

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011

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

Present:  
Dennis Stapleton, President  
Ken O’Brien, Vice President  
Tommy Thompson, Commissioner

10:15 AM Public Hearing To Discuss The Possible Issuance By The County Of Franklin, Ohio Of Its Hospital Facilities Revenue Bonds For The Purpose Of Refinancing All Or A Portion Of Certain Hospital Facilities Bonds Issued By The County Of Delaware, Ohio For The Benefit Of Grady Memorial Hospital, At 561 West Central Avenue, City Of Delaware, County Of Delaware, Ohio And Financing Hospital Facilities At The Same Location And Other Location

RESOLUTION NO. 11-447

IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD MAY 2, 2011:

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

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the “Board”) met in regular session on May 2, 2011; 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. Stapleton Aye Mr. O'Brien Aye

PUBLIC COMMENT

ELECTED OFFICIAL COMMENT

RESOLUTION NO. 11-448

IN THE MATTER OF CONGRATULATING RICK LEWIS ON HIS RETIREMENT AFTER 40 YEARS WITH THE PORTER KINGSTON FIRE DISTRICT:

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

Whereas, Rick Lewis recently retired after serving as a volunteer for 40 years with the Porter Kingston Fire District (PKFD); and

Whereas, Rick Lewis is currently the longest serving member of PKFD. Mr. Lewis started with the Porter Township Fire Department on April 2, 1971 and retired from the Porter Kingston Fire District on April 7, 2011; and

Whereas, Rick Lewis is one of Delaware County’s special treasures. The PKFD Fire Chief Michael Thompson has remarked, that "Rick answered calls at all hours of the day and night no matter what the emergency was"; and

Whereas, Rick Lewis’s sincerity and dedication have helped countless others in the Delaware County community; and

Whereas, serving with the district has been a family affair for Lewis whose father Ellis, brother Charlie, sister Mardissa, nephew Brad Thorpe, and brothers-in-law Randy Thorpe and John Johnston all have served with the District over the years and nephew Wesley is currently serving;

Therefore, Be It Resolved, that the Delaware County Board of Commissioners does hereby honor and congratulate Rick Lewis on his retirement after 40 years with the Porter Kingston Fire District;

Further Be It Resolved, that the Delaware County Board of Commissioners wish to commend and thank Mr. Rick Lewis, his family, and all the great volunteers and staff of the Porter Kingston Fire District who work so hard to keep us safe.

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011

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

RESOLUTION NO. 11-449

IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND  
PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0504, MEMO TRANSFERS IN BATCH  
NUMBERS MTAPR0504:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0504, memo transfers in batch numbers MTAPR0504, and Purchase Orders as listed below:

<u>Vendor</u>		<u>Description</u>	<u>Account</u>	<u>Amount</u>	
<b>PO' Increase</b>					
Inter Society For Six Sigma		Job and Family Services/ Certifications	22311611-5348	\$8,000.00	
<b>PR Number</b>	<b>Vendor Name</b>	<b>Line Desc</b>	<b>Line Account</b>	<b>Amount</b>	<b>Line Number</b>
R1103777	MULTITRODE INC	SOFTWARE SUPPORT FOR SCADA SYSTEM	66211903 - 5320	\$4,250.00	0001
R1103777	MULTITRODE INC	SOFTWARE SUPPORT FOR SCADA SYSTEM	66211904 - 5320	\$4,250.00	0002
R1103777	MULTITRODE INC	PRE APPROVED REPAIRS - MULTITRODE	66211903 - 5328	\$2,000.00	0003
R1103777	MULTITRODE INC	PRE APPROVED REPAIRS - MULTITRODE	66211904 - 5328	\$2,000.00	0004
R1103865	DELAWARE COUNTY BANK & TRUST CO	BILLING LOCK BOX SERVICES FOR 5/1/ 11 -12/ 31/ 11	66211901 - 5328	\$13,500.00	0001
R1103867	MAIL PRO 1 LLC	PRINTING AND MAILING SERVICES FOR 4 25 11 -	66211901 - 5313	\$7,000.00	0001
R1104066	COUNTY RISK SHARING AUTHORITY	CLEAN UP OF SEWER BACK UP AT 2300 BOLD VENTURE DR	66211901 - 5370	\$9,000.00	0001
R1104126	HIGH TIDE TECHNOLOGIE S LLC	PACKAGE PLANTS	66211909 - 5201	\$4,600.00	0001
R1104126	HIGH TIDE TECHNOLOGIE S LLC	HOOVERWOODS	66211909 - 5315	\$360.00	0002
R1104126	HIGH TIDE TECHNOLOGIE S LLC	SCIOTO HILLS	66211910 - 5201	\$4,600.00	0003
R1104126	HIGH TIDE TECHNOLOGIE S LLC	SCIOTO HILLS	66211910 - 5315	\$420.00	0004
R1104128	FLOYD BROWNE ASSOC INC	PUMPS AT OECC - NEEDED FOR BUILDING PERMIT	66611903 - 5410	\$5,900.00	0001
R1104212	QUINN CONTRACTING	REPLACE PUMP STATIN ROOFS	66211903 - 5328	\$3,600.00	0001
R1104212	QUINN CONTRACTING	REPLACE PUMP STATION ROOF	66211904 - 5328	\$1,800.00	0002
R1104221	FLOWLINE LLC	LABOR TO REMOVE GRIT FROM AERATION TANK	66611903 - 5403	\$13,285.00	0001

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

RESOLUTION NO. 11-450

IN THE MATTER OF APPROVING PERSONNEL ACTIONS:

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

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011

The Director of The Child Support Enforcement Agency recommends hiring Lisa Thompson as a Customer Service Specialist with the CSEA Department; effective date May 9, 2011;

Therefore Be It Resolved, that the Board of County Commissioners approve hiring Lisa Thompson as a Customer Service Specialist with the CSEA Department; effective date May 9, 2011.

Vote On Motion                      Mr. Thompson    Aye        Mr. O'Brien        Aye        Mr. Stapleton        Aye

RESOLUTION NO. 11-451

**PUBLIC HEARING TO DISCUSS THE POSSIBLE ISSUANCE BY THE COUNTY OF FRANKLIN, OHIO OF ITS HOSPITAL FACILITIES REVENUE BONDS FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF CERTAIN HOSPITAL FACILITIES BONDS ISSUED BY THE COUNTY OF DELAWARE, OHIO FOR THE BENEFIT OF GRADY MEMORIAL HOSPITAL, AT 561 WEST CENTRAL AVENUE, CITY OF DELAWARE, COUNTY OF DELAWARE, OHIO AND FINANCING HOSPITAL FACILITIES AT THE SAME LOCATION AND OTHER LOCATION:**

It was moved by Mr. O'Brien, seconded by Mr. Thompson to open the hearing at 10:15AM.

Vote On Motion                      Mr. Stapleton    Aye        Mr. O'Brien        Aye        Mr. Thompson        Aye

RESOLUTION NO. 11-452

**IN THE MATTER OF CLOSING THE PUBLIC HEARING TO DISCUSS THE POSSIBLE ISSUANCE BY THE COUNTY OF FRANKLIN, OHIO OF ITS HOSPITAL FACILITIES REVENUE BONDS FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF CERTAIN HOSPITAL FACILITIES BONDS ISSUED BY THE COUNTY OF DELAWARE, OHIO FOR THE BENEFIT OF GRADY MEMORIAL HOSPITAL, AT 561 WEST CENTRAL AVENUE, CITY OF DELAWARE, COUNTY OF DELAWARE, OHIO AND FINANCING HOSPITAL FACILITIES AT THE SAME LOCATION AND OTHER LOCATION:**

It was moved by Mr. O'Brien, seconded by Mr. Thompson to close the hearing at 10:20AM.

Vote On Motion                      Mr. O'Brien        Aye        Mr. Thompson        Aye        Mr. Stapleton        Aye

RESOLUTION NO. 11-453

**A RESOLUTION AUTHORIZING A COOPERATIVE AGREEMENT WITH FRANKLIN COUNTY AND VARIOUS OTHER COUNTIES RELATING TO THE POTENTIAL ISSUANCE BY FRANKLIN COUNTY OF ITS REVENUE BONDS PURSUANT TO CHAPTER 140, OHIO REVISED CODE, TO FINANCE AND REFINANCE HOSPITAL FACILITIES FOR THE BENEFIT OF OHIOHEALTH CORPORATION AND AFFILIATES OF OHIOHEALTH CORPORATION LOCATED OR TO BE LOCATED IN FRANKLIN COUNTY, DELAWARE COUNTY, HARDIN COUNTY, MARION COUNTY, AND ATHENS COUNTY AND APPROVING THE ISSUANCE OF THE BONDS PURSUANT TO SECTION 147(f) OF THE INTERNAL REVENUE CODE:**

Commissioner O'Brien moved the adoption of the following Resolution and Commissioner Thompson seconded the motion.

WHEREAS, the County of Franklin, Ohio ("Franklin County"), as a "public hospital agency," as defined in Chapter 140, Revised Code (the "Act"), is authorized and empowered by the Act to (a) acquire, construct, improve and equip "hospital facilities," as defined in the Act, and (b) issue its revenue bonds to refund bonds and other obligations issued to pay the "costs of hospital facilities," as defined in the Act;

WHEREAS, pursuant to the Act and a combined hearing held by the County Hospital Commission of Franklin County, on behalf of Franklin County, Athens County, Hardin County and Marion County on May 4, 2011, and a hearing held by this Board of County Commissioners on May 5, 2011, Franklin County anticipates issuing its Hospital Facilities Revenue Bonds, Series 2011 (OhioHealth Corporation) (whether designated as described in this Resolution or in the final bond indenture securing such bonds, the "Series 2011 Bonds") in one or more series, a portion of the proceeds of which are to be used by the OhioHealth Corporation (the "Corporation"), Grady Memorial Hospital, Hardin Memorial Hospital, Inc., Marion General Hospital, or Doctors Health Corporation of Nelsonville to finance and refinance the costs of the acquisition, construction, installation and equipping of certain "hospital facilities" located or to be located within the County of Franklin, Ohio, the County of Athens, Ohio, the County of Delaware, Ohio, the County of Hardin, Ohio, and the County of Marion, Ohio (the "Projects");

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

Section 1.                      Authorization. At least two members of this Board are hereby authorized and directed to execute and deliver, for and in the name and on behalf of Delaware County and in their official capacities, a

**COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011**

---

Cooperative Agreement with Franklin County, Athens County, Hardin County, and Marion County in substantially the form on file with the Clerk of this Board, with such changes therein as shall not be materially adverse to Delaware County and as shall be approved by the officers executing the same, the approval of any such changes by those officers being conclusively evidenced by their execution of the Cooperative Agreement. The Clerk of this Board is hereby directed to deliver an executed counterpart of the Cooperative Agreement to each of Franklin County, Athens County, Hardin County and Marion County.

Section 2. Findings and Determinations. The findings and determinations of Delaware County set forth in Section 1 of the Cooperative Agreement on file with the Clerk of this Board are hereby confirmed as if fully restated herein.

Section 3. Approval. The issuance of the revenue bonds is hereby approved by this Board, as an "applicable elected representative" of Delaware County, solely for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Section 4. No Obligation. The costs of issuance of the Series 2011 Bonds by Franklin County shall be paid from the proceeds of the Series 2011 Bonds, or from moneys made available by the Corporation, Grady Memorial Hospital, Hardin Memorial Hospital, Inc., Marion General Hospital, or Doctors Health Corporation of Nelsonville. The Series 2011 Bonds do not constitute a general obligation, debt or bonded indebtedness of Franklin County or this County and neither the faith or credit or taxing power of Franklin County or this County or any other political subdivision is pledged to the payment of principal of or interest on the Series 2011 Bonds and the holders or owners thereof shall not be given the right and have no right to have excises or taxes levied by Franklin County or this County for the payment of principal of and interest thereon. Further, no part of the Series 2011 Bonds are to be issued, or shall be deemed issued, for or on behalf of this County.

Section 4. Bond Terms. The terms and provisions of the Series 2011 Bonds shall be as provided for in or pursuant to resolutions of the County Hospital Commission of Franklin County and the Board of County Commissioners of Franklin County authorizing the issuance, sale and delivery of the Series 2011 Bonds.

Section 5. Execution of Other Documents. Any member of this Board, the Clerk of this Board, the County Auditor and other County officials, as appropriate, are each 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 6. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. Effectiveness. This Resolution shall be in full force and effect immediately upon its adoption.

**COOPERATIVE AGREEMENT**

This Cooperative Agreement (this "Agreement"), is made and entered into as of June 1, 2011, by and between the County of Delaware, Ohio ("Delaware County"), the County of Hardin, Ohio ("Hardin County"), the County of Marion, Ohio ("Marion County"), the County of Athens, Ohio ("Athens County"), and the County of Franklin, Ohio ("Franklin County"), each a county and political subdivision organized and existing under the laws of the State of Ohio (the "State"), under the circumstances described in the following recitals:

WHEREAS, OhioHealth Corporation, Grady Memorial Hospital, Marion General Hospital, Inc., Hardin Memorial Hospital and Doctors Health Corporation of Nelsonville, each an Ohio nonprofit corporation, a "nonprofit hospital agency" (as defined in Section 140.01, Ohio Revised Code) and a member of the obligated group of hospitals for the bonds proposed to be issued (together with their respective successors and assigns, "OhioHealth," "Grady," "Marion," "Hardin" and "Nelsonville" respectively, and collectively, the "Affiliates"), each operates and intends to operate "hospital facilities" (as defined in Section 140.01, Ohio Revised Code), that are located or are proposed to be located their respective counties;

WHEREAS, OhioHealth operates and intends to operate hospital facilities that are located or are proposed to be located in the Franklin County on the campus of Dublin Methodist Hospital, 7500 Hospital Drive, Dublin, Ohio; on the campus of Riverside Methodist Hospital, 3535 Olentangy River Road, Columbus, Ohio; on the campus of Grant Medical Center, 111 South Grant Avenue, Columbus, Ohio, and on the campus of Doctors Hospital, 5100 West Broad Street, Columbus, Ohio and in Delaware County on the Grant Medical Center campus at 260 Polaris Parkway, Westerville, Ohio (collectively, the "OhioHealth Project");

WHEREAS, Grady operates and intends to operate hospital facilities that are located in Delaware County and intends to acquire, construct, install, furnish, and equip hospital facilities and make other related improvements (collectively, the "Grady Project") at 561 West Central Avenue, Delaware, Ohio;

WHEREAS, Marion operates and intends to operate hospital facilities that are located or are

**COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011**

---

proposed to be located in Marion County and intends to acquire, construct, install, furnish, and equip hospital facilities and make other related improvements (collectively, the "Marion Project") located on the campus of Marion General Hospital, Inc. at 1000 McKinley Park Drive, Marion, Ohio;

WHEREAS, Nelsonville operates and intends to operate hospital facilities that are located or are proposed to be located in Athens County and has acquired, constructed, installed, furnished, and equipped hospital facilities and made other related improvements (collectively, the "Nelsonville Project") located on the campus of Doctors Health Corporation of Nelsonville, 1950 Mount Saint Mary Drive, Nelsonville, Ohio;

WHEREAS, Hardin operates and intends to operate hospital facilities that are located or are proposed to be located in Hardin County and intends to acquire, construct, install, furnish, and equip hospital facilities and make other related improvements (collectively, the "Hardin Project") at the site of hospital facilities located at 921 East Franklin Street, Kenton, Ohio (the "Hardin Facilities" and, together with the OhioHealth Facilities, the Grady Facilities, the Marion Facilities and the Nelsonville Facilities, the "Hospital Facilities");

WHEREAS, the Affiliates comprise an integrated health care delivery system (the "OhioHealth System"), serving the residents of Ohio, including the residents of Franklin County, Delaware County, Hardin County, Marion County, and Athens County;

WHEREAS, in order to provide financing and refinancing for hospital facilities located or to be located in Franklin County, Delaware County, Hardin County, Marion County, and Athens County all so as to enable the OhioHealth System to better provide for the health and welfare of the people of Franklin County, Delaware County, Hardin County, Marion County, and Athens County and the State, by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby, the Affiliates have requested that Franklin County issue its revenue obligations, in one or more series, to provide financing and refinancing for hospital facilities to be leased or subleased by one or more of the Affiliates to OhioHealth and to be leased or subleased by OhioHealth to Franklin County, and leased or subleased by Franklin County back to OhioHealth and leased or subleased by OhioHealth to one or more of the Affiliates (the "Proposed Revenue Bonds");

NOW, THEREFORE, in consideration of the premises and the mutual agreements contained herein, the parties hereto agree as follows:

Section 1. Findings and Determinations. OhioHealth has represented, and Franklin County, Delaware County, Hardin County, Marion County, and Athens County hereby find and determine on the basis of those representations, that the Affiliates are nonprofit hospital agencies; that the provision of financing and refinancing of hospital facilities for the benefit of the Affiliates through the issuance by Franklin County of the Proposed Revenue Bonds under Chapter 140 of the Ohio Revised Code (the "Act"), will promote the public purpose of better providing for the health and welfare of the people of all of Franklin County, Delaware County, Hardin County, Marion County, and Athens County, and of the State, by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby; that the provisions of this Agreement will promote the cooperation of "hospital agencies", as defined in and contemplated by the Act, and will result in economies in the financing of hospital facilities under the Act; and that Franklin County, Delaware County, Hardin County, Marion County, and Athens County, pursuant to law including Sections 140.03 and 307.15 of the Ohio Revised Code and resolutions adopted by the Hospital Commission of Franklin County, the Franklin County Board of County Commissioners, the Delaware County Board of County Commissioners, the Hardin County Board of Commissioners, the Marion County Board of Commissioners and the Athens County Board of Commissioners are duly authorized to enter into this Agreement.

Section 2. Cooperative Issuance of Obligations Under the Act. Delaware County, Hardin County, Marion County, and Athens County hereby acknowledge and confirm that Franklin County has and shall have authority to issue the Proposed Bonds, upon the request of OhioHealth, for any purpose permitted by the Act, including without limitation, the financing and refinancing of hospital facilities, including without limitation, the Projects located in the respective counties, to be leased or subleased by one or more of the Affiliates to OhioHealth and to be leased or subleased by OhioHealth to Franklin County, and leased or subleased by Franklin County back to OhioHealth and leased or subleased by OhioHealth to one or more of the Affiliates, without regard to whether the physical location of those hospital facilities is in Franklin County, Delaware County, Hardin County, Marion County, or Athens County, so long as such facilities are available to serve the residents of Franklin County, Delaware County, Hardin County, Marion County, and Athens County, and Franklin County is able to determine that the public purposes of the Act will be served by the provision of that financing or refinancing; provided, however, that nothing herein shall prevent any of Delaware County, Hardin County, Marion County, or Athens County from issuing, upon the request of any of the Affiliates, revenue obligations under the Act for the purpose of providing financing or refinancing for hospital facilities located or to be located within the boundaries of their respective counties, so long as such facilities are not and would not be subject to any lease or sublease between Franklin County and any of the Affiliates. Prior to issuing any such Proposed Revenue Bonds under the Act, Franklin County shall have determined that the particular facilities to be financed or refinanced constitute hospital facilities under the Act, that the benefited entity is a nonprofit hospital agency under the Act, and that the public purposes of the Act will be served thereby.

Section 3. Indemnification; Costs of Issuance. In order to induce Franklin County,

**COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011**

---

Delaware County, Hardin County, Marion County, and Athens County to enter into this Agreement, OhioHealth releases Delaware County, Hardin County, Marion County, Athens County and Franklin County and each official, officer and employee thereof (collectively, the "Indemnified Parties") from, agree that the Indemnified Parties shall not be liable for, and indemnify each Indemnified Party against, all liabilities, obligations, damages, costs and expenses (including without limitation, reasonable attorneys' fees) asserted against, imposed upon or incurred by an Indemnified Party arising out of or in connection with or resulting from the execution and delivery of this Agreement and the consummation of the transactions provided for herein and contemplated hereby. OhioHealth also agrees to pay the reasonable costs incurred by Delaware County, Hardin County, Marion County, Athens County and Franklin County relating to this Agreement and consummation of the transactions contemplated by this Agreement, whether or not the Proposed Revenue Bonds are issued. None of Delaware County, Hardin County, Marion County, Athens County or Franklin County shall have any obligation to pay any moneys with respect to the Hospital Facilities or the financing or refinancing thereof, other than from the proceeds of the Proposed Revenue Bonds.

The Proposed Revenue Bonds shall not represent or constitute a general obligation, debt or bonded indebtedness of Delaware County, Hardin County, Marion County, Athens County or Franklin County, and none of Delaware County, Hardin County, Marion County, Athens County or Franklin County shall have any liability for the payment from its own resources of the principal of or interest or any premium on the Proposed Revenue Bonds. The Proposed Revenue Bonds shall be payable solely and exclusively from moneys made available, directly or indirectly, by one or more of the Affiliates under the leases and subleases between Franklin County, as lessor, and OhioHealth, as lessee, and between OhioHealth, as lessor, and each of the Affiliates, as lessees, as supplemented in connection with the issuance of the Proposed Revenue Bonds, or from the proceeds of the Proposed Revenue Bonds.

It is further understood that any contracts made by any of the Affiliates with respect to the OhioHealth Project, the Grady Project, the Hardin Project, the Marion Project or the Nelsonville Project (collectively, the "Projects"), whether acquisition contracts, construction contracts or otherwise, or any work done by any of the Affiliates with respect to the any of those Projects, are made or done by an Affiliate in its own behalf and not as agent or contractor for any of Franklin County, Delaware County, Hardin County, Marion County or Athens County.

Section 4. Conditions to Issuance of Revenue Obligations. Any Proposed Revenue Bonds issued by Franklin County shall have such terms as shall be approved by an Affiliate, and provision therefor shall be made in or pursuant to resolutions of the Hospital Commission of Franklin County and the Board of County Commissioners of Franklin County authorizing the issuance, sale and delivery of the Proposed Revenue Bonds; provided that, the execution and delivery of this Agreement by Delaware County, Hardin County, Marion County, Athens County and Franklin County shall not obligate any of Delaware County, Hardin County, Marion County, Athens County or Franklin County to proceed with the issuance of any Proposed Revenue Bonds for the benefit of any of the Affiliates, and the approval of the sale and issuance of any Proposed Revenue Bonds by Franklin County for such purpose shall be subject to the adoption by the Hospital Commission of Franklin County and the Board of County Commissioners of Franklin County, in their discretion, of a resolution authorizing the sale and issuance of a particular series of the Proposed Revenue Bonds.

Section 5. Effective Date. This Agreement shall take effect immediately upon its execution by Delaware County, Hardin County, Marion County, Athens County and Franklin County.

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

**COMMISSIONERS' COMMITTEES REPORTS**

**Mona Reilly, Director Of Job And Family Services Announces Her Retirement Day-June 30, 2011.**

**Commissioner O'Brien**

**-Attended And Participated In An EMA Meeting; Conformed And Non-Conformed Boundaries**

**Commissioner Thompson**

**-Next Tuesday Is The DKMM Solid Waste District Full Board Meeting**

**Commissioner Stapleton**

**-Thank You To The Voters For The 911 Levy**

**-Reminder Of The 1:30pm Work Session On Monday; Judge Krueger, Patricia Clements And Steve Hedge On Reentry Task Force Followed By Steve Tugend And Rusty Schuermann, Kegler Brown Hill & Ritter Presentation On Transportation Improvement Districts (TID)**

**RESOLUTION NO. 11-454**

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

COMMISSIONERS JOURNAL NO. 55 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD MAY 5, 2011

LITIGATION AND TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to adjourn into Executive Session at 10:30AM.

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

RESOLUTION NO. 11-455

IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:

It was moved by Mr. O'Brien, seconded by Mr. Thompson to adjourn out of Executive Session at 11:43AM.

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

There being no further business, the meeting adjourned.

\_\_\_\_\_  
Ken O'Brien

\_\_\_\_\_  
Dennis Stapleton

\_\_\_\_\_  
Tommy Thompson

\_\_\_\_\_  
Jennifer Walraven, Clerk to the Commissioners