

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 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, James D. Ward
Absent: Kristopher Jordan

PUBLIC COMMENT

Mary S. Duffey, From Peck, Shaffer & Williams Llp, Requested A Resolution Be Addressed, Under Other Business, Regarding The Issuance By The Columbus-Franklin County Finance Authority Of Economic Development Revenue Bonds, Series 2007 For The Polaris Academy And Polaris Prep Academy

(For a complete record refer to the Official CD minutes).

RESOLUTION NO. 07-1585

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 20, 2007 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held December 20, 2007 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 07-1586

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1222 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1222:

It was moved by Mr. Ward seconded by Mr. Evans to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1222, memo transfers in batch numbers MTAPR1222 and Purchase Orders and Vouchers as listed below:

| <u>Vendor</u> | <u>Description</u> | <u>Account Number</u> | <u>Amount</u> |
|-------------------------|------------------------|-----------------------|---------------|
| PO's | | | |
| Increase | | | |
| Shelly Company | Kintner | 23111709-5365 | \$ 34,859.07 |
| Vouchers | | | |
| Sound Communications | Sound System/Juvenile | 40111402-5410 | \$ 19,825.00 |
| State of Ohio Treasurer | BCMH Crippled Children | 10011102-5319 | \$ 5,205.71 |
| Trident | Security | 10011102-5360 | \$ 11,808.78 |
| Page Excavating | Basiger Ditch | 40311419-5430 | \$ 39,027.72 |
| Bellefontaine Truck | Freightliner Tractor | 66290403-5450 | \$ 18,440.00 |
| Siemens Water | Bioxide | 66290407-5290 | \$ 8,007.12 |
| Shelly Company | Kintner | 23111709-5365 | \$ 34,859.07 |
| Berea Children’s Home | Residential Treatment | 22511608-5342 | \$ 5,143.68 |
| Memo Transfer | | | |
| From | | To | |
| Ditch Improvements | Soil and Water | Sheets Ditch | \$ 7,421.80 |
| 40311424-5301 | 72190901-4231 | | |

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

RESOLUTION NO. 07 -1587

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that Pat Martin and Faith Walzak attend a Supreme Court Dispute Resolution Training in Columbus, Ohio March 31, 2008 at no cost.

The Child Support Enforcement Agency is requesting that Joyce Rhodes attend a 2008 Fiscal Training in Columbus, Ohio January 23, 2008, at the cost of \$75.00.

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

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

RESOLUTION NO. 07-1588

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM
AGENT FOR THE PETITIONER, MICHAEL R. SHADE, REQUESTING ANNEXATION OF 140.33
ACRES OF LAND IN DELAWARE TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Ward, seconded by Mr. Evans to acknowledge that on December 19, 2007, the Clerk to the Board of Commissioners received an annexation petition request to annex 140.33 acres from Delaware Township to the City of Delaware.

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

RESOLUTION NO. 07-1589

IN THE MATTER OF APPROVING PLAT FOR HIDDEN CREEK SECTION 1:

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

Hidden Creek Section 1

Situated In The State Of Ohio, County Of Delaware, Township Of Berkshire, Located In Farm Lot 28, Quarter Section 3, Township 4, Range 17, United States Military Lands, Being 15.587 Acres Out Of The Original 85.115 Acre Tract Conveyed To Hidden Creek Estates, Llc. Now Known As Hidden Creek South, Llc. As Recorded In Official Record 648, Page 1294 Recorder’s Office, Delaware County, Ohio.

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

RESOLUTION NO. 07-1590

IN THE MATTER OF APPROVING A CORRECTION TO THE NAME OF TOWNSHIP ROAD
NUMBER 1567 IN ESTATES AT CHESHIRE SECTION 1:

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

Estates at Cheshire Section 1

On December 17, 2007, your Board approved the acceptance of the improvements made for the referenced subdivision into the public system. The Engineer has since found out that the wrong name was provided for Township Road Number 1567. The original request was to accept Township Road Number 1567, Meadow View Drive, when it is actually Township Road Number 1567, Meadow Chase Drive. The Engineer ask that your journals be changed accordingly and that the Berkshire Township Trustees be notified as well.

He also request that a stop condition be established on Township Road Number 1567, Meadow Chase Drive, at its intersection with County Road Number 34, South Galena Road; and on Township Road Number 1568, Oak View Drive, at its intersection with Township Road Number 1567, Meadow Chase Drive.

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

RESOLUTION NO. 07-1591

IN THE MATTER OF ACCEPTING MAINTENANCE BONDS FOR DERBY GLEN FARMS
SECTION 1:

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

Derby Glen Farms Section 1

The roadway construction has been completed for the referenced subdivision and, as the results of The Engineer’s recent field review, he has determined that minor remedial work will be required during the 2008 construction season.

In accordance with the Subdivider’s Agreement, The Engineer recommends that the maintenance bond be set at **\$53,665** for the duration of the one year maintenance period. A Letter of Credit in that amount is available. He also request approval to return the Letter of Credit being held as construction surety to the developer, Jewett Road Associates.

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

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

RESOLUTION NO. 07-1592

IN THE MATTER OF APPROVING AN AMENDMENT TO THE IV-D CONTRACT BETWEEN
THE DELAWARE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND THE OFFICE OF
THE DELAWARE COUNTY PROSECUTING ATTORNEY:

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

AMENDMENT TO IV-D CONTRACT
AMENDMENT NO. 1

This amendment, effective 12/17/2007, is to amend the IV-D contract as contained in the JFS 07018 and other JFS contract forms which are incorporated by reference into the contract between the Delaware County Child Support Enforcement Agency (CSEA) and the Office of the Delaware County Prosecuting Attorney which became effective on the 1st day of January, 2007 and containing the ODJFS Contract Number 21070213.

The following sections will be amended:

I. JFS 07018, Contract Period: Changes to the termination date of the contract from <from date> to <to date>.

II. JFS 07018, Paragraph 7, Availability of Funds: Changes the total contract value as follows:

| | Amount | Source |
|--|-------------|-------------------------------|
| Non-federal Matching Funds (34%) 5101:12-10-45 and supplemental rules | \$20,909.59 | Delaware County Commissioners |
| Federal Matching Funds (66%) | \$40,589.21 | |
| Total | \$61,498.80 | |

III. JFS 07018, paragraph 6, Cost and Delivery of Purchased Services:

A. Adjusts the per unit rate from <orig unit rate> per <orig unit> to <new unit rate> per <new unit> as reflected in the attached JFS 07020 Form, if applicable.

B. Adjusts the maximum number of units purchased from 500 to 792.

IV. Provides for changes of language in the contract forms listed below and attached to this amendment:
<provide detail>. ****

****A copy of the prior written approval from OCS for this language change must be attached to this amendment. Failure to attach the prior written approval will result in a rejection of this amendment by the Contracts Division as stated in rule 5101:12-10-45.2(F)(1) of the Ohio Administrative Code.

V. All contract forms not specifically changed by this or earlier amendments remain in full force and effect as originally executed.

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

RESOLUTION NO. 07-1593

IN THE MATTER OF APPROVING TAP INSPECTION FEES FOR THE DELAWARE COUNTY
SEWER DISTRICT:

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

WHEREAS, the Delaware County Sewer District administers and inspects the connection of residential and non residential structures to public sanitary sewer owned and operated by the County, and

WHEREAS this service is commonly know as the “Tap Inspection”, and

WHEREAS, the Sanitary Engineer currently collects \$75.00 per tap inspection, and

WHEREAS, Board of Commissioner’s Resolution 04-1601 required the fee for the inspection to be increased from \$75.00 to \$90.00 per inspection effective February 1, 2007, and.

WHEREAS, the number of inspections has decreased as compared to previous years, and

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

WHEREAS, inspection staff has been re-allocated to other areas of needed work in the Sewer District, and

WHEREAS because of the re-allocation of staff, the Director of Environmental Services has advised that a fee increase is not needed for tap inspections.

THEREFORE BE IT RESOLVED that the Board of County Commissioners approves the following rate for CLASS I. (New Construction – Rough Plumbing Installed) and CLASS II. (New Construction – Tap Installed During Basement Excavation) tap inspections, effective February 1, 2007:

CLASS I & II INSPECTION FEE= \$75.00

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

RESOLUTION NO. 07-1594

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Mary Burns to an Income Maintenance Support Screener with the Department of Job and Family Services; effective date December 31, 2007.

Recommendation to promote Kim Graham to an Income Maintenance Support Screener with the Department of Job and Family Services; effective date December 31, 2007.

Recommendation to promote Brigitte Polcyn to a Social Services Worker III with the Department of Job and Family Services; effective date December 31, 2007.

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

RESOLUTION NO. 07-1595

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Traci Saliba is resigning her position as Public Information Officer for the Commissioners Office; effective date December 21, 2007.

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

RESOLUTION NO. 07-1596

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. Evans, seconded by Mr. Ward to adjourn into Executive Session at 9:30AM.

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

RESOLUTION NO. 07-1597

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans, seconded by Mr. Ward to adjourn out of Executive Session at 10:20AM.

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

RESOLUTION NO. 07-1598

A RESOLUTION AUTHORIZING THE COUNTY OF DELAWARE, OHIO TO EXECUTE AND DELIVER AN AGREEMENT AND GIVING APPLICABLE ELECTED REPRESENTATIVE APPROVAL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS OF THE COLUMBUS-FRANKLIN COUNTY FINANCE AUTHORITY AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

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

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007**

WHEREAS, Prep Academies, Inc., an Ohio non-profit corporation (the "Borrower") anticipates the acquisition, construction, renovation, installation and equipping of certain educational facilities, including educational facilities commonly known as Polaris Academy and Polaris Prep Academy, located at or contiguous to 3790 and 3812 East Powell Road, Lewis Center, Delaware County, Ohio (the "Local Facilities"), constituting "port authority facilities" pursuant to Section 4582.21(E), Ohio Revised Code; and

WHEREAS, pursuant to Section 4582.431, Ohio Revised Code, port authorities and counties, which constitute "contracting subdivisions" under Sections 4582.21(K), Ohio Revised Code, may enter into an agreement to provide for the issuance of revenue bonds for the purpose of paying the cost of port authority facilities, and to loan the proceeds thereof to any person or governmental entity for the acquisition, renovation, installation and equipping of port authority facilities; and

WHEREAS, the Columbus-Franklin County Finance Authority (the "Issuer"), a port authority and political subdivision of the State of Ohio and the County of Delaware, Ohio (the "County" and collectively with the Issuer, the "Contracting Subdivisions") desire to enter into a Contracting Political Subdivisions Agreement (the "Agreement") pursuant to Section 4582.21(K), Ohio Revised Code, for the purpose of financing and refinancing through the Issuer, the acquisition, renovation, installation and equipping of certain educational facilities located within the jurisdictions of the Contracting Subdivisions (the "Project"), including the Local Facilities; and

WHEREAS, the Issuer anticipates issuing its revenue bonds in one or more series (the "Bonds") to finance and refinance the costs of the Project owned or to be owned by the Borrower, including the Local Facilities, located in the jurisdictions of the Contracting Subdivisions, and anticipates in particular issuing its Economic Development Revenue Bonds (Prep Academies, Inc. Project), Series 2007 (the "Series 2007 Bonds") in one or more series for such purposes; and

WHEREAS, it is necessary and desirable in connection with the issuance of the Bonds and the Series 2007 Bonds in particular, and for the public purpose hereinbefore recited, to authorize the Agreement;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that prior to their issuance, the Series 2007 Bonds must be approved by the "applicable elected representative" as defined therein, which approval must be given by this Board with respect to the Local Facilities portion of the Project, and a public hearing was held by this Board in connection with the issuance of the Series 2007 Bonds on this date after publication of notice therefor, evidence of publication of which has been submitted to this Board;

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

SECTION 1. That at least two County Commissioners be and hereby are authorized and directed to execute and deliver on behalf of the County the Agreement with the Issuer, for the purpose of permitting the Issuer to issue the Bonds and in particular the Series 2007 Bonds, to finance and refinance the acquisition, renovation, installation and equipping of the Project within the jurisdictions of the Contracting Subdivisions, including the Local Facilities.

SECTION 2. That the Agreement shall be substantially in the form presented to this Board and on file with the Clerk of this Board, subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution of the Agreement as aforesaid, and it is hereby determined, based on information submitted by the Borrower, that the Agreement will promote the public purposes set forth in Article VIII, Section 13, Ohio Constitution, by improving the educational facilities for and the economic welfare of the citizens served by the Contracting Subdivisions, that any contribution made by the County under the Agreement will be fair consideration for value and benefit to be derived by the County under the Agreement, and that the County will be duly benefited thereby.

SECTION 3. Neither the Agreement nor the Bonds shall create any pecuniary liability of the County or obligations, debt or bonded indebtedness of the County.

SECTION 4. That any County Commissioner, the Auditor and the Clerk of Board be and hereby are authorized to execute and deliver on behalf of the County such other certificates, documents and instruments in connection with the issuance and public sale of the Bonds and the delivery of the Agreement as may be required, necessary or appropriate, including, without limitation, applicable elected representative approvals and transcript certificates. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution thereof by the proper officer or officers of this County.

SECTION 5. That this Board, as the "applicable elected representative" of the County for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2007 Bonds by the Issuer in one or more series in the principal amount of \$6,500,000. In reliance upon information provided by the Borrower, it is anticipated that the proceeds of the Series 2007 Bonds will

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

be used to finance and refinance the costs, not to exceed \$3,000,000, of the Local Facilities, and that the Local Facilities shall be owned by the Borrower.

SECTION 6. That the provisions of this Resolution are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

SECTION 7. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code, and the rules of this Board in accordance therewith.

SECTION 8. This Resolution shall be effective from and after its adoption.

Mr. Ward seconded the motion. A roll call being had upon the question of the passage of the foregoing resolution, the vote thereon resulted as follows:

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

There being no further business, the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 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, James D. Ward
Absent: Kristopher Jordan

PUBLIC COMMENT

Mary S. Duffey, From Peck, Shaffer & Williams Llp, Requested A Resolution Be Addressed, Under Other Business, Regarding The Issuance By The Columbus-Franklin County Finance Authority Of Economic Development Revenue Bonds, Series 2007 For The Polaris Academy And Polaris Prep Academy

(For a complete record refer to the Official CD minutes).

RESOLUTION NO. 07-1585

IN THE MATTER OF APPROVING THE RESOLUTIONS AND RECORDS OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 20, 2007 AS CONTAINED IN THE COUNTY’S OFFICIAL ELECTRONIC RECORDINGS OF THE PROCEEDINGS:

It was moved by Mr. Ward, seconded by Mr. Evans to approve the resolutions and records of the proceedings from regular meeting held December 20, 2007 as contained in the county’s official electronic recordings of the proceedings.

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

RESOLUTION NO. 07-1586

IN THE MATTER OF APPROVING PURCHASE ORDERS, VOUCHERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1222 AND MEMO TRANSFERS IN BATCH NUMBERS MTAPR1222:

It was moved by Mr. Ward seconded by Mr. Evans to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1222, memo transfers in batch numbers MTAPR1222 and Purchase Orders and Vouchers as listed below:

| <u>Vendor</u> | <u>Description</u> | <u>Account Number</u> | <u>Amount</u> |
|-------------------------|------------------------|-----------------------|---------------|
| PO's | | | |
| Increase | | | |
| Shelly Company | Kintner | 23111709-5365 | \$ 34,859.07 |
| Vouchers | | | |
| Sound Communications | Sound System/Juvenile | 40111402-5410 | \$ 19,825.00 |
| State of Ohio Treasurer | BCMH Crippled Children | 10011102-5319 | \$ 5,205.71 |
| Trident | Security | 10011102-5360 | \$ 11,808.78 |
| Page Excavating | Basiger Ditch | 40311419-5430 | \$ 39,027.72 |
| Bellefontaine Truck | Freightliner Tractor | 66290403-5450 | \$ 18,440.00 |
| Siemens Water | Bioxide | 66290407-5290 | \$ 8,007.12 |
| Shelly Company | Kintner | 23111709-5365 | \$ 34,859.07 |
| Berea Children’s Home | Residential Treatment | 22511608-5342 | \$ 5,143.68 |
| Memo Transfer | | | |
| From | | To | |
| Ditch Improvements | Soil and Water | Sheets Ditch | \$ 7,421.80 |
| 40311424-5301 | 72190901-4231 | | |

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

RESOLUTION NO. 07 -1587

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

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

Juvenile Court is requesting that Pat Martin and Faith Walzak attend a Supreme Court Dispute Resolution Training in Columbus, Ohio March 31, 2008 at no cost.

The Child Support Enforcement Agency is requesting that Joyce Rhodes attend a 2008 Fiscal Training in Columbus, Ohio January 23, 2008, at the cost of \$75.00.

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

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

RESOLUTION NO. 07-1588

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM
AGENT FOR THE PETITIONER, MICHAEL R. SHADE, REQUESTING ANNEXATION OF 140.33
ACRES OF LAND IN DELAWARE TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Ward, seconded by Mr. Evans to acknowledge that on December 19, 2007, the Clerk to the Board of Commissioners received an annexation petition request to annex 140.33 acres from Delaware Township to the City of Delaware.

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

RESOLUTION NO. 07-1589

IN THE MATTER OF APPROVING PLAT FOR HIDDEN CREEK SECTION 1:

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

Hidden Creek Section 1

Situated In The State Of Ohio, County Of Delaware, Township Of Berkshire, Located In Farm Lot 28, Quarter Section 3, Township 4, Range 17, United States Military Lands, Being 15.587 Acres Out Of The Original 85.115 Acre Tract Conveyed To Hidden Creek Estates, Llc. Now Known As Hidden Creek South, Llc. As Recorded In Official Record 648, Page 1294 Recorder’s Office, Delaware County, Ohio.

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

RESOLUTION NO. 07-1590

IN THE MATTER OF APPROVING A CORRECTION TO THE NAME OF TOWNSHIP ROAD
NUMBER 1567 IN ESTATES AT CHESHIRE SECTION 1:

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

Estates at Cheshire Section 1

On December 17, 2007, your Board approved the acceptance of the improvements made for the referenced subdivision into the public system. The Engineer has since found out that the wrong name was provided for Township Road Number 1567. The original request was to accept Township Road Number 1567, Meadow View Drive, when it is actually Township Road Number 1567, Meadow Chase Drive. The Engineer ask that your journals be changed accordingly and that the Berkshire Township Trustees be notified as well.

He also request that a stop condition be established on Township Road Number 1567, Meadow Chase Drive, at its intersection with County Road Number 34, South Galena Road; and on Township Road Number 1568, Oak View Drive, at its intersection with Township Road Number 1567, Meadow Chase Drive.

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

RESOLUTION NO. 07-1591

IN THE MATTER OF ACCEPTING MAINTENANCE BONDS FOR DERBY GLEN FARMS
SECTION 1:

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

Derby Glen Farms Section 1

The roadway construction has been completed for the referenced subdivision and, as the results of The Engineer’s recent field review, he has determined that minor remedial work will be required during the 2008 construction season.

In accordance with the Subdivider’s Agreement, The Engineer recommends that the maintenance bond be set at **\$53,665** for the duration of the one year maintenance period. A Letter of Credit in that amount is available. He also request approval to return the Letter of Credit being held as construction surety to the developer, Jewett Road Associates.

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

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

RESOLUTION NO. 07-1592

IN THE MATTER OF APPROVING AN AMENDMENT TO THE IV-D CONTRACT BETWEEN
THE DELAWARE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND THE OFFICE OF
THE DELAWARE COUNTY PROSECUTING ATTORNEY:

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

AMENDMENT TO IV-D CONTRACT
AMENDMENT NO. 1

This amendment, effective 12/17/2007, is to amend the IV-D contract as contained in the JFS 07018 and other JFS contract forms which are incorporated by reference into the contract between the Delaware County Child Support Enforcement Agency (CSEA) and the Office of the Delaware County Prosecuting Attorney which became effective on the 1st day of January, 2007 and containing the ODJFS Contract Number 21070213.

The following sections will be amended:

I. JFS 07018, Contract Period: Changes to the termination date of the contract from <from date> to <to date>.

II. JFS 07018, Paragraph 7, Availability of Funds: Changes the total contract value as follows:

| | Amount | Source |
|--|-------------|-------------------------------|
| Non-federal Matching Funds (34%) 5101:12-10-45 and supplemental rules | \$20,909.59 | Delaware County Commissioners |
| Federal Matching Funds (66%) | \$40,589.21 | |
| Total | \$61,498.80 | |

III. JFS 07018, paragraph 6, Cost and Delivery of Purchased Services:

A. Adjusts the per unit rate from <orig unit rate> per <orig unit> to <new unit rate> per <new unit> as reflected in the attached JFS 07020 Form, if applicable.

B. Adjusts the maximum number of units purchased from 500 to 792.

IV. Provides for changes of language in the contract forms listed below and attached to this amendment:
<provide detail>. ****

****A copy of the prior written approval from OCS for this language change must be attached to this amendment. Failure to attach the prior written approval will result in a rejection of this amendment by the Contracts Division as stated in rule 5101:12-10-45.2(F)(1) of the Ohio Administrative Code.

V. All contract forms not specifically changed by this or earlier amendments remain in full force and effect as originally executed.

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

RESOLUTION NO. 07-1593

IN THE MATTER OF APPROVING TAP INSPECTION FEES FOR THE DELAWARE COUNTY
SEWER DISTRICT:

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

WHEREAS, the Delaware County Sewer District administers and inspects the connection of residential and non residential structures to public sanitary sewer owned and operated by the County, and

WHEREAS this service is commonly know as the “Tap Inspection”, and

WHEREAS, the Sanitary Engineer currently collects \$75.00 per tap inspection, and

WHEREAS, Board of Commissioner’s Resolution 04-1601 required the fee for the inspection to be increased from \$75.00 to \$90.00 per inspection effective February 1, 2007, and.

WHEREAS, the number of inspections has decreased as compared to previous years, and

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

WHEREAS, inspection staff has been re-allocated to other areas of needed work in the Sewer District, and

WHEREAS because of the re-allocation of staff, the Director of Environmental Services has advised that a fee increase is not needed for tap inspections.

THEREFORE BE IT RESOLVED that the Board of County Commissioners approves the following rate for CLASS I. (New Construction – Rough Plumbing Installed) and CLASS II. (New Construction – Tap Installed During Basement Excavation) tap inspections, effective February 1, 2007:

CLASS I & II INSPECTION FEE= \$75.00

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

RESOLUTION NO. 07-1594

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Recommendation to promote Mary Burns to an Income Maintenance Support Screener with the Department of Job and Family Services; effective date December 31, 2007.

Recommendation to promote Kim Graham to an Income Maintenance Support Screener with the Department of Job and Family Services; effective date December 31, 2007.

Recommendation to promote Brigitte Polcyn to a Social Services Worker III with the Department of Job and Family Services; effective date December 31, 2007.

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

RESOLUTION NO. 07-1595

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

Traci Saliba is resigning her position as Public Information Officer for the Commissioners Office; effective date December 21, 2007.

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

RESOLUTION NO. 07-1596

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. Evans, seconded by Mr. Ward to adjourn into Executive Session at 9:30AM.

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

RESOLUTION NO. 07-1597

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. Evans, seconded by Mr. Ward to adjourn out of Executive Session at 10:20AM.

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

RESOLUTION NO. 07-1598

A RESOLUTION AUTHORIZING THE COUNTY OF DELAWARE, OHIO TO EXECUTE AND DELIVER AN AGREEMENT AND GIVING APPLICABLE ELECTED REPRESENTATIVE APPROVAL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS OF THE COLUMBUS-FRANKLIN COUNTY FINANCE AUTHORITY AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

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

**COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007**

WHEREAS, Prep Academies, Inc., an Ohio non-profit corporation (the "Borrower") anticipates the acquisition, construction, renovation, installation and equipping of certain educational facilities, including educational facilities commonly known as Polaris Academy and Polaris Prep Academy, located at or contiguous to 3790 and 3812 East Powell Road, Lewis Center, Delaware County, Ohio (the "Local Facilities"), constituting "port authority facilities" pursuant to Section 4582.21(E), Ohio Revised Code; and

WHEREAS, pursuant to Section 4582.431, Ohio Revised Code, port authorities and counties, which constitute "contracting subdivisions" under Sections 4582.21(K), Ohio Revised Code, may enter into an agreement to provide for the issuance of revenue bonds for the purpose of paying the cost of port authority facilities, and to loan the proceeds thereof to any person or governmental entity for the acquisition, renovation, installation and equipping of port authority facilities; and

WHEREAS, the Columbus-Franklin County Finance Authority (the "Issuer"), a port authority and political subdivision of the State of Ohio and the County of Delaware, Ohio (the "County" and collectively with the Issuer, the "Contracting Subdivisions") desire to enter into a Contracting Political Subdivisions Agreement (the "Agreement") pursuant to Section 4582.21(K), Ohio Revised Code, for the purpose of financing and refinancing through the Issuer, the acquisition, renovation, installation and equipping of certain educational facilities located within the jurisdictions of the Contracting Subdivisions (the "Project"), including the Local Facilities; and

WHEREAS, the Issuer anticipates issuing its revenue bonds in one or more series (the "Bonds") to finance and refinance the costs of the Project owned or to be owned by the Borrower, including the Local Facilities, located in the jurisdictions of the Contracting Subdivisions, and anticipates in particular issuing its Economic Development Revenue Bonds (Prep Academies, Inc. Project), Series 2007 (the "Series 2007 Bonds") in one or more series for such purposes; and

WHEREAS, it is necessary and desirable in connection with the issuance of the Bonds and the Series 2007 Bonds in particular, and for the public purpose hereinbefore recited, to authorize the Agreement;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that prior to their issuance, the Series 2007 Bonds must be approved by the "applicable elected representative" as defined therein, which approval must be given by this Board with respect to the Local Facilities portion of the Project, and a public hearing was held by this Board in connection with the issuance of the Series 2007 Bonds on this date after publication of notice therefor, evidence of publication of which has been submitted to this Board;

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

SECTION 1. That at least two County Commissioners be and hereby are authorized and directed to execute and deliver on behalf of the County the Agreement with the Issuer, for the purpose of permitting the Issuer to issue the Bonds and in particular the Series 2007 Bonds, to finance and refinance the acquisition, renovation, installation and equipping of the Project within the jurisdictions of the Contracting Subdivisions, including the Local Facilities.

SECTION 2. That the Agreement shall be substantially in the form presented to this Board and on file with the Clerk of this Board, subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution of the Agreement as aforesaid, and it is hereby determined, based on information submitted by the Borrower, that the Agreement will promote the public purposes set forth in Article VIII, Section 13, Ohio Constitution, by improving the educational facilities for and the economic welfare of the citizens served by the Contracting Subdivisions, that any contribution made by the County under the Agreement will be fair consideration for value and benefit to be derived by the County under the Agreement, and that the County will be duly benefited thereby.

SECTION 3. Neither the Agreement nor the Bonds shall create any pecuniary liability of the County or obligations, debt or bonded indebtedness of the County.

SECTION 4. That any County Commissioner, the Auditor and the Clerk of Board be and hereby are authorized to execute and deliver on behalf of the County such other certificates, documents and instruments in connection with the issuance and public sale of the Bonds and the delivery of the Agreement as may be required, necessary or appropriate, including, without limitation, applicable elected representative approvals and transcript certificates. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution thereof by the proper officer or officers of this County.

SECTION 5. That this Board, as the "applicable elected representative" of the County for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2007 Bonds by the Issuer in one or more series in the principal amount of \$6,500,000. In reliance upon information provided by the Borrower, it is anticipated that the proceeds of the Series 2007 Bonds will

COMMISSIONERS JOURNAL NO. 50 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 24, 2007

be used to finance and refinance the costs, not to exceed \$3,000,000, of the Local Facilities, and that the Local Facilities shall be owned by the Borrower.

SECTION 6. That the provisions of this Resolution are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

SECTION 7. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code, and the rules of this Board in accordance therewith.

SECTION 8. This Resolution shall be effective from and after its adoption.

Mr. Ward seconded the motion. A roll call being had upon the question of the passage of the foregoing resolution, the vote thereon resulted as follows:

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

There being no further business, the meeting adjourned.

Glenn A. Evans

Kristopher W. Jordan

James D. Ward

Letha George, Clerk to the Commissioners