

COMMISSIONERS JOURNAL NO. 47 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD JUNE 16, 2005

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

Present: Glenn A. Evans, Kristopher W. Jordan, James D. Ward

9:45 AM Reconvening Of Public Hearing In Connection With The Issuance Of Health Care Facilities Revenue Bonds For Episcopal Retirement Homes, Inc., By The County Of Hamilton, Ohio; And Other Documents In Connection With The Issuance Of The Bonds

PUBLIC COMMENT

RESOLUTION NO. 05-827

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD JUNE 13, 2005 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held June 13, 2005 as contained in the county’s official electronic recordings of the proceedings.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-828

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0615 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR0615:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0615, memo transfers in batch numbers MTAPR0615 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO’s			
Michael & Candra Brown	Board & Care	22511607-5350	\$ 5,611.50
Status Control & Integration	Processors for Alum Creek	65211919-5270	\$ 3,025.00
Status Control & Integration	8 PLC Processors / OECC & Alum Creek	65211905-5270	\$ 3,025.00
K O K Products Inc.	Chemicals For Alum Creek	65211919-5290	\$ 10,000.00
Floyd Browne Assoc. Inc.	Construction Surveying For Perry Taggart	65511918-5301	\$ 20,340.67
Software House International	Office Supplies	22311611-5250	\$ 5,416.00
Vouchers			
House of New Hope Inc.	Residential Treatment	22511607-5342	\$ 5,591.16
Buckeye Ranch Inc.	Residential Treatment	22511607-5342	\$ 7,440.00
Kokomo Academy	Residential Treatment	22511608-5342	\$ 5,456.00
Cornell Abraxas Group Inc.	Residential Treatment	22511607-5342	\$ 23,760.00
Kokomo Academy	Residential Treatment	22511608-5342	\$ 5,280.00
Liberty Community Center	Day Care	22411610-5348	\$ 17,210.00
Scott Scriven & Wahoff	Legal Services	75110902-5301	\$ 5,074.39
National City Bank	Workers Comp Premium	75110902-5370	\$ 215,484.06
Prudential Group Life	June 2005 Premium	60211902-5370	\$ 5,179.37
Prudential Group Life	May 2005 Premium	60211902-5370	\$ 5,179.41
BP Products North AM	Regular Unleaded Fuel	10011106-5228	\$ 6,024.20
Trucco Construction	Perry Taggart	65511918-5415	\$ 381,216.53
AEP	Utility	65211905-5338	\$ 34,396.64
AEP	Utility	66011913-5338	\$ 5,481.04
Henry Thompson	Equipment Parts at OECC	65211905-5270	\$ 21,235.00
Village of Galena	Reimbursement Sewer Charges	65411907-5319	\$ 5,574.82
BP Products	Fuel	65211905-5228	\$ 5,190.16

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-829

IN THE MATTER OF AMENDING RESOLUTION NUMBER 05-2 (ESTABLISHING MEETING DAYS FOR THE BOARD OF COMMISSIONERS FOR YEAR 2005):

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Whereas, Resolution number 05-2 established that The Board of County Commissioners shall meet in

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regular session at 9:00am on the 3rd Tuesday of each month with the Delaware County Prosecutor, and

Whereas, The Board of Commissioners and The Prosecutor wish to change this meeting time.

Now Therefore Be It Resolved, that The Board of County Commissioners shall meet in regular session at 1:00pm on the 1st Monday of each month with the Delaware County Prosecutor.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05 -830

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the following:

The Child Support Enforcement Agency is requesting that Susan Brown and Matt Smith attend a Data Integrity SubComittee Meeting in Columbus, Ohio June 23, 2005 at the cost of \$12.00.

The Child Support Enforcement Agency is requesting that Susan Brown, Christine Dobrovich, Regina Prouty and Sandee Pennick attend an Interstate Regional Training in Lancaster, Ohio June 22, 2005, at the cost of \$30.00.

The Child Support Enforcement Agency is requesting that Susan Brown and Joyce Rhodes attend an OCDA General Membership Meeting in Perrysville, Ohio July 14-15, 2005, at the cost of \$30.00.

The Department of Job and Family Services is requesting that Julie May attend a Job and Family Services HR Association Meeting in Delaware, Ohio July 13, 2005, at the cost of \$25.00.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-831

IN THE MATTER OF APPROVING A SUB -GRANT AGREEMENT WITH THE 7TH AREA WORKFORCE INVESTMENT POLICY BOARD ESTABLISHING A GRANTEE/SUB -GRANTEE RELATIONSHIP BETWEEN AREA 7 AND SUB –GRANTEE 7221-1 (DELAWARE COUNTY):

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Whereas, the Workforce Investment Act of 1998 authorizes the expenditure of federal funds for workforce development programs in locally -determined workforce areas and;

Whereas, the Area 7 Consortium constitutes a jurisdiction designated by the Governor as a WIA sub area, and;

Whereas, the Area 7 Workforce Investment Policy Board has the responsibility for Planning, Policy Development, Monitoring, Audits, and Audit Resolution, One Stops, Grant Applications, Business Relations, and Youth Council;

Now, therefore, be it resolved that Delaware County as a member of the Delaware, Knox. Marion, Morrow sub area 7 enters into this Sub-Grant Agreement with the 7th Area Workforce Investment Policy Board establishing a grantee/sub-grantee relationship between Area 7 and sub –grantee 7221-1(Delaware County).

**AREA 7 SUB -GRANT AGREEMENT
Revised: May 25, 2005**

This agreement, entered into by and between the Area 7 Workforce Investment Board and the Area 7 Chief Elected Officials Consortium and the Workforce Policy Board and Chief Elected Officials of Sub-grantee 7221, herein referred to as Sub-grantee Delaware, hereby establishes a grantee/sub-grantee relationship between Area 7 and sub-grantee 7221.

This agreement sets forth the terms under which the parties shall work together to provide comprehensive, business driven workforce development services within sub-grantee 7221 in coordination with such services throughout Workforce Investment Area 7.

All entities receiving Employment and Training funds shall comply with the requirements and administer a program in accordance with the applicable federal regulations at 29 CFR Part 97 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments), and the additional policies and procedures contained in this document. Any violation of fiscal policies and procedures whether through monitoring or auditing activities will be resolved through procedures developed by the Area 7 Board.

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The principles and procedures contained herein are subject to change in order to comply with any changes in federal or state policies.

Montgomery County will be the Fiscal Agent for all of Area 7. As of July 1, 2004, counties will submit requests for funds to Montgomery County (the Fiscal Agent). The Fiscal Agent will then aggregate these requests and send one cash request to ODJFS. Upon receipt, ODJFS will send an electronic funds transfer for a single amount of money to the Fiscal Agent. The Fiscal Agent will then segregate and disburse the funds by county according to the expenditures reported by each county. Each county shall deposit its funds into a separate workforce development fund account within such county.

The Area 7 Fiscal Agent will track expenditures for each county against a ceiling set by the Area 7 Board and the consortium of elected officials. The Area will operate on a cost-reimbursement system that is compliant with 29CFR 97.42. If a county is spending at a rate which would exceed their ceiling before the end of the fiscal year, the Fiscal Agent will notify the county and work to assist the county to remain within the ceiling set by the Area 7 Board and consortium of elected officials. At the point in which a county reaches its ceiling for the year, the Fiscal Agent will cease to disburse funds to such county. Conversely, if a county is significantly under-spending, the Fiscal Agent will contact the county and work to identify the reasons for the under-spending. The Fiscal Agent will seek to assist each county with making full and efficient use of their funds. As a result, the Area 7 Board will remain informed of spending patterns and make any necessary policy recommendations.

The Area 7 Board may allocate funding to sub-grantees under this agreement for any workforce development purposes, including but not limited to WIA, Rapid Response, NEG, Veterans and Reed Act funds. Any such funds less Area 7 administrative costs shall be transmitted to sub-grantees through the Area 7 Fiscal Agent only after the Board has sent an allocation letter stating the amount and the terms and conditions of the funding and the administrative entity of the sub-grantee has returned a signed copy of the letter acknowledging the amount and the terms and conditions under which the funding is accepted.

These sub-grants are awarded with federal funding and, therefore, dependent on the continuing receipt of such funding. Should federal funds be terminated, the sub-grant shall terminate as of the date the funding expires without further obligation of the awarding entity.

This agreement becomes effective upon July 1, 2005 or the date of signature, whichever is later, and shall be in effect through June 30, 2006.

I. DUTIES OF THE AREA 7 BOARD

Under this agreement, the Area 7 Board shall be the awarding entity. The Board shall notify each sub-grantee of the amount of its grant by an official allocation letter which is to be signed by the local JFS Director and returned to the Area 7 Board. Any change in the grant amount shall be subject to the same procedure.

The Area 7 Board shall be responsible for:

Planning

- Prepare a strategic plan for Area 7
- Prepare a plan that is compliant with the Workforce Investment Act to do the following:
 - o Assess the general workforce needs of the area
 - o Gather input from Workforce Policy Boards
 - o Set broad goals and parameters for meeting performance goals
 - o Provide guidelines and parameters to implement adult and youth programs
 - o Include description of One Stop System coordination
 - o Include description of sub-area coordination and sub-grant process

Policy Development

- Develop and maintain policies for the following:
 - o Identification and selection of eligible training providers (adult and youth)
 - o Individual training accounts
 - o Negotiation of local MOU's
 - o Oversight and monitoring
 - o Allocation and reallocation of funds
 - o Selection, designation and certification of one-stop operators
 - o One-stop system
 - o Residency issues
 - o Self-sufficiency
 - o Supportive services
 - o Determination of limited funds
 - o Priority of services for limited funds
 - o Definition of serious barriers to employment
 - o Registration/eligibility determination and documentation

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- Assessment
- Follow-up and post placement services
- Exceptions to use of ITA's
- Dealing with MOU impasse situations
- RFP and contract guidelines
- EEO procedures
- Sub-grant Agreements
 - Develop Format
 - Facilitate distribution and signing
 - Modify as necessary
 - Maintain and monitor
 - Ensure compliance
- Fiscal
 - Approve allocation formula for sub-grantees
 - Establish and administer policy for reallocation within Area 7
 - Receive and monitor fiscal reports
 - Prepare budget for Board Operation
 - Ensure cash management principles with Fiscal Agent
 - Work with Fiscal Agent to release and account for funds, including grant closeout procedures as required by WIA
 - Operate and carry out area 7 functions within the budget adopted by the Area 7 Board with agreement of the Area 7 Chief Elected Officials Consortium and based on withholding of a percentage of WIA funds from each sub-grantee based upon the agreement of the Area 7 Board and the consortium
 - Work with the Fiscal Agent to assist sub-grantees in making efficient and effective use of funds
 - Assist sub-grantees with resolution of audits or problems related to federal, state, or local funds.
 - Area 7 Board staff shall be responsible for audit resolution in conjunction with the Area 7 Fiscal Agent and the sub-grantee.
 - Instances of continuing noncompliance with program, fiscal or policy requirements may result in withholding of funds from the sub-grantee by agreement of the Area 7 Board and the Chief Elected Officials Consortium. Any such proposed action would be subject to redress through the dispute resolution process contained in this agreement.

Monitoring, Audits, and Audit Resolution

Area 7 Board shall be responsible for the monitoring required by WIA, utilizing performance criteria negotiated with the State of Ohio.

- Review monthly activity and monitoring reports
- Provide technical assistance and best practices (coordinate with state where appropriate)
- Provide seminar opportunities for sub-grantees when appropriate
- Negotiate performance standards with the state
- Provide for spot checks and oversee any necessary corrective action
- Perform audits and monitoring to ensure compliance with all applicable federal, state, local laws, and board policies
- Provide audit resolution assistance and technical assistance necessary to resolve audit findings as specified by the board
- All property and equipment purchased with federal and state funds will be obtained, maintained and liquidated according to the applicable federal and state laws as set forth in 29 CFR 97.31 and 97.32

One Stops

- Provide guidelines for One Stop System
- Designate One Stop Systems
- Provide information, technical assistance and best practices to assist in continuous improvement efforts
- Provide oversight to ensure certified systems are maintained and operated
- Provide MOU format and guidelines for what must be included in local MOU's

Grant Applications

- Review and act upon letters of support for federal and other grant applications on recommendation of local Workforce Policy Boards or after consultation with affected boards
- Act as grant clearinghouse for Area 7
- Coordinate grant applications initiated by local sub-grantees

Business Relation Functions

- Provide business relation services, including:
 - Coordination and referral of business inquiries which affect more than one sub-grantee
 - Network with various contacts to further best practices

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Youth Council

- Develop and operate Area 7 Youth Council
- Provide guidelines and coordination for youth activities

II. DUTIES OF THE SUB-GRANTEES

Under this agreement, sub-grantee **7221** will be responsible for establishing and operating comprehensive workforce development activities throughout the sub-grantee's area within the guidelines established by Area 7. Sub-grantee **7221** will carry out these duties through a partnership of chief elected officials and a Workforce Policy Board appointed by local elected officials pursuant to Ohio Revised Code Section 6301.

Funds provided under this agreement must be expended in accordance with all applicable federal statutes, regulations, and policies, including those of the WIA, the approved Area 7 Workforce Investment Area Plan, the negotiated performance levels, and policies established pursuant to the Secretary's authority.

Under guidelines developed by Area 7, Sub-grantee **7221** shall:

- Establish and operate a WIA compliant workforce development system which provides services pursuant to WIA to eligible individuals and employers
- Maintain a business-driven partnership between elected officials and a workforce policy board in which policy is set by the business driven workforce policy board and carried out by the workforce development agency as directed by the local elected officials
- Develop, submit, and monitor workforce investment plans as required by WIA and by Area 7 guidelines
- Perform audits and monitoring to ensure compliance with all applicable federal, state, local laws, and board policies
- Cooperate with Area 7 staff to provide information and documentation necessary to resolve audit findings
- Select, designate, and recommend one stop operators and submit to the Area 7 Board for approval
- Complete application process and maintain one stop certification
- Establish one stop system under Area 7 Board guidelines and submit it for approval to the Area 7 Board
- Provide for oversight and monitoring of local programs
- Provide information and cooperate with Area 7 monitoring activities, including reporting performance activity as required by federal law through the statewide reporting system.
 - o Access to records must be granted by the sub-grantee to ODJFS, Area 7, DOL, or the Comptroller General of the United States for the purposes of audit, examination, excerpts, and transcriptions.
 - o Records shall be retained as specified in 29 CFR 97.42
 - o Adhere to all applicable property management and equipment standards as set forth in 29 CFR 97.31 and 97.32
- Submit applications from training providers to Area 7 Board
- Set procedures for and administer ITA's within the guidelines established by the Area 7 Board
- Identify and select providers for youth activities and send to Area 7 Board for approval
- Submit reports of expenditures and service delivery
- Participate in reallocation process of WIA funds within Area 7
- Fully expend all carry forward funds by November 30th unless a plan of action that includes timelines and amounts has been submitted by December 15th to the Area 7 Executive Director
- Provide information for sharing of best practices within Area 7
- Provide services to employers and job seekers as required under WIA
- Follow systems and procedures for receipt expenditure and tracking of WIA funds as established by the Area 7 Fiscal Agent.
 - o Funds shall be accounted for by program funding stream and appropriate program year. Program income shall be identified and spent only on allowable activities relating to the program under which the income was generated.
 - o Procurement shall be accomplished by the sub-grantee in a manner consistent with federal and state requirements.
- Agree to withholding of funds from the Sub-grantee **7221** WIA allocation for operation of Area 7 per agreement between the Area 7 Board and the Area 7 Chief Elected Officials Consortium
- Provide an appeals process regarding eligibility for services or terms and conditions of services rendered as required under WIA.

Performance

Each Sub-grantee shall meet or exceed the WIA Title I B performance and customer satisfaction measures for the state of Ohio:

- o Adult
 - Entered Employment Rate - 59.2%
 - Employment Retention- 68.0%

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- Earnings Change - \$2,240
 - Employment and Credential - 50.4%
- Dislocated Worker
 - Entered Employment Rate – 68.0%
 - Employment Retention – 71.2%
 - Earnings Change – (\$4,080)
 - Employment and Credential – 51.2%
- Older Youth
 - Entered Employment Rate – 52.0%
 - Employment Retention – 64.0%
 - Earnings Change - \$2,880
 - Employment and Credential – 33.6%
- Younger Youth
 - Skill Attainment Rate – 62.4%
 - Diploma or Equivalent Rate – 48%
 - Retention Rate – 41.6%
- Customer Satisfaction
 - Participant – 61.6%
 - Employer – 57.6%

Area 7 will review Sub-grantee performance on a quarterly basis and provide technical assistance. If the Sub-grantee fails to meet any standard for the Program Year, the Sub-grantee will be required to submit a corrective action plan to Area 7 and work with Board staff to resolve any performance issues.

Liability

The Area 7 Board and its chief elected officials consortium shall have liability only for proper use of the administrative funds for its direct operations.

Liability follows the WIA dollars sent to each sub-grantee. Audit exceptions and sanctions will be passed onto the causal sub-grantee, to the extent individual causation is documented. Otherwise, they will be distributed to all sub-grantees based upon each sub-grantee’s percentage share of the total WIA annual allocation for Area 7.

Disputes

Any dispute which cannot be resolved between the Area 7 Board and a sub-grantee shall be submitted to the Area 7 Chief Elected Officials Consortium, which shall issue a written decision. If any party is not satisfied with the decision, either may seek the services of the Ohio Commission on Dispute Resolution.

Certifications and Assurances

The Area 7 Board and all sub-grantees shall comply with the following state and federal laws: Drug Free Workplace, Federal debarment and suspension, Lobbying Activities Restrictions, Environmental Tobacco Smoke, Nondiscrimination and EEO, Clean Water Act, Ethics provisions, Conflict of Interest provisions, and Disaster Recovery Plans.

This agreement becomes effective upon July 1, 2005 or the date of signature, whichever is later, and shall be in effect through June 30, 2006.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-832

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE COMMON PLEAS DATA FUND:

It was moved by Mr. Evans, seconded by Mr. Ward to approve the following:

Supplemental Appropriation	AMOUNT
28129204-5201 Common Pleas Data Fund	\$250.00

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-833

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE ROADWAY DEVELOPMENT FUND:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the following:

Supplemental Appropriation	Amount
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40811422-5420	Olentangy Crossing Infrastructure /Road Construction	\$1,527,200.00
40811422-5718	Olentangy Crossing Infrastructure/Note Fees	\$27,800.00

Further Be It Resolved, that the Commissioners approve a Purchase Order Request and Voucher to Fifth/Third Bank in the amount of \$2,799.75.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-834

9:45 AM RECONVENING PUBLIC HEARING IN CONNECTION WITH THE ISSUANCE OF HEALTH CARE FACILITIES REVENUE BONDS FOR EPISCOPAL RETIREMENT HOMES, INC., BY THE COUNTY OF HAMILTON, OHIO; AND OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS:

It was moved by Mr. Evans, seconded by Mr. Ward to open the Hearing at 9:45AM.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-835

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR THE ISSUANCE OF HEALTH CARE FACILITIES REVENUE BONDS FOR EPISCOPAL RETIREMENT HOMES, INC., BY THE COUNTY OF HAMILTON, OHIO; AND OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS:

It was moved by Mr. Ward, seconded by Mr. Evans to close the Hearing at 10:00AM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

RESOLUTION NO. 05-836

RESOLUTION GIVING APPLICABLE ELECTED REPRESENTATIVE APPROVAL WITH RESPECT TO ISSUANCE OF COUNTY OF HAMILTON, OHIO VARIABLE RATE DEMAND HEALTHCARE FACILITIES IMPROVEMENT AND REFUNDING REVENUE BONDS (EPISCOPAL RETIREMENT HOMES, INC.), SERIES 2005:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the following:

WHEREAS, the Hamilton County Hospital Commission, is authorized pursuant to Section 339.15 and Chapter 140, Ohio Revised Code, to issue hospital revenue bonds of the County of Hamilton, Ohio (“Hamilton County”); and

WHEREAS, the Hamilton County Hospital Commission proposes to issue Variable Rate Demand Healthcare Facilities Improvement and Refunding Revenue Bonds (Episcopal Retirement Homes, Inc.), Series 2005A and Variable Rate Demand Healthcare Facilities Improvement and Refunding Revenue Bonds (Episcopal Retirement Homes, Inc.), Series 2005B (together, the “Bonds”), on behalf of Hamilton County, in an amount not to exceed \$50,000,000, for the purpose of, together with other available moneys, (i) constructing approximately 60 apartments, a new fitness center and additional common areas and amenities at the Deupree Camp us (3939 Erie Avenue, Cincinnati, Ohio 45208) (the “2005 Project”) of Episcopal Retirement Homes, Inc., an Ohio non-profit corporation (the “Corporation”), (ii) refunding Hamilton County’s Variable Rate Demand Healthcare Facilities Improvement and Refunding Revenue Bonds (Episcopal Retirement Homes, Inc.), Series 2002 and Variable Rate Demand Hospital Facilities Revenue Bonds (Episcopal Retirement Homes, Inc. Project), Series 1997 which were issued (a) to acquire approximately 133 acres of land on the south side of Hyatts Road, starting approximately 2811.67 feet east of CL Taggart Road in Delaware County, Ohio, on which the Corporation plans to construct and equip a continuing care retirement community , (b) to refinance an existing taxable loan which refinanced Hamilton County’s bonds originally issued to acquire and construct “hospital facilities” as that term is defined in Section 140.01 of the Ohio Revised Code, and (c) to reimburse the Corporation for capital expenditures it has made and to finance certain capital expenditures to be made with respect to its facilities located at 3550 Shaw Avenue, Cincinnati, Ohio 45208, 3939 Erie Avenue, Cincinnati, Ohio 45208 and 4001 Rosslyn Drive, Cincinnati, Ohio 45209, all of which constitute “hospital facilities” as that term is defined in Section 140.01 of the Ohio Revised Code, and (iii) paying the costs of issuance of the Bonds; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that prior to their issuance, the Bonds must be approved by the “applicable elected representative” (as defined in such Section 147(f) of the Code) of the political subdivision in which any portion of the projects financed with Bond proceeds is located; and

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WHEREAS, this Board of County Commissioners is the “applicable elected representative” of the County of Delaware, Ohio; and

WHEREAS, on June 9 (and continued on July 16), 2005, after due publication of notice, a public hearing was held by this Board with respect to the issuance of the Bonds and no one appeared in opposition to the issuance of the Bonds or the 2005 Project;

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

SECTION 1. That this Board, as the “applicable elected representative” of the County of Delaware, Ohio for purposes of Section 147(f) of the Code, hereby approves the issuance of the Bonds in the maximum principal amount of \$50,000,000 pursuant to Section 339.15 and Chapter 140, Ohio Revised Code. The proceeds of the Bonds would be used for the purposes set forth in the preambles hereto. The primary users of the 2005 Project are presently anticipated to be the Corporation, an Ohio nonprofit corporations.

SECTION 2. That this resolution does not constitute a finding by the Board as to the compliance or noncompliance by the Hamilton County Hospital Commission with any legal requirements imposed upon it in connection with the issuance of the Bonds.

SECTION 3. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code, and the rules of this Board in accordance therewith.

Vote on Motion Mr. Jordan Aye Mr. Evans Aye Mr. Ward Aye

RESOLUTION NO. 05-837

IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR CONSIDERATION OF LAND ACQUISITION AND FOR CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL:

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn into Executive Session at 10:05AM.

Vote on Motion Mr. Ward Aye Mr. Jordan Aye Mr. Evans Aye

RESOLUTION NO. 05-838

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Ward, seconded by Mr. Evans to adjourn out of Executive Session at 11:23AM.

Vote on Motion Mr. Evans Aye Mr. Jordan Aye Mr. Ward Aye

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

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Letha George, Clerk to the Commissioners