Delaware, Ohio Health Care Facilities Revenue Bonds, Series 2026 (Ohio Living Powell) (the “Bonds”) for the purposes of (i) refinancing a portion of a loan incurred by the Corporation for the benefit of the Borrower to finance the acquisition, construction, installation, equipping, furnishing and improvement of the Borrower’s health care and senior living facilities currently known as The Ganzhorn Suites, located at 10272 Sawmill Parkway, Powell, Ohio 43065 (the “Project”) and (ii) paying costs of issuance of the Bonds; and

WHEREAS, the Issuer has determined that the issuance of the Bonds under the circumstances and upon the terms hereinafter set forth, will further the public purpose of better providing for the health and welfare of the residents of the Issuer and the State by enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered by the Borrower so that Hospital Facilities and the services rendered thereby are available to or for the service of the general public without discrimination by reason of race, creed, color or national origin; and

WHEREAS, on April 2, 2026, a notice of public hearing was posted on the Issuer’s public notice website, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things; and

WHEREAS, this Board has conducted a public hearing on the date hereof regarding the issuance by the Issuer of the Bonds and the Project to be refinanced thereby; and

WHEREAS, this Board has determined to authorize such Bonds and to award the sale thereof to Wesbanco Bank, Inc., or an affiliate thereof (the “Original Purchaser”); and

WHEREAS, pursuant to the Base Lease, the Issuer will acquire a leasehold interest in the Project, and will sublease the Project to the Borrower, which has authority to operate the Project as Hospital Facilities; and

WHEREAS, it is necessary in connection with the issuance of such Bonds for the purpose of refinancing of the Project to provide for the authorization of the Issuer Documents and certain other documents in connection with the issuance of the Bonds.

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

Section 1. For the purpose of better providing for the health and welfare of the people of the Issuer and the State by enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered by the Borrower so that Hospital Facilities and the services rendered thereby are available to or for

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026**

the service of the general public without discrimination by reason of race, creed, color or national origin, this Board, hereby determines that the Bonds shall be issued pursuant to Section 140.06, Ohio Revised Code, in an aggregate principal amount not to exceed \$20,000,000 for the purposes set forth in the preambles hereto. Such bonds shall be designated "County of Delaware, Ohio Health Care Facilities Revenue Bonds, Series 2026 (Ohio Living Powell)" (or such other designation as shall be acceptable to the individuals executing the Bonds). The Bonds shall be issued in one or more series (initially anticipated to be one series) in the form and denomination and shall be executed, dated, be subject to redemption prior to maturity on the dates and at the prices, bear interest at the rate or rates, and be payable on the dates as hereafter provided in the Bond Purchase Agreement hereinafter authorized.

Section 2. In addition to the words and terms defined in the recitals and elsewhere in this resolution, the words and terms defined in this resolution shall have the meanings herein specified unless the context or use clearly indicates another or different meaning or intent. Those words and terms not expressly defined herein and used herein with initial capitalization where rules of grammar do not otherwise require capitalization shall have the meanings assigned to them in the Lease or in the Bond Purchase Agreement, each as hereinafter defined.

Any reference herein to the Issuer, or to any officer or official or employee thereof, shall include those succeeding to their respective functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing such functions. Any reference herein to any other person or entity shall include his or its respective successors and assigns. Any reference to a section or provision of the Internal Revenue Code of 1986, as amended (the "Code"), the Ohio Constitution or the Act or to a section, provision or chapter of the Ohio Revised Code shall include such section or provision or chapter as from time to time amended, modified, revised, supplemented, or superseded; provided, however, that no such change shall alter the obligation to pay the Bond Service Charges (as defined in the Bond Purchase Agreement) in the amounts and manner, at the times, and from the sources provided in this Bond Legislation, except as otherwise herein permitted, or shall be deemed applicable by reason of this provision if such change would in any way constitute an impairment of the rights of the Issuer, a holder of the Bonds (the "Holder") or the Borrower under the Lease.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, any pronoun shall be deemed to cover all genders, and the terms "herein," "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Legislation and not solely the portion hereof in which any such word is used.

Section 3. The Bonds shall be initially issued as one fully registered Bond, registered in the name of the Original Purchaser, dated as of the date of its initial delivery to the Original Purchaser, numbered R-1 and in the form attached to the Bond Purchase Agreement. The Bonds shall mature not later than thirty (30) years from the date of initial delivery thereof (subject to all provisions herein for amortization and redemption). Upon any transfer and surrender of the Bonds in accordance with the provisions of the Bond Purchase Agreement, the Issuer shall execute and deliver a new Bond in exchange therefor as provided in the Bond Purchase Agreement.

The principal of the Bonds shall be payable in accordance with the amortization schedules to be set forth in the Bonds or the Bond Purchase Agreement hereinafter authorized, provided that the final installment of the principal of the Bonds shall be paid no later than final maturity date referenced above.

Interest from the date of issuance of the Bonds on the outstanding principal amount of the Bonds shall be payable on each Interest Payment Date (as defined in the Bond Purchase Agreement) commencing on the date specified in the Bond Purchase Agreement. Interest on the outstanding principal balance of the Bonds shall initially be payable from the date of issuance in accordance with the provisions of the Bond Purchase Agreement.

The interest rate on the Bonds shall not exceed the Maximum Rate as defined in the Bond Purchase Agreement. Each installment shall be applied first to interest due and the balance to repayment of principal. All principal and interest shall be paid in full on or before the final maturity date of the Bonds. The Bonds shall be subject to prepayment, redemption and mandatory tender as provided in the Bond Purchase Agreement and the Lease.

All Bond Service Charges shall be payable in lawful money of the United States of America at the principal office of the Holder, in accordance with the Bond Purchase Agreement.

The Bonds shall be executed on behalf of the Issuer by at least two members of the Board of County Commissioners (the "Board"), provided that such signatures may be a facsimile. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until after that time.

Section 4. Anything in this Bond Legislation, the Bonds or any other Issuer Document to the contrary notwithstanding, the Bonds do not and shall not represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the Holders shall not be given and shall not have any right to have excises or taxes levied by the Board of the Issuer, any successor thereto, or the Issuer, the State or the taxing authority of any political subdivision thereof

**COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026**

for the payment of Bond Service Charges thereon. The Bonds shall contain a statement to that effect and to the effect that the Bonds are payable solely from the Revenues (as defined in the Bond Purchase Agreement) and any other moneys paid by or on behalf of the Borrower. Nothing in the Bonds or the Issuer Documents, however, shall be deemed to prohibit the Issuer from using, of its own volition, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms or conditions of or its obligations under the Issuer Documents or the Bonds.

Section 5. The members of this Board, and their successors, are hereby authorized and directed to do all the acts and things required of them by the provisions of the Bonds and the Bond Purchase Agreement hereinafter authorized to the end that full and complete performance of all of the terms, covenants and agreements of the Bonds and Bond Purchase Agreement shall be effected, including taking all actions necessary to complete the sale of the Bonds under the "Blue Sky" laws of any jurisdiction; provided that the Issuer shall not be required to submit to service of process in connection with any such "Blue Sky" action in any state except Ohio.

Section 6. This Board hereby determines that the leasing of the Project from the Borrower and the subleasing of the Project to the Borrower, which will operate the Project, providing health care to the general public without discrimination by reason of race, creed, color or national origin is undertaken for and will serve the public purpose of better providing for the health and welfare of the people of the Issuer and the State by enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered thereby.

Section 7. At least two members of this Board be and they are hereby authorized and directed to execute and enter into, on behalf of the Issuer a Base Lease (the "Base Lease") with the Borrower to acquire a leasehold interest in the Project. The Base Lease shall be substantially in the form presented to this Board and on file with the Clerk, subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution of said Base Lease as aforesaid. It is hereby determined that such Base Lease will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the Issuer will be duly benefited thereby.

Section 8. At least two members of this Board be and they are hereby authorized and directed to execute and deliver on behalf of the Issuer a Lease (the "Lease") with the Borrower. The Lease shall be substantially in the form presented to this Board and on file with the Clerk, subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution of said Lease. It is hereby determined that such Lease will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the Issuer, will be duly benefited thereby.

Section 9. At least two members of this Board be and they are hereby authorized and directed to execute and deliver on behalf of the Issuer a Bond Purchase Agreement (the "Bond Purchase Agreement") among the Issuer, the Borrower and the Original Purchaser, providing for the sale of the Bonds to the Original Purchaser, substantially in the form heretofore presented to this Board and on file with the Clerk, so long as the terms of purchase contained therein are within the guidelines established in Sections 1 and 3 of this Bond Legislation.

Section 10. This Board, for and on behalf of the Issuer, hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Code and the regulations prescribed thereunder. Any member of this Board or any other officer having responsibility with respect to the issuance of said Bonds is authorized and directed to give appropriate certifications on behalf of the Issuer, in the form of an arbitrage certificate and/or a tax regulatory agreement, on the date of delivery of said Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Section 148 and regulations thereunder.

Section 11. The appropriate officers of the Issuer, be and they hereby are authorized to execute and deliver on behalf of the Issuer such other certificates, documents, assignments and instruments in connection with the issuance and sale of the Bonds as may be required, necessary or appropriate, including, without limitation, any documents which are necessary or appropriate in order to provide that the Bonds constitute "qualified 501(c)(3) bonds" under the Code. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be approved by the appropriate officers of this Board, which approval shall be conclusively evidenced by the execution thereof as aforesaid.

Section 12. This Board, as the "applicable elected representative" of the Issuer, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Bonds in the maximum principal amount of \$20,000,000 pursuant to Chapter 140 of the Ohio Revised Code, the proceeds of which Bonds will be used for the purposes described in the preambles hereto. The initial owner, operator or manager of the Project is presently anticipated to be the Borrower.

Section 13. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

COMMISSIONERS JOURNAL NO. 83 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD APRIL 16, 2026

Section 14. All resolutions or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 15. This Resolution shall be in full force and effect immediately upon its adoption.

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

12
RESOLUTION NO. 26-265

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

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 Appointment of a Public Employee or a Public Official.

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

13
RESOLUTION NO. 26-266

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. Merrell Aye Mr. Benton Aye Mrs. Lewis Aye

There being no further business, the meeting adjourned.

Jeff Benton

Barb Lewis

Gary Merrell