

THE BOARD OF COUNTY COMMISSIONERS

50 East Columbia Street, 5th Floor
Springfield, Ohio 45501

CLARK COUNTY, OHIO AGENDA



Source: google images

May 4, 2016

8:30 A.M.	Informal Session	
10:00 A.M.	Formal Session	
Call to Order	President of County Commission	
	Resolution 2016-0258	
Invocation		
Pledge to the flag		
Approve minutes of the last meeting and Dispense with reading of same:		Commissioner Herier
<i>Review/Action:</i>		
Matters before the Board and Departmental Requests:	See attached motions	
Staff Notes:		
8:30	Chuck Bauer – Solid Waste Annual Report Review Agenda	
10:00	Formal Session	

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2015-0259
COMC file

**Authorize Agreement between Clark County Combined Health District and
The Board of Clark County Commissioners**

Commissioner ____ moved to authorize an agreement with:

Organization Name: Clark County Combined Health District
Organization Address: 529 East Home Road, Springfield, Ohio 45503
In the amount of: \$52,000 (not to exceed)
Funding Source(s): General Fund
Purpose: Tuberculosis Treatment
Effective Date: May 4, 2016

Further move to authorize the County Administrator to execute the agreement and related documents.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0260
BJVC file

**Authorize Change Order #1 for
Juvenile Court Courtyard Improvements Project**

Commissioner ____ moved, per the request of the Buildings and Grounds Director, to authorize change order #1 with:

Organization Name: Arcon Builders, Ltd.
Organization Address: 7824 Alt. SR 49, Arcanum, Ohio 45304
Original Contract: \$324,900.00
Previous Changes: \$0.00
This Change: \$2,310.58
New Contract Total: \$327,210.58
Purpose: Repair conduits for camera system cut in slab.

Further move to authorize the County Administrator to execute the change order.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department(s)
Organization

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0261
JFSL file

**Accept Lease Agreement Amendment #1 with
Incenta Federal Credit Union**

Commissioner ____ moved, per the request of the Department of Job and Family Services Director, to accept the following lease agreement amendment #1:

Lessee: Incenta Federal Credit Union
In the amount of: \$50,512.80
Purpose: Extension of lease of 1st floor office space in Building C at 1345 Lagonda Avenue, Springfield, Ohio 45503.
Effective Dates: May 1, 2016 through April 30, 2021

Further move to authorize the County Administrator to execute the lease agreement amendment and related documents.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0262
ENGB file

**Instruct Clerk to Advertise for Bids for
Unit Prices Asphalt, Emulsion, Fog Seal Emulsion and Aggregate**

Commissioner ____ moved, per the request of the Deputy Engineer, to instruct the Commission Clerk to advertise for bids for 2016 Unit Prices for Asphalt, Emulsion, Fog Seal Emulsion and No. 8 Aggregate. Said bids will be opened in public session on May 26, 2016 at approximately 10:00 A.M, 5th Floor, County Offices/Municipal Courts Building, 50 East Columbia Street, Springfield, Ohio 45502. It is noted that bids are due in the County Commission office at the above address no later than 10:00 A.M. on May 26, 2016.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0263
TRSR file

Acknowledge Treasurer's Investment Report

Commissioner ____ moved to acknowledge the receipt of the Treasurer's March 31, 2016 Investment Report.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Treasurer

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0264
FINN file

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$315,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING AN INTERBADge™ MOBILE REPORTING SYSTEM FOR USE BY THE COUNTY SHERIFF'S DEPARTMENT.

Commissioner ____ moved to adopt the following:

WHEREAS, the County Auditor, as fiscal officer of the County, has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 10 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in Section 1, is 15 years from their date of issuance;

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

Section 1. Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the County in the aggregate principal amount of \$315,000 (the Bonds) for the purpose of paying costs of acquiring an INTERBADge™ mobile reporting system for use by the County Sheriff's Department, together with all necessary appurtenances thereto.

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately November 1, 2016, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 10 annual principal installments that are substantially equal. The first principal installment is estimated to be December 1, 2017.

Section 3. Authorized Principal Amount of Notes; Interest Rate. It is necessary to issue and this Board determines that notes in the aggregate principal amount of \$315,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for and, in the event the County does not pay or make provision for payment at maturity of the debt charges on the Notes, from the maturity date until the County pays or makes provision to pay that principal amount. The rate of interest on the Notes shall be determined by the County Administrator in the certificate awarding the Notes in accordance with Section 6 (the Certificate of Award).

Section 4. Payment of Debt Charges; Paying Agent; Dating. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the Original Purchaser (as defined in Section 6) and shall be payable, without deduction for services of the County's paying agent, at the designated corporate trust office of U.S. Bank National Association or at the office of a bank or trust company requested by the Original Purchaser, provided that such bank or trust company shall be acceptable to the County Administrator and such request shall be

approved by the County Administrator only after determining that the payment at that bank or trust company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for that purpose (the Paying Agent).

The Notes shall be dated the date of issuance and shall mature on November 22, 2016; provided that the County Administrator may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the Certificate of Award. The Notes shall not be prepayable prior to maturity.

Section 5. Execution of Notes; Book Entry System. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities, provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the County Administrator, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the County Administrator 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. As used in this section and this Resolution:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the County and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the County is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“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 beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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 Notes for use in a book entry system, the County may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County does not or is unable to do so, the County, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes 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 also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale to the original purchaser designated by the County Administrator in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Resolution. The County Administrator shall sign the Certificate of Award evidencing that sale, cause the Notes to be prepared and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. Any member of this Board, the County Administrator, the Clerk of this Board, the County Auditor, the County Treasurer, the County Prosecuting Attorney 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. The County Administrator is authorized, if it is determined to be in the best interest of the County, to combine the issue of Notes with one or more other note issues of the County into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes and the Bonds and are pledged for that purpose.

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. 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 Notes or the Bonds when and as the same fall due. In each year that payments from other sources are received and are lawfully available for the payment of debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the revenues and payments so available and appropriated.

Section 10. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as 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 Notes 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 Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the County with respect to the Notes 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 provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, 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 Notes.

Section 11. Certification and Delivery of Resolution. The Clerk of this Board is directed to deliver or cause to be delivered a certified copy of this Resolution to the County Auditor.

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes 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 Notes 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 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. 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 that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Captions and Headings. 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 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0265
FINN file

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$295,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING THE INITIAL PHASE OF A NEW i3 COMPLIANT, IP NG9-1-1 SYSTEM FOR USE BY THE COUNTY SHERIFF'S DEPARTMENT.

Commissioner ____ moved to adopt the following:

WHEREAS, the County Auditor, as fiscal officer of the County, has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is five years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in Section 1, is 10 years from their date of issuance;

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

Section 1. Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the County in the aggregate principal amount of \$295,000 (the Bonds) for the purpose of paying costs of acquiring the initial phase of a new i3 compliant, IP NG9-1-1 system for use by the County Sheriff's Department, together with all necessary appurtenances thereto.

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately November 1, 2016, shall bear interest at the now estimated rate of 4% per year, payable semiannually until the principal amount is paid, and are estimated to mature in five annual principal installments that are substantially equal. The first principal installment is estimated to be December 1, 2017.

Section 3. Authorized Principal Amount of Notes; Interest Rate. It is necessary to issue and this Board determines that notes in the aggregate principal amount of \$295,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds. The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for and, in the event the County does not pay or make provision for payment at maturity of the debt charges on the Notes, from the maturity date until the County pays or makes provision to pay that principal amount. The rate of interest on the Notes shall be determined by the County Administrator in the certificate awarding the Notes in accordance with Section 6 (the Certificate of Award).

Section 4. Payment of Debt Charges; Paying Agent; Dating. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the Original Purchaser (as defined in Section 6) and shall be payable, without deduction for services of the County's paying agent, at the designated corporate trust office of U.S. Bank National Association or at the office of a bank or trust company requested by the Original Purchaser, provided

that such bank or trust company shall be acceptable to the County Administrator and such request shall be approved by the County Administrator only after determining that the payment at that bank or trust company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for that purpose (the Paying Agent).

The Notes shall be dated the date of issuance and shall mature on November 22, 2016; provided that the County Administrator may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the Certificate of Award. The Notes shall not be prepayable prior to maturity.

Section 5. Execution of Notes; Book Entry System. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities, provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the County Administrator, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the County Administrator 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. As used in this section and this Resolution:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the County and payable only to a Depository or its nominee, with such Notes “immobilized” in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the County is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“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 beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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 Notes for use in a book entry system, the County may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County does not or is unable to do so, the County, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes 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 also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale to the original purchaser designated by the County Administrator in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Resolution. The County Administrator shall sign the Certificate of Award evidencing that sale, cause the Notes to be prepared and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. Any member of this Board, the County Administrator, the Clerk of this Board, the County Auditor, the County Treasurer, the County Prosecuting Attorney 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. The County Administrator is authorized, if it is determined to be in the best interest of the County, to combine the issue of Notes with one or more other note issues of the County into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes and the Bonds and are pledged for that purpose.

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. 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 Notes or the Bonds when and as the same fall due. In each year that payments from other sources are received and are lawfully available for the payment of debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the revenues and payments so available and appropriated.

Section 10. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as 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 Notes 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 Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such

proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the County with respect to the Notes 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 provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, 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 Notes.

Section 11. Certification and Delivery of Resolution. The Clerk of this Board is directed to deliver or cause to be delivered a certified copy of this Resolution to the County Auditor.

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes 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 Notes 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 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. 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 that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Captions and Headings. 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 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0266
FINN file

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$8,090,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF (i) INSTALLING A NEW SANITARY SEWER IN THE WEST ENON ESTATES SUBDIVISION LOCATED WITHIN THE COUNTY, BY CONSTRUCTING GRAVITY SEWERS, FORCE MAINS, MANHOLES AND A LIFT STATION, REPLACING PAVEMENT, AND RESTORING UNDERGROUND AND SURFACE AREAS, (ii) IMPROVING CLARK COUNTY GENERAL SEWER DISTRICT BY CONSTRUCTING IMPROVEMENTS TO THE SOUTHWEST REGIONAL WASTEWATER TREATMENT PLANT INCLUDING INSTALLATION OF A ROTARY SCREW PRESS AND A PRE-ENGINEERED METAL STRUCTURE TO HOUSE THE SAME AND REPLACEMENT OF PUMPS AND DIGESTER AIR DIFFUSERS, (iii) ACQUIRING A NEW NARROWBAND STATE OF OHIO MULTI-AGENCY RADIO COMMUNICATIONS (MARCS) COMPLIANT RADIO SYSTEM FOR USE BY THE COUNTY SHERIFF'S DEPARTMENT, (iv) IMPROVING THE HVAC SYSTEM IN THE COUNTY MUNICIPAL COURT BUILDING, (v) EQUIPPING THE COUNTY JAIL, (vi) IMPROVING THE COUNTY'S FAIRGROUNDS BY RESURFACING INTERIOR ROADWAYS AND REPLACING ASPHALT APRONS, (vii) ACQUIRING AND INSTALLING A NEW SOFTWARE SYSTEM FOR USE BY THE COUNTY AUDITOR'S OFFICE, (viii) REPLACING AND IMPROVING ROOFS, INSTALLING NEW WINDOWS AND IMPROVING SURFACE PARKING LOTS FOR BUILDINGS ON THE CAMPUS OF THE F.F. MUELLER RESIDENTIAL CENTER FOR USE BY THE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES, (ix) RENOVATING AND IMPROVING THE JUVENILE COURT BUILDING, INCLUDING CREATION OF AN INTERIOR MULTIPURPOSE SPACE, (x) EQUIPPING COUNTY FACILITIES, INCLUDING THOSE AT THE HOME ROAD, LAGONDA AVENUE, SPRINGVIEW GOVERNMENT CENTER AND DOWNTOWN CAMPUSES, BY INSTALLATION OF SECURITY SYSTEM UPGRADES INCLUDING CAMERAS, STRIKE PADS, LOCKS, PANIC BUTTONS AND CENTRAL PROCESSING UNITS AND (xi) REMODELING, RENOVATING AND IMPROVING COUNTY BUILDINGS AND RELATED FACILITIES INCLUDING THE COUNTY COURTHOUSE, A.B. GRAHAM BUILDING AND SPRINGVIEW GOVERNMENT CENTER, SUCH REMODELING, RENOVATIONS AND IMPROVEMENTS TO INCLUDE THOSE TO BUILDING EXTERIORS, ROOFS, ELECTRICAL, HVAC AND FIRE SUPPRESSION SYSTEMS, PLUMBING AND WINDOWS.

Commissioner ____ moved to adopt the following:

WHEREAS, pursuant to Resolution Nos. 2015-0360, 2015-0361, 2015-0362 and 2015-0363, each adopted on May 6, 2015, there were issued \$3,675,000 Various Purpose Improvement Notes, Series 2015 (the Outstanding Series 2015-1 Notes), in anticipation of bonds for certain of the purposes stated in Section 1, and other purposes, which Outstanding 2015-1 Notes mature on May 25, 2016; and,

WHEREAS, pursuant to Resolution Nos. 2015-0789, 2015-0790 and 2015-0791, each adopted on October 21, 2015, there were issued \$5,000,000 Various Purpose Improvement Notes, Series 2015-2 (the Outstanding Series 2015-2 Notes, and, together with the Outstanding Series 2015-1 Notes, the Outstanding Notes), in anticipation of bonds for certain of purposes stated in Section 1, which Outstanding Series 2015-2 Notes mature on May 25, 2016; and,

WHEREAS, this Board finds and determines that the County should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the County; and,

WHEREAS, the County Auditor, as fiscal officer of the County, has certified to this Board that the estimated life or period of usefulness of each of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in clause (i) of Section 1 is 30 years, in clause (ii) of Section 1 is 19 years, in clauses (iii), (v), (vi) and (x) of Section 1 is 10 years, in clause (iv) of Section 1 is 15 years, in clause (vii) of Section 1 is five years, in clause (viii) of Section 1 is seven years and in clauses (ix) and (xi) of Section 1 is 20 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in clause (i) of Section 1 is July 22, 2022, in anticipation of the Bonds described in clause (ii) of Section 1 is June 1, 2031, in anticipation of the Bonds described in clause (iii) of Section 1 is November 29, 2027, in anticipation of the Bonds described in clause (iv) of Section 1 is November 29, 2032, in anticipation of the Bonds described in clause (v) of Section 1 is May 28, 2029, in anticipation of the Bonds described in clause (vi) of Section 1 is May 26, 2030, in clause (vii) of Section 1 is May 26, 2025, in clause (viii) of Section 1 is May 26, 2027, in clauses (ix) and (xi) of Section 1 is November 9, 2035, and in clause (x) of Section 1 is November 9, 2030;

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

Section 1. Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the County in the aggregate principal amount of \$8,090,000 (the Bonds) for the purpose of paying costs of (i) installing a new sanitary sewer in the West Enon Estates Subdivision located within the County, by constructing gravity sewers, force mains, manholes and a lift station, replacing pavement, and restoring underground and surface areas, together with all necessary work, incidentals and appurtenances thereto (\$220,000 of the Notes), (ii) improving Clark County General Sewer District by constructing improvements to the Southwest Regional Wastewater Treatment Plant including installation of a rotary screw press and a pre-engineered metal structure to house the same and replacement of pumps and digester air diffusers, all together with all necessary appurtenances thereto (\$1,175,000 of the Notes), (iii) acquiring a new narrowband State of Ohio Multi-Agency Radio Communications (MARCS) compliant radio system for use by the County Sheriff's Department, together with all necessary appurtenances thereto (\$385,000 of the Notes), (iv) improving the HVAC system in the County Municipal Court Building, together with all necessary appurtenances thereto (\$150,000 of the Notes), (v) equipping the County Jail (\$300,000 of the Notes), (vi) improving the County's Fairgrounds by resurfacing interior roadways and replacing asphalt aprons, together with all necessary appurtenances thereto (\$250,000 of the Notes), (vii) acquiring and installing a new software system for use by the County Auditor's office, together with all necessary appurtenances thereto (\$520,000 of the Notes), (viii) replacing and improving roofs, installing new windows and improving surface parking lots for buildings on the campus of the F.F. Mueller Residential Center for use by the County Board of Developmental Disabilities, together with all appurtenances thereto (\$90,000 of the Notes), (ix) renovating and improving the Juvenile Court Building, including creation of an interior multipurpose space, together with all appurtenances thereto (\$380,000 of the Notes), (x) equipping County facilities, including those at the Home Road, Lagonda Avenue, Springview Government Center and

Downtown Campuses, by installation of security system upgrades including cameras, strike pads, locks, panic buttons and central processing units, all together with the necessary appurtenances thereto (\$600,000 of the Notes), and (xi) remodeling, renovating and improving County buildings and related facilities including the County Courthouse, A.B. Graham Building and Springview Government Center, such remodeling, renovations and improvements to include those to building exteriors, roofs, electrical, HVAC and fire suppression systems, plumbing and windows, all together with the necessary appurtenances thereto (\$4,020,000 of the Notes).

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately November 1, 2016, shall bear interest at the now estimated rate of 6% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 17 annual principal installments that are substantially equal. The first principal installment is estimated to be December 1, 2017.

Section 3. Authorized Principal Amount of Notes; Interest Rate. It is necessary to issue and this Board determines that notes in the aggregate principal amount of \$8,090,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the County, the Outstanding Notes. The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for and, in the event the County does not pay or make provision for payment at maturity of the debt charges on the Notes, from the maturity date until the County pays or makes provision to pay that principal amount. The rate of interest on the Notes shall be determined by the County Administrator in the certificate awarding the Notes in accordance with Section 6 (the Certificate of Award).

Section 4. Payment of Debt Charges; Paying Agent; Dating. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the Original Purchaser (as defined in Section 6) and shall be payable, without deduction for services of the County's paying agent, at the designated corporate trust office of U.S. Bank National Association or at the office of a bank or trust company requested by the Original Purchaser, provided that such bank or trust company shall be acceptable to the County Administrator and such request shall be approved by the County Administrator only after determining that the payment at that bank or trust company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for that purpose (the Paying Agent).

The Notes shall be dated the date of issuance and shall mature on November 22, 2016; provided that the County Administrator may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the Certificate of Award. The Notes shall not be prepayable prior to maturity.

Section 5. Execution of Notes; Book Entry System. The Notes shall be signed by at least two members of this Board and by the County Auditor, in the name of the County and in their official capacities, provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the County Administrator, provided that (i) no Note shall be issued in a denomination less than \$100,000 and (ii) the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the County Administrator 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. As used in this Section and this Resolution:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the County and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the County is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“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 beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests 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 beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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 Notes for use in a book entry system, the County may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County does not or is unable to do so, the County, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes 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 also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 6. Award and Sale of the Notes. The Notes shall be sold at not less than par at private sale to the original purchaser designated by the County Administrator in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Resolution. The County Administrator shall sign the Certificate of Award evidencing that sale, cause the Notes to be prepared and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. Any member of this Board, the County Administrator, the Clerk of this Board, the County Auditor, the County Treasurer, the County Prosecuting Attorney 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. The County Administrator is authorized, if it is determined to be in the best interest of the County, to combine the issue of Notes with one or more other note issues of the County into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

Section 7. Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes and the Bonds and are pledged for that purpose.

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. 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 Notes or the Bonds when and as the same fall due. In each year that payments from other sources are received and are lawfully available for the payment of debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the revenues and payments so available and appropriated.

Section 10. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be treated as 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 Notes 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 Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as “qualified tax-exempt obligations” if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the County with respect to the Notes 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 provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, 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 Notes.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Notes (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 Notes 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 Notes.

Section 11. Certification and Delivery of Resolution. The Clerk of this Board is directed to deliver or cause to be delivered a certified copy of this Resolution to the County Auditor.

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes 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 Notes 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 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. 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 that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Captions and Headings. 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 15. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0267
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner ____ moved, per the request of the Clark County Department of Job and Family Services Director, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2015-0959 §307.12(E) of the Ohio Revised Code:

<u>Description</u>	<u>VIN No.</u>
2001 Chevrolet 1500	2GCEK19T111318220
1992 Ford F-350	1FDKF37HONNB19418
1993 Ford F-250	1FTEF25N7PNA14060
1992 Ford F-350	1FDJF37H4NNB19417

Further the Board finds this property no longer needed for county use.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Commission Budget Analyst

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0268
FINT file

Approve Issuance of Warrants for Then and Now(s)

Commissioner ____ moved, to approve the issuance of warrants for then and now(s) are as follows:

P.O. Number	Fund	Vendor	Date Purchase	Amount
160004912	General (Comm Pleas)	Kavanaugh's	2/8/2016	\$323.97
Reason: Thought there was a reserve in place but there wasn't.				
160005099	Dom Rel Judicial	Thomson Reuter-West	4/1/2016	\$225.74
Reason: Thought there was a reserve in place but there wasn't.				
160005283	DETAC (Treasurer)	Cox Media	4/5/2016	\$934.29
Reason: The treasurer's office was not notified of the cost by the auditor's office until after publication was completed and invoices received.				
160005283	DETAC (Treasurer)	Cox Media	4/12/2016	\$921.06
Reason: Thought there was a super already in place, but there wasn't.				
160005267	General (Treasurer)	US Bank	4/22/2016	\$1,687.95
Reason: Thought there was a super already in place, but there wasn't.				

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0269
FINS file

Approve Supplemental Temporary Appropriation(s)

Commissioner ____ moved, upon the recommendation of the County Administrator, to authorize the following supplemental temporary appropriation(s) from unappropriated funds:

Fund:	Department:	Account:	Amount:
Carry Concealed Weapon Fund	Sheriff	Operating Expenses	\$25,000.00
Permanent Improvement Fund	Commission	Debt Services	\$ 307.00

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of May 4, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 4th day of May, 2016 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Richard L. Lohnes

John Detrick

David Herier

Resolution 2016-0270
TRAV file

Approve Travel/Expense Allowance

Commissioner ____ moved, per request of the following Department Director(s) or Elected Official(s) to approve the following travel allowances.

Dept.	Name	Purpose	Place	Date	Cost
DJFS	D. Strilecky/D. Buxton	ONCAC Training	Columbus, OH	5/23-24/16	\$150.00

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Herier, Commissioner Detrick, Commissioner Lohnes,

I, Megan Lokai, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of a May 4, 2016

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department