

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD AUGUST 27, 2007

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

9:30 AM Public Hearing Regarding The Issuance Of Health Care Facilities Revenue Refunding And Improvement Bonds, Series 2007 (Sarah Moore Home Project) By The County Of Delaware, Ohio

PUBLIC COMMENT

RESOLUTION NO. 07-1023

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD AUGUST 23, 2007 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve the resolutions and records of the proceedings from regular meeting held August 23, 2007 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. 07-1024

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0824:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve payment of warrants in batch numbers CMAPR0824 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
<b>PO’s</b>			
<b>Increase</b>			
New Horizons	Residential Treatment	22311611-5350	\$ 6,300.00
<b>Vouchers</b>			
Royal Electric	Electric/CFOA	43111424-5410	\$ 80,863.58
Squire, Sanders & Dempsey	Legal Services	10011102-5361	\$ 10,586.84
Village of Sunbury	Kintner Pkwy 36/37 Project	40811416-5349	\$ 7,383.97
Northwoods Consulting	Maintenance Renewal	22411601-5325	\$ 41,977.33
<b>Memo Transfer Vouchers</b>			
<b>From</b>	<b>To</b>		
Ec. Devel.CHIP 04 Admin 23011713-5365	Ec. Devel.CHIP 04 Admin 21011113-4201	CHIP 04	\$ 74.86
Ec. Devel.CHIP 04 Admin 23011714-5365	Ec. Devel.CHIP 04 Admin 21011113-4201	CHIP 04	\$ 10,116.01
Job and Family 22411605-5380	Commissioners 10011101-4231	Indirect cost Aug	\$ 32,392.00

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

RESOLUTION NO. 07 -1025

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The EMS Department is requesting that Hugh Dick attend an Operational Response to Mass Casualty Training in Columbus, Ohio August 23-24, at no cost.

The EMS Department is requesting that Lieutenant Webb and Paramedics Meredith, Webb and Heimann attend a 21<sup>st</sup> Century Resuscitation Conference in Columbus, Ohio September 7, 2007, at the cost of \$200.00

The Sheriff’s Office is requesting that Cleve Brown and Jim Sturgeum attend Computer Forensic Training in Dublin, Ohio September 10-14, 2007, at the cost of \$7, 000.00.

The Prosecutor’s Office is requesting that Dave Yost attend an Ohio Prosecuting Attorneys Association Training in September 13-14, 2007, at the cost of \$450.00.

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Job and Family Services is requesting that Marsha Coleman attend a Summit on Public Private Partnerships in Chicago, Illinois September 18-20, 2007, at no cost.

The Administrative Services Department is requesting that Lisa Iannotta attend a Professional Conduct Seminar in Columbus, Ohio October 17, 2007, at no cost.

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

RESOLUTION NO. 07-1026

SETTING DATE AND TIME FOR VIEWING AND PUBLIC HEARING FOR CONSIDERATION OF THE  
O'BRIEN DITCH #440 DITCH PETITION FILED BY RICHARD DAWSON AND OTHERS:

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

WHEREAS, on the 16<sup>th</sup> day of July, 2007, the Clerk of this Board gave notice to the Board of County Commissioners and the County Engineer of Delaware County, Ohio, on the filing with her of a petition signed by Richard Dawson and Others, petitioners, to:

- 1. Generally improve the drainage, both surface and subsurface, to a good and sufficient outlet, by replacing, repairing or altering the existing improvements as required and/or creating new surface and subsurface drainage mains or laterals as required by this petition.
- 2. Commencing in Delaware County, Brown Township and south of Bowtown Road (CO 84) O'brien Ditch #440

WHEREAS, the proper bond has been filed with the clerk, approved, conditioned for the payment of costs of notices, plus any other incidental expenses, except the cost incurred by the Engineer in making his preliminary reports, if the prayer of this petition is not granted, or if the petition is for any cause dismissed, unless the Board decides to pay the Engineer's cost from the bond in accordance with Section 6131.09 of the Revised Code;

THEREFORE, BE IT RESOLVED, BY THE Board of County Commissioners, that **Monday the 15<sup>th</sup> day of October, 2007, at 2:30 PM** at the upper terminus of the improvement , be and the same is hereby fixed as the time and place for the view thereon, and

BE IT FURTHER RESOLVED, That **Monday the 7<sup>th</sup> day of January, 2008, at 7:30 PM at** the Office of the Board of County Commissioners, 101 North Sandusky Street Delaware, Ohio be and the same is hereby fixed as the time and place for the first hearing on the petition, and

BE IT FURTHER RESOLVED, that notice of said view and hearing be given, as required by law.

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

RESOLUTION NO. 07-1027

IN THE MATTER OF APPROVING AN AGREEMENT BETWEEN DELAWARE COUNTY AND THE  
AMERICAN HEART ASSOCIATION ("AHA") TO ESTABLISH DELAWARE COUNTY EMERGENCY  
MEDICAL SERVICES AS AN ACLS AND BLS TRAINING CENTER:

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

WHEREAS, Delaware County Emergency Medical Services frequently teaches basic life support (CPR) and advanced life support (ACLS) course to EMS employees, other County employees, local fire departments and to civic groups and organizations in the community;

WHEREAS, the American Heart Association is a nonprofit organization dedicated to fighting heart disease and stroke, and sets guidelines for emergency cardiovascular care and emergency cardiac care training;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners approve the agreement between the Delaware County Emergency Medical Services and the American Heart Association to improve the services provided to the community;

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

RESOLUTION NO. 07-1028

IN THE MATTER OF APPROVING A RESOLUTION TO PROVIDE CLINICAL FIELD TRAINING TO  
PARAMEDIC STUDENTS AT COLUMBUS STATE COMMUNITY COLLEGE'S SCHOOL OF

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PARAMEDICINE:

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

WHEREAS, the Delaware County Board of Commissioners desire to assist in furthering the educational opportunities of students enrolled in approved emergency medical service training programs, and;

WHEREAS, Columbus State Community College, in Columbus, Ohio, has an approved emergency medical training program and has requested an opportunity to work with Delaware County Emergency Medical Services personnel in a real world, supervised environment to provide practical experience to its students;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners approve a renewal agreement with the Columbus State Community College School of Paramedicine to provide this mutually beneficial service.

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

RESOLUTION NO. 07-1029

IN THE MATTER OF APPROVING A RESOLUTION TO PROVIDE CLINICAL FIELD TRAINING TO  
PARAMEDIC STUDENTS AT TRI-RIVERS PUBLIC SAFETY SERVICES TRAINING PROGRAM:

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

WHEREAS, the Delaware County Board of Commissioners desire to assist in furthering the educational opportunities of students enrolled in approved emergency medical service training programs, and;

WHEREAS, Tri-Rivers Public Safety Services Training Program, in Marion, Ohio, has an approved emergency medical training program and has requested an opportunity to work with Delaware County Emergency Medical Services personnel in a real world, supervised environment to provide practical experience to its students;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners approve a renewal agreement with the Tri-Rivers Public Safety Services Training Program to provide this mutually beneficial service.

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

RESOLUTION NO. 07-1030

IN THE MATTER OF APPROVING PLATS FOR SCIOTO RESERVE EXPANSION SECTION 2, PHASE A;  
SCIOTO RESERVE EXPANSION SECTION 2 PHASE B AND THE HEISELT TRACT AND DITCH  
MAINTENANCE PETITION FOR SCIOTO RESERVE EXPANSION SECTION 2, PHASES A AND B:

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

Scioto Reserve Expansion Section 2, Phase A

Situated In The State Of Ohio, County Of Delaware, Township Of Concord, Located In Part Of Farm Lot 19, Section 2, Township 3, Range 19, United States Military Lands, Being A Subdivision Of 4.918 Acres Out Of A 150.710 Acre Tract Of Land Described In Deed To Triangle Properties, Inc. Recorded In Official Record Volume 629, Page 1653, All References Being To The Records Of The Recorder’s Office, Delaware County, Ohio Cost \$45.00.

Scioto Reserve Expansion Section 2 Phase B

Situated In The State Of Ohio, County Of Delaware, Township Of Concord, Located In Part Of Farm Lots 17 and 18, Section 2, Township 3, Range 19, United States Military Lands, Being A Subdivision Of 18.313 Acres Out Of A 150.710 Acre Tract Of Land Described In Deed To Triangle Properties, Inc. Recorded In Official Record Volume 629, Page 1653, All References Being To The Records Of The Recorder’s Office, Delaware County, Ohio Cost \$117.00

The Heiselt Tract

Situated In The State Of Ohio, County Of Delaware, Township Of Concord, Lying In Virginia Military District Survey Number 2546, And Being All Of A 5.00 Acre Tract Conveyed To The Northwood Land Corporation By Deed Of Record In Deed Book 0733, Page 2184. All Records Herein Of The Recorder’s Office, Delaware County, Ohio. Cost \$15.00

Ditch Maintenance Petition- Scioto Reserve Expansion Section 2, Phases A And B

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We the undersigned owners of 23.224 acres in Concord Township, Delaware County, Ohio propose to create a subdivision known as **Scioto Reserve Expansion Section 2, Phases A And B** as evidenced by the attached subdivision plat (Exhibit “A” which is available at the County Engineer’s Office). The **Scioto Reserve Expansion Section 2, Phases A And B** plat has been approved and signed by 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 Drainage 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 in conjunction with the approval of the **Scioto Reserve Expansion Section 2, Phases A And B Plat** Subdivision.

The cost of the drainage improvements is \$208,700 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 this subdivision. Fifty-four (54) lots are created in these plats and each lot receives an equal share of the benefit (cost) of the project. The basis for calculating the assessment for each lot is therefore, \$3,864.81 per lot. An annual maintenance fee equal to 2% of this basis \$77.30 will be collected for each 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 \$4,174.00 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. Ward                      Aye                      Mr. Jordan                      Aye                      Mr. Evans                      Aye

RESOLUTION NO. 07-1031

IN THE MATTER OF ACCEPTING PERFORMANCE CONSTRUCTION BONDS FOR SCIOTO RESERVE  
EXPANSION SECTION 2, PHASES A & B:

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

Scioto Reserve Expansion Section 2, Phases A & B

The construction of the above referenced projects was started without bonding, thereby not allowing the developer to file the plats. They are now at a point where they would like to file the plats. The Engineer is, therefore, estimated the remaining construction costs to be **\$1,125,200**, and two Letters of Credit totaling that amount are available to cover the bonding of this project.

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

RESOLUTION NO. 07 -1032

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

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

Permit #	Applicant	Location	Type of Work
U07115	Embarq	Miller Paul Road	Relocate buried cable

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

RESOLUTION NO. 07 -1033

IN THE MATTER OF APPROVING SPECIFICATIONS, ESTIMATE, PLAN AND SETTING BID OPENING  
DATE AND TIME FOR HOME ROAD OVER NORTH BRANCH OF EVERSOLE RUN REPLACEMENT:

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

Sealed bid proposals will be received at the **Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00 a.m. local time on Tuesday, September 18, 2007**, for the project known as

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Home Road over North Branch of Eversole Run Bridge Replacement

The construction contract shall include furnishing all labor, materials and equipment necessary to complete the project in accordance with the plans, specifications and general conditions listed herein.

The Delaware County Engineer will administer the contract on behalf of the Owner, which is the Board of County Commissioners. Bid documents may be obtained at **the Office of the Delaware County Engineer for a non-refundable cost of Twenty Dollars (\$20.00), which must be paid by cash or check. Bidder must make arrangements to obtain the bid documents; they will not be mailed.**

Each Bidder is required to furnish with his/her proposal a Bid Guaranty in the form of a Bid Bond in accordance with Section 153.54 of the Ohio Revised Code. Bid bond shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety and shall be in the total amount of the unit bid prices multiplied by the estimated quantities shown on the **Bid Blank**.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested herein. Each bidder must submit evidence of its experience on projects of similar size and complexity, and a complete listing of all subcontractors and material suppliers to be used. The contract will be awarded by the Delaware County Board of Commissioners based on its determination of the Lowest and Best bidder as specified in Section 307.90 of the Ohio Revised Code. **The Owner intends that all work on this project be completed by November 30, 2007.**

Bidders must comply with the **Prevailing Wage Rates for Public Improvements in Delaware County** as determined by the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau.

Bids shall be placed in a sealed, opaque envelope bearing on the outside the name of the Bidder, his/her address, and the name of the project as follows:

**“SEALED BID FOR DEL-CR124-0.76 – HOME ROAD OVER NORTH BRANCH OF EVERSOLE RUN BRIDGE REPLACEMENT”.**

The Delaware County Board of Commissioners reserves the right to waive irregularities and to reject any and/or all bids.

Scope of work

This project includes the replacement of a large twin metal pipe culvert on Home Road (County Road 124) over the North Branch of Eversole Run, in Concord Township, Delaware County, Ohio. Project site is located approximately 4 miles north of Dublin, Ohio.

The replacement structure is a 28-foot span by 9-foot rise precast reinforced concrete arch culvert. The County has purchased the precast culvert units and its supplier will deliver the precast culvert sections, headwall and wingwall units to the site. The Contractor will be responsible for removing the existing structure, excavating the trench for the new structure, constructing cast-in-place concrete footings, providing a crane and necessary labor to install the precast units, backfilling the structure, completing roadway approach construction and storm sewer work.

CONSTRUCTION SUBTOTAL	\$ 290,175.75
CONSTRUCTION CONTINGENCIES (10%)	\$ 29,017.58
TOTAL CONSTRUCTION CONTRACT ESTIMATE	\$ 319,200.00
PRECAST CULVERT PRE-ORDER THROUGH ANNUAL CONTRACT	\$ 115,828.00
TOTAL PROJECT COST ESTIMATE	\$ 435,028.00

Vote on Motion	Mr. Ward	Aye	Mr. Jordan	Aye	Mr. Evans	Aye
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RESOLUTION NO. 07-1034

IN THE MATTER OF ACCEPTING AND AWARDING THE BID TO HP PRODUCTS FOR ITB #07-02  
JANITORIAL SUPPLIES FOR DELAWARE COUNTY:

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

- |          |  |
|----------|--|
| WHEREAS, | Delaware County received bids for janitorial supplies for Delaware County on June 18, 2007.  |
|          | And;   |
| WHEREAS, | after carefully reviewing the bids received, the bid submitted by HP Products Corporation has been determined to be the lowest and best bid for janitorial supplies; |

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NOW THEREFORE BE IT RESOLVED, that the board of Commissioners of Delaware County, State of Ohio, accept and award the bid submitted by HP Products Corporation for ITB #07-02 Janitorial Supplies for Delaware County.

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

RESOLUTION NO. 07-1035

IN THE MATTER OF APPROVING CHANGE ORDER # 00020 FOR BID PACKAGE 3– GENERAL TRADES FOR THE NEW HEADQUARTERS AND FACILITIES FOR THE COUNCIL FOR OLDER ADULTS, DELAWARE COUNTY, OHIO:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve change order #00017 for Bid Package 3 – General Trades:

ACI Construction Company, Inc.

Original Contract	\$	3,644,800.00
Amount previously approved	\$	81,798.32
Change Order 00020	\$	31,000.00
<b>Revised Contract Amount</b>	<b>\$</b>	<b>3,757,598.32</b>

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

RESOLUTION NO. 07-1036

IN THE MATTER OF AMENDING CHILD CARE SERVICES CONTRACTS BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES; THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDERS AS LISTED:

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

Noah’s Ark-36 Harrison St.

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 2

This amendment, effective August 27, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Noah’s Ark-36 Harrison St. entered into on the 1<sup>st</sup> day of January, 2007.

I. Article 4. Cost and Delivery of Purchased Services:

(1)	<u>Basic Rates:</u>	Full Time	Part Time	Hourly
Infants		\$ 180.00	\$ 157.15	\$ 8.76
Toddlers		\$ 180.00	\$ 132.80	\$ 8.15
Pre-K		\$ 159.44	\$ 102.58	\$ 5.84
Kindergarten B&A		\$ 106.58	\$ 78.32	\$ 5.47
Kindergarten BorA		\$ 80.00	\$ 78.32	\$ 5.47
B&A (1-5)		\$ 85.00	\$ 78.32	\$ 5.47
Before Only (1-5)	\$ 40.00	\$ 40.00	\$ 5.47	
After Only (1-5)		\$ 55.00	\$ 55.00	\$ 5.47
Summer Schoolage		\$ 140.00	\$ 104.31	\$ 6.40
(summer rates are only for the summertime off school, only used during the months of: May, June, July, August & September).				
**All Day Care for Non-School Days, other then Summertime, is at state ceiling*				
		\$ 106.58	\$ 78.32	\$ 5.47

Noah’s Ark-110 Tippet Ct.

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 2

This amendment, effective August 27, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Noah’s Ark-110 Tippet Ct. entered into on the 1<sup>st</sup> day of January, 2007.

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II. Article 4. Cost and Delivery of Purchased Services:

(1) <u>Basic Rates:</u>	Full Time	Part Time	Hourly
Infant	\$ 180.00	\$ 157.15	\$ 8.76
Toddler	\$ 180.00	\$ 132.80	\$ 8.15
Pre-K	\$ 159.44	\$ 102.58	\$ 5.84
Kindergarten B&A	\$ 106.58	\$ 78.32	\$ 5.47
Kindergarten BorA	\$ 80.00	\$ 78.32	\$ 5.47
B & A (Gr 1-5)	\$ 85.00	\$ 78.32	\$ 5.47
Before Only (1-5) \$ 40.00	\$ 40.00		\$ 5.47
After Only (1-5)	\$ 55.00	\$ 55.00	\$ 5.47
Summer Schoolage	\$ 140.00 \$ 104.31		\$ 6.40
(summer rates are only for the summertime off school, only used during the months of: May, June, July, August & September).			
**All Day Care for Non-School Days other then Summertime is at state ceiling**			
	\$ 106.58	\$ 78.32	\$ 5.47

Patricia Jones

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 1

This amendment, effective August 16, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Patricia Jones entered into on the 1<sup>st</sup> day of January, 2007.

Article 4. Cost and Delivery of Purchased Services:  
(A) Payment Rates: The total amount of services to be reimbursed under this contract is increased from \$20,000 to \$40,000.

Delaware City Schools

AMENDMENT TO PURCHASE OF CHILD CARE SERVICES CONTRACT  
AMENDMENT NO. 1

This amendment, effective June 30, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Delaware City Schools entered into on the 1<sup>st</sup> day of January, 2007.

Article 4. Cost and Delivery of Purchased Services:  
(1) Basic Rates:

	Part-time
Summer Schoolage	\$85.00

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

RESOLUTION NO. 07-1037

IN THE MATTER OF APPROVING THE CONTRACT BETWEEN THE DEPARTMENT OF JOB AND FAMILY SERVICES, THE DELAWARE COUNTY COMMISSIONERS AND CHILD CARE PROVIDER KINDERCARE:

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

BASIC RATES

Full-time Week for Licensed Center and Type A Providers: 25 to 60 hours  
Hourly: Paid after 60 hours

Part-time Week for Center and Type A Providers: 8 hours to 24.9 hours  
Hourly Paid for .1 hour to 7.9 hours

Full-time Week for Certified Type B Home Providers: 25 hours to 50 hours  
Hourly: Paid after 50 hours

Part-time Week for Home Providers: 8 hours to 24.9 hours  
Hourly Paid for .1 hour to 7.9 hours

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Child Care Provider		Full	Part Time	Hourly
Kindercare 4705 Avery Road Hillard, Ohio 43026	Infant	\$213.00	\$ 157.15	\$ 8.76
	Toddler	\$187.40	\$ 132.80	\$ 8.15
	Preschool	\$159.44	\$ 102.58	\$ 5.84
	Schoolage Before & After	\$106.58	\$ 78.32	\$ 5.47
	Before School Only	\$ 96.00	\$ 78.32	\$ 5.47
	After School Only	\$106.58	\$ 78.32	\$ 5.47
	Before or After	\$ 91.00	\$ 78.32	\$ 5.47
	School Age Summer	\$153.80	\$ 104.3	\$ 6.40

(A copy of this contact is available in the Commissioners’ Office until no longer of Administrative Value).

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

RESOLUTION NO. 07-1038

IN THE MATTER OF AMENDING CHILD PLACEMENT SERVICE CONTRACT BETWEEN THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES; THE DELAWARE COUNTY COMMISSIONERS AND A CHILD’S WAITING:

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

A Child’s Waiting

AMENDMENT TO CONTRACT  
For  
Child Placement and Related Services

AMENDMENT NO. 2

This Amendment, effective September 1<sup>st</sup>, 2007, is to amend the Contract for Child Placement and Related Services between the Delaware County Department of Job and Family Services, a department of the Delaware County Commissioners, and A Child’s Waiting, entered into on the 13<sup>th</sup> day of November, 2006.

Article III  
**CONTRACT TERM:** Changes contract end date from August 31, 2007 to September 30, 2007.

Article IV  
**REIMBURSEMENT:** Change amount to be reimbursed from \$3,250 to \$3,700.

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

RESOLUTION NO. 07-1039

IN THE MATTER OF APPROVING THE CONTRACTS BETWEEN THE DELAWARE COUNTY COMMISSIONERS; THE DELAWARE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND BRIDGEWAY HOME INC. AND BELLEFAIRE JCB FOR CHILD PLACEMENT SERVICES:

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

Child Placement Service	Per diem cost and per diem reimbursement for the following categories
<b>Bridgeway Home Inc.</b> <b>7990 Hartman Road</b> <b>Wadsworth, Ohio 44281</b>	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets, clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
<b>Bellefaire JCB</b> <b>22001 Fairmount Blvd</b> <b>Shaker Heights, Ohio 44118</b>	A. Maintenance B. Administration C. Case Management D. Transportation E. Other Direct Services (e.g., special diets,



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	clothing, insurance, respite care) F. Behavioral Healthcare G. Other costs - (any other cost the Agency has agreed to participate in)
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(A Copy of each of these contacts is available in the Commissioners’ Office until no longer of Administrative Value).

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

RESOLUTION NO. 07-1040

IN THE MATTER OF APPROVING TRANSFER OF FUNDS AND APPROPRIATIONS FOR ADULT COURT SERVICES :

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

<b>Transfer of Appropriation</b>		
<b>From</b>	<b>To</b>	
25822305-5001	25822305-5801	\$ 4,500.00
Day Report Grant/Salaries	Day Report Grant/Transfers	
<b>Transfer of Funds</b>		
<b>From</b>	<b>To</b>	
25822305-5801	10022202-4601	
Day Rep[ort/ Transfers	Adult Court Services/Interfund Revenue	\$4,500.00
Vote on Motion	Mr. Jordan	Aye                      Mr. Evans                      Aye                      Mr. Ward                      Aye

RESOLUTION NO. 07-1041

IN THE MATTER OF APPROVING THE ADDENDUM TO THE ASSIGNMENT AND ASSUMPTION AGREEMENT FOR THE CROOK PROPERTY:

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

ADDENDUM VI

We, the undersigned Buyer and Seller in a certain Real Estate purchase contract for the purchase of approximately 143+/- acres (Buyer has previously purchased 50 acres of this original contract) located on both sides of Moore Road in Concord Township, Delaware County, Ohio dated May 1, 2004 and amended May 5, 2005 and amended May 3, 2005 and amended October 10, 2005 and amended May 17, 2006 and amended December 13, 2006 hereby agree to the following changes, deletions or additions to the contract:

- 1. The Buyer is deleting the purchase of 18.26+/- acres and Buyer shall remain in contract to purchase a 14.991+/- acre parcel south of Moore Road as described in the attached legal description referenced as Exhibit A and hereby made a part of this Contract.
- 2. Seller shall retain approximately 6.00+/- acres on the south side of Moore Road within Sub Lot 3, Farm Lot 5 and Sub Lot 2, Farm Lot 5 allowing the Seller to develop four single-family lots of approximately 175' x 200'. Buyer shall stub utilities (electric, sewer, water & gas) to Seller's retained 6.00+/- acres.
- 3. Seller agrees to grant general utility easements to Buyer along the far east side of the 6.00+/- acre tract Seller is retaining, as shown on the attached Exhibit B and hereby made a part of this Contract.
- 4. The current option period shall be extended to October 1, 2007 in order for Buyer to fulfill or waive Buyer's contingencies.

All other terms and conditions of the original contract and Addendums 1, II, III & IV, V not changed by this Addendum VI shall remain in full force and effect.

(Copy of Exhibits available for review at the Sanitary Engineer’s Department until no longer of administrative value.)

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

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RESOLUTION NO. 07-1042

SETTING BID OPENING DATE AND TIME FOR BID PACKAGE 1 GENERAL TRADES ; BID PACKAGE 2 HVAC; BID PACKAGE 3 PLUMBING; BID PACKAGE 4 ELECTRICAL AND BID PACKAGE 5 FIRE PROTECTION FOR TENANT IMPROVEMENTS TO 2081 NORTH US HIGHWAY 23 DELAWARE COUNTY, OHIO:

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

Bids to be Opened at: Delaware County Commissioners  
101 North Sandusky Street  
Delaware, Ohio 43015  
Delaware County  
State of Ohio

for the following project:

TENANT IMPROVEMENTS  
2081 NORTH US HIGHWAY 23  
DELAWARE COUNTY, OHIO

In accordance with the Drawing and specifications prepared by:

Gardner Architects  
5 E. Winter Street, Suite 300  
Delaware, Ohio 43015

W.E. Monks & Co. Engineers  
3073 North High Street  
Columbus, Ohio 43202-1180

Sealed Bids with Alternates and Unit Prices will be received for:

Description	Base Bid Estimate	Estimate of Alternates
Bid Package 1 General Trades	\$974,945	\$0
Bid Package 2 HVAC	\$147,224	\$0
Bid Package 3 Plumbing	\$104,909	\$0
Bid Package 4 Electrical	\$302,227	\$0
Bid Package 5 Fire Protection	\$92,418	\$0

Until 10:00 AM September 13, 2007.

A pre-bid meeting will be held on September 6, 2007 at 9:00 AM at  
2081 North US Highway 23  
Delaware, OH 43015

Contract Documents may be obtained by requesting a set of complete drawings from:  
Delaware County Facilities Management  
1405 US Rte 23 North  
Delaware, Ohio 43015

A Bid Guaranty must be submitted with each bid over \$10, 000

The Contract Documents may be reviewed for bidding purposes without charge during the business hours at the following locations:

F.W. Dodge  
1175 Dublin Road  
Columbus, Ohio 43215

Builder’s Exchange

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1175 Dublin Road  
Columbus, Ohio 43215

Delaware County Board of Commissioners Office  
101 North Sandusky Street  
Delaware, Ohio 43015

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

RESOLUTION NO. 07-1043

9:30AM PUBLIC HEARING REGARDING THE ISSUANCE OF HEALTH CARE FACILITIES REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2007 (SARAH MOORE HOME PROJECT) BY THE COUNTY OF DELAWARE, OHIO:

It was moved by Mr. Ward, seconded by Mr. Jordan to open the hearing at 9:40am.

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

RESOLUTION NO. 07-1044

IN THE MATTER OF CLOSING THE PUBLIC HEARING REGARDING THE ISSUANCE OF HEALTH CARE FACILITIES REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2007 (SARAH MOORE HOME PROJECT) BY THE COUNTY OF DELAWARE, OHIO:

It was moved by Mr. Jordan, seconded by Mr. Ward to close the hearing at 9:45am.

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

RESOLUTION NO. 07-1045

A RESOLUTION DETERMINING THE NECESSITY OF AND AUTHORIZING THE ISSUANCE AND SALE OF ADJUSTABLE RATE DEMAND HEALTH CARE FACILITIES REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 2007 (THE SARAH MOORE HOME PROJECT) OF THE COUNTY OF DELAWARE, OHIO, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$9,000,000; AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS OF LEASE AND SUBLEASES IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE TO SECURE SUCH SERIES 2007 BONDS; AUTHORIZING EXECUTION OF A BOND PURCHASE AGREEMENT WITH RESPECT TO SAID SERIES 2007 BONDS; AUTHORIZING A PRELIMINARY AND FINAL OFFERING CIRCULAR; A TAX REGULATORY AGREEMENT AND OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2007 BONDS.

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

WHEREAS, the County of Delaware, Ohio (the “County”), a county and political subdivision in and of the State of Ohio (the “State”), is authorized and empowered by virtue of the laws of the State, including without limitation, Chapter 140 of the Ohio Revised Code (the “Act”), to, among other things: (i) acquire, construct, improve and equip “hospital facilities”, as defined in the Act, which include the facilities comprising the Project (as herein defined), and to acquire by lease real estate within the boundaries of the County and interests therein, including without limitation, improvements situated thereon comprising such hospital facilities; (ii) enter into a lease agreement to provide for the lease of “hospital facilities” to a “nonprofit hospital agency”, both as defined in the Act; (iii) issue its revenue bonds for the purpose of financing the “costs of hospital facilities”, as defined in the Act, and to secure those revenue bonds by a trust indenture and by the pledge and assignment of the rent paid under the lease agreements and the funds created under the trust indenture; (iv) enact this Resolution; and (v) enter into the Trust Indenture, the Leases, the Subleases and the Bond Purchase Agreement, all as hereinafter defined, and to execute and deliver certain other documents and instruments upon the terms and conditions provided herein and therein; and

WHEREAS, the County previously issued its Adjustable Rate Health Care Facilities Revenue Bonds, Series 1998 (The Sarah Moore Home Project) in the original principal amount of \$10,660,000 (the “Prior Bonds”) for the purpose of financing the cost of acquiring, constructing and equipping a 32-bed nursing home addition and converting a nursing home facility into 16 assisted living units and paying costs of issuance associated with the issuance of the Prior Bonds; and

WHEREAS, The Sarah Moore Home (the “Corporation”) and Sarah Moore Health Care Center, Inc. (the “Health Care Center” and, together with the Corporation, the “Lessees”) have requested this Board of County Commissioners (the “Board”) to authorize the issuance of Adjustable Rate Demand Health Care Facilities Revenue Refunding and Improvement Bonds, Series 2007 (The Sarah Moore Home Project) of the County of Delaware, Ohio

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(the "Series 2007 Bonds"), for the purpose of, together with other available moneys of the Lessees, (1) financing the acquisition, construction and equipping of certain Hospital Facilities, as that term is defined in Section 140.01, Ohio Revised Code, including, without limitation, the construction of 44 assisted living units (the "Project"), including the reimbursement of the Lessees for costs previously incurred with respect to such Hospital Facilities, (2) refunding the outstanding principal amount of the Prior Bonds, (3) funding interest during construction, and (4) paying certain costs and expenses of the County and the Lessees incurred in connection with the issuance of the Series 2007 Bonds and the current refunding of the Prior Bonds; and

WHEREAS, this Board has determined, based solely on information and representations provided by the Lessees, that the current refunding of the Prior Bonds and the acquisition, construction and equipping of the Project will further the public purpose of better providing for the health and welfare of the residents of the County and the State by enhancing the availability, efficiency and economy of independent living facilities, skilled nursing care and assisted living facilities to service the residents of the County, so that such Hospital Facilities are and will be available for the service of the general public without discrimination by reason of race, creed, color or national origin; and

WHEREAS, this Board has determined to authorize such Series 2007 Bonds and to award the sale thereof to Lancaster Pollard & Co.; and

WHEREAS, it is necessary in connection with the issuance of such Series 2007 Bonds, the current refunding of the Prior Bonds and the acquisition, construction and equipping of the Project to provide for the authorization of Agreements of Lease, Subleases and a Trust Indenture; and

WHEREAS, it is necessary in connection with the issuance of such Series 2007 Bonds, the current refunding of the Prior Bonds and the acquisition, construction and equipping of the Project to also provide for the authorization of a Bond Purchase Agreement and a Tax Regulatory Agreement and distribution of a Preliminary and final Offering Circular for the sale of the Series 2007 Bonds and to authorize certain other documents in connection with the issuance of the Series 2007 Bonds;

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

Section 1. For the public purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of independent living facilities, nursing care and assisted living facilities constituting Hospital Facilities and services rendered thereby and facilitating the financing of Hospital Facilities to be available to or for the service of the general public without discrimination by reason of race, creed, color or national origin, this Board, acting on behalf of the County, hereby determines, based solely upon representations of the Lessees, that it is necessary to and the County shall issue revenue bonds pursuant to Section 140.06, Ohio Revised Code, in the principal amount of not to exceed \$9,000,000 for the purposes set forth in the preambles hereto. Such bonds shall be designated "County of Delaware, Ohio, Adjustable Rate Demand Health Care Facilities Revenue Refunding and Improvement Bonds, Series 2007 (The Sarah Moore Home Project)". The Series 2007 Bonds are not designated as "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The County anticipates issuing more than \$10,000,000 of qualified tax-exempt obligations during calendar year 2007. The Series 2007 Bonds shall be issued 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 a weighted average interest rate not to exceed ten percent (10.00%) per annum, and be payable on the dates, all as exactly provided in the Trust Indenture and Bond Purchase Agreement hereinafter authorized. The Series 2007 Bonds shall be retired either at stated maturity or by mandatory sinking fund redemption over a period not to exceed 30 years as set forth in the Bond Purchase Agreement and the Trust Indenture hereinafter authorized.

Section 2. The Series 2007 Bonds shall be payable at the designated corporate trust office of U.S. Bank National Association (the "Trustee"), or any successor trustee.

Section 3. Anything in this Resolution, the Series 2007 Bonds and the Trust Indenture to the contrary, the Series 2007 Bonds do not and shall not constitute general obligations, debt or bonded indebtedness or a pledge of the faith and credit of the County or the State or any political subdivision thereof, and the holders or owners of the Series 2007 Bonds are not given the right, and have no right, to have excises, ad valorem taxes or other taxes levied by the County or the State or any political subdivision thereof, for the payment of the bond service charges on such Series 2007 Bonds. The Series 2007 Bonds shall contain a statement to that effect and that the right to such payment is limited to the revenues and special funds pledged for such purpose under the Trust Indenture herein authorized.

Section 4. At least two members of this Board be and they are hereby authorized and directed to execute on behalf of the County, a Trust Indenture with the aforesaid Trustee, in substantially the form presented to this Board and on file with the Clerk, and the Trust Estate as therein defined shall be pledged and the other agreements, covenants and promises therein made on behalf of the County shall be conclusively binding upon the County and in full force and effect from and after delivery of the aforesaid Series 2007 Bonds to their purchasers pursuant to the terms of said Trust Indenture. Said Trust Indenture shall be subject to such changes, insertions and omissions

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which are consistent with this Resolution and are not substantially adverse to the County and as are permitted by the Act and as may be approved by the members of this Board who execute the Trust Indenture, which approval shall be conclusively evidenced by the execution of said Trust Indenture as aforesaid.

Section 5. At least two members of this Board be and they are hereby authorized and directed to do all the acts and things required of them by the provisions of the Series 2007 Bonds and the Trust Indenture to the end that full and complete performance of all of the terms, covenants and agreements of the Series 2007 Bonds and Trust Indenture shall be effected, including taking all actions necessary to complete the sale of the Series 2007 Bonds under the "Blue Sky" laws of any jurisdiction; provided that the County 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, based on representations of the Lessees, that the leasing of the Existing Facilities from the Lessees and the subleasing of the Existing Facilities to the Lessees, which will operate the Existing Facilities, 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 County and the State of Ohio 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 County an Agreement of Lease with the Corporation and an Agreement of Lease with the Health Care Center (individually a "Lease" and collectively, the "Leases"), whereby the County will acquire a leasehold interest in the Existing Facilities. The Leases shall be substantially in the form presented to this Board and on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this Resolution and are not substantially adverse to the County and as are permitted by the Act and as may be approved by the members of this Board who execute the Leases, which approval shall be conclusively evidenced by the execution of said Leases as aforesaid. It is hereby determined, based solely on representations of the Lessees, that such Leases will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the County 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 County a Sublease with the Corporation and a Sublease with the Health Care Center (individually, a "Sublease" and collectively, the "Subleases"). The Subleases shall be substantially in the form presented to this Board and on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this resolution and are not substantially adverse to the County and as are permitted by the Act and as may be approved by the members of this Board who execute the Subleases, which approval shall be conclusively evidenced by the execution of said Subleases as aforesaid. It is hereby determined, based on representations of the Lessees, that such Subleases will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the County will be duly benefited thereby.

Section 9. At least two members of this Board are hereby authorized and directed to execute and deliver on behalf of the County a Bond Purchase Agreement providing for the sale of the Series 2007 Bonds substantially in the form heretofore presented to this Board by Lancaster Pollard & Co., so long as the terms of purchase contained therein are within the guidelines established in Section 1 of this Resolution. Such Bond Purchase Agreement shall set forth the underwriting discount, principal amount, maturities and interest rate or rates on the Series 2007 Bonds, and the execution and delivery of the Bond Purchase Agreement by such members of this Board shall be conclusive evidence of the authorization by this Board of such underwriting discount, principal amount, maturities, any mandatory sinking fund redemption provisions and interest rate or rates on the Series 2007 Bonds.

Section 10. This Board, for and on behalf of the County, hereby covenants that it will restrict the use of the proceeds of the Series 2007 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 Internal Revenue Code and the regulations prescribed thereunder. The County Auditor, any County Commissioner, or any other officer of the County having responsibility with respect to the issuance of said Series 2007 Bonds is authorized and directed to give an appropriate certificate on behalf of the County, on the date of delivery of said Series 2007 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 Preliminary Offering Circular with respect to the Series 2007 Bonds, a draft copy of which is on file with the Clerk, is hereby approved. The use and distribution of the Preliminary Offering Circular by Lancaster Pollard & Co. and the Lessees prior to the date of passage of this Resolution is hereby expressly ratified and confirmed. The County has not confirmed, and assumes no responsibility for, the accuracy, completeness or sufficiency of any of the statements in any disclosure document used by Lancaster Pollard & Co. in connection with the offer and sale of the Series 2007 Bonds or any supplements thereto, or in any reports, financial information, offering or disclosure documents or other information relating in any way to the facilities described therein, the Lessees, or the Lessees' management, operations, organization, history or financial condition, relating in any way to Lancaster Pollard & Co., or relating in any way to Fifth Third Bank, as issuer of the letter of credit securing the Series 2007 Bonds.

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Section 12. Any member of this Board be and is hereby authorized to execute and deliver on behalf of the County a final Offering Circular for the Series 2007 Bonds, which final Offering Circular shall be substantially in the form of the Preliminary Offering Circular approved and authorized in Section 11 of this Resolution.

Section 13. The appropriate officers of the County be and they hereby are authorized to execute and deliver on behalf of the County such other certificates, documents and instruments in connection with the issuance and public sale of the Series 2007 Bonds, the acquisition, construction and equipping of the Project or the current refunding of the Prior Bonds, as may be required, necessary or appropriate, including, without limitation, any documents which are necessary or appropriate in order to ensure compliance of the Series 2007 Bonds with the Internal Revenue Code and including conveyances of title to real and personal property, terminations of financing statements and other releases of security interests in property and cancellations of leases. The documents specifically authorized hereby shall be subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution thereof by the proper officers of the County.

Section 14. 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 Series 2007 Bonds in the maximum principal amount of \$9,000,000, the proceeds of which will be used (i) to finance the acquisition, construction, installation and equipping of certain real and personal property constituting “hospital facilities”, as that term is defined in Section 140.01 of the Ohio Revised Code, including, but not limited to the addition of 44 assisted living units located at 26 North Union Street, Delaware, Ohio (the “Facility”), (ii) to refund the County’s Adjustable Rate Demand Health Care Facilities Revenue Bonds, Series 1998 (The Sarah Moore Home Project), the proceeds of which were used to finance (a) a 32-bed nursing home addition attached to the then existing nursing home facility, which is located at the Facility, and (b) converting the then existing nursing home facility into 16 assisted living units containing 20 beds, which will be located at 47 William Street, Delaware, Ohio, (iii) to fund capitalized interest during construction and (iv) to finance certain costs of issuance of the County and the Lessees incurred in connection with the issuance of the Series 2007 Bonds and the current refunding of the Prior Bonds.

Section 15. 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 and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code, and the rules of this Board in accordance therewith.

Section 16. All resolutions or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

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

**RESOLUTION NO. 07-1046**

**IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS:**

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

Supplemental Appropriation		
22511607-5342	Children's Services/Professional Services	\$ 100,000.00
22511608-5342	Children's Services Cluster /Professional Services	\$ 500,000.00
10031302-5345	Sheriff Prisoner Transport /Safety & Security	\$ 21,617.15

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

**RESOLUTION NO. 07-1047**

**IN THE MATTER OF APPROVING THE FINAL SCHEDULE OF CONSTRUCTION ASSESSMENTS FOR THE SACKETT #328 DITCH PROJECT:**

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

WHEREAS, With Resolution No. 06-1223 The Delaware County Commissioners Established A Drainage Maintenance Account (#0626) And Approved The Permanent Drainage Maintenance Easement For The Sackett #328 Ditch Project, and

WHEREAS, the final schedule of construction assessments was to be approved after the bond was issued and the interest rates were determined, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%

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THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Sackett #328 ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.)

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

RESOLUTION NO. 07-1048

IN THE MATTER OF APPROVING THE FINAL SCHEDULE OF CONSTRUCTION ASSESSMENTS FOR THE SMITH #198 DITCH PROJECT:

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

WHEREAS, With Resolution No. 06-1224 The Delaware County Commissioners Established A Drainage Maintenance Account (# 0627) And Approved The Permanent Drainage Maintenance Easement For The Smith #198 Ditch Project, and

WHEREAS, the final schedule of construction assessments was to be approved after the bond was issued and the interest rates were determined, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%

THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Smith #198 ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.)

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

RESOLUTION NO. 07-1049

IN THE MATTER OF APPROVING THE FINAL SCHEDULE OF CONSTRUCTION ASSESSMENTS FOR THE GWINNER #262 DITCH PROJECT:

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

WHEREAS, With Resolution No. 07-424 The Delaware County Commissioners Established A Drainage Maintenance Account (#0638) And Approved The Permanent Drainage Maintenance Easement For The Ditch Project, and

WHEREAS, the final schedule of construction assessments was to be approved after the bond was issued and the interest rates were determined, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%

THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Gwinner #262 ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.)

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

RESOLUTION NO. 07-1050

IN THE MATTER OF APPROVING THE FINAL SCHEDULE OF CONSTRUCTION ASSESSMENTS FOR THE PRIMMER #1; PRIMMER NELSON LATERAL #140 AND PRIMMER LATERAL #3 DITCH

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PROJECT:

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

WHEREAS, With Resolution No. 07-425 The Delaware County Commissioners Established A Drainage Maintenance Account (#0702) And Approved The Permanent Drainage Maintenance Easement For The Primmer #1; Primmer Neilson Lateral #140 And Primmer Lateral #3 Ditch Project, and

WHEREAS, the final schedule of construction assessments was to be approved after the bond was issued and the interest rates were determined, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%

THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Primmer #1; Primmer Neilson Lateral #140 And Primmer Lateral #3 ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.)

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

RESOLUTION NO. 07-1051

IN THE MATTER OF APPROVING A PERMANENT EASEMENT, ESTABLISHING A MAINTENANCE ACCOUNT AND APPROVING ASSESSMENTS FOR THE OLD KINGSTON GROUP DITCH PROJECT:

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

RE: Old Kingston Group Petition ID #0718 Final Assessments, Drainage maintenance account and Drainage Maintenance easement

Please accept this request to finalize the construction assessments, set up the drainage maintenance account with the following amount for the referenced project, and set the drainage maintenance easements. The following information may be used to initiate the account.

Name: Old Kingston Group Petition  
Account: 0718  
Organization: 21911401  
Amount: \$3,208.39

WHEREAS, the above referenced project has been completed and the assessments for the affected property owners are available, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%.

THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Old Kingston Group Petition ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, that as this project came in under the estimate, some property owners who paid in advance are due a refund, in addition several property owners whose total cost is below the minimum \$10.00 requirement will be increased to meet that requirement.

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.

Maintenance Easement Description: (Map available at Engineer’s Office)

Commencing at a point A at the east right-of-way of north Galena Road and the Wilson property line extending to and terminating at point D at the north right-of-way of Todd Street road and the sheets property line.

Points A to B:  
25 feet right of top of bank  
25 feet left of top of bank



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Points B to C:  
50 feet right of centerline  
50 feet left of centerline

Points C to D:  
25 feet right of subsurface drain  
25 feet left of subsurface drain

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

**RESOLUTION NO. 07-1052**

**IN THE MATTER OF APPROVING A PERMANENT EASEMENT, ESTABLISHING A MAINTENANCE ACCOUNT AND APPROVING ASSESSMENTS FOR THE COOMER # 435 JOINT COUNTY MAIN AND LATERAL A DITCH PROJECT:**

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

RE: Coomer # 435 Joint County Main And Lateral A Final Assessments, Drainage maintenance account and Drainage Maintenance easement

Please accept this request to finalize the construction assessments, set up the drainage maintenance account with the following amount for the referenced project, and set the drainage maintenance easements. The following information may be used to initiate the account.

Name: Coomer # 435 Joint County Main  
Account: 0716  
Organization: 21911401  
Amount: \$4,241.95

Name: Coomer # 435 Joint County Lateral A  
Account: 0717  
Organization: 21911401  
Amount: \$620.91

WHEREAS, the above referenced project has been completed and the assessments for the affected property owners are available, and

WHEREAS, the interest rate of the bond for the borrowing of the money is approximately 4%.

THEREFORE BE IT RESOLVED, The Delaware County Commissioners approves the final schedule of construction assessments for the Coomer # 435 Joint County Main And Lateral A ditch project. (Copy available in the Commissioner’s Office until no longer of administrative value).

FURTHER BE IT RESOLVED, that as this project came in under the estimate, some property owners who paid in advance are due a refund, in addition several property owners whose total cost is below the minimum \$10.00 requirement will be increased to meet that requirement.

FURTHER BE IT RESOLVED, THAT The Commissioners’ Office will supply to the Auditor’s Office the final schedule of construction assessments with the interest rates for the assessments. Eight years shall be the period of time, in semi-annual installments, as taxes are paid, given the owners of land benefited, to pay their assessments with the interest rate on the installments.

**Coomer # 435 Joint County Main**  
Maintenance Easement Description: (Map available at Engineer’s Office)  
Commencing at the junction of the Coomer #435 Joint County Drainage Improvement and the West Branch of Alum Creek approximately 575’ south of the Delaware/Morrow County line, and terminating at the breather on the Coomer #435 subsurface drain at the north ODOT Right-of-way for State Route 229, approximately 1260’ west of the Delaware/Morrow County Line.

Points A to B:  
25 feet right of top of bank  
25 feet left of top of bank

Points B to C:  
25 feet right of top bank  
25 feet left of top bank

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Points C to D:  
25 feet right of top bank  
25 feet left of top bank

Points B to I:  
15 feet right of subsurface drain  
15 feet left of subsurface drain

**Coomer # 435 Joint County Lateral A**  
Maintenance Easement Description: (Map available at Engineer’s Office)  
Commencing at point C on the Coomer #435 Joint County Drainage Improvement Project approximately 25 feet North of Delaware/Morrow County line and terminating at Point H at the breather on the lateral A subsurface drain at Graham/Delca property line at the Delaware/Morrow County line.

Points C to E:  
30 feet right of subsurface drain  
30 feet left of subsurface drain

Points E to F:  
60 feet right of subsurface drain  
60 feet left of subsurface drain

Points F to G:  
15 feet right of subsurface drain  
15 feet left of subsurface drain

Points F to H :  
60 feet right of subsurface drain  
60 feet left of subsurface drain

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

**RESOLUTION NO. 07-1053**

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

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

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

**RESOLUTION NO. 07-1054**

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

It was moved by Mr. Jordan, seconded by Mr. Evans to adjourn out of Executive Session at 12:30PM.

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

There being no further business the meeting adjourned.

\_\_\_\_\_  
Glenn A. Evans

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Kristopher W. Jordan

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James D. Ward

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Letha George, Clerk to the Commissioners