

**COMMISSIONERS JOURNAL NO. 53 - DELAWARE COUNTY
MINUTES FROM REGULAR MEETING HELD DECEMBER 7, 2009**

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

Present: Todd Hanks, Ken O'Brien, Tommy Thompson

RESOLUTION NO. 09-1496

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD DECEMBER 3, 2009:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on December 3, 2009; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

PUBLIC COMMENT

PRESENTATION DEBBIE SHATZER-CONVENTION AND VISITOR'S BUREAU

RESOLUTION NO. 09-1497

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR1204:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR1204 and Purchase Orders as listed below:

PR Number	Vendor Name	Line Desc	Line Account	Line Amount	Line Number
R0907582	DLT SOLUTIONS	AUTOCAD 2010 - FOUR 2010 NETWORK LICENSES WITH NO	66211902 - 5320	\$1,250.00	0001

Vendor	Description	Account	Amount
Voucher Concord/Scioto Community Authority	Lower Scioto	66690501-5415	\$ 70,046.64

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09 -1498

IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

The Sheriff's Office is requesting that Michael English attend a Criminal and Drug Seminar in the Willoughby Hills Community Center November 30, 2009, at the cost of \$248.48 (Fund Number 29131321).

The Code Compliance Department is requesting that Joe Scherler and Fred Fowler attend a Central Ohio Code Officials Association I-Joist and Laminated Veneer Lumber Seminar in Reynoldsburg, Ohio December 10, 2009, at no cost.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1499

IN THE MATTER OF RECOGNIZING THE COLUMBUS ZOO AND AQUARIUM ON REACHING THE MILESTONE EVENT OF TWO MILLION VISITORS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

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Whereas, The Columbus Zoo and Aquarium celebrated a monumental achievement by welcoming its two millionth visitor for 2009 on December 1, and

Whereas, Misty Adams of Columbus was the two millionth visitor. She is a native of the area and talks fondly of growing up watching Jack Hanna and visiting the Columbus Zoo, and

Whereas, this is the largest attendance in The Columbus Zoo and Aquarium's 82 year history breaking the previous record of 1,862,433 set in 2008, and

Whereas, The Columbus Zoo and Aquarium attributes its success to the generous support of central Ohio residents, and

Whereas, The Columbus Zoo and Aquarium enriches the quality of life for the community and inspires a greater appreciation of wildlife for the advancement of conservation action, and

Whereas, The Columbus Zoo and Aquarium is a major tourist destination and was named the number one zoo in the U.S. by USA Travel Guide;

Now Therefore Be It Resolved, The Delaware County Board Of Commissioners wishes to congratulate and recognize the Columbus Zoo and Aquarium on reaching this milestone event of two million visitors.

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1500

IN THE MATTER OF GRANTING THE ANNEXATION PETITION OF 10.777 ACRES OF LAND IN LIBERTY TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following resolution:

Whereas on November 9, 2009, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Daniel B. Bennington Delaware City Attorney, agent for the petitioners, of 10.777 acres, more or less, in Liberty Township to the City of Delaware.

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

Whereas, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Liberty.

Therefore, Be It Resolved, the Delaware County Board of Commissioners grants the annexation petition request to annex 10.777 acres, more or less, in Liberty Township to the City of Delaware.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1501

IN THE MATTER OF ACCEPTING THE TREASURER'S REPORT FOR THE MONTH OF OCTOBER 2009:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to accept the Treasurer's Report for the month of October 2009.

(Copy available for review at the Commissioners' Office until no longer of administrative value.)

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1502

RESOLUTION ESTABLISHING DATE AND TIME FOR PUBLIC HEARING REGARDING THE ISSUANCE OF ONE OR MORE SERIES OF HEALTH CARE FACILITIES REVENUE BONDS BENEFITING WILLOW BROOK CHRISTIAN COMMUNITIES BY THE COUNTY OF DELAWARE, OHIO:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

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WHEREAS, the County of Delaware, Ohio (the "County"), previously issued one or more series of health care facilities revenue bonds (the "Bonds") for the benefit of Willow Brook Christian Communities ("Willow Brook") to assist in financing the acquisition, construction, equipping and installation of "hospital facilities" as defined in Section 140.01 of the Ohio Revised Code, as amended; and

WHEREAS, Willow Brook plans to make certain amendments to documents relating to the Bonds so that various financial institutions can purchase the Bonds for their own account; and

WHEREAS, in connection with the such amendments, the Willow Brook Corporation has requested that a public hearing be held by the County in order to comply with federal tax requirements;

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

Section 1. That a public hearing shall be held by the Board of County Commissioners of the County at its meeting on Wednesday, December 23, 2009 at 9:45 a.m., and Willow Brook is hereby permitted to publish a notice of such public hearing in a newspaper of general circulation in the County.

Section 2. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board any of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1503

IN THE MATTER OF APPROVING THE BIDS FOR BID PACKAGE 1 – GENERAL TRADES (ELFORD, INC.); BID PACKAGE 2 - HVAC (H & A MECHANICAL, INC.); BID PACKAGE 3 - PLUMBING (RADICO, INC.); BID PACKAGE 4 - ELECTRIC (SIMCO ELECTRIC, INC.); AND BID PACKAGE 5 – FIRE PROTECTION (S. A. COMUNALE) FOR SUITE IMPROVEMENTS: RUTHERFORD B HAYES BUILDING, DELAWARE COUNTY, OHIO :

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

WHEREAS, Delaware County received bids for Suite Improvements: Rutherford B Hayes Building, Delaware County, Ohio on October 15, 2009. And;

WHEREAS, after carefully reviewing the bids received, the bids submitted in the following chart have been determined to be the lowest and best bids for Suite Improvements: Rutherford B Hayes Building, Delaware County, Ohio. And;

WHEREAS, the County Administrator and the Facilities Supervisor recommend the bids submitted in the following chart for Suite Improvements: Rutherford B Hayes Building, Delaware County, Ohio;

WHEREAS, per ORC 153.12, the award, and execution of the contract, shall be made within sixty days after the date on which the bids are opened, unless the time for awarding and executing the contract is extended by mutual consent of the owner and the bidder whose bid the owner accepts and with respect to whom the owner subsequently awards and executes a contract.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of Delaware County, State of Ohio, approve and accept the following bids with all alternates submitted for Suite Improvements: Rutherford B Hayes Building, Delaware County, Ohio and agree to extend the time to execute the contracts to ninety (90) days from the date on which the bids were opened.

Description	Company Recommended	Amount w/ alternates of Contract Award
Bid Package 1 – General Trades	Elford, Inc.	\$723,032.00
Bid Package 2 – HVAC	H & A Mechanical, Inc.	\$114,650.00
Bid Package 3 – Plumbing	Radico, Inc.	\$55,800.00
Bid Package 4 – Electric	Simco Electric, Inc.	\$221,750.00
Bid Package 5 – Fire Protection	S. A. Comunale	\$43,825.00

Further Be It Resolved, that the Board of Commissioners approve establishing a new organizational key for Suite Improvements To The Hayes County Services Building:

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41411435 – Hayes Expansion

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1504

IN THE MATTER OF APPROVING SUPPLEMENTAL APPROPRIATIONS FOR THE LITTER GRANT:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Supplemental Appropriation

22111502-5001	Litter Grant/Compensation	\$	1, 100.00
22111502-5101	Litter Grant/Insurance	\$	1,412.00
22111502-5103	Litter Grant/Dental	\$	80.00
22111502-5120	Litter Grant/PERS	\$	232.00
22111502-5131	Litter Grant/Medicare	\$	10.00
22111502-5215	Litter Grant/Program Supplies	\$	100.00
22111502-5309	Litter Grant/Mileage Reimbursement	\$	100.00
22111502-5313	Litter Grant/Printing Services	(\$	1,000.00)
22111502-5330	Litter Grant/Communication Services	\$	100.00

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1505

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas, Kelly Stojkov has requested a 6 month leave-with-out-pay and has voluntarily requested to be placed back into the bargaining unit as a dispatcher, and

Whereas, The 911 Communications Director recommends approval of 6 months leave-with-out-pay and being placed back into the bargaining unit as a dispatcher;

Now Therefore Be It Resolved, the Board of County Commissioners approves leave-with-out-pay through pay period 1001011.

Further Be It Resolved, that the Board of County Commissioners approves placing Kelly Stojkov back into the bargaining unit as a dispatcher effective November 28, 2009.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1506

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:

**PROPERTY OWNERS: DORAS M. ROSS
BROOKE ANN MARTIN**

**PROPERTY LOCATION: CHESHIRE ROAD
DELAWARE, OH 43015**

PERMANENT PARCEL NUMBER: 41831001029000

PURPOSE OF APPROPRIATION:

CONSTRUCTION OF AN EXTENSION OF THE COUNTY SANITARY SEWER SYSTEM IN BERLIN TOWNSHIP

It was moved by: Mr. Hanks and seconded by Mr. Thompson to approve the following:

PREAMBLE

WHEREAS, the Board of Delaware County Commissioners (“Board”) deems it necessary to construct, re-construct, improve, maintain, repair and operate a sanitary sewer that will extend from the

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existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio (“Improvement”); and,

WHEREAS, the Board has determined the necessity for such Improvement and the necessity that such Improvement be made; and,

WHEREAS, the Board has determined that additional land is necessary for such Improvement.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, by the Board of Delaware County Commissioners (the "Board"):

SECTION 1:

That it is deemed necessary and it is hereby declared to be the intention of the Board to appropriate a permanent easement and a temporary easement on, across, above and or under certain real estate owned by Doras M. Ross and Brooke Ann Martin described in Exhibit “A, pages 1 and 2” attached hereto, and by this reference incorporated herein, all for construction, re-construction, improvement, maintenance, repair and operation of a sanitary sewer that will extend from the existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio; and,

SECTION 2:

That the legal description of said permanent easement and the temporary easement is attached hereto as Exhibit “A, page 3” and by this reference incorporated herein; and,

SECTION 3:

That the Board directs the County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board; and,

SECTION 4:

This Resolution shall take effect and be in force immediately upon passage.

(COPIES OF EXHIBIT “A” ARE AVAILABLE IN THE DELAWARE COUNTY SANITARY ENGINEER’S DEPARTMENT.)

EXHIBIT A
SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That **DORAS M. ROSS AND BROOKE A. MARTIN, TR.**, hereinafter called GRANTOR, for consideration paid by the COUNTY OF DELAWARE, OHIO, the GRANTEE herein, receipt of which is hereby acknowledged, hereby-grants with general warranty covenants to GRANTEE, its successors and assigns forever, a permanent Easement in, through, over and under the following described real estate for the purpose of constructing, operating, installing, maintaining, removing or replacing sanitary sewer lines and tributary connections and appurtenant work in any part of said Easement.

SEE EXHIBIT ‘A’ – PAGE 3

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property. Improvements along and over the premises herein described so long as the same are so constructed as not to impair the strength or interfere with the use and maintenance of said utility, or ingress and egress to or over the Easement area. This Easement, however, shall not be construed as giving to GRANTEE any right of ingress and egress to or over the remainder of said premises owned by GRANTOR.

TEMPORARY CONSTRUCTION EASEMENT

Being a strip of land as described “TEMPORARY CONSTRUCTION EASEMENT” in **EXHIBIT 'A' - PAGE 3**.

GRANTOR, his heirs and assigns hereby release the County of Delaware, Ohio from any further claims for compensation or claims for damages resulting from this grant or the construction of said project, except that contractors for the County of Delaware, Ohio shall not be released from liability for damage caused by their negligence.

The County of Delaware, Ohio, as soon as practicable after construction of said utility and all subsequent alterations and repairs thereto, shall cause all affected property of Grantor to be restored to the proper level.

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Prior Instrument Reference: DB 545, PG 754

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1507

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:

**PROPERTY OWNERS: DORAS M. ROSS
BROOKE ANN MARTIN**

**PROPERTY LOCATION: CHESHIRE ROAD
DELAWARE, OH 43015**

PERMANENT PARCEL NUMBER: 41831001031000

PURPOSE OF APPROPRIATION:

CONSTRUCTION OF AN EXTENSION OF THE COUNTY SANITARY SEWER SYSTEM IN BERLIN TOWNSHIP

It was moved by: Mr. Hanks and seconded by: Mr. Thompson to approve the following:

PREAMBLE

WHEREAS, the Board of Delaware County Commissioners (“Board”) deems it necessary to construct, re-construct, improve, maintain, repair and operate a sanitary sewer that will extend from the existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio (“Improvement”); and,

WHEREAS, the Board has determined the necessity for such Improvement and the necessity that such Improvement be made; and,

WHEREAS, the Board has determined that additional land is necessary for such Improvement.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED, by the Board of Delaware County Commissioners (the "Board"):

SECTION 1:

That it is deemed necessary and it is hereby declared to be the intention of the Board to appropriate a permanent easement and a temporary easement on, across, above and or under certain real estate owned by Doras M. Ross and Brooke Ann Martin described in Exhibit “A, pages 1 and 2” attached hereto, and by this reference incorporated herein, all for construction, re-construction, improvement, maintenance, repair and operation of a sanitary sewer that will extend from the existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio; and,

SECTION 2:

That the legal description of said permanent easement and the temporary easement is attached hereto as Exhibit “A, page 3” and by this reference incorporated herein; and,

SECTION 3:

That the Board directs the County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board; and,

SECTION 4:

This Resolution shall take effect and be in force immediately upon passage.

(COPIES OF EXHIBIT “A” ARE AVAILABLE IN THE DELAWARE COUNTY SANITARY ENGINEER’S DEPARTMENT.)

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EXHIBIT A
SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That *DORAS M. ROSS AND BROOKE A. MARTIN, TR.*, hereinafter called GRANTOR, for consideration paid by the COUNTY OF DELAWARE, OHIO, the GRANTEE herein, receipt of which is hereby acknowledged, hereby-grants with general warranty covenants to GRANTEE, its successors and assigns forever, a permanent Easement in, through, over and under the following described real estate for the purpose of constructing, operating, installing, maintaining, removing or replacing sanitary sewer lines and tributary connections and appurtenant work in any part of said Easement.

SEE EXHIBIT 'A' – PAGE 3

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property. Improvements along and over the premises herein described so long as the same are so constructed as not to impair the strength or interfere with the use and maintenance of said utility, or ingress and egress to or over the Easement area. This Easement, however, shall not be construed as giving to GRANTEE any right of ingress and egress to or over the remainder of said premises owned by GRANTOR.

TEMPORARY CONSTRUCTION EASEMENT

Being a strip of land as described “TEMPORARY CONSTRUCTION EASEMENT” in EXHIBIT 'A' - PAGE 3.

GRANTOR, his heirs and assigns hereby release the County of Delaware, Ohio from any further claims for compensation or claims for damages resulting from this grant or the construction of said project, except that contractors for the County of Delaware, Ohio shall not be released from liability for damage caused by their negligence.

The County of Delaware, Ohio, as soon as practicable after construction of said utility and all subsequent alterations and repairs thereto, shall cause all affected property of Grantor to be restored to the proper level.

Prior Instrument Reference: DB 545, PG 754

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1508

IN THE MATTER OF ADOPTING A RESOLUTION DECLARING A NECESSITY AND THE INTENT OF THE DELAWARE COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE PROPERTY:

PROPERTY OWNERS: DOROTHY STRAYER

**PROPERTY LOCATION: 3648 CHESHIRE ROAD
DELAWARE, OHIO 43015**

PERMANENT PARCEL NUMBER: 41831001091000

PURPOSE OF APPROPRIATION:

CONSTRUCTION OF AN EXTENSION OF THE COUNTY SANITARY SEWER SYSTEM IN BERLIN TOWNSHIP

It was moved by: Mr. Hanks and seconded by: Mr. Thompson to approve the following:

PREAMBLE

WHEREAS, the Board of Delaware County Commissioners (“Board”) deems it necessary to construct, re-construct, improve, maintain, repair and operate a sanitary sewer that will extend from the existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio (“Improvement”); and,

WHEREAS, the Board has determined the necessity for such Improvement and the necessity that such Improvement be made; and,

WHEREAS, the Board has determined that additional land is necessary for such Improvement.

RESOLUTION

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NOW THEREFORE, BE IT RESOLVED, by the Board of Delaware County Commissioners (the "Board"):

SECTION 1:

That it is deemed necessary and it is hereby declared to be the intention of the Board to appropriate a permanent easement and a temporary easement on, across, above and or under certain real estate owned by Dorothy Strayer described in Exhibit "A, pages 1 and 2" attached hereto, and by this reference incorporated herein, all for construction, re-construction, improvement, maintenance, repair and operation of a sanitary sewer that will extend from the existing County sanitary sewer along South Old State Road to the new Cheshire Elementary School property on Gregory Road in Berlin Township, Delaware County, Ohio; and,

SECTION 2:

That the legal description of said permanent easement and the temporary easement is attached hereto as Exhibit "A, page 3" and by this reference incorporated herein; and,

SECTION 3:

That the Board directs the County Prosecuting Attorney to commence the appropriation proceedings on behalf of the Board; and,

SECTION 4:

This Resolution shall take effect and be in force immediately upon passage.

(COPIES OF EXHIBIT "A" ARE AVAILABLE IN THE DELAWARE COUNTY SANITARY ENGINEER'S DEPARTMENT.)

EXHIBIT A
SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That EDWARD STRAYER AND DAVID STRAYER, hereinafter called GRANTOR, for consideration paid by the COUNTY OF DELAWARE, OHIO, the GRANTEE herein, receipt of which is hereby acknowledged, hereby-grants with general warranty covenants to GRANTEE, its successors and assigns forever, an Exclusive, Permanent Sanitary Sewer Easement in, through, over and under the following described real estate for the purpose of constructing, operating, installing, maintaining, removing or replacing sanitary sewer lines and tributary connections and appurtenant work in any part of said Easement.

SEE EXHIBIT 'A' PAGE 3 OF 3

The rights granted herein shall not be construed to interfere with or restrict the use of the premises with respect to the construction and maintenance of property. Improvements along and over the premises herein described shall not be constructed so as to impair the strength or interfere with the use and maintenance of said utility, or ingress and egress to or over the Sanitary Sewer Easement area. This Sanitary Sewer Easement, however, shall not be construed as giving to GRANTEE any right of ingress and egress to or over the remainder of said premises owned by GRANTOR.

TEMPORARY CONSTRUCTION EASEMENT

Being a strip of land as described "TEMPORARY CONSTRUCTION EASEMENT" in EXHIBIT 'A' PAGE 3 OF 3'.

GRANTOR, his heirs and assigns hereby release the County of Delaware, Ohio from any further claims for compensation or claims for damages resulting from this grant or the construction of said project, except that contractors for the County of Delaware, Ohio shall not be released from liability for damage caused by their negligence.

The County of Delaware, Ohio, as soon as practicable after construction of said utility and all subsequent alterations and repairs thereto, shall cause all affected property of Grantor to be restored to the proper level.

Prior Instrument Reference: DB 409, PG 686

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Abstain

RESOLUTION NO. 09-1509

IN THE MATTER OF AWARDING THE BIDS FOR VARIOUS CHEMICALS AND POLYMERS FOR THE DELAWARE COUNTY DIVISION OF ENVIRONMENTAL SERVICES:

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It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas the Division of Environmental Services has solicited and received bids for the purchase of Various Chemicals and Polymers (Bid # DCRSD 09-03) on November 3,2009 to be used on an as-needed basis within the wastewater collection and treatment systems and

Whereas the Division of Environmental Services has evaluated the bid packages and required product field testing for conformance to the specifications and

Whereas the bid submittals were evaluated for the lowest and best bids by the staff of the Delaware County Regional Sewer District, and

Whereas Sewer District staff recommends awarding the bid items to the bidder as identified in the below table as the bidders are the lowest and best bid for the various bid items:

ITEM NO.	ITEM	BIDDER	UNIT PRICE
2	FERRIC CHLORIDE	Kemira	\$0.2125/lb
3	CALCIUM NITRATE	SIEMENS	\$0.5271/lb
4	VERSADOSE INSTALLATION AT LEATHER LIPS PUMP STATION	SIEMENS	\$74,155.00 (Tank adder \$ 7,200)
11	CALIBRATION CYLINDERS	SIEMENS	\$117.33 ea.
12	LEVEL TRANSDUCERS AT ODOR CONTROL STATIONS (15 PUMP STATIONS)	SIEMENS	\$1,728.67 Sensor w/conduit
13	SCADA ALLOWANCE	SIEMENS	\$30,000
14	POLYMER EMULSION – ACWRF BELT FILTER PRESS	Polydyne	\$0.950/lb
16	POLYMER EMULSION – OECC CENTRIFUGE THICKNER	Polydyne	\$0.950/lb

Therefore be it resolved that the Board of County Commissioners award the bid item per the above table as the lowest and best bidders and reject all other bids.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1510

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

The Director of Environmental Services recommends approval of Lab Analyst 2 Certification pay raise for John Feightner with Environmental Services; effective date November 28, 2009.

The Director of Environmental Services recommends approval of Class II License pay raise for Walt Thompson with Environmental Services; effective date November 28, 2009.

The Director of Environmental Services recommends to accept the resignation of Vic Whitney from the Environmental Services Department; effective date December 1, 2009.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1511

IN THE MATTER OF APPROVING TRANSFER OF FUNDS AND SUPPLEMENTAL APPROPRIATIONS FOR ENVIRONMENTAL SERVICES:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Supplemental Appropriation

66611904-5415	URF ACWRF/Sewer Construction	\$ 154,699.00
66411901-5801	Bond Reserve Fund/Transfers	\$ 31,645.61

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Transfer of Funds

66211903-5801	66611903-4621	
SRF OECC/Transfers	URF OECC/Interfund SENG Capacity	\$ 500,000.00
66211904-5801	66611904-4621	
SRF ACWRF/Transfers	URF ACWRF/Interfund SENG Capacity	\$ 950,000.00
66211906-5801	66611906-4622	
SRF TARTAN FIELD/Transfers	URF TARTAN FIELD/Interfund SENG User	\$ 14,000.00
66211907-5801	66611907-4622	
SRF SCIOTO		
RESERVE/Transfers	UF SCIOTO RESERVE/Interfund SENG User	\$ 26,684.47
66611903-5801	66311901-4601	
URF OECC/Transfers	Bond Service Fund/Interfund Revenue	\$ 253,326.97
66611904-5801	66311901-4601	
URF ACWRF/Transfers	Bond Service Fund/Interfund Revenue	\$ 379,990.47
66411901-5801	66311901-4601	
Bond Reserve Admin/Transfers	Bond Service Fund/Interfund Revenue	\$ 31,645.61

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1512

IN THE MATTER OF APPROVING A CHANGE ORDER FOR THE VEHICLE STORAGE BUILDING ROOF REPAIRS AT OLENTANGY ENVIRONMENTAL CONTROL CENTER:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas the County has previously executed a Purchase Order for the Vehicle Storage Building Roof Repairs at the Olentangy Environmental Control Center to the State bid holder Garland Industries (Contractor), and

Whereas during construction, the Contractor found the roof's underlayment had been improperly installed during the original construction, and

Whereas the improper installation of the underlayment reduced the structural integrity and life of the roof, and

Whereas the Contractor brought the issue to the attention of County Sewer District staff inspecting the improvements for review, and

Whereas the County Sewer District staff assessed the roof and also concurred with the Contractors findings, and

Whereas the Contractor has submitted the change order needed to complete the work required to properly repair the roof, and

Whereas County Sewer District staff have reviewed the change order request and found it to be of fair value and in accordance with state bid terms, and

Whereas County Sewer District staff recommends to the Board of County Commissioners approval of the change order request, and

Therefore be it resolved that the Board of County Commissioners approve Change Order No. 1 to the Vehicle Storage Building Roof Repairs at the Olentangy Environmental Control Center in the amount of Seventy-Five Hundred Dollars (\$7,500).

Furthermore be it resolved that Purchase Order No. 905921 (Design Build Solutions) be increased in the amount of \$7,500.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1513

IN THE MATTER OF ACCEPTING THE FINAL COMPLETION OF THE CENTRIFUGE DEWATERING FACILITY IMPROVEMENTS AT THE OLENTANGY ENVIRONMENTAL CONTROL CENTER, CONTRACT DCRSD 08-01:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

WHEREAS the Board of County Commissioners have previously executed an agreement with Peterson Construction Company (Contractor) to complete the improvements known as *DCRSD 08-1: Centrifuge*

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Dewatering Facility Improvements at the Olentangy Environmental Control Center, and

Whereas the Contractor has completed the work in accordance with the Contract Documents, and

Whereas Section 14.07 of the General Conditions of the Contract Documents permits final payment to the Contractor upon completion of all corrections identified during the final inspection of the Improvements, and

Whereas the Contractor has completed all corrections identified during the final inspection of the Improvements, and

Whereas Peterson Construction has submitted all maintenance and operating instructions, schedules, guarantees, bonds, certificates of insurance, certificates of inspection and marked-up record documents, and

Whereas the Contractor has made the request for final payment and release of retainage, and

Whereas the Contract Documents require the Engineer to evaluate the Contractor's request, and

Whereas Malcolm Pirnie Inc (MPI) is the Engineer for the project, and

Whereas MPI with the County Sewer District staff's assistance has evaluated the request, and

WHEREAS MPI and the County Sewer District staff concur and consider the work complete and deserving of final payment and retainage, and

WHEREAS County staff recommends accepting the centrifuge dewatering project, as detailed in Section 14.07 of the General Conditions of the Contract Documents

THEREFORE be it resolved that the Board of County Commissioners accept the final completion of the Centrifuge Dewatering Facility Improvements at the Olentangy Environmental Control Center, contract DCRSD 08-01.

Furthermore be it resolved that the Board of Commissioner's authorize final payment and release the retainage for the project.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1514

IN THE MATTER OF APPROVING ARCHITECTURE! AND MS CONSULTANTS AS SHORT LISTED FIRMS FOR PROFESSIONAL SERVICES FOR DELAWARE COUNTY CODE COMPLIANCE:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas, Delaware County Code Compliance is authorized and required to perform reviews of commercial building construction documents prior to issuance of plan approvals and permits; and

Whereas, for the authority to review and approve commercial building plans, the Ohio Building Code requires Code Compliance to maintain in its employment or under contract at least one person holding a certification as a Plans Examiner; and

Whereas, the Ohio Revised Code sections 153.65 to 153.71 requires the County to qualify professional engineering and architectural firms/individuals for the contemplated services; and

Whereas the Board of Commissioners have previously adopted a procedure to comply with Ohio Revised Code sections 153.65 to 153.71 per Commissioners Resolution 09-1144, and

Whereas, and in compliance with Ohio Revised Code section 153.67 and Resolution 09-1144, the County advertised for and received statement of qualifications, and

Whereas only three firms submitted statements of qualifications for evaluation by the County; and

Whereas, the three firms who submitted their qualifications were Architecture!, MS Consultants and JAS Consultants; and

Whereas, the three firms were evaluated based upon the criteria established within the adopted Delaware County Code Compliance Quality Based Selection Procedure for Professional Services as provided in Commissioner's Resolution 09-1144; and

Whereas, the evaluation committee ranked Architecture! first, MS Consultants second and JAS Consultants

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third; and

Whereas, JAS Consultants is not qualified to perform the contemplated services because their current staffing levels do not include an individual(s) certified as a plans examiner for the State of Ohio; and

Whereas, the Division of Environmental Services staff recommends Architecture! and MS Consultants as the short listed firms and that Technical Proposals be requested from both firms.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Division of Environmental Services to perform the following tasks in accordance with Resolution 09-1144:

1. Notify Architecture! and MS consultants in writing of the opportunity to provide Technical Proposals.
2. Receive and evaluate the Technical Proposals in accordance with the DELAWARE COUNTY CODE COMPLIANCE QUALITY BASED SELECTION PROCEDURE FOR PROFESSIONAL SERVICES.

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1515

IN THE MATTER OF REQUESTING STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES FOR THE DELAWARE COUNTY REGIONAL SEWER DISTRICT FOR THE 2010 AND 2011 CALENDAR YEARS:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas, the Delaware County Regional Sewer District has numerous facilities and infrastructure that from time to time are in need of upgrade or improvement, and

Whereas the Board of County Commissioners also desire to expand the wastewater collection system for areas presently not served by sanitary sewer, and

Whereas, the required upgrades and improvements are to maintain the proper provision of wastewater conveyance and treatment to Sewer District customers, and to protect water quality of the State of Ohio surface waters, and

Whereas, the required upgrades and improvements require staffing resources beyond that of the current technical staff of the Sewer District, and

Whereas, the Ohio Revised Code requires the County to qualify professional engineering and surveying services as would be required for any probable upgrades and improvements whose professional services fees are originally estimated at twenty five thousand dollars (\$25,000) or more, and

Whereas, the Sewer District recommends the following procedure to be implemented to qualify and short list firms to provide the desired professional engineering and surveying services:

**DELAWARE COUNTY REGIONAL SEWER DISTRICT
QUALIFICATIONS BASED SELECTION PROCEDURE
FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES**

The Delaware County Regional Sewer District uses a Qualifications Based Selection Process conforming to the requirements of Ohio Revised Code Sections 153.65 to 153.71.

SECTION 1 – GENERAL PROCESS FOR QUALIFICATIONS BASED SELECTIONS

The procedure for procurement of professional engineering and surveying services is summarized as follows:

- (1) Public notice requesting Statements of Qualifications (ORC-153.67);
- (2) Statements of Qualifications (SOQ) submitted by interested firms for evaluation;
- (3) Evaluation of SOQs by Delaware County Regional Sewer District Evaluation Committee (Committee). Interviews may be required during evaluation of SOQs;
- (4) Ranking of firms based upon evaluations by Committee;
- (5) Recommendation of firms to be short-listed (pre-qualified) submitted to Board of Commissioners for approval. Short-listed firms will be eligible to receive Requests for Technical Proposals for professional services required for projects identified by Delaware County;

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- (6) Distribution of Request for Technical Proposal (RFTP) to short-listed firms for the desired professional engineering and surveying services for a specific project;
- (7) Submission of Technical Proposals by firms;
- (8) Evaluations of Technical Proposals and ranking of firms by an evaluation committee;
- (9) Final negotiations of the contract between Delaware County and the highest ranking firm;
- (10) Presentation of the proposed contract to the Board of Commissioners for approval.

SECTION 2 – TYPES OF STATEMENTS OF QUALIFICATIONS

The Delaware County Regional Sewer District is requesting Statements of Qualifications be submitted for two types of projects as described below.

Type I Projects: Projects where the Sanitary Engineer is the lead project engineer and requires supplemental support services in the following individual concentrations:

- a. Civil Engineering
- b. Geotechnical Engineering
- c. Electrical Engineering/SCADA
- d. Surveying

Type II Projects: Projects where the Consultant performs the duties as the lead project engineer for the Regional Sewer District. Under this type of project, the consulting firm shall have Civil Engineering as its major discipline and shall provide Geotechnical Engineering, Electrical Engineering and Surveying and other required professional services either in-house or through sub-consultants to fulfill the requirements as provided in the Public Notice. Qualifications of any sub-consultant(s) used to obtain qualification in the various areas are to be included in the firm's Statement of Qualifications.

SECTION 3 - CONTENT OF CONSULTANT'S STATEMENT OF QUALIFICATIONS

A Letter of Interest shall be included with the consultant's Statement of Qualifications. This letter shall clearly state the Type of Project (I or II) and the individual concentration(s), if applicable, for which the consultant wishes to be considered.

Separate Statements of Qualifications should be submitted for Type I and Type II Projects. A consultant may submit two SOQs, one for each Type of Project. A sub-consultant to a Type II Project who wishes to be considered for Type I Projects shall submit a separate Type I SOQ for evaluation.

A Statement of Qualifications should include, but is not limited to, the following content:

- 1) Firm name, address(es), telephone number and contact name.
- 2) Year established, size of firm and former firm names, if applicable.
- 3) Names of principals of the firm with a brief explanation of relative experience and professional registrations.
- 4) Names, qualifications, and experience of key personnel, including managers and field personnel, to be assigned to example projects listed in the Public Notice.
- 5) List of completed projects, applicable to the example projects listed in the Public Notice, in which the firm has participated in over the past five (5) years; include key personnel and client contact information for references.
- 6) Name, address, telephone number, contact name and qualifications of any sub-consultant(s); include information similar to 2, 3, 4 and 5 above.
- 7) An outline of the firm's Quality Assurance or Quality Management Program.
- 8) Brief description of the firm's equipment and facilities.
- 9) Copies of letters or recommendations from at least three (3) other public or private agencies reflecting the firm's past performance.

An original and four copies of each Letter of Interest and each Statement of Qualifications are to be submitted to the Sewer District for evaluation.

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The Statement of Qualifications is to be limited to 25 one-sided pages, including resumes and sub-consultant qualifications. The Letter of Interest will not count towards the 25 page limit.

SECTION 4 – EVALUATION OF STATEMENTS OF QUALIFICATIONS

The Committee shall evaluate all Statements of Qualifications received by the deadline established in the Public Notice and all current Statements of Qualifications. SOQs shall be considered current if they have been received within the past year as of the date of the Public Notice.

The Committee will be determined by Delaware County. The Committee shall have at least four (4) members.

The Committee shall evaluate the Statements of Qualifications based on the following criteria (ORC 153.65 (D)):

Experience, technical training and education of the firm's key personnel assigned to perform the work	25 POINTS
Experience and competence of the firm to perform the required services as indicated by past projects	25 POINTS
Ability of firm in terms of workload and availability of personnel and equipment to perform the required services competently and expeditiously	5 POINTS
Description of firm's Quality Assurance or Quality Management Program	10 POINTS
Description of firms equipment, facilities, office location(s)	10 POINTS
Past performance of firm on Delaware County and other projects	25 POINTS
TOTAL POINTS AVAILABLE	100 POINTS

SECTION 5 – FIRMS TO BE SHORT-LISTED

The Committee shall rank the submitted Statements of Qualifications for each Type of Project and each concentration in order from the highest to lowest point totals. The results of each category from each Committee member will then be averaged. The average scores will then be summed to determine a composite overall score for each SOQ submitted.

Type I Projects:

The five (5) firms with the highest overall composite point totals for EACH concentration (civil, geotechnical, electrical engineering/SCADA, and surveying) will be recommended to the Delaware County Board of Commissioners to be short listed for projects requiring services as delineated in the Public Notice for the Request for Statement of Qualifications. When services are needed that fall under this procedure and are determined necessary by Delaware County, all short listed firms for that concentration will be asked to provide a Technical Proposal and evaluated as detailed in Section 6.

Type II Projects:

The five (5) firms with the highest overall composite point totals will be recommended to the Board of Commissioners to be short listed for projects requiring services as delineated in the Public Notice for Request for Statement of Qualifications. When services are needed that fall under this procedure and are determined necessary by Delaware County, all short listed firms will be asked to provide a Technical Proposal and evaluated as detailed in Section 6.

SECTION 6 – REQUEST FOR TECHNICAL PROPOSAL

Part A - Content of County's Request for Technical Proposal (RFTP)

A Request for Technical Proposals should include, but is not limited to, the following content:

1. A written invitation to short listed firm(s) for the identified project.
2. A basic Scope of Services (SOS). The SOS is intended to cover the basic services required for the proposed project. Should prospective consultants determine that additional services are necessary and/or that any services identified in the SOS are not necessary for successful completion of the project, the consultant should document these changes in SOS in their response to the RFTP.
3. Notice of any required meetings, conferences or presentations.
4. When, where and to whom the response to the RFTP is to be submitted.

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Note: If a consultant feels a portion of the SOS is not clear, written notice shall be sent to the County requesting a review and a determination of action. If a discrepancy exists, a written ADDENDUM to the RFTP shall be sent to each consultant.

Part B - Content of Consultant's Response to RFTP

A consultant's Technical Proposal should include, but is not limited to, the following:

1. Name of firm, address and telephone number.
2. Name of responsible Project Manager.
3. Names, qualifications and experience of principals and key personnel that will be assigned to perform the services. Provide detailed information on these individuals so as to indicate their availability to work on the project.
4. List of completed projects similar to the proposed project in which the team has participated in over the past five (5) years; include detailed information on key personnel, project costs, budget issues, schedule issues, problems resolved, and client contact information for references.
5. Project Statement as determined by consultant.
6. Detailed Scope of Services in response to the Request for Technical Proposal and basic Scope of Services supplied by the County. Include proposed additions or deletions to the basic scope of services along with documentation of why the changes are needed and any associated cost savings or increases.
7. Project Schedule indicating the time frame for work activities, review time, milestones, etc. using a Critical Path Method Report.
8. Copies of letters or recommendations from at least three (3) other public or private agencies reflecting the firm's past performance, preferably on similar projects.

An original and three copies of the Technical Proposal are to be submitted for evaluation.

Part C - Evaluation of Consultant's Response to RFTP

The proposal evaluation committee shall be determined by Delaware County.

Each proposal shall be evaluated using the criteria and points established herein. Each member of the proposal evaluation committee shall evaluate all firms. These individual evaluations shall be combined into a consensus evaluation as the average score for each of the criteria and totaled for a composite score.

Prior to completing evaluations, the proposal evaluation committee may request revisions or clarification of the Technical Proposals, provided the same opportunity to revise or clarify is given to all firms.

The proposal evaluation committee shall evaluate the Technical Proposals based on the following criteria:

Experience of the firm's personnel who would be assigned to perform the work	20 POINTS
Competence of the firm to perform the required service as indicated by experience and past projects	20 POINTS
Quality and feasibility of the firm's Technical Proposal, includes understanding and insight into the basic Scope of Services as contained in the RFTP	20 POINTS
Project Schedule	15 POINTS
Evaluation of additions or deletions to the basic SOS as recommended by the firm	15 POINTS
Ability of the firm to perform the required service competently and expeditiously	10 POINTS
Past performance of the firm as evaluated by the County and other previous clients of the firm	30 POINTS
TOTAL POINTS (without tie breaker)	130 POINTS

If the top ranked firms are deemed equally most qualified, then Delaware County will request detailed cost proposals be submitted by these firms to be evaluated as a tiebreaker.

Detailed Cost Proposals:

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1. The cost proposal shall cover those items exactly as contained in the basic SOS. Cost proposal shall include a breakdown by major work task groups, hours, direct and indirect cost, sub-consultant cost proposals, overhead rate, and proposed net fee. These costs shall be summarized in a computerized spreadsheet format similar to that required by the Ohio Department of Transportation.
2. Consultants are advised when recommending changes in the SOS to first respond to the SOS exactly as set forth by the County. This includes preparing a basic SOS cost that includes all components of the RFTP even if recommending deletions and/or additions. Then each deviation from the basic SOS is to be documented separately in the proposal under an "if authorized" work item and shall identify any and all cost savings and/or increases. Each change in the SOS shall be evaluated by the County based on its merit.
3. The County does not allow a net fee to be charged by the consultant for work performed by a sub-consultant. Administration and coordination costs may be included under the respective work items and rates in the basic SOS cost proposal.

Each member of the proposal evaluation committee shall evaluate each cost proposal for hours and fees, including recommended additions or deletions and their associated costs.

Each cost proposal can earn up to 10 points. The average of the individual cost proposal points shall then be added to the composite technical criteria points.

The firms shall be ranked based on the total composite score.

Part D - Consultant Recommendation

Once the proposal evaluation committee has evaluated all proposals and ranked the firms, the committee shall prepare a letter notifying each firm of its findings. Delaware County may then enter into contract negotiations with the highest ranked firm. This notification shall become a part of the contract file for the project.

Part E - Final Contract Negotiations

Delaware County shall establish the proposed terms and scope of services for the project's contract. Should the negotiations with the highest ranked firm be unsuccessful, then they shall be terminated and negotiations shall begin with the next highest ranked firm. This process shall continue until a contract is successfully negotiated. If no negotiations are successful, all of the short-listed firms that submitted a RFTP will be notified that the selection process has been terminated. Delaware County reserves the right to terminate the final negotiations at its discretion.

Part F - Approval by the Delaware County Board of Commissioners

Once the terms and conditions for the proposed scope of services have met the satisfaction of Delaware County and the contract is signed by the successful firm, the contract shall be presented to the Delaware County Board of Commissioners for approval.

Part G – Final Execution of Contract

Upon execution of the contract by the Board of Commissioners, the Sanitary Engineer shall notify the firm of the executed contract.

Furthermore be it resolved that the Board of County Commissioners perform the following:

1. Approves and implements the procedure to qualify and short list firms to provide professional engineering and surveying services known as the following: DELAWARE COUNTY REGIONAL SEWER DISTRICT QUALIFICATIONS BASED SELECTION PROCEDURE FOR PROFESSIONAL ENGINEERING AND SURVEYING SERVICES.
2. Publicly advertise a Request for Statement of Qualifications for professional engineering and surveying services for improvements to wastewater conveyance and treatment facilities, including but not limited to the design of sewers, pump stations, force mains and upgrades to existing facilities. Statements of Qualifications will be received by Delaware County at the Regional Sewer District office located at 50 Channing Street, Delaware, Ohio 43015 until 3:00 p.m. on Friday, January 8, 2010.
3. Receive and evaluate Statements of Qualifications in accordance with the implemented selection procedure.

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Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

RESOLUTION NO. 09-1516

IN THE MATTER OF ACCEPTANCE OF THE SANITARY SEWERS FOR THE GREENS AT NORTH STAR 1:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Whereas, the Director of Environmental Services recommends accepting sanitary sewers for ownership, operation, and maintenance by Delaware County as follows:

The Greens at North Star 1	711 feet of 8- inch sewer	10- manholes
	865 feet of 12-inch sewer	

Therefore be it resolved, that the Board of Commissioners approve and accept the above sanitary sewers for ownership, operation, and maintenance by Delaware County.

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1517

IN THE MATTER OF APPROVING A SUPPLEMENTAL APPROPRIATION AND PURCHASE ORDER INCREASE FOR THE HEALTH INSURANCE FUND:

It was moved by Mr. Hanks, seconded by Mr. Thompson to approve the following:

Supplemental Appropriation		
60211902-5370	Health Insurance	\$590,000.00

Further be it resolved to increase CEBCO Purchase Order P0902704

60211902-5370	Health Insurance Premium	\$1,546,000.00
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Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1518

IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATION FOR EMS DEPARTMENT:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

Transfer of Appropriation		
From	To	
10011303-5345	10011303-5260	
EMS/Safety & Security	EMS/Inventoried Tools	\$ 34,240.00

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1519

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to approve the following:

Whereas, Chad Antle has submitted his resignation as Director of Environmental Services; and

The County Administrator recommends to accept the resignation of Chad Antle, Director of Environmental Services; effective January 1, 2010.

Therefore Be It Resolved, the Board of County Commissioners accepts the resignation of Chad Antle, Director of Environmental Services.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Nay

RESOLUTION NO. 09-1520

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,800,000 FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING

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CERTAIN COUNTY FACILITIES, INCLUDING THE COUNTY JAIL AND HAYES BUILDING, BY CONSTRUCTING, FURNISHING AND EQUIPPING, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

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 (as defined in Section 2) and the maximum maturity of the Bonds described 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 is at least five (5) years and that the maximum maturity of the Bonds described in Section 2 is at least 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:

“Annual Information” means the annual financial information and operating data of the type to be specified in the Continuing Disclosure Certificate in accordance with the Rule.

“Authorized Denominations” means the denomination of \$5,000 or any integral multiple in excess thereof.

“BABs” means, collectively, Direct Payment BABs and Tax Credit BABs, which are Build America Bonds within the meaning of Section 54AA(d) of the Code.

“Bond proceedings” means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Certificate and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners 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 a bank or trust company authorized to do business in the State of Ohio and designated by the County Administrator in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its designated agent. The book entry maintained by others than the County is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“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.

“Continuing Disclosure Certificate” means the certificate authorized by Section 9(c), to be substantially in the form on file with the Clerk, and which, together with the agreements of the County set forth in that Section 9(c), shall constitute the continuing disclosure agreement (the “Continuing Disclosure Agreement”) made by the County for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule.

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“County” means Delaware County, Ohio.

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

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

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on or Tax Credits relating to Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Direct Payment” means a credit payment allowed pursuant to Section 54AA(g) of the Code with respect to Direct Payment BABs that is payable to the County by the United States Treasury as provided in Section 6431 of the Code.

“Direct Payment BABs” means Bonds that are Build America Bonds within the meaning of Section 54AA(d) of the Code and that are qualified bonds within the meaning of Section 54AA(g), the interest on which is includible in gross income for federal income tax purposes and with respect to which the County shall have made an irrevocable election to receive one or more Direct Payments.

“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.

“MSRB” means the Municipal Securities Rulemaking Board established by the SEC.

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

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years from and including 2010 to and including 2029; provided that the first Principal Payment Date may be deferred up to one year and the last Principal Payment Date may be deferred up to one year or advanced up to ten years, and further provided that in no case shall the final Principal Payment Date of the Bonds exceed the maximum maturity limitation referred to in the preambles hereto, all of which determinations 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.

“Purchase Agreement” means the Bond Purchase Agreement between the County and the Original Purchaser, as it may be modified from the form on file with the Clerk and executed by the County Administrator in accordance with Section 6.

“Registrar Agreement” means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Clerk and executed by the County Auditor in accordance with Section 4.

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

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Specified Events” means the occurrence of any of the following events, within the meaning of the Rule, with respect to the Bonds, as applicable: principal and interest payment delinquencies; non-payment related defaults; unscheduled draws on debt service reserves reflecting financial difficulties; unscheduled draws on credit enhancements reflecting financial difficulties; substitution of credit or liquidity providers, or their failure to perform; adverse tax opinions or events affecting the tax-exempt status of the Bonds; modifications to rights of holders or beneficial owners of the Bonds; Bond calls; defeasances; release, substitution, or sale of property securing repayment of the Bonds; and rating changes. The repayment of the Bonds is not secured by a lien on any property capable of release or sale or for which other property may be substituted.

“Tax Credit” means a credit against federal income tax that is allowed under Section 54AA(a) of the Code to a taxpayer holding a Tax Credit BAB on one or more Interest Payment Dates.

“Tax Credit BABs” means Bonds that are issued and sold as obligations to which Section 54AA(a) of the

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Code applies, the interest on which is includible in gross income for federal income tax purposes and with respect to which one or more Tax Credits is allowed under the Code.

“Tax-Exempt Bonds” means Bonds that are issued and sold as obligations to which Section 103 of the Code applies, the interest on which is excluded from gross income for federal income tax purposes.

“Tax Status” means the status of Bonds as Tax-Exempt Bonds, Direct Payment BABs or Tax Credit BABs.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

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. This Board determines that it is necessary and in the best interest of the County to issue bonds of this County in the maximum principal amount of \$4,800,000 (the “Bonds”) for the purpose of paying the costs of improving certain County facilities, including the County jail and Hayes Building, by constructing, furnishing and equipping, together with all necessary and related appurtenances thereto (the “Improvement”). 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 shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the County Administrator in the Certificate of Award to be the aggregate principal amount of Bonds that 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.

The proceeds from the sale of the Bonds received by the County (or withheld by the Original Purchaser on behalf of the County as described below) 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. The Certificate of Award and the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of certain financing costs on behalf of the County. Any portion of those proceeds received by the County representing premium (after payment of those financing costs) or 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.

(a) Interest Rates 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 or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) 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 in the best interest of and financially advantageous to the County.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the County, the County Administrator shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a “Mandatory Redemption Date”) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on each Mandatory Redemption Date.

(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 or payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) 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

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more than three times the amount of those payments in any other fiscal year. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 10.00% 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 and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust 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. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County Auditor, in the name and on behalf of the County, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "Mandatory Sinking Fund Redemption Requirements").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the County Auditor, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate and having the same Tax Status as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the County Auditor, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate and having the same Tax Status as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the County Auditor, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate and having the same Tax Status as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the County Auditor, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate and having the same Tax Status as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds (if any) of the Tax Status, interest rates and maturities specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the County, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the County Administrator in the Certificate of Award; provided that the earliest optional redemption date shall not be later than December 1, 2020, and the redemption price for any optional redemption date shall not be greater than 103%. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the County Auditor to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and Tax Status and/or interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

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(iii) Extraordinary Optional Redemption Relating to BABs. If any of the Bonds are designated in the Certificate of Award as BABs, the County Administrator is hereby authorized to determine in the Certificate of Award, which determination shall be made if it is in the best interest of and financially advantageous to the County, whether any of such Bonds shall be subject to extraordinary optional redemption in accordance with this paragraph. Any such Bonds identified in the Certificate of Award as being subject to this paragraph shall be subject to extraordinary optional redemption prior to maturity, by and at the sole option of the County, in whole or in part in integral multiples of \$5,000, at a price (plus accrued interest to the redemption date) and on such date or dates to be determined by the County Administrator in the Certificate of Award, in the event that the government of the United States of America evidences, in the sole judgment of the County Auditor, by action or failure to act that it will not provide for direct payments to be made to the County in an amount equal to or greater than thirty-five percent (35%) of the interest payable on those Bonds on any Interest Payment Date. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the County Auditor to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iv) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional or extraordinary optional redemption at one time and Bonds of more than one maturity (or Tax Status and/or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities, and Tax Status or Statuses and interest rate or interest rates selected by the County. If optional or extraordinary optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. If fewer than all of the Bonds of a single maturity (or Tax Status and/or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or Tax Status and/or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate, having the same Tax Status and maturing on the same date as, the Bond surrendered.

(v) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(vi) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne

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had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

(f) Tax Status and Related Series Designations. The respective principal amounts of the Bonds to be issued as Tax-Exempt Bonds, Direct Payment BABs and Tax Credit BABs shall be determined by the County Administrator in the Certificate of Award, having due regard to the best interest of and financial advantages to the County. To the extent the County Administrator determines that it would be in the best interest of and financially advantageous to the County and to facilitate the sale of the Bonds, a separate series designation may assigned to the respective principal amounts of the Bonds to be issued as Tax-Exempt Bonds, Direct Payment BABs and Tax Credit BABs in the Certificate of Award; provided that all of such Bonds shall be treated as a single issue for purposes of this Resolution; and further provided that the County Administrator may provide for the sales of such Bonds with separate series designation through the execution of separate Bond Purchase Agreements evidencing such sales and the provisions of Sections 5 and 6 shall apply to each such sale, and references to "Bond Purchase Agreement", "Bond Register", "Bond Registrar", "Bond Registrar Agreement", "Certificate of Award", "Closing Date", "Continuing Disclosure Certificate", and "Original Purchaser" shall include the Bond Purchase Agreement, Bond Register, Bond Registrar, Bond Registrar Agreement, Certificate of Award, Closing Date, Continuing Disclosure Certificate and Original Purchaser for the Bonds sold separately pursuant to this subsection (f).

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 a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The County Auditor shall sign and deliver, in the name and on behalf of the County, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Auditor on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The County Auditor shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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; Book Entry System.

(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 designated corporate trust office. Subject to the provisions of Sections 3(d) and 9(c), 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 designated corporate trust 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 designated corporate trust 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.

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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.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the County Administrator determines in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent, which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the County Administrator may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County Administrator does not or is unable to do so, the County Administrator, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The County Administrator is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that the County Administrator determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The County Administrator is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the County Administrator in the Certificate of Award, plus accrued interest (if any) 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, the provisions of this Resolution and the Purchase Agreement. 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 Administrator shall sign and deliver, in the name and on behalf of the County, the Purchase Agreement between the County and the Original Purchaser, in substantially the form as is now on file with the Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Administrator on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The County Commissioners, or any of them, the County Auditor, the County Prosecutor, the County Treasurer, the County Administrator, 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

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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.

In each year to the extent money from the County's sales and use tax 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 such money so available and appropriated with the covenant hereinafter set forth. To the extent this Board determines it is legally permissible and necessary to exempt the Bonds from certain debt limitations, the debt charges on the Bonds shall be paid from the County's sales and use taxes lawfully available therefor under the laws of the State; and the County hereby covenants, subject and pursuant to such authority, to appropriate annually from such County's sales and use taxes such amount as is necessary to meet such annual debt charges.

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.

(a) Tax-Exempt Bonds. The representations and covenants in this subsection (a) apply only to Bonds of a series issued and sold as Tax-Exempt Bonds.

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 (i) the Bonds will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The County further covenants that (i) 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 Tax-Exempt Bonds, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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.

(b) BABs. The representations and covenants in this subsection (b) apply only to Bonds of a series issued and sold as Direct Payment BABs or Tax Credit BABs.

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 the Bonds will qualify as Direct Payment BABs or Tax Credit BABs, as applicable, under the applicable provisions of Section 54AA of the Code.

The County further covenants that (i) it will take or cause to be taken such actions that may be required of it for the Bonds to qualify and remain qualified as Direct Payment BABs or Tax Credit BABs, as applicable, including, but not limited to, making an irrevocable election for the Bonds to be Direct Payment BABs or Tax Credit BABs, as applicable, (ii) it will not take or authorize to be taken any actions that would adversely affect that Tax Status, including, but not limited to, allowing the sale of a Bond with more than a de minimus amount (determined under rules similar to those of Section 1273(a)(3) of the Code) of premium over the stated principal amount of the Bonds, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) 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 Tax Status under Section 54AA of the Code.

(c) Further Actions. The County Administrator, the County Auditor or any other officer of the County having responsibility for issuance of the Bonds is hereby authorized (i) 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 to or required to make or give under the federal income tax laws, including, without limitation thereto, the election to issue a portion of the Bonds as Direct Payment BABs or Tax Credit BABs, as applicable, and any of the elections provided for in Section 54AA, 148(f)(4)(C), 14000-1 or 14000-2 of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or Tax Status of the Bonds or interest thereon or an entitlement to Tax Credits or Direct Payments relating thereto, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to Tax-Exempt Bonds, 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 with respect to Tax-Exempt Bonds, which action shall be in writing and signed by the officer, (ii) to take any and all other actions,

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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 intended Tax Status of the Bonds or the County's entitlement to receive one or more Direct Payments, and (iii) 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 Direct Payments or Tax Credits relating to the Bonds and the Tax Status of the Bonds. The County Administrator, the County Auditor or any other officer of the County having responsibility for issuance of the Bonds is specifically authorized to designate Tax-Exempt Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Official Statement, Rating, Bond Insurance and Continuing Disclosure.

(a) Primary Offering Disclosure -- Official Statement. The President of the Board of County Commissioners, the County Auditor and the County Administrator are each authorized and directed, on behalf of the County and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the County Administrator, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this County, the County Administrator is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The County Administrator is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the County, that the County Administrator determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees, as the only obligated person with respect to the Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of paragraph (b)(5)(i) of the Rule. The County further agrees, in particular, to provide or cause to be provided:

(i) to the MSRB (A) Annual Information for each County fiscal year ending hereafter, not later than the 270th day following the end of the fiscal year, and (B) when and if available, audited County financial statements for each such fiscal year; and

(ii) to the MSRB, in a timely manner, notice of (A) any Specified Event if that Event is material, (B) the County's failure to provide the Annual Information within the time specified above, and (C) any change in the accounting principles applied in the preparation of its annual financial statements, any change in its fiscal year, its failure to appropriate funds to meet costs to be incurred to perform the Continuing Disclosure Agreement, and of the termination of the Continuing Disclosure Agreement.

The County further agrees that all documents provided to the MSRB shall be in the form and accompanied by identifying information as prescribed by the MSRB.

In order to further describe and specify certain terms of the County's Continuing Disclosure Agreement made for purposes of the Rule in and pursuant to this Resolution and to be formed, collectively, by this subsection (c) and the Continuing Disclosure Certificate, the County Administrator is authorized and directed to complete, sign and deliver the Continuing Disclosure Certificate, in the name and on behalf of the County, to specify in reasonable detail the Annual Information to be provided (which may be provided by specific reference to other documents previously filed and available in accordance with the Rule), whether the County has obtained any credit enhancement or provider for the Bonds and the County's expectations as to whether audited financial statements will be prepared, the accounting principles to be applied in their preparation, and whether they will be available together with, or separately from, Annual Information.

The County Administrator is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing in accordance with clause (ii) above or providing notice of the occurrence of any other events, the County Administrator shall consult with and obtain legal advice from, as

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appropriate, the County Prosecutor and bond or other qualified independent special counsel selected by the County. The County Administrator, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made.

The County reserves the right to amend its Continuing Disclosure Agreement, and to obtain the waiver of noncompliance with any provision of the Continuing Disclosure Agreement, as may be necessary or appropriate to achieve its compliance with any applicable federal securities law or rule, to cure any ambiguity, inconsistency or formal defect or omission, and to address any change in circumstances arising from a change in legal requirements, change in law, or change in the identity, nature, or status of the County, or type of business conducted by the County. Any such amendment or waiver will not be effective unless the Continuing Disclosure Agreement (as amended or taking into account such waiver) would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any applicable amendments to or official interpretations of the Rule, as well as any change in circumstances, and until the County shall have received: either (i) a written opinion of bond or other qualified independent special counsel selected by the County that the amendment or waiver would not materially impair the interests of holders or beneficial owners of the Bonds or (ii) the written consent to the amendment or waiver of the holders of at least a majority of the principal amount of the Bonds then outstanding. Annual Information containing any revised operating data or financial information shall explain, in narrative form, the reasons for any such amendment or waiver and the impact of the change on the type of operating data or financial information being provided.

The County's Continuing Disclosure Agreement shall be solely for the benefit of the holders and beneficial owners from time to time of the Bonds. The exclusive remedy for any breach of the Continuing Disclosure Agreement by the County shall be limited, to the extent permitted by law, to a right of holders and beneficial owners to institute and maintain, or to cause to be instituted and maintained, such proceedings as may be authorized at law or in equity to obtain the specific performance by the County of its obligations under the Continuing Disclosure Agreement. Any individual holder or beneficial owner may institute and maintain, or cause to be instituted and maintained, such proceedings to require the County to provide or cause to be provided a pertinent filing if such a filing is due and has not been made. Any such proceedings to require the County to perform any other obligation under the Continuing Disclosure Agreement (including any proceedings that contest the sufficiency of any pertinent filing) shall be instituted and maintained only by a trustee appointed by the holders and beneficial owners of not less than 25% in principal amount of the Bonds then outstanding or by holders and beneficial owners of not less than 10% in principal amount of the Bonds then outstanding in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as applicable (or any like or comparable successor provisions).

The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

The County's Continuing Disclosure Agreement shall remain in effect only for such period that the Bonds are outstanding in accordance with their terms and the County remains an obligated person with respect to the Bonds within the meaning of the Rule. The obligation of the County to provide the Annual Information and notices of the events described above shall terminate, if and when the County no longer remains such an obligated person.

Section 10. Bond Counsel. The legal services of the law firm of Squire, Sanders & Dempsey L.L.P. are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this County, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The County Administrator is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 11. Certification and Delivery of Resolution and Certificate of Award. The Clerk is directed to promptly deliver a certified copy of this Resolution and an executed copy of the Certificate of Award to the County Auditor.

Section 12. Satisfaction of Conditions for Bond Issuance. This Board determines that all acts and conditions necessary to be 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 13. 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, all in compliance with the law, including

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Section 121.22 of the Ohio Revised Code.

Section 14. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

Vote on Motion Mr. Thompson Aye Mr. Hanks Aye Mr. O'Brien Aye

RESOLUTION NO. 09-1521

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$16,500,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE COUNTY FOR THE PURPOSES OF (A) PAYING THE COSTS OF CONSTRUCTING ADDITIONS TO AND ENLARGING AND IMPROVING THE COUNTY JAIL, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND (B) REFUNDING BONDS PREVIOUSLY ISSUED BY THE COUNTY FOR THE PURPOSES OF PAYING THE COSTS OF (1) CONSTRUCTING A BUILDING TO PROVIDE FACILITIES FOR COUNTY OFFICES AND FUNCTIONS AND IMPROVING THE SITE THEREOF AND (2) ACQUIRING A BUILDING TO PROVIDE FACILITIES FOR COUNTY OFFICES AND FUNCTIONS.

It was moved by Mr. Hanks, seconded by Mr. O'Brien to approve the following:

WHEREAS, pursuant to Resolutions No. 04-925 and No. 04-926, each adopted on July 29, 2004 (collectively, the "Series 2004 Bond Resolution"), bonds in the aggregate principal amount of \$20,650,000, dated August 15, 2004 (the "Series 2004 Bonds"), were issued for the purposes of (i) paying the costs of constructing additions to and enlarging and improving the County jail, together with all necessary appurtenances thereto (the "County Jail Purpose") and (ii) refunding bonds previously issued by the County for the purposes of paying the costs of (a) constructing a building to provide facilities for County offices and functions and improving the site thereof and (b) acquiring a building to provide facilities for County offices and functions (collectively, the "Refunding Building Purposes" and collectively with the County Jail Purpose, the "Purposes"); and

WHEREAS, this Board finds and determines that it will be in the County's best interest to issue general obligation bonds in accordance with Section 133 of the Ohio Revised Code, in the maximum aggregate principal amount of \$16,500,000 (the "Bonds"), in order to currently refund at a lower rate of interest all or a portion of the Series 2004 Bonds maturing on December 1 in the years 2010 through 2025 (collectively, the "Refunded Series 2004 Bonds") and to pay the financing costs with respect to the Bonds; 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 each purpose comprising the Improvement (as defined 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 each purpose comprising the Improvement is at least five (5) years and that the maximum maturity of the Bonds is (i) December 1, 2024 with respect to the portion of the Bonds allocable to the County Jail Purpose and (ii) December 1, 2025 with respect to the portion of the Bonds allocable to the Refunding Building Purposes;

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:

"Annual Information" means the annual financial information and operating data of the type to be specified in the Continuing Disclosure Certificate in accordance with the Rule.

"Authorized Denominations" means the denomination of \$5,000 or any integral multiple in excess thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Certificate and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners 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 a bank or trust company authorized to do business in the State of Ohio and designated by the County Administrator in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

"Bonds" means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the

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Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its designated agent. The book entry maintained by others than the County is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“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.

“Continuing Disclosure Certificate” means the certificate authorized by Section 9(c), to be substantially in the form on file with the Clerk, and which, together with the agreements of the County set forth in that Section 9(c), shall constitute the continuing disclosure agreement (the “Continuing Disclosure Agreement”) made by the County for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule.

“County” means Delaware County, Ohio.

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

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

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Clerk and executed by the County Auditor in accordance with Section 10.

“Escrow Fund” means the County of Delaware, Ohio – Series 2009 Refunding Escrow Fund created pursuant to the Escrow Agreement.

“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.

“MSRB” means the Municipal Securities Rulemaking Board established by the SEC.

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

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means (a) with respect to the Bonds issued to refund the Refunded Series 2004 Bonds allocable to the County Jail Purpose, December 1 in each of the years from and including 2010 to and including 2024 and (b) with respect to the Bonds issued to refund the Refunded Series 2004 Bonds allocable to the Refunding Building Purposes, December 1 in each of the years from and including 2010 to and including 2025, provided that the first Principal Payment Date for the Bonds issued for any of the Purposes may be deferred up to one year and the final Principal Payment Date for the Bonds issued for any of the Purposes may be advanced by such number of years as determined in the Certificate of Award, and further provided that in no case shall the final Principal Payment Date of the portions of the Bonds issued for any of the Purposes exceed the maximum maturity limitations referred to in the preambles hereto, all of which determinations 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.

“Purchase Agreement” means the Bond Purchase Agreement between the County and the Original Purchaser, as it may be modified from the form on file with the Clerk and executed by the County Administrator in accordance with Section 6.

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“Registrar Agreement” means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Clerk and executed by the County Auditor in accordance with Section 4.

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

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Specified Events” means the occurrence of any of the following events, within the meaning of the Rule, with respect to the Bonds, as applicable: principal and interest payment delinquencies; non-payment related defaults; unscheduled draws on debt service reserves reflecting financial difficulties; unscheduled draws on credit enhancements reflecting financial difficulties; substitution of credit or liquidity providers, or their failure to perform; adverse tax opinions or events affecting the tax-exempt status of the Bonds; modifications to rights of holders or beneficial owners of the Bonds; Bond calls; defeasances; release, substitution, or sale of property securing repayment of the Bonds; and rating changes. The repayment of the Bonds is not secured by a lien on any property capable of release or sale or for which other property may be substituted.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

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. This Board determines that it is necessary and in the best interest of the County to issue bonds of this County in the maximum aggregate principal amount of \$16,500,000 (the “Bonds”) for the purpose of paying the costs of refunding bonds previously issued by the County for the purposes of (a) paying the costs of constructing additions to and enlarging and improving the County jail, together with all necessary appurtenances thereto and (b) refunding bonds previously issued by the County for the purposes of paying the costs of (i) constructing a building to provide facilities for County offices and functions and improving the site thereof and (ii) acquiring a building to provide facilities for County offices and functions (the “Improvement”). 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 shall not exceed the maximum aggregate principal amount specified in this Section 2 and shall be an amount determined by the County Administrator in the Certificate of Award to be the aggregate principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of refunding the Refunded Series 2004 Bonds, the estimated financing costs and the interest rates on the Bonds. The principal maturities of the Refunded Series 2004 Bonds to be refunded shall be those determined by the County Administrator in the Certificate of Award to be the maturities the refunding of which will be in the best interest of and to the financial advantage of the County.

The proceeds from the sale of the Bonds received by the County (or withheld by the Original Purchaser on behalf of the County as described below) 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. The Certificate of Award and the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of certain financing costs on behalf of the County. Any portion of those proceeds received by the County representing premium (after payment of those financing costs) shall be paid into the Bond Retirement Fund and/or the Escrow Fund as determined by the County Administrator in the Certificate of Award. Any portion of those proceeds representing 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.

(a) Interest Rates 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

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interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) 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 in the best interest of and financially advantageous to the County.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the County, the County Administrator shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "Mandatory Redemption Date") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The net interest rate per year for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or mandatory sinking fund redemption of those principal amounts of Bonds shall not exceed 6.00% 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 and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust 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. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County Auditor, in the name and on behalf of the County, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "Mandatory Sinking Fund Redemption Requirements").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the County Auditor, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the County Auditor, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the County Auditor, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be

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credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the County Auditor, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds (if any) of the interest rates and maturities specified in the Certificate of Award shall be subject to optional redemption by and at the sole option of the County, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the County Administrator in the Certificate of Award; provided that the earliest optional redemption date shall not be later than December 1, 2020, and the redemption price for any optional redemption date shall not be greater than 103%. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the County Auditor to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (and interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities, and interest rate or interest rates selected by the County. If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate, and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of

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particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

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 a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The County Auditor shall sign and deliver, in the name and on behalf of the County, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Auditor on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The County Auditor shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award and the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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; Book Entry System.

(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 designated corporate trust office. Subject to the provisions of Sections 3(d) and 9(c), 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 designated corporate trust 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 designated corporate trust 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.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the County Administrator determines in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

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The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent, which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the County Administrator may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County Administrator does not or is unable to do so, the County Administrator, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The County Administrator is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that the County Administrator determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The County Administrator is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the County Administrator in the Certificate of Award, plus accrued interest (if any) 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, the provisions of this Resolution and the Purchase Agreement. 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 Administrator shall sign and deliver, in the name and on behalf of the County, the Purchase Agreement between the County and the Original Purchaser, in substantially the form as is now on file with the Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Administrator on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The County Commissioners, or any of them, the County Auditor, the County Prosecutor, the County Treasurer, the County Administrator, 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.

In each year to the extent money from the County's sales and use tax 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 such money so available and appropriated with the covenant hereinafter set forth. To the extent this Board determines it is legally permissible and necessary to exempt the Bonds from certain debt limitations, the debt charges on the Bonds shall be paid from the County's sales and use taxes lawfully available therefor under the laws of the State; and the County hereby covenants, subject and pursuant to such authority, to appropriate annually from such County's sales and use taxes such amount as is necessary to meet such annual debt charges.

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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 (i) the Bonds will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Bonds 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 Administrator, the County Auditor or any other officer of the County having responsibility for issuance of the Bonds is hereby authorized (i) 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 to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections 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 with respect to the Bonds, 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 with respect to the Bonds, which action shall be in writing and signed by the officer, (ii) 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 (iii) 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. The County Administrator, the County Auditor or any other officer of the County having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

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. Official Statement, Rating, Bond Insurance and Continuing Disclosure.

(a) Primary Offering Disclosure -- Official Statement. The President of the Board of County Commissioners, the County Auditor and the County Administrator are each authorized and directed, on behalf of the County and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the County Administrator, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this County, the County Administrator is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The County Administrator is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the County, that the County Administrator determines to be necessary in connection with the obtaining of that bond insurance.

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(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees, as the only obligated person with respect to the Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of paragraph (b)(5)(i) of the Rule. The County further agrees, in particular, to provide or cause to be provided:

(i) to the MSRB (A) Annual Information for each County fiscal year ending hereafter, not later than the 270th day following the end of the fiscal year, and (B) when and if available, audited County financial statements for each such fiscal year; and

(ii) to the MSRB, in a timely manner, notice of (A) any Specified Event if that Event is material, (B) the County's failure to provide the Annual Information within the time specified above, and (C) any change in the accounting principles applied in the preparation of its annual financial statements, any change in its fiscal year, its failure to appropriate funds to meet costs to be incurred to perform the Continuing Disclosure Agreement, and of the termination of the Continuing Disclosure Agreement.

The County further agrees that all documents provided to the MSRB shall be in the form and accompanied by identifying information as prescribed by the MSRB.

In order to further describe and specify certain terms of the County's Continuing Disclosure Agreement made for purposes of the Rule in and pursuant to this Resolution and to be formed, collectively, by this subsection (c) and the Continuing Disclosure Certificate, the County Administrator is authorized and directed to complete, sign and deliver the Continuing Disclosure Certificate, in the name and on behalf of the County, to specify in reasonable detail the Annual Information to be provided (which may be provided by specific reference to other documents previously filed and available in accordance with the Rule), whether the County has obtained any credit enhancement or provider for the Bonds and the County's expectations as to whether audited financial statements will be prepared, the accounting principles to be applied in their preparation, and whether they will be available together with, or separately from, Annual Information.

The County Administrator is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing in accordance with clause (ii) above or providing notice of the occurrence of any other events, the County Administrator shall consult with and obtain legal advice from, as appropriate, the County Prosecutor and bond or other qualified independent special counsel selected by the County. The County Administrator, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made.

The County reserves the right to amend its Continuing Disclosure Agreement, and to obtain the waiver of noncompliance with any provision of the Continuing Disclosure Agreement, as may be necessary or appropriate to achieve its compliance with any applicable federal securities law or rule, to cure any ambiguity, inconsistency or formal defect or omission, and to address any change in circumstances arising from a change in legal requirements, change in law, or change in the identity, nature, or status of the County, or type of business conducted by the County. Any such amendment or waiver will not be effective unless the Continuing Disclosure Agreement (as amended or taking into account such waiver) would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any applicable amendments to or official interpretations of the Rule, as well as any change in circumstances, and until the County shall have received: either (i) a written opinion of bond or other qualified independent special counsel selected by the County that the amendment or waiver would not materially impair the interests of holders or beneficial owners of the Bonds or (ii) the written consent to the amendment or waiver of the holders of at least a majority of the principal amount of the Bonds then outstanding. Annual Information containing any revised operating data or financial information shall explain, in narrative form, the reasons for any such amendment or waiver and the impact of the change on the type of operating data or financial information being provided.

The County's Continuing Disclosure Agreement shall be solely for the benefit of the holders and beneficial owners from time to time of the Bonds. The exclusive remedy for any breach of the Continuing Disclosure Agreement by the County shall be limited, to the extent permitted by law, to a right of holders and beneficial owners to institute and maintain, or to cause to be instituted and maintained, such proceedings as may be authorized at law or in equity to obtain the specific performance by the County of its obligations under the Continuing Disclosure Agreement. Any individual holder or beneficial owner may institute and maintain, or cause to be instituted and maintained, such proceedings to require the County to provide or cause to be provided a pertinent filing if such a filing is due and has not been made. Any such proceedings to require the County to perform any other obligation under the Continuing Disclosure Agreement (including any proceedings that contest the sufficiency of any pertinent filing) shall be instituted and maintained only by a trustee appointed by the holders and beneficial owners of not less than 25% in principal amount of the Bonds then outstanding or by holders and beneficial owners of not less than 10% in principal amount of the Bonds then outstanding in accordance with Section 133.25(B)(4)(b) or (C)(1) of the Ohio Revised Code, as applicable (or any like or comparable successor provisions).

The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

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The County's Continuing Disclosure Agreement shall remain in effect only for such period that the Bonds are outstanding in accordance with their terms and the County remains an obligated person with respect to the Bonds within the meaning of the Rule. The obligation of the County to provide the Annual Information and notices of the events described above shall terminate, if and when the County no longer remains such an obligated person.

Section 10. Call for Redemption; Escrow Trustee; Escrow Agreement; Escrow Fund. To provide for the payment of the principal of and interest and redemption premium (if any) on the Refunded Series 2004 Bonds, the County Auditor is hereby authorized and directed for and in the name of the County and on its behalf to execute and deliver to a bank or trust company located in Ohio, designated by the County Administrator as escrow trustee (the "Escrow Trustee"), the Escrow Agreement substantially in the form now on file with the Clerk. The Escrow Fund provided for in the Escrow Agreement is hereby created. The form of Escrow Agreement is approved with such changes therein as are not inconsistent with this Resolution and not substantially adverse to the County and shall be approved by the officer executing the Escrow Agreement. Approval of such changes and that such changes are not substantially adverse to the County shall be conclusively evidenced by the execution of the Escrow Agreement by that official.

Acting pursuant to the Series 2004 Bond Resolution which authorized the Series 2004 Bonds, the Refunded Series 2004 Bonds, determined by the County Administrator in the Certificate of Award to be refunded and called for redemption, are hereby called for redemption on the earliest practicable date as set forth in the Certificate of Award (the "Series 2004 Redemption Date") at the required redemption price of the principal amount thereof, and the County Auditor is hereby authorized and directed to cause those Refunded Series 2004 Bonds to be called for redemption on the Series 2004 Redemption Date and arrange for the notice of redemption to be given in accordance with the applicable provisions of the Series 2004 Bond Resolution. For informational purposes, a certified copy of this Resolution shall be sent by the County Auditor to the current bond registrar for the Refunded Series 2004 Bonds.

In order to provide for the payment of (a) the interest on the Refunded Series 2004 Bonds on any interest payment date following the Closing Date and through the Series 2004 Redemption Date, (b) the principal (if any) of the Refunded Series 2004 Bonds maturing on or prior to the Series 2004 Redemption Date and (c) the principal of and redemption premium (if any) on the Refunded Series 2004 Bonds to be called for redemption on the Series 2004 Redemption Date, the County covenants and agrees with the Escrow Trustee and with the owners of the Refunded Series 2004 Bonds that the County will take, and will cause the Escrow Trustee to take, all steps required by the terms of the Escrow Agreement to carry out such payments. The County will provide from the proceeds of the Bonds and other available funds in accordance with this Resolution, moneys and investments sufficient to pay in full (a) the interest on the Refunded Series 2004 Bonds on any interest payment date following the Closing Date and through the Series 2004 Redemption Date, (b) the principal (if any) of the Refunded Series 2004 Bonds maturing on or prior to the Series 2004 Redemption Date and (c) the principal of and redemption premium (if any) on the Refunded Series 2004 Bonds to be called for redemption on the Series 2004 Redemption Date. The County covenants and agrees with the Escrow Trustee and with the owners of the Refunded Series 2004 Bonds that the County will take, and will cause the Escrow Trustee to take, all steps required by the terms of this Resolution, Section 133.34, Ohio Revised Code, and the Escrow Agreement to carry out such payments so that the Refunded Series 2004 Bonds are not deemed to be outstanding.

There shall be delivered to the Escrow Trustee for the Escrow Fund proceeds to be received from the sale of the Bonds and other available funds which shall be invested in United States Treasury Obligations ("Treasury Securities"), State and Local Government Series ("SLG Securities") or other direct obligations of or obligations guaranteed as to both principal and interest of the United States as defined in Section 133.34, Ohio Revised Code, of the United States of America (direct obligations and guaranteed obligations together with the SLG Securities, collectively, the "Securities") and which Securities shall be certified by an independent public accounting firm of national reputation in a written report (the "Verification Report") to be of such maturities or redemption dates and interest of payment dates, and to bear such interest, as will be sufficient together with any moneys in the Escrow Fund to be held in cash as contemplated by the Verification Report without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, to cause the Refunded Series 2004 Bonds to be deemed to be not outstanding as provided for in Section 133.34, Ohio Revised Code, and the balance of those proceeds, less any amount thereof, contemplated by the Verification Report to be held in cash in the Escrow Fund, shall be used for the payment of costs related to the refunding and the issuance of the Bonds, and of financing costs.

At the direction of the County Auditor, the Escrow Trustee or the Original Purchaser is authorized to apply and subscribe for SLG Securities on behalf of the County. Further, if the County Auditor determines that it would be in the best interest of and to the financial advantage of the County to purchase Treasury Securities for deposit into the Escrow Fund, the County Auditor is authorized and directed to solicit, or cause the solicitation, of bids for such Treasury Securities.

Any such Securities, and moneys, if any, in addition thereto contemplated by the Verification Report to be held in cash, shall be held by the Escrow Trustee in trust and committed irrevocably to the payment of the principal of and interest and redemption premium (if any) on the Refunded Series 2004 Bonds.

Section 11. Bond Counsel. The legal services of the law firm of Squire, Sanders & Dempsey L.L.P. are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the

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documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this County, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The County Administrator is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 12. Certification and Delivery of Resolution and Certificate of Award. The Clerk is directed to promptly deliver a certified copy of this Resolution and an executed copy of the Certificate of Award to the County Auditor.

Section 13. Satisfaction of Conditions for Bond Issuance. This Board determines that all acts and conditions necessary to be 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 14. 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, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

Vote on Motion Mr. Hanks Aye Mr. Thompson Aye Mr. O'Brien Aye

**COMMISSIONERS' COMMITTEES REPORTS
(Refer To CD Minutes For Entire Record)**

- Commissioner Hanks**
 -Ohio Department of Development; Best Business Climates
 -Treasurer; Delinquent Tax Fund Increase
 -Lights at Columbus Zoo
 -Question; Bargaining Union Wages
 -Ground Breaking At OSU Medical Center At Lewis Center

- Commissioner O'Brien**
 -Participated In A TRN Meeting On Friday; where grant funds should be used
 -EMA Meeting Was Today; Boundary Concerns With Franklin County

- Commissioner Thompson**
 -Email; Questions From Local Manufacture On Future Construction In Delaware County

RESOLUTION NO. 09-1522

IN THE MATTER OF ADJOURNING THE MEETING:

It was moved by Mr. Hanks, seconded by Mr. O'Brien to adjourn the meeting.

Vote on Motion Mr. O'Brien Aye Mr. Thompson Aye Mr. Hanks Aye

Todd Hanks

Ken O'Brien

Tommy Thompson