

COMMISSIONERS JOURNAL NO. 47 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD OCTOBER 31, 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

7:30 PM Public Hearing For Consideration Of The Rhodes #7 Watershed Ditch Petition Filed By William J. Cox And Others

8:15 PM Public Hearing To Discuss The Possible Issuance By The County Of Franklin, Ohio Of Its Hospital Facilities Revenue Bonds For Purposes Of Assisting The Children’s Hospital Project

PUBLIC COMMENT

RESOLUTION NO. 05-1453

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD OCTOBER 27, 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 October 27, 2005 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 05-1454

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1028:

It was moved by Mr. Evans, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR1028, and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO’s			
Tailored Management	Resource Center Management	22311611-5348	\$ 17,225.13
Increases			
Pam Barbosky Lammon	Public Defender	10011202-5301	\$ 10,000.00
Childrens World/Sawmill Pkwy	Day Care	22411610-5348	\$ 8,500.00
LaPetite/Summitview	Day Care	22411610-5348	\$ 3,850.00
Kindercare Neverland	Day Care	22411610-5348	\$ 54,000.00
Enchanted Care/Lewis Center	Day Care	22411610-5348	\$ 1,300.00
Noah's Ark Learning	Day Care	22411610-5348	\$ 10,500.00
Decreases			
Tailored Management	Resource Center Manager	22311611-5348	\$ 17,225.13
Facilities Management	Postage	10011105-5331	\$ 5,874.35
Vouchers			
Delaware County Fair	Grant	10011102-5601	\$ 10,000.00
BP Products North AM	Fuel Service Center	10011106-5228	\$ 17,709.79
Memo Transfer Voucher			
From	To		
22411605-5331	10011105-5331	Postage	\$ 5,874.35
Job and Family	Facilities Management		
10011102-5360	10026201-4245	June Share Court	\$ 4,221.33
Commissioners	Juvenile Court	Billing/34%	
23711630-5360	10026201-4245	June Share Court	\$ 8,194.34
CSEA	Juvenile Court	Billing/66%	
10011102-5360	10026201-4245	May Share Court Billing/	\$ 4,085.21
Commissioners	Juvenile Court	34%	
23711630-5360	10026201-4245	May Share Court Billing/	\$ 7,930.12
CSEA	Juvenile Court	66%	
10011102-5360	10026201-4245	April Share Court Billing/	\$ 5,256.79
Commissioners	Juvenile Court	34%	
23711630-5360	10026201-4245	April Share Court Billing/	\$ 10,204.37
CSEA	Juvenile Court	66%	
10011102-5360	10026201-4245	March Share Court	\$ 3,424.63
Commissioners	Juvenile Court	Billing/ 34%	
23711630-5360	10026201-4245	March Share Court	\$ 6,647.82

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CSEA	Juvenile Court	Billing/ 66%	
10011102-5360	10026201-4245	February Share Court	\$ 4,244.46
Commissioners	Juvenile Court	Billing/ 34%	
23711630-5360	10026201-4245	February Share Court	\$ 8,239.25
CSEA	Juvenile Court	Billing/ 66%	
10011102-5360	10026201-4245	January Share Court	\$ 4,153.18
Commissioners	Juvenile Court	Billing/ 34%	
23711630-5360	10026201-4245	January Share Court	\$ 8,062.07
CSEA	Juvenile Court	Billing/ 66%	

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

RESOLUTION NO. 05 -1455

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Court of Common Pleas is requesting that Scott Ritter attend a Personal Safety Training in London, Ohio November 4, 2005, at the cost of \$100.00.

The Child Support Enforcement Agency is requesting that Joyce Rhodes and Christina Dobrovich attend a GRADS Advisory Committee Meeting in Delaware County November 1, 2005, at no cost.

The Commissioners Office is requesting that James D. Ward, Glenn A. Evans and Kristopher W. Jordan attend the CCAO Winter Conference in Columbus, Ohio December 12-13, 2005, at the cost of \$585.00.

The Department of Job and Family Services is requesting that Jackie Culbertson and Mona Reilly attend a Fiscal Training in Fayette County November 8, 2005, at the cost of \$46.25.

The Department of Job and Family Services is requesting that Laura Hallott attend a Maximus Fiscal Training in Columbus, Ohio November 15, 2005, at the cost of \$ 363.00.

The Department of Job and Family Services is requesting that Cathleen Williams and Julie Marshall attend a CRISE Computer Training in Columbus, Ohio November 1-3, 2005, at no cost.

The Child Support Enforcement Agency is requesting that Susan Brown and Joyce Rhodes attend an OCDA Partners Conference in Worthington, Ohio November 16-17, 2005, at the cost of \$300.00.

The Child Support Enforcement Agency is requesting that Jennifer Franklin attend an INQ 01 SETS Training in Columbus, Ohio November 17-18, 2005, at no cost.

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

RESOLUTION NO. 05-1456

IN THE MATTER OF ADOPTING RESOLUTION OF CONGRATULATIONS TO ANDREW WILSON COLLINS UPON EARNING HIS EAGLE SCOUT AWARD:

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

WHEREAS, Andrew Wilson Collins has been a member of Boy Scout Troop # 184; and

WHEREAS, Andrew Wilson Collins has met all the requirements and been approved by the National Council of Boy Scouts to receive the Eagle Scout Award, and

WHEREAS, The Board of Commissioners of Delaware County wishes to express congratulations to Andrew Wilson Collins on earning the Eagle Scout Award.

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby officially congratulates Andrew Wilson Collins on attaining Scouting’s highest rank - the Eagle Scout Award. Your diligence and hard work have earned you the distinction of being an Eagle Scout. You join company with a select group of individuals who are recognized as outstanding in all that Scouting represents.

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

RESOLUTION NO. 05-1457

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IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 1.88 ACRES OF LAND IN
BERKSHIRE TOWNSHIP TO THE VILLAGE OF GALENA:

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

Whereas, on September 22, 2005, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Kenneth J. Molnar, agent for the petitioners, of 1.88 Acres, more or less, in Berkshire Township to the Village of Galena.

Whereas, ORC Section 709.023-Expedited Type 2 Annexation Petition; Petitions By All Property Owners With Or Without Consent of Municipality & Township(s) – If the Municipality or Township does not file an objection within 25 days after filing of annexation, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation.

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the Village of Galena or the Township of Berkshire.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 1.88 Acres, more or less, in Berkshire Township to the Village of Galena.

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

RESOLUTION NO. 05-1458

IN THE MATTER OF APPROVING DITCH MAINTENANCE PETITION FOR 449 WEST OLENTANGY STREET:

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

Ditch Maintenance Petition-449 West Olentangy Street

We the undersigned owners of 2.6 acres in Liberty Township, Delaware County, Ohio propose to create a subdivision known as **449 West Olentangy Street** as evidenced by the attached subdivision plat (Exhibit “A” which is available at the County Engineer’s Office). The plats for **449 West Olentangy Street** have been submitted for approval to the Delaware County Regional Planning Commission and the Delaware County Engineer. Drainage improvements related to this subdivision have been constructed (or are bonded and will be constructed within a period of one year as evidenced by the Subdivider’s agreement Exhibit “B” available at the County Engineer’s Office). In accordance with Section 6137 of the Ohio Revised Code, we (I) hereby request that the improvements delineated on Exhibit “C” (available at the County Engineer’s Office), be accepted as part of the County Ditch Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for each lot in the subject subdivision to cover the cost of current and future maintenance of the improvements.

We (I) represent 100% of the property owners to be assessed for maintenance related to this drainage improvement. We (I) hereby waive our rights to a public viewing and hearing and ask that your board approve this action.

The cost of the drainage improvements is \$7,465.00 and a detailed cost estimate is available at the County Engineer’s office in Exhibit “D”. The drainage improvements are being constructed for the benefit of the lots being created in their development. The Developed commercial area of .665588 (28993SF) acres will receive benefits (cost) of the project as a per acre basis. The basis for calculating the assessment for each lot is therefore, \$149.30 per acres. An annual maintenance fee equal to 2% of this basis \$149.30 will be collected for each developed lot. I understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year’s assessment for all of the lots in the amount of \$149.30 has been paid to Delaware County.

Easements to provide for the maintenance of the improvements have been provided on the plat.

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

RESOLUTION NO. 05-1459

IN THE MATTER OF APPROVING SUBDIVIDER’S AGREEMENT FOR ESTATES AT MEDALLION:

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

Estates At Medallion

SUBDIVIDER’S AGREEMENT

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THIS AGREEMENT executed on this 31st day of 2005, between **ROMANELLI & HUGHES BUILDING COMPANY** as evidenced by the **ESTATES AT MEDALLION** Construction plans filed with the **Delaware County Engineer**, Delaware County, Ohio and the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** is governed by the following considerations, to wit:

Said **SUBDIVIDER** is to construct, install or otherwise make all public improvements shown and set forth to be done and performed in compliance with the approved engineering drawings and specifications, all of which are a part of this **AGREEMENT**, said **SUBDIVIDER** shall, at the time of plat approval, execute bond, certified check, irrevocable letter of credit or other approved financial warranties equal to the cost of any remaining construction as shown in the Engineer's Estimate approved 9/28/05, which is acceptable to the **COUNTY COMMISSIONERS** to insure faithful performance of this **AGREEMENT** and the completion of all improvements in accordance with the **Subdivision Regulations** of Delaware County, Ohio. The **SUBDIVIDER** shall pay the entire cost and expense of all improvements.

The **SUBDIVIDER** shall indemnify and save harmless the **County, Townships and/or Villages** and all of their officials, employees or agents from all claims, suits, actions and proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor or subcontractor or from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor or his agents or employees.

All public improvement construction shall be performed within one year from the date of the approval of said subdivision by the **COUNTY COMMISSIONERS**. But an extension of time may be granted if approved by the **COUNTY COMMISSIONERS**.

The **SUBDIVIDER** shall have a competent representative who is familiar with the project on site during construction. The representative shall be capable of reading plans and specifications and shall have the authority to execute the plans and specifications and alterations required by the **COUNTY**. The representative shall be replaced by the **SUBDIVIDER** when, in the opinion of the **COUNTY**, his performance is deemed inadequate.

If no bonding or performance surety has been filed, then no subdivision plat will be approved until a performance bond has been approved or until all public improvements have been made. In either case, the **SUBDIVIDER** further agrees that any violations or non-compliance with any of the provisions and stipulations of this **AGREEMENT** shall constitute a breach of contract and the **COUNTY** shall have the right to stop work forthwith.

If a subdivision plat has been approved with the necessary bonding, then the **COUNTY** shall have the right to act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

ROADWAY AND STORM DRAINAGE

It is further agreed that upon execution of the **AGREEMENT**, the **SUBDIVIDER** shall deposit **TWENTY-FIVE THOUSAND SEVEN HUNDRED DOLLARS** estimated to be necessary to pay the cost of inspection by the **Delaware County Engineer** and, if deemed necessary by the **Delaware County Engineer**, testing by an independent laboratory. When the fund has been depleted to **thirty percent (30%)** of the original amount deposited, the **SUBDIVIDER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion and acceptance of the construction, the remaining amount in the fund shall be returned to the **SUBDIVIDER**, with the exception of a nominal amount for the final inspection at the end of the maintenance period.

The **County** reserves the right during construction and thereafter to permit connection of adjoining properties within the original drainage basin to the storm sewer system.

Upon completion of construction, the **SUBDIVIDER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workmanship for a period of one year. Said **SUBDIVIDER'S** bond or certified check or irrevocable letter of credit may be reduced to an amount estimated by the **County Engineer** for said maintenance. The reduction may be approved only after the **County Engineer** has been provided evidence that all work has been accomplished according to the approved plan and/or to the **County Engineer's** satisfaction. All work is to be done in accordance to the **Ohio Department of Transportation Specifications**.

Acceptance of the roads and drainage structures in said subdivision into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **SUBDIVIDER'S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

Any snow and ice removal or other safety requirements deemed necessary by the **County Engineer** during the period of construction or maintenance shall be the responsibility of the **SUBDIVIDER**. All of the funds set forth in the **AGREEMENT** shall be made available to the **County Engineer** to ensure proper safety compliance.

CONSTRUCTION

The **SUBDIVIDER** shall, within thirty (30) days following the completion of construction and prior to final acceptance, furnish to **Delaware County**, as required, "as-built" drawings of the improvements, which plans shall become the property of the **County** and remain in the office of the **Delaware County Engineer**.

The **SUBDIVIDER** shall, within thirty (30) days of completion of construction, furnish to the **County** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **SUBDIVIDER** shall indemnify and hold harmless the **County** from expenses or claims for labor or material incident to said construction of improvements.

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The **SUBDIVIDER** shall, during construction and maintenance periods, comply with all rules and regulations and conform to all procedures established by the **County** regarding submission of shop drawings, construction schedules, operation of facilities and other matters incident hereto.

The **SUBDIVIDER** shall obtain all other necessary utility services incident to the construction of the improvements and for their continued operation. The **SUBDIVIDER** shall be responsible for all utility charges and installation costs. Utility user charges shall be paid by the **SUBDIVIDER** and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the **County**.

Should the **SUBDIVIDER** become unable to carry out the provisions of this **AGREEMENT**, the **SUBDIVIDER’S** heirs, successors or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this **AGREEMENT**.

In consideration whereof, the **BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO** hereby grants the **SUBDIVIDER** or his agent the right and privilege to make the improvements stipulated herein.

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

RESOLUTION NO. 05-1460

IN THE MATTER OF ACCEPTING ROADS AND APPROVING RECOMMENDED SPEED LIMITS FOR GLEN OAK SECTION 3, PHASE A AND ABBEY KNOLL SECTION 4, PHASES A&B:

It was moved by Mr. Evans, seconded by Mr. Ward to release bonds and letters of credit and accept roads within the following:

Glen Oak Section 3, Phase A

The roadways to be accepted are as follows:

- An addition of 0.06 mile to **Township Road Number 1409, Primrose Avenue**
- An addition of 0.32 mile to **Township Road Number 1417, Blue Holley Drive**
- **Boxwood Drive**, to be known as **Township Road Number 1469**
- **Daffodil Place**, to be known as **Township Road Number 1470**
- **Impatiens Way**, to be known as **Township Road number 1471**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

Abbey Knoll Section 4, Phases A&B

The roadways to be accepted are as follows:

- An addition of 0.07 mile to **Township Road Number 754, Roespark Boulevard**
- An addition of 0.23 mile to **Township Road Number 1219, Abbey Knoll Drive**
- An addition of 0.03 mile to **Township Road Number 1282, Coltsbridge Drive**
- **Casselbury Mills Court**, to be known as **Township Road Number 1467**
- **Tweed Court**, to be known as **Township Road Number 1468**

The Engineer also recommends that 25 mile per hour speed limits be established throughout the project.

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

RESOLUTION NO. 05-1461

IN THE MATTER OF ESTABLISHING STOP CONDITIONS FOR GLEN OAK SECTION 3, PHASE A AND ABBEY KNOLL SECTION 4, PHASES A&B:

It was moved by Mr. Evans, seconded by Mr. Ward to establish stop conditions for the following:

Stop Conditions – Glen Oak Section 3, Phase A

- On Township Road Number 1417, Blue Holley Drive, at its intersection with Township Road Number 1469, Boxwood Drive
- On Township Road Number 1469, Boxwood Drive , at its intersection with Township Road Number 1470, Daffodil Place
- On Township Road Number 1417, Blue Holley Drive, at its intersection with Township Road Number 1471, Impatiens Way

Stop Conditions – Abbey Knoll Section 4, Phases A&B

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- On Township Road Number 754, Roespark Boulevard, at its intersection with Township Road Number 1219, Abbey Knoll Drive
- On Township Road Number 1219, Abbey Knoll Drive, , at its intersection with Township Road Number 1282, Coltsbridge Drive
- On Township Road Number 1219, Abbey Knoll Drive, at its intersection with Township Road Number 1467, Casselbury Mills Court
- On Township Road Number 1467, Casselbury Mills Court, at its intersection with Township Road Number 1468, Tweed Court

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

RESOLUTION NO. 05 -1462

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

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

Permit #	Applicant	Location	Type of Work
U05182	Columbia Gas	Rome Corners/Dustin Roads	Install gas line in right-of-way
U05183	American Electric Power	Fancher Road	Replace poles
U05184	Columbia Gas	Cook Road @ Concord Road	Relocate gas main
U05186	Columbia Gas of Ohio	Tartan Fields Phase 20	Install gas main
U05187	Columbia Gas of Ohio	Tartan Fields Phase 21	Install gas main
U05188	Verizon	Meadows at Scioto Reserve	Pole setback
U05189	American Electric Power	Maxtown/Tussic Street/Big Walnut	Install poles
U05190	American Electric Power	Maxtown Road	Install equipment
U05191	Verizon	Harriott Road	Relocate cable
U05192	Columbia Gas	Greif Brothers Parkway	Install gas in right-of-way
U05194	Suburban Natural Gas	Sheffield Park 2, A&B	Install gas mains
U05197	Columbia Gas	Wedgewood Park 2, C&D	Install gas mains

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

RESOLUTION NO. 05-1463

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Holly Kuba has accepted the Income Maintenance Worker III position with the Department of Job and Family Services; effective date November 8, 2005.

Rhonda Griffith will be required to take 80 hours of leave without pay for the pay period of 0501023.

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

RESOLUTION NO. 05-1464

7:30 PM - PUBLIC HEARING FOR CONSIDERATION OF THE RHODES #7 WATERSHED DITCH
PETITION FILED BY WILLIAM J. COX AND OTHERS:

It was moved by Mr. Ward, seconded by Mr. Evans to open the hearing at 7:30PM.

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

RESOLUTION NO. 05-1465

IN THE MATTER OF CLOSING THE PUBLIC HEARING FOR CONSIDERATION OF THE RHODES #7
WATERSHED DITCH PETITION FILED BY WILLIAM J. COX AND OTHERS:

It was moved by Mr. Ward, seconded by Mr. Evans to close the hearing at 8:08PM.

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

RESOLUTION NO. 05-1466

IN THE MATTER OF DIRECTING THE DELAWARE COUNTY ENGINEER TO PROCEED WITH
PREPARATION OF PLANS, REPORTS, AND SCHEDULES FOR THE RHODES #7 WATERSHED DITCH

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PETITION FILED BY WILLIAM J. COX AND OTHERS:

It was moved by Mr. Ward, seconded by Mr. Evans to go forward with the project.

Whereas, on July 18, 2005, a Ditch Petition for The Rhodes #7 Watershed Ditch was filed with the Delaware County Commissioners, and

Whereas, the Board of Commissioners of Delaware County on 31st day of October 2005, held a public hearing to determine if the action is necessary, conducive to the public welfare, and the benefits derived exceed the cost incurred for the purposed Rhodes #7 Watershed Ditch, and

Whereas, after hearing testimony from property owners and the preliminary report of County Engineer, Chris Bauserman, the Board of Commissioners find the action is necessary, conducive to the public welfare, and the benefits exceed the estimated cost.

Therefore, Be It Resolved, The Delaware County Commissioners directs the Delaware County Engineer to proceed with the preparation of plans, reports and schedules as presented for the purposed Rhodes #7 Watershed Ditch. Said information to be presented to the Commissioners at the end of this process.

Further be it Resolved, upon receipt of this information a public hearing date will be set and proper notification given to property owners in the affected watershed.

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

RESOLUTION NO. 05-1467

8:15 PM PUBLIC HEARING TO DISCUSS THE POSSIBLE ISSUANCE BY THE COUNTY OF FRANKLIN, OHIO OF ITS HOSPITAL FACILITIES REVENUE BONDS FOR PURPOSES OF ASSISTING THE CHILDREN'S HOSPITAL PROJECT TO BE LOCATED AT 700 CHILDREN'S DRIVE, CITY OF COLUMBUS, COUNTY OF FRANKLIN, AND AT 433 CLEVELAND AVENUE, CITY OF WESTERVILLE, COUNTY OF DELAWARE, OHIO:

It was moved by Mr. Ward, seconded by Mr. Evans to open the hearing at 8:17PM.

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

RESOLUTION NO. 05-1468

CLOSING THE PUBLIC HEARING TO DISCUSS THE POSSIBLE ISSUANCE BY THE COUNTY OF FRANKLIN, OHIO OF ITS HOSPITAL FACILITIES REVENUE BONDS FOR PURPOSES OF ASSISTING THE CHILDREN'S HOSPITAL PROJECT TO BE LOCATED AT 700 CHILDREN'S DRIVE, CITY OF COLUMBUS, COUNTY OF FRANKLIN, AND AT 433 CLEVELAND AVENUE, CITY OF WESTERVILLE, COUNTY OF DELAWARE, OHIO:

It was moved by Mr. Evans, seconded by Mr. Ward to close the hearing at 8:20PM.

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

RESOLUTION NO. 05-1469

RESOLUTION GRANTING APPLICABLE ELECTED REPRESENTATIVE APPROVAL IN CONNECTION WITH THE ISSUANCE OF HOSPITAL FACILITIES REVENUE BONDS (THE CHILDREN'S HOSPITAL PROJECT) BY THE COUNTY OF FRANKLIN, OHIO; AND OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS:

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

WHEREAS, The Children's Hospital (the "Corporation"), an Ohio nonprofit corporation, plans to undertake the financing of the acquisition, construction and equipping of "Hospital Facilities" (as that term is defined in Section 140.01, Ohio Revised Code), consisting of (a) the expansion, construction, installation and equipping of an ambulatory care center located at 433 Cleveland Avenue, Westerville, Ohio (the "Delaware County Project") located within the County of Delaware, Ohio (the "County") and (b) the acquisition, construction, equipping and installation of Hospital Facilities located at the Corporation's main campus (the "Franklin County Project" and together with the Delaware County Project, the "Project") within the County of Franklin, Ohio ("Franklin County"), and has represented to the County and Franklin County that it would be more economical and efficient to have one political subdivision of the State of Ohio issue revenue bonds for the Project; and

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WHEREAS, Section 140.03, Ohio Revised Code, provides a procedure by which the County and Franklin County may enter into an agreement pursuant to which Franklin County may issue its bonds for projects which constitute Hospital Facilities located in the County and Franklin County and the County have previously entered into such an Agreement (the "Public Hospital Agencies Agreement") in connection with the issuance of such bonds; and

WHEREAS, Franklin County proposes to issue its Hospital Facilities Revenue Bonds (The Children's Hospital Project) (the "Bonds"), in one or more series in an aggregate principal amount estimated not to exceed \$65,000,000 to (a) construct, install and equip the Delaware County Project, (b) reimburse the Corporation for capital expenditures it has made with respect to the Delaware County Project and (c) acquire, construct, install and equip Hospital Facilities in Franklin County on behalf of the County and Franklin County;

WHEREAS, in connection with the issuance of the Bonds, the County must grant "applicable elected representative approval" as defined in Section 147(f) of the Code;

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

SECTION 1. That this Board, as the "applicable elected representative" of the County 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 not to exceed \$65,000,000, the proceeds of which will be used to finance the expansion, construction, equipping and installation of "hospital facilities" as that term is defined in Chapter 140 of the Ohio Revised Code, including without limitation, the expansion, construction, equipping and installation of an ambulatory care center located at 433 Cleveland Avenue, Westerville, Delaware County, Ohio, the initial owner, operator or manager of which will be the Corporation.

SECTION 2. 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 any 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.

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

There being no further business the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners