

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD SEPTEMBER 24, 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

PUBLIC COMMENT

RESOLUTION NO. 07-1163

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD SEPTEMBER 20, 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 September 20, 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. 07-1164

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR921:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0921 and Purchase Orders and Vouchers as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account Number</u>	<u>Amount</u>
PO's			
Commercial Office Interiors	Extinguisher HD Recliners	10011303-5255	\$ 12,430.00
Flowline	Camera Work	40311424-5301	\$ 10,000.00
Decrease			
Jobs for Ohio Graduates	Jobs for Ohio Grads (line 1)	22311611-5348	\$ 26,064.13
Increase			
Jobs for Ohio Graduates	Jobs for Ohio Grads (line 2)	22411601-5348	\$ 26,064.13
Children’s Discovery	Child Care	22411610-5348	\$ 15,000.00
House of New Hope	Residential Treatment	22511607-5342	\$ 30,000.00
Synagro	Removal of Sludge	66290303-5301	\$ 16,450.00
Loeb Electric	Parts for Pump stations	66290402-5270	\$ 1,500.00
Vouchers			
Stark County Treasurer	Court of appeals	10029202-5301	\$ 15,754.36
Royal Electric	Electric/CFOA	43111424-5410	\$ 181,771.76
Great Lakes Hotel Supply	Food Equipment/CFOA	43111424-5410	\$ 52,208.10
Thomas Glass	Windows/CFOA	43111424-5410	\$ 25,147.69
Limbach Company	HVAC/CFOA	43111424-5410	\$ 130,717.48
Fox Mechanical	Plumbing/CFOA	43111424-5410	\$ 12,226.34
ACI	General Trades	43111424-5410	\$ 214,294.18
ACI	Site Work/CFOA	43111424-5410	\$ 22,137.15
Corna Kokosing	Casework/CFOA	43111424-5410	\$ 62,708.40
AEP	Serv to 88, 101 & 140 N. Sandusky St.	10011105-533833802	\$ 16,588.48
Jobs for Ohio Graduates	Jobs for Ohio Grads	22411601-5348	\$ 27,165.25
Central Ohio Contractors	Sludge Disposal	66290403-5380	\$ 10,617.90
Advantage Adoption	Residential Treatment	22511607-5342	\$ 5,208.00
Pomegrnate Health	Residential Treatment	22511607-5342	\$ 14,805.00
Treasurer	Retainage	43111424-5410	\$ 28,981.38

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

RESOLUTION NO. 07 -1165

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

The Auditor’s Office is requesting a \$47.00 increase to Todd Hanks previously approved travel request to Washington D.C.

The Department of Job and Family Services is requesting that April Werhle, Jason Tharp, Lori Powers, Julie Showalter, Angie Steck, Donna Bukovec, Bristle Taylor and Jamie Shepherd attend a Gangs in Delaware

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Training at Ohio Wesleyan University October, 19, 2007.

The Court of Common Pleas (Adult Court Services) is requesting that Lorrie Sanderson attend MTR Training in Memphis, Tennessee October 22-24, 2007, at the cost of \$1,470.00.

Juvenile Court is requesting that Judge Spicer attend a Sex Offender Media and Community Corrections Seminar in Columbus, Ohio October 25-26, 2007, at the cost of \$200.00.

Juvenile Court is requesting that Dodie Davenport, Marilyn Kinnard and Jackie Miley attend a Microsoft for Beginners Training in Columbus, Ohio at the cost of \$ 50.00.

The Child Support Enforcement Agency is requesting that Susan Brown and Joyce Rhodes attend a Quarterly Fiscal Meeting in London, Ohio September 21, 2007, at the cost of \$20.00.

The EMS Department is requesting that the EMS Employees attend a 2007 E2B Best Practices Summit at the Hayes Building October 25, 2007, at no cost.

The Child Support Enforcement Agency is requesting that Wendy Shannon, Matt Smith, and Christine Dobrovich attend Hearing Officer Training in Lancaster, Ohio November 16, 2007, at the cost of \$105.00.

The Child Support Enforcement Agency is requesting that Wendy Shannon and Joyce Rhodes attend a DRA District and Pass Through Workshop in Columbus, Ohio October 16, 2007, at the cost of \$12.00.

The Administrative Services Department is requesting that Lisa Iannotta and Cathleen Paulus attend a County Loss Control Coordinators Of Ohio Seminar in Pickerington, Ohio September 28, 2007, at no cost.

The Sheriff’s Office is requesting that Scott Gaines attend a Blood Hound K-9 Training in Homosassa, Florida September 26-29, 2007, at the cost of \$355.00

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

RESOLUTION NO. 07-1166

IN THE MATTER OF APPROVING A NEW LIQUOR LICENSE REQUEST FROM COUNTRY MERCANTILE LLC AND FORWARDING TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTIONS AND NO REQUEST FOR A HEARING:

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

Whereas, the Ohio Division of Liquor Control has notified both the Delaware County Board of Commissioners and the Orange Township Trustees that Country Mercantile LLC has requested new D1 and D2 permits located at 1520 Lewis Center Road Orange Township Lewis Center, Ohio 43035, and

Whereas, the Orange Township Trustees have stated they have no objection, the Delaware County Sheriff has responded--no known reason for a hearing to be requested and the Delaware County Commissioners have received no objections.

Therefore Be it Resolved, The Clerk of the Board shall complete the necessary forms and notify the Ohio Division of Liquor Control that no objections are made and no hearing is requested by this Board of County Commissioners.

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

RESOLUTION NO. 07-1167

IN THE MATTER OF ACCEPTING A VICTIMS OF CRIME AND STATE VICTIMS ASSISTANCE GRANT (VOCA/SVAA) FOR VICTIM SERVICES:

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

Grant #	21-445T		
Source:	VOCA/SVAA -Ohio Attorney General		
Grant Period:	October 1, 2007 to September 30, 2008		
	VOCA	SVAA	
Grant Request Amount:	\$22,800.00	\$2,231.00	
Match (Local)	\$ 7,600.00	\$ 0.00	
Total Grant Amount:	\$30,400.00	\$2,231.00	

This renewal grant will provide continued funding for Victim’s Assistance programs in Delaware County.

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

RESOLUTION NO. 07-1168

IN THE MATTER OF APPROVING TRANSFER OF FUNDS FOR THE AUDITOR’S OFFICE:

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

Transfer of Funds		AMOUNT
From	To	
10110107-5801	10011102-4601	\$ 22,075.08
Unclaimed Funds/Transfer	Commissioners General -Inter fund Transfer	

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

RESOLUTION NO. 07-1169

IN THE MATTER OF APPROVING PROJECT AGREEMENT FOR WOODLAND HALL, SECTION 2:

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

Woodland Hall, Section 2

PROJECT AGREEMENT
PROJECT NUMBER: 07030

THIS AGREEMENT executed on this 24th day of September 2007, between WEST POINT HOLDINGS, LLC hereinafter called ‘OWNER’ and the BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO (COUNTY COMMISSIONERS), for the project described as WOODLAND HALL, SECTION 2, further identified as Project Number 07030, is governed by the following considerations to wit:

Said OWNER 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.

OPTIONS

- Should OWNER elect to record the plat prior to beginning construction, OWNER shall execute bond, certified check, irrevocable letter of credit, or other approved financial warranties equal to the cost of construction as shown in Exhibit “A” attached hereto.
- Should OWNER elect to proceed to construction prior to recording the plat, no approved financial warranties are necessary until such time as OWNER elects to record the plat. Such plat cannot be recorded until the County Engineer has determined the construction of the project is at least 80% complete. Then the OWNER shall execute approved financial warranties acceptable to the COUNTY COMMISSIONERS, forms of which are attached to this AGREEMENT as Exhibit “B”, equal to 20% of the cost of construction as shown in Exhibit “A” attached hereto.

OWNER hereby elects to use Option 2 for this project.

The financial warranties are to insure faithful performance of this AGREEMENT and the completion of all improvements in accordance with the Delaware County Design, Construction and Surveying Standards and any supplements thereto. The OWNER shall pay the entire cost and expense of said improvements, unless otherwise specifically noted herein.

The OWNER shall indemnify and save harmless Delaware County, and all Townships and/or Villages within Delaware County 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 (1) year from the date on which this AGREEMENT is executed by the COUNTY COMMISSIONERS.

The OWNER 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 OWNER when, in the opinion of the COUNTY, his performance is deemed inadequate.

The OWNER further agrees that any violations of or noncompliance 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 and act against the performance surety for the purpose of proper completion of the public improvements within this subdivision.

It is further agreed that upon execution of the AGREEMENT, the OWNER shall deposit SEVENTY ONE THOUSAND EIGHT 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 testing laboratory. When the fund has been depleted to ten percent (10%) of the original

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amount deposited, the **OWNER** shall replenish the account, upon notice by the **Delaware County Engineer**. Upon completion of the maintenance period and acceptance of the improvements by the Delaware County Commissioners, the remaining amount in the fund shall be returned to the **OWNER**.

Upon the completion of construction, the **OWNER** shall be responsible for the maintenance, repair or reconstruction of any and all defective materials or workman-ship for a period of **one year**. Said **OWNER’S** bond, certified check, irrevocable letter of credit or other approved financial warranties may be reduced to 10% of the originally approved construction estimate as shown in **Exhibit “A”** 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 with the **Delaware County Design, Construction and Surveying Standards, and any supplements thereto**.

Acceptance of the project into the public system shall be completed only after written notice to the **COUNTY COMMISSIONERS** from the **County Engineer** of his approval. The **OWNER’S** maintenance responsibility as described above shall be completed upon formal acceptance by the **COUNTY COMMISSIONERS**.

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

The **OWNER** shall, within thirty (30) days of completion of construction and prior to final acceptance, furnish to the **COUNTY COMMISSIONERS**, 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 **OWNER** shall, within thirty (30) days of completion of construction, furnish to the **COUNTY COMMISSIONERS** an itemized statement showing the cost of improvements and an affidavit that all material and labor costs have been paid. The **OWNER** shall indemnify and hold harmless **Delaware County, and all Townships and/or Villages** within Delaware County and all of their officials, employees or agents from expenses or claims for labor or material incident to said construction of improvements.

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

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

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

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

RESOLUTION NO. 07 -1170

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
U07110	Columbia Gas of Ohio	Orange Center Commerce Park	Install gas main
U07129	Suburban Natural Gas	Glen Oak Section 9	Lay gas mains
U07130	Suburban Natural Gas	Walnut Grove Estates Section 2	Install gas mains
U07132	Consolidated Electric	Blue Church Road	Set poles

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

RESOLUTION NO. 07-1171

IN THE MATTER OF APPROVING A COOPERATION AGREEMENT WITH DELAWARE CITY AND DELAWARE COUNTY FOR US 36 AND HOUK ROAD TURN LANE IMPROVEMENTS FOR OPWC CAPITAL IMPROVEMENTS FUNDING:

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

“COOPERATION AGREEMENT”
CITY OF DELAWARE & DELAWARE COUNTY
US 36 and Houk Road Turn Lane Improvements

DELAWARE CITY RESOLUTION NUMBER _____ DATE _____

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DELAWARE COUNTY RESOLUTION NUMBER 07-1171 9/24/07 DATE

Delaware City and Delaware County enter into a cooperative agreement to submit an application to the Ohio Public Works Commission for the US 36 and Houk Road turn Lane Improvements.

Delaware City will provide funds totaling 55.1% of the cost of the US 35 and Houk Road Turn Lane Improvements. Such funds will come from the General fund.

Delaware County through the County Engineer will provide funds totaling 14.0% of the cost of the US 36 and Houk Road Turn Lane Improvements. Such funds will come from the Gasoline and Motor Tax Fund.

Delaware County authorizes Delaware City to be the lead applicant and to sign all necessary documents.

Delaware City agrees to pay its\$196, 533.26 of the cost as invoices are due.

Delaware County through the Delaware County Engineer’s OPWC Grant Enhancement Program agrees to pay its \$50,000 of the cost towards construction.

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

RESOLUTION NO. 07-1172

IN THE MATTER OF APPROVING A CONTRACT WITH MURFIELD FAMILY HOME ROAD PROPERTY LLC AND BRANDON MURFIELD LLC FOR RIGHT OF WAY ACQUISITION FOR THE HOME ROAD GRADE SEPARATION PROJECT:

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

CONTRACT FOR SALE AND PURCHASE OF REALPROPERTY
WITHOUT BUILDING(S)

P A R C E L S : 1 3 W D V , T V 1 , T V 2
DEL-CR124-4.11

This Agreement is by and between the Board of Commissioners, Delaware County, Ohio, [hereinafter "Purchaser"] and Murfield Family Home Road Property, LLC., an Ohio Limited Liability Company with a seventy-five percent (75%) interest and Brandon Murfield, LLC, an Ohio Limited Liability Company with a twenty-five (25%) interest [hereinafter "Seller"; "Seller" includes all of the foregoing named persons or entities].

In consideration of the mutual promises, agreements, and covenants herein contained, the parties hereto do hereby contract as follows:

1. Price and Consideration
Purchaser shall pay to Seller the sum of \$67,397.00 which sum shall constitute the entire amount of compensation due Seller for: (a) the real property to be conveyed including all fixtures; (b) any and all damages to any residual lands of Seller; (c) Seller's covenants set forth herein; (d) any and all supplemental instruments reasonably necessary to transfer the title of the subject property.

Seller shall be exclusively responsible for all delinquent taxes and assessments, including penalties and interest; and all other real estate taxes and assessments that are a lien as of the date on which this contract closes. The taxes and assessments for the current calendar year shall be prorated on an estimated basis to the date of acquisition of title or date of possession, whichever is earlier in time. Seller shall be responsible for any and all future installments of any special assessments levied and assessed against the real property, whether or not any such special assessment has been certified to the county auditor for collection, provided that such installments of special assessments shall be a lien on the subject real property as of the date of transfer of title. The Purchaser may withhold in escrow a sufficient amount of the purchase money to satisfy the foregoing items to be paid by Seller; any balance remaining after such taxes, assessments, etc., are discharged shall be paid to Seller and any deficiency shall be the responsibility of Seller.

2. Estate Sold And Deed To Transfer
Seller, upon fulfillment of all the obligations and terms of this Agreement, shall sell and convey to Purchaser, its successors and assigns, the property which is more particularly described in Exhibit A attached hereto and by this reference incorporated herein, together with all improvements now located thereon and all fixtures of every nature now attached to or used with said land and improvements including, but not limited to, driveways, signs, utility fixtures, shrubbery and trees.

If the rights, titles, and estates described in Exhibit A constitute the fee simple in, to and of the real property, then such sale and conveyance by Seller shall be by a good and sufficient general warranty deed with, if applicable, full release of dower; in the event the rights, titles, and estates described in Exhibit A

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constitute something less than the fee simple of the real property, then such sale and conveyance by Seller shall be by a good and sufficient deed or other instrument regularly and ordinarily used to transfer such lesser rights, titles, and estates with, if applicable, full release of dower.

3. Limited Access Parcels - Waiver of Abutters' Rights

If the property described in Exhibit A is designated by Purchaser as a limited access parcel, then Seller further agrees to release to Purchaser, its successors and assigns, any and all abutters' rights, including access rights, appurtenant to any remaining lands of Seller (from which the property described in Exhibit A is being severed) in, over, on, from, and to the property described in Exhibit A.

4. Supplemental Instruments

Seller agrees to execute any and all supplemental instruments necessary for the construction and maintenance of the subject highway project over, across, or upon the property described in Exhibit A.

5. Warranty of Title

Seller shall, and hereby does, warrant that the property described in Exhibit A is free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable.

6. Elimination of Others' Interests

Seller shall assist, in whatever manner reasonably possible under the circumstances, to procure and deliver to Purchaser releases and cancellations of any and all other rights, titles, and interests in the property described in Exhibit A, such as, but not limited to those belonging to tenants, lessees, mortgagees, or others now in possession or otherwise occupying the subject premises, and all assessment claims against said property.

7. No Change in Character of Property

Seller shall not change the existing character of the land, or alter, remove, destroy, or change any improvement located on the property described in Exhibit A. If, prior to the date on which possession of the subject property is surrendered to Purchaser, the subject property suffers any damage, change, alteration, or destruction then, and without regard to the cause thereof, Seller shall restore the subject property to the condition it was in at the time Seller executed this Agreement; in the alternative, Seller may agree to accept the abovementioned purchase price less the costs associated with such restoration. If the Seller refuses to either restore the premises or accept the decreased consideration as aforementioned, then

Purchaser may, at its option after discovery or notification of such damage, change, alteration, or destruction, terminate, cancel, and void this Agreement upon written notice to Seller.

8. Offer to Sell

If Seller executes this Agreement prior to Purchaser, then this Agreement shall constitute and be an Offer to Sell by the Seller that shall remain open for acceptance by Purchaser for a period of thirty (30) days immediately subsequent to the date on which Seller delivers such executed Agreement to Purchaser. Upon Purchaser's acceptance and execution of this Agreement within the said period of thirty (30) days, this Agreement shall constitute and be a valid Contract For Sale And Purchase Of Real Property that is binding upon all parties hereto.

9. Designation of Escrow Agent

Seller agrees that Purchaser may designate an escrow agent to act on behalf of both parties in connection with the consummation and closing of this Agreement.

10. Closing Date

The consummation and closing of this Agreement shall occur at such time and place as the parties may agree, but no later than ten (10) days after Purchaser notifies Seller in writing that Purchaser is ready to consummate and close this Agreement. Provided, however, in no event shall such consummation and closing occur more than one hundred twenty (120) days after the last date on which one of the parties hereto executes this Agreement.

11. Physical Possession of Land and Improvements

Physical possession of the land and improvements shall be surrendered by Seller not later than the date on which payment of the purchase price is tendered by Purchaser.

12. Control of Property Occupied by Seller's Tenant(s)

Control of property occupied by Seller's tenant(s) shall be assumed by Purchaser on the date on which payment of the purchase price is tendered by Purchaser, and from that date forward Purchaser shall be entitled to collect and retain as its own funds any and all rental payments thereafter made by such tenants. If any rents due under the lease(s) with Seller have been prepaid by Seller's tenant(s), then said prepaid rents shall be prorated to the date on which the purchase price was tendered by Purchaser and said prepaid rents shall be paid to Seller and Purchaser in accordance with such proration.

13. Binding Agreement

Any and all of the terms, conditions and provisions of this Agreement shall be binding upon and shall inure to the benefit of Seller and Purchaser and their respective heirs, executors, administrators, successors and assigns.

Multiple Originals

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.

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14. Entire Agreement

This instrument contains the entire agreement between the parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions or obligations whatsoever, either express or implied, other than herein set forth, shall be binding upon either party.

15. Amendments and Modifications

No amendment or modification of this Agreement shall be valid or binding upon the parties unless it is made in writing, cites this Agreement, and is signed by Seller and Purchaser.

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

RESOLUTION NO. 07-1173

IN THE MATTER OF TERMINATING THE CONTRACT WITH GSP/OH, INC., FOR THE RED BANK ROAD BRIDGE OVER HOOVER RESERVOIR REHABILITATION DEL-CR-31-1.11 – PART 1 PRELIMINARY ENGINEERING:

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

Whereas the Board of Commissioners entered into contract on July 9, 2007 with the firm of GSP/OH, Inc. a subsidiary of Gresham Smith and Partners, 580 North 4th Street, Suite 230, Columbus, Ohio 43215 (“Consultant”) for performance of preliminary engineering associated with the project known as Red Bank Road Bridge over Hoover Reservoir, DEL-CR-31-1.11;

Whereas Section 9 of the contract states the following:
The County reserves the right to terminate this Contract at any time for the convenience of the County. Upon termination of the Contract, the County will provide written notice to the Consultant to suspend all work at which time the Consultant shall cease all work associated with this Contract and submit a final estimate for the portion of the work completed to date.

Now, therefore be it resolved that:

Section 1: The Board finds that for the convenience of the County the contract be terminated and all work associated with the contract be immediately suspended;

Section 2: The County Engineer, administrator of the contract under Section 2 of said contract, is ordered to immediately provide written notice to the Consultant to suspend all work and to request and receive copies, both electronic and printed, where applicable, of all reports, surveys, maps and other items of work already initiated under the contract;

Section 3: The County Engineer is authorized to enter into negotiations with the next most qualified engineering firm previously considered during the quality based selection process for this project.

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

RESOLUTION NO. 07-1174

IN THE MATTER OF APPLYING FOR A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT:

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

WHEREAS, the U.S. Department of Transportation offers Hazardous Materials Emergency Preparedness grants that provide funds for planning and training for response to spills and incidents on highways, and;

WHEREAS, the Delaware County Office of Homeland Security and Emergency Management requests a grant to perform hazardous materials training through the State Fire Marshall and conduct planning with the hazardous material sites in the county, and;

WHEREAS, this is a 75%/25% split grant with the County utilizing its 25% portion from in-kind services and training funds that are required to be budgeted through the LEPC;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approves the Delaware County Office of Homeland Security and Emergency Management to apply for this grant.

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

RESOLUTION NO. 07-1175

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IN THE MATTER OF APPROVING A RECOMMENDATION BY THE DELAWARE COUNTY LOCAL
EMERGENCY PLANNING COMMITTEE (LEPC) TO APPROVE THE APPOINTMENT OF
REPRESENTATIVES AND ALTERNATES:

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

WHEREAS, in accordance with the Ohio Revised Code Section 3750.03(b) the LEPC recommends to the Board of Commissioners to approve the re-appointments of representatives and alternates to the LEPC for the period August 15, 2007 through August 14, 2009.

Representatives:

<u>NAME</u>	<u>ORG</u>	<u>NAME</u>	<u>ORG</u>
Jim Ward	County Commissioner	Brandon Feller	Red Cross
Tonya Latto	Industry	John Link	Transportation
Brian Gallagher	EMA	Marsha Jevas	Hospital
John Donahue	City	Rob Farmer	EMS
Gary Vest	City	Carol McConnel	ARES
Francis Veverka	Health	Troy Morris	Fire
Walter Davis	Sheriff's Office	William Buckley	Citizen
Heidi Marshall	Law	Traci Saliba	Media

Alternates:

<u>NAME</u>	<u>ORG</u>	<u>NAME</u>	<u>ORG</u>
Doug Sams	Health	JR Maynard	Transportation
Dale Lipps	Fire	Walt Griffith	Citizen
Chad Antle	Environmental	Murray Smith	EMS
Brad Kyser	EMA	Phil Packard	Red Cross
Bob Lavender	EMA	Bill Anderson	City
Steve Hrytzik	City	Brenda Hopkins	LEPC Secretary

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

RESOLUTION NO. 07-1176

IN THE MATTER OF APPROVING THE PURCHASE OF NORTHWOODS DOCUMENT MANAGEMENT
SYSTEM FOR THE CHILD SUPPORT ENFORCEMENT AGENCY (CSEA):

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

WHEREAS, the Delaware County Child Support Enforcement Agency has a need to modernize its document storage and retrieval system and to create an efficient system of forms management in order to enhance customer service and worker productivity. The proposed system requires contracting with Northwoods Consulting Partners for Compass Software, On-Base Software, Hardware, Northwoods Professional Services and on-going Maintenance Agreements; and;

WHEREAS, this equipment and software will streamline processes by providing better control over the capture, storage, management, retrieval and distribution of information; other benefits of the system include, but are not limited to: system interface with our current Support Enforcement Tracking System which will reduce staff time in collecting, routing, approving, filing and waiting for information; the system will free up office space that is currently filled to capacity with paper files and filing cabinets; it will increase productivity time through electronic filing and electronic document retrieval; customer service will improve as case file documents can be retrieved from any computer screen; communication regarding mutual clients will improve between the CSEA and JFS as each agency is using the same document imaging system and duplication of efforts between the agencies in gathering client information will be reduced; the level of file security will increase and proper federal and state mandates regarding confidentiality are incorporated into the system and; the forms management system will resolve the current overload of disk space and the redundancy of legal documents that are currently stored on the system and;

WHEREAS, these purchases have been presented to the Data Board and approved at a cost of \$188,850.40 and the funds for this purchase are available in the form of incentive earnings along with other CSEA generated revenues held within the CSEA Administrative Funds;

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners of Delaware County hereby approves the purchase and authorizes the funding of this system for the Delaware County Child Support Enforcement Agency.

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BE IT FURTHER RESOLVED: That the Board of County Commissioners approve supplemental appropriations for this equipment to organizational key 23711630

Supplemental Appropriations			
23711630-5260	CSEA/Inventoried Tools	\$	85,740.00
23711630-5325	CSEA/Maint Contracts	\$	15,230.40
23711630-5305	CSEA/Training Staff Development	\$	87,880.00

BE IT FURTHER RESOLVED: That the Board of County Commissioners approve the Purchase Order for this system to Northwoods Consulting Partners in amount of \$188,850.40 as follows:
\$85,740.00 (23711630-5260)
\$15,230.40 (23711630-5325)
\$87,880.00 (23711630-5305)

BE IT FURTHER RESOLVED: That the Board of County Commissioners approve the Purchase Agreement for this system to Northwoods Consulting Partners in the amount of \$188,850.40.

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

RESOLUTION NO. 07-1177

IN THE MATTER OF APPROVING A KODAK EQUIPMENT MAINTENANCE AGREEMENT FOR THE RECORDS CENTER:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the Kodak Equipment Maintenance Agreement.

(A copy of the Agreement 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. 07-1178

IN THE MATTER OF APPROVING THE REQUEST TO THE OHIO DEPARTMENT OF DEVELOPMENT FOR AN EXTENSION OF THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM TO ASSIST WITH THE CONSTRUCTION OF PUBLIC ROADWAY/INFRASTRUCTURE IMPROVEMENTS ON KINTNER PARKWAY, US-37/SR-37, AND MILLER DRIVE AS ASSOCIATED WITH THE AMERICAN SHOWA, INC. EXPANSION PROJECT IN THE VILLAGE OF SUNBURY:

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

WHEREAS, the Ohio Department of Development (ODOD) provides financial assistance to local governments for the purpose of addressing local needs; and

WHEREAS, the ODOD awarded \$455,000 in Small Cities Community Development Block Grant Economic Development Program to Delaware County to assist with public roadways and infrastructure for the American Showa Expansion Project in Sunbury; and

WHEREAS, The Shelly Company was awarded the contract to do the work, and was ahead of schedule on the project until experiencing an unforeseen delay; and

WHEREAS, The Shelly Company was delayed in completing the project due to the demand for light poles, which are on back order; and

WHEREAS, the Project delay has made it necessary to request a three-month extension;

THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. The Delaware County Board of Commissioners hereby authorizes approving and submitting a request to ODOD to extend the Economic Development Grant from September 30, 2007, to December 31, 2007.

Section 2. This resolution shall take effect and be in force immediately after passage.

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

RESOLUTION NO. 07-1179

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IN THE MATTER OF APPROVING AN ADDENDUM TO THE COMMUNITY-BASED CORRECTIONS PROGRAMS 407 SUBSIDY GRANT AGREEMENT FOR ADULT COURT SERVICES:

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

This addendum is between the State Of Ohio, Department Of Rehabilitation And Correction, and Delaware County. It modifies the Community-Based Correction Program 407 Subsidy Grant Agreement in the amount of \$131,756 executed by the parties on the date of May 31, 2007.

The grant award shall be increased by \$1,976 from \$131,756 to 133,732 effective on the date approved by the Director of the Ohio Department of Rehabilitation and Correction. Total expenditures for Fiscal Year 2008 (July 1, 2007 to June 30, 2008) will not in any case exceed \$133,732.

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

RESOLUTION NO. 07-1180

IN THE MATTER OF APPROVING THE REVISED 1ST AND 2ND QUARTER REPORTS OF THE BYRNE GRANT FOR DAY REPORTING FOR ADULT COURT SERVICES AND RESCINDING RESOLUTION NO. 07- 1040 (A \$4,500.00 TRANSFER OF FUNDS AND APPROPRIATIONS FOR ADULT COURT SERVICES):

It was moved by Mr. Jordan, seconded by Mr. Ward to approve The Revised 1st And 2nd Quarter Reports Of The Byrne Grant For Day Reporting For Adult Court Services And Rescinding Resolution No. 07- 1040 (A \$4,500.00 Transfer Of Funds And Appropriations For Adult Court Services).

(Copy of reports 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. 07-1181

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 HOLLIE QUICK AND AMERIKID DAY CARE:

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

Hollie Quick

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

This amendment, effective May 1, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Hollie Quick entered into on the 1st day of May 2007.

Article 4. Cost and Delivery of Purchased Services:

(1)	<u>Basic Rates:</u>			
		Full Time	Part Time	Hourly
	Infant	\$ 140.00	\$ 90.00	\$ 5.17
	Toddler	\$ 130.00	\$ 85.00	\$ 4.88
	Pre-School	\$ 125.00	\$ 80.00	\$ 5.00
	Schoolage	\$ 110.00	\$ 75.00	\$ 4.00
	Summer Schoolage	\$ 110.00	\$ 75.00	\$ 4.00
	(summer rates are only for the summertime off school, only used during the months of: May, June, July, August & September).			

Hollie Quick

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

This amendment, effective September 1, 2007, is to amend the Purchase of Child Care Services Contract between the Delaware County Department of Job and Family Services and Hollie Quick, entered into on the 2nd day of February, 2007.

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

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(1) Basic Rates:

	Full Time	Part Time	Hourly
Infant	\$ 147.00	\$ 108.00	\$ 4.00
Toddler	\$ 143.00	\$ 110.00	\$ 4.00
Pre-K	\$ 132.00	\$ 112.00	\$ 4.00
Schoolage	\$ 118.00	\$ 89.00	\$ 4.00
Summer Schoolage	\$ 130.00	\$ 94.00	\$ 4.00

(summer rates are only for the summertime off school, only used during the months of: May, June, July, August or September).

Additional 5% for Non-Traditional/Special Needs.

Amerikid Day Care

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 Amerikid Day Care entered into on the 1st day of January, 2007.

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

(1) Basic Rates:

	Full Time	Part Time	Hourly
Infant	\$ 141.25	\$ 101.25	\$ 5.74
Toddler	\$ 129.58	\$ 92.67	\$ 5.52
Pre-K	\$ 114.54	\$ 83.91	\$ 4.30
Schoolage	\$ 100.00	\$ 72.39	\$ 4.00

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

RESOLUTION NO. 07-1182

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR GOLF VILLAGE 12-C:

It was moved by Mr. Jordan, seconded by Mr. Ward to accept the sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

Golf Village 12-C 1,135 feet of 8- inch sewer 5 manholes

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

RESOLUTION NO. 07-1183

IN THE MATTER OF APPROVING THE SANITARY SEWER IMPROVEMENT PLAN FOR HIDDEN CREEK SECTION 1:

It was moved by Mr. Ward, seconded by Mr. Jordan to approve sanitary sewer plan for Hidden Creek Section 1 for submittal to the Ohio EPA for their approval as per recommendation of the County Sanitary Engineer.

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

RESOLUTION NO. 07-1184

IN THE MATTER OF RE-BIDDING THE CALCIUM NITRATE SOLUTION BY THE DIVISION OF ENVIRONMENTAL SERVICES:

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

Whereas the Division of Environmental Services desires to purchase Calcium Nitrate solution to be used on an as-needed basis for the control of odors within the wastewater collection and treatment systems, and

Whereas the Division of Environmental Services has estimated that greater than \$25,000 per year of the chemical will be required for use, and

Whereas the Division of Environmental Services is required by state law to bid for the purchase of Calcium Nitrate solution, and

Whereas the Division of Environmental Services desires to receive bids for the purchase of Calcium Nitrate

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solution on October 15, 2007.

Therefore, be it resolved that the Board of County Commissioners will receive bids for the purchase of Calcium Nitrate solution on October 15, 2007 at 10:00 AM at 101 North Sandusky Street, Delaware, Ohio.

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

RESOLUTION NO. 07-1185

IN THE MATTER OF SUBMITTING A SOLID WASTE FACILITY LICENSE APPLICATION TO THE DELAWARE GENERAL HEALTH DISTRICT FOR THE 2008 OPERATION OF THE DELAWARE COUNTY SOLID WASTE TRANSFER STATION:

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

WHEREAS, Delaware County Board of Commissioners owns the Delaware County Solid Waste Transfer Station; and

WHEREAS, the Solid Waste Transfer Station is depended on by citizens of the County for everyday use in disposing of solid waste; and

WHEREAS, the Ohio Environmental Protection Agency requires such a facility to operate with a license pursuant to Ohio Revised Code 3734; and

WHEREAS, the current license for the facility will expire on December 31, 2007; and

WHEREAS, the license application renewal must be submitted before September 30, 2007 to avoid late fees; and

WHEREAS, the non-refundable application fee for the Delaware County Solid Waste Transfer Station is One Hundred Dollars (\$100.00); and the license fee is an additional Eight Hundred Fifty Dollars (\$850.00).

NOW, THEREFORE BE IT RESOLVED; that the Board of County Commissioners will sign the license application and direct Environmental Services to submit the application to the Delaware General Health District before September 30, 2007.

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

RESOLUTION NO. 07-1186

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Matthew Weir from a Telecommunication Operator I to a Telecommunication Operator II with the 911 Department; effective date September 24, 2007.

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

RESOLUTION NO. 07-1187

IN THE MATTER OF APPROVING A PROPOSAL FROM MOTOROLA INC. TO PROVIDE AN IN-BUILDING DISTRIBUTED ANTENNA SYSTEM FOR THE DELAWARE COUNTY JAIL:

It was moved by Mr. Jordan, seconded by Mr. Ward to approve the Proposal From Motorola Inc. To Provide An In-Building Distributed Antenna System For The Delaware County Jail.

Further Be It Resolved, that the Commissioners approve a Purchase Order Request to Motorola Inc. in the amount of \$99,992.00. (40111402-5450)

(A copy of the Agreement is available in the Commissioners’ Office until no longer of administrative value.)

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

RESOLUTION NO. 07-1188

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$98,300, FOR THE PURPOSE OF PAYING THE PROPERTY OWNERS’ PORTION, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS, OF THE COST OF (A)IMPROVING

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AND WIDENING LEWIS CENTER ROAD AND U.S. ROUTE 23 BETWEEN CERTAIN TERMINI BY EXCAVATING, GRADING, PAVING, DRAINAGE, CONDUIT, CURBS AND GUTTERS, TRAFFIC PAVEMENT MARKINGS, SIGNALIZATION AND STREET SIGNS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES AND (B) EXTENDING SAWMILL PARKWAY BETWEEN CERTAIN TERMINI BY EXCAVATING, GRADING, PAVING, DRAINAGE, STREET LIGHTING, CONDUIT, CURBS AND GUTTERS, TRAFFIC PAVEMENT MARKINGS, AND STREET SIGNS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES:

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

WHEREAS, this Board has previously, by Resolution No. 05-777 adopted on June 2, 2005 (the "*U.S. Route 23 Resolution of Necessity*"), declared the necessity of the improvements described therein and by Resolution No. 05-930 adopted on July 11, 2005, determined to proceed with the Improvement defined in clause (b) of Section 2; and

WHEREAS, this Board has previously, by Resolution No. 05-433 adopted on April 14, 2005 (the "*Sawmill Parkway Resolution of Necessity*") and together with the U.S. Route 23 Resolution of Necessity, the "*Resolution of Necessity*"), declared the necessity of the improvements described therein and by Resolution No. 05-1035 adopted on August 1, 2005, determined to proceed with the Improvement defined in clause (a) of Section 2; and

WHEREAS, pursuant to Resolutions No. 07-652 and No. 07-653, each adopted on May 29, 2007, certain Various Purpose Bonds, Series 2007 in the aggregate amount of \$4,735,400, dated June 12, 2007 (the "*Outstanding Bonds*") were issued for the purposes stated in Section 2; and

WHEREAS, this Board finds and determines that the County should provide for the interest payable on the Outstanding Bonds on December 1, 2007 with the proceeds of the Bonds described in Section 2 and provide additional monies for the purpose stated in Section 2; and

WHEREAS, the County Auditor, as fiscal officer of this County, has certified to this Board that the estimated life or period of usefulness of the Improvement described in Section 2 is at least five (5) years and the estimated maximum maturity of the Bonds described in Section 2 is twenty (20) years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"*Authorized Denominations*" means the denomination of \$100 or any integral multiple thereof.

"*Bond proceedings*" means, collectively, this Resolution, the Certificate of Award and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders of the Bonds.

"*Bond Register*" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"*Bond Registrar*" means the County Auditor or the Original Purchaser, as designated by the County Administrator in the Certificate of Award and determined to be in the best financial interest of the County, as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until appointment of a successor Bond Registrar and, thereafter, "*Bond Registrar*" shall mean the successor Bond Registrar.

"*Certificate of Award*" means the certificate authorized by Section 6, to be executed by the County Administrator, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"*Clerk*" means the Clerk of the Board of County Commissioners.

"*Closing Date*" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"*Code*" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

"*County*" means Delaware County, Ohio.

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“*County Administrator*” means the County Administrator of the County.

“*County Auditor*” means the County Auditor of the County.

“*Interest Payment Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“*Original Purchaser*” means the purchaser of the Bonds designated in the Certificate of Award.

“*Principal Payment Dates*” means December 1 in each of the years from and including 2008 to and including 2027, provided that the first Principal Payment Date may be advanced up to one year and the last Principal Payment Date may be advanced up to five years, which determination shall be made by the County Administrator in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the County and further provided that in no case shall the final Principal Payment Date exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary and determined to be in the County’s best interest to issue bonds of this County in the maximum principal amount of \$98,300 (the “*Bonds*”) for the purpose of paying the property owners’ portion, in anticipation of the collection of special assessments, of the cost of (a) improving and widening Lewis Center Road and U.S. Route 23 between certain termini by excavating, grading, paving, drainage, conduit, curbs and gutters, traffic pavement markings, signalization and street signs, together with all necessary and related appurtenances and (b) extending Sawmill Parkway between certain termini by excavating, grading, paving, drainage, street lighting, conduit, curbs and gutters, traffic pavement markings, and street signs, together with all necessary and related appurtenances (collectively, the “*Improvement*”), all as provided for in the Resolution of Necessity. The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, this Resolution and the Certificate of Award.

The aggregate principal amount of Bonds to be issued (not to exceed the maximum authorized principal amount of \$98,300) shall be the amount certified by the County Administrator in the Certificate of Award as that amount which is required to be issued at this time for the purpose stated in this Section 2, taking into account costs of paying interest on the Outstanding Bonds, the additional costs of the purposes stated in this Section 2, the estimated financing costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the County Administrator is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rate and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be determined by the County Administrator, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature on the Principal Payment Dates in principal amounts as shall be determined by the County Administrator, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the County.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds and the principal amount of Bonds maturing on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year.

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The net interest rate for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity of those principal amounts of Bonds shall not exceed 6.50% per year.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of the Bonds, shall be payable when due upon presentation and surrender of the Bonds at the main office of the Bond Registrar; provided, however, to the extent that the Bonds are represented by a single bond as permitted by this Section 3, principal of the Bonds shall be payable when due upon presentation and proper endorsement by the Bond Registrar on the Bond, and in the case of the final principal payment due hereunder, surrender of the Bond at the main office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds may be redeemed in whole or in part at any time without premium. Notice of redemption, identifying the Bonds or portions thereof, to be called, shall be mailed by certified mail to the Registered Holders thereof not less than thirty (30) days prior to the date of redemption, upon which redemption date all interest upon the Bonds, or portions thereof, so called shall cease except for those as to which default shall be made, upon presentation, in the payment of the redemption price.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by at least two members of the Board of County Commissioners and the County Auditor, in the name of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the County Administrator, shall be numbered as determined by the County Administrator in order to distinguish each Bond from any other Bond and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The County Administrator is hereby authorized to designate in the Certificate of Award the County Auditor or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the County Auditor on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange.

(a) Bond Register. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its main office. Subject to the provisions of Section 3(d), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the main office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the main office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the

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exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6. Sale of the Bonds to the Original Purchaser. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 100% of the aggregate principal amount thereof, as shall be determined by the County Administrator in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the County Administrator with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law and the provisions of this Resolution. The County Administrator is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Resolution.

The County Administrator shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The County Commissioners, or any of them, the County Auditor, the County Prosecutor, the County Treasurer, the Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

All special assessments collected for the Improvement described in Section 2 and any unexpended balance remaining in the improvement fund after the cost and expenses of the Improvement have been paid shall be used for the payment of the debt charges on the Bonds until paid in full. In each year to the extent the income from the levy of the special assessments for the improvement is available for the payment of the debt charges on the Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the County to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer of this County, or any other officer of the County having responsibility for issuance of the Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making

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computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 9. Certification and Delivery of Resolution and Certificate of Award. The Clerk is directed to promptly deliver a certified copy of this Resolution and a copy of the Certificate of Award to the County Auditor.

Section 10. Bond Counsel. In connection with the issuance of the Bonds herein authorized, the law firm of Squire, Sanders & Dempsey L.L.P. is hereby retained to act as bond counsel to the County.

Section 11. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 13. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

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

RESOLUTION NO. 07-1189

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$161,700, FOR THE PURPOSE OF PAYING THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS, OF THE COST OF CONSTRUCTING THE BASIGER DITCH BETWEEN CERTAIN TERMINI BY ACQUIRING LAND, CLEARING OBSTRUCTIONS, DEEPENING, WIDENING, RESHAPING, STRAIGHTENING, TILING, SEEDING, CONTROLLING EROSION, AND OTHERWISE IMPROVING THE SAME, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO:

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

WHEREAS, this Board has previously, by Resolution No. 07-236 adopted on February 26, 2007 (the "*Resolution of Necessity*"), declared the necessity of the improvements described therein and determined to proceed with the Improvement defined in Section 2; and

WHEREAS, this Board has requested that the County Auditor, as fiscal officer of this County, certify the estimated life or period of usefulness of the improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the County Auditor has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 2 is at least five (5) years and that the maximum maturity of the Bonds to be issued for the purpose described in Section 2 is eight (8) years;

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

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“*Authorized Denominations*” means the denomination of \$100 or any integral multiple thereof.

“*Bond proceedings*” means, collectively, this Resolution, the Certificate of Award and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders of the Bonds.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“*Bond Registrar*” means the County Auditor or the Original Purchaser, as designated by the County Administrator in the Certificate of Award and determined to be in the best financial interest of the County, as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until appointment of a successor Bond Registrar and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Certificate of Award*” means the certificate authorized by Section 6, to be executed by the County Administrator, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“*Clerk*” means the Clerk of the Board of County Commissioners.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*Code*” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that section.

“*County*” means Delaware County, Ohio.

“*County Administrator*” means the County Administrator of the County.

“*County Auditor*” means the County Auditor of the County.

“*Interest Payment Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“*Original Purchaser*” means the purchaser of the Bonds designated in the Certificate of Award.

“*Principal Payment Dates*” means December 1 in each of the years from and including 2009 to and including 2016, provided that the first Principal Payment Date may be advanced up to one year and the last Principal Payment Date may be advanced up to one year, which determination shall be made by the County Administrator in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the County and further provided that in no case shall the final Principal Payment Date exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary and determined to be in the County’s best interest to issue bonds of this County in the maximum principal amount of \$161,700 (the “*Bonds*”) for the purpose of paying the property owners’ portion, in anticipation of the collection of special assessments, of the cost of constructing the Basiger Ditch between certain termini by acquiring land, clearing obstructions, deepening, widening, reshaping, straightening, tiling, seeding, controlling erosion, and otherwise improving the same, together with all necessary appurtenances thereto (the “*Improvement*”), all as provided for in the Resolution of Necessity. The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, this Resolution and the Certificate of Award.

The aggregate principal amount of Bonds to be issued (not to exceed the maximum authorized principal amount of \$161,700) shall be the amount certified by the County Administrator in the Certificate of Award as that amount which is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Improvement, the estimated financing costs and the interest rates on the Bonds.

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The proceeds from the sale of the Bonds, except any premium and accrued interest, shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the County Administrator is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rate and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), as shall be determined by the County Administrator, subject to subsection (c) of this Section, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature on the Principal Payment Dates in principal amounts as shall be determined by the County Administrator, subject to subsection (c) of this Section, in the Certificate of Award, which determination shall be consistent with the best interest of and financial advantages to the County.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds and the principal amount of Bonds maturing on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest rate for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity of those principal amounts of Bonds shall not exceed 6.50% per year.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of the Bonds, shall be payable when due upon presentation and surrender of the Bonds at the main office of the Bond Registrar; provided, however, to the extent that the Bonds are represented by a single bond as permitted by this Section 3, principal of the Bonds shall be payable when due upon presentation and proper endorsement by the Bond Registrar on the Bond, and in the case of the final principal payment due hereunder, surrender of the Bond at the main office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds may be redeemed in whole or in part at any time without premium. Notice of redemption, identifying the Bonds or portions thereof, to be called, shall be mailed by certified mail to the Registered Holders thereof not less than thirty (30) days prior to the date of redemption, upon which redemption date all interest upon the Bonds, or portions thereof, so called shall cease except for those as to which default shall be made, upon presentation, in the payment of the redemption price.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by at least two members of the Board of County Commissioners and the County Auditor, in the name of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the County Administrator, shall be numbered as determined by the County Administrator in order to distinguish each Bond from any other Bond and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The County Administrator is hereby authorized to designate in the Certificate of Award the County Auditor or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the County Auditor on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

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Section 5. Registration; Transfer and Exchange.

(a) Bond Register. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its main office. Subject to the provisions of Section 3(d), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the main office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the main office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6. Sale of the Bonds to the Original Purchaser. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 100% of the aggregate principal amount thereof, as shall be determined by the County Administrator in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the County Administrator with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law and the provisions of this Resolution. The County Administrator is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Resolution.

The County Administrator shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The County Commissioners, or any of them, the County Auditor, the County Prosecutor, the County Treasurer, the Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

All special assessments collected for the Improvement described in Section 2 and any unexpended balance remaining in the improvement fund after the cost and expenses of the Improvement have been paid shall be used for the payment of the debt charges on the Bonds until paid in full. In each year to the extent the income from the levy of the special assessments for the improvement is available for the payment of the debt charges on the

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Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the County to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer of this County, or any other officer of the County having responsibility for issuance of the Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Section 9. Certification and Delivery of Resolution and Certificate of Award. The Clerk is directed to promptly deliver a certified copy of this Resolution and a copy of the Certificate of Award to the County Auditor.

Section 10. Bond Counsel. In connection with the issuance of the Bonds herein authorized, the law firm of Squire, Sanders & Dempsey L.L.P. is hereby retained to act as bond counsel to the County.

Section 11. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board or its committees and that all deliberations of this Board and any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 13. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

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

RESOLUTION NO. 07-1190

A RESOLUTION LEVYING SPECIAL ASSESSMENTS FOR IMPROVING AND WIDENING OF (I) LEWIS CENTER ROAD FROM A POINT COMMENCING APPROXIMATELY 400 FEET EAST OF ITS INTERSECTION WITH DUBOIS ROAD AND PROCEEDING WESTERLY TO ITS INTERSECTION WITH U. S. ROUTE 23 AND (II) U. S. ROUTE 23 FROM A POINT 700 FEET SOUTH OF ITS INTERSECTION WITH LEWIS CENTER ROAD AND PROCEEDING NORTHWESTERLY TO ITS

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INTERSECTION WITH ORANGEWICK DRIVE BY EXCAVATING, GRADING, PAVING, DRAINAGE, CONDUIT, CURBS AND GUTTERS, TRAFFIC PAVEMENT MARKINGS, SIGNALIZATION AND STREET SIGNS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES, AND DECLARING AN EMERGENCY:

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

WHEREAS, the owners of 100% of the lots and lands to be assessed for the Improvement described in Section 1 have heretofore petitioned this Board (that Petition for Special Assessments and Affidavit dated May 31, 2005 together with the Amended Petition for Special Assessments and Affidavit dated January 25, 2007 is collectively referred to herein as the “Petition”) for the construction of the Improvement, and further, that there be assessed against the real property described in the Petition certain costs of the Improvement; and

WHEREAS, this Board has heretofore adopted Resolution No. 05-777 on June 2, 2005 and 07-137 on January 29, 2007 (collectively, the “Resolution of Necessity”) accepting the Petition and declaring the necessity of making the Improvement and adopted Resolution No. 05-930 on July 11, 2005 determining to proceed with the construction of the Improvement; and

WHEREAS, the Improvement has been completed and the final cost of that Improvement, and the final costs for the special assessments, including the interest rate on the Bonds issued in anticipation of the collection of the special assessments, has been determined;

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

Section 1. The special assessments for the cost and expense of to improve and widen (i) Lewis Center Road from a point commencing approximately 400 feet east of its intersection with DuBois Road and proceeding westerly to its intersection with U.S. Route 23 and (ii) U. S. Route 23 from a point 700 feet south of its intersection with Lewis Center Road and proceeding northwesterly to its intersection with Orangewick Drive by excavating, grading, paving, drainage, conduit, curbs and gutters, traffic pavement markings, signalization and street signs, together with all necessary and related appurtenances (the “Improvement”) pursuant to the Resolution of Necessity, amounting in total to \$2,509,838.32, which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity and the Petition in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are consistent with the Petition.

Section 2. This Board finds and determines that the special assessments are in the same amount as originally requested pursuant to the Petition.

Section 3. The special assessment against each lot or parcel of land shall be payable in 20 annual installments (each annual installment to be payable semi-annually at the time real estate taxes in Delaware County, Ohio are payable) with interest at the same rate or rates of interest as borne by the Bonds to be issued in anticipation of the collection of the special assessments. All special assessments shall be certified by the Clerk of the Board of County Commissioners to the County Auditor of the County as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 4. The Clerk of the Board of County Commissioners shall deliver a certified copy of this Resolution to the County Auditor within 20 days after its passage.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

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

RESOLUTION NO. 07-1191

AN AMENDED RESOLUTION LEVYING SPECIAL ASSESSMENTS FOR THE EXTENSION OF SAWMILL PARKWAY FROM A POINT COMMENCING AT THE INTERSECTION OF HOMEROAD AND SAWMILL PARKWAY AND PROCEEDING NORTHERLY FOR APPROXIMATELY 5,000 LINEAR FEET BY EXCAVATING, GRADING, PAVING, DRAINAGE, STREET LIGHTING, CONDUIT, CURBS AND GUTTERS, TRAFFIC PAVEMENT MARKINGS, AND STREET SIGNS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES, AND DECLARING AN EMERGENCY:

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

WHEREAS, the owners of 100% of the lots and lands to be assessed for the Improvement described in Section 1 have heretofore petitioned this Board (that Petition for Special Assessments and Affidavit dated March 24, 2005 together with the Amended and Restated Petition for Special Assessments and Affidavit dated April 17, 2006 is collectively referred to herein as the “Petition”) for the construction of the Improvement, and further, that there be assessed against the real property described in the Petition certain costs of the Improvement; and

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WHEREAS, this Board adopted Resolution No. 05-433 on April 14, 2005 and 06-1206 on September 18, 2006 (collectively, the “Resolution of Necessity”) accepting the Petition and declaring the necessity of making the Improvement and adopted Resolution No. 05-1035 on August 1, 2005 determining to proceed with the construction of the Improvement; and

WHEREAS, this Board adopted Resolution No. 06-1207 on September 18, 2006 levying special assessments for the costs and expense of the Improvement (the “Assessing Resolution”); and

WHEREAS, at the time the Assessing Resolution was adopted, the interest on the Bonds to be issued in anticipation of the collection of the special assessments had not yet been determined; and

WHEREAS, the Bonds have now been issued; and

WHEREAS, the Improvement has been completed and the final cost of that Improvement, and the final costs for the special assessments, including the interest rate on the Bonds, has been determined; and

WHEREAS, it is the intent of this Board to ratify the Assessing Resolution and any other legislation and actions adopted or performed relating to the financing and construction of the Improvement;

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

Section 1. The special assessments for the cost and expense of extending Sawmill Parkway from a point commencing at the intersection of Home Road and Sawmill Parkway and proceeding northerly for approximately 5,000 linear feet by excavating, grading, paving, drainage, street lighting, conduit, curbs and gutters, traffic pavement markings, and street signs, together with all necessary and related appurtenances (the “Improvement”) pursuant to the Resolution of Necessity, amounting in total to \$2,323,861.68, which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity and the Petition in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are consistent with the Petition.

Section 2. This Board finds and determines that the special assessments are in the same amount as originally requested pursuant to the Petition.

Section 3. The special assessment against each lot or parcel of land shall be payable in 20 annual installments (each annual installment to be payable semi-annually at the time real estate taxes in Delaware County, Ohio are payable) with interest at the same rate or rates of interest as borne by the Bonds. All special assessments shall be certified by the Clerk of the Board of County Commissioners to the County Auditor of the County as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 4. The Board hereby ratifies any legislation and actions adopted or performed relating to the financing and construction of the Improvement.

Section 5. The Clerk of the Board of County Commissioners shall deliver a certified copy of this Resolution to the County Auditor within 20 days after its passage.

Section 6. This Resolution shall be in full force and effect immediately upon its adoption.

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

RESOLUTION NO. 07-1192

A RESOLUTION INDICATING INTENT TO ISSUE HEALTH CARE FACILITIES REVENUE BONDS FOR THE PURPOSE OF REFUNDING AND RETIRING PRIOR BONDS AND ACQUIRING, CONSTRUCTING, INSTALLING AND EQUIPPING HOSPITAL FACILITIES WITHIN THE COUNTY OF DELAWARE, OHIO:

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

WHEREAS, the County of Franklin, Ohio, previously issued its Adjustable Rate Demand Health Care Facilities Revenue Bonds, Series 2005 (Willow Brook Christian Village at Delaware Run Project) in the original aggregate principal amount of \$10,790,000 (the “Prior Bonds”) and made the proceeds thereof available to Willow Brook Christian Village at Delaware Run, an Ohio nonprofit corporation (the “Corporation”), to finance the acquisition, construction, equipping and installation of certain “hospital facilities”, as that term is defined in Chapter 140 of the Ohio Revised Code (the “Act”), including without limitation, the acquisition, construction, installation and equipping of a portion of a retirement and health care community consisting of 87 independent living units, 52 twin-single homes, an assisted living center and a skilled nursing facility located in Delaware, Ohio (the “Prior Project”); and

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WHEREAS, the Corporation plans to refund and retire the Prior Bonds and to acquire, construct, install and equip additional “hospital facilities”, as that term is defined in the Act, including without limitation, the construction, equipping and installation of the completion of the Prior Project, including 54 independent living apartments and 36 assisted living units (the “Project”); and

WHEREAS, the Corporation has requested the County of Delaware, Ohio (the “County”) to issue its health care facilities revenue bonds (the “Bonds”) in the approximate aggregate principal amount of not to exceed \$29,000,000 pursuant to the authority contained in the Act, for the purpose of (1) acquiring, constructing, installing and equipping certain “hospital facilities”, as defined in the Act, including without limitation, the Project; (2) refunding and retiring the Prior Bonds; and (3) paying certain costs and expenses incurred with respect to the issuance of the Bonds and the refunding and retirement of the Prior Bonds; and

WHEREAS, the Project, the issuance of the Bonds, and the refunding and retirement of the Prior Bonds will promote the public purpose set forth in Section 140.02, Ohio Revised Code, by better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby;

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

1. This resolution is intended to be relied upon by the Corporation (or any affiliated organization), which expects to acquire and construct the Project as soon as possible.
2. The Board of County Commissioners will enact the necessary resolutions to proceed with the issuance of the Bonds, provided that the payment of the principal, interest and premium (if any) on the Bonds shall be made solely from moneys realized from the use, lease, sale or other disposition of the Prior Project, the Project or from other funds made available by the Corporation and provided further that no such Bonds shall be issued unless (i) a public hearing satisfactory to this Board of County Commissioners shall have been held with respect to the Prior Project, the Project and the Bonds following reasonable public notice and (ii) the documents relating to the Bonds to which the County is a party or which affect the County shall be in a form satisfactory to the County and its outside legal counsel. The Bonds shall have such terms as shall be approved by the Board of County Commissioners, the Corporation, the purchasers of the Bonds, the Prosecuting Attorney of the County, the County’s outside legal counsel and Bond Counsel, and the Board of County Commissioners will deliver the Bonds to the purchaser or purchasers thereof and will cooperate to the fullest extent in consummating the transaction.
3. The Board of County Commissioners will enact the necessary resolutions to proceed with the issuance of the Bonds, provided that the Corporation agrees to pay all fees, charges and expenses incurred by the County in connection therewith, including without limitation all attorney’s fees, and agrees to indemnify the County and the Board of County Commissioners and its individual members against any liability arising out of the issuance of the Bonds.
4. This resolution is an affirmative official action of this Board of County Commissioners toward the issuance of the Bonds as contemplated herein in accordance with the purposes of Federal laws and the laws of the State of Ohio.
5. This Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the law, including Section 121.22 of the Ohio Revised Code.

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

RESOLUTION NO. 07-1193

IN THE MATTER OF ADOPTING RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR:

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

WHEREAS, The Board of County Commissioners placed on the November 1998 ballot the continuance of .75% sales tax effective January 1, 1999, with .25% to go towards a 1.00 mill roll back of the General Fund Property Tax collection during 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008; and

WHEREAS, The Board of County Commissioners has passed Resolution No. 07-1062 to reduce the property tax collection rate from 1.8 mills to 1.2 mill for tax year 2007 for collection in year 2008 in accordance with ORC 5705.313 (A) (2)

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WHEREAS, the Budget Commission of Delaware County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitation;

THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Delaware County, Ohio that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further resolved, that there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

DELAWARE COUNTY TAX YEAR 2007 FUND	Amount	Amount	County Auditor's	
	Approved by	to Be Derived	Estimate of Tax Rate	
	Budget Commission	from levies	to be Levied	
	Inside 10 M.	Outside 10 M.	Inside 10 M.	Outside 10 M.
	Limitation	Limitation	Limit	Limit
General Fund	7,092,576		1.20	
Permanent Improvement Fund	591,048		0.10	
Developmental Disabilities Fund		12,299,002		2.10
9-1-1- Operations Fund		2,318,884		0.45
Senior Citizens		3,463,166		0.70
Debt Service (CFOA)		886,572		0.15
TOTAL	7,683,624	18,967,624	1.30	3.40

BE IT RESOLVED, that the Clerk of this Board be and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

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

RESOLUTION NO. 07-1194

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:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn into Executive Session at 10:40AM.

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

RESOLUTION NO. 07-1195

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Jordan, seconded by Mr. Ward to adjourn out of Executive Session at 11:45AM.

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

There being no further business the meeting adjourned.

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Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners