

THE BOARD OF COUNTY COMMISSIONERS

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

CLARK COUNTY, OHIO AGENDA



Source: google images

August 3, 2016

8:30 A.M.

Informal Session

10:00 A.M.

Formal Session

Call to Order

President of County Commission
Resolution 2016-0487

Invocation

Pledge to the flag

Approve minutes of the last meeting and
Dispense with reading of same:

Commissioner Herier

Review/Action:

Matters before the Board and Departmental Requests: See attached motions

Staff Notes:

8:30 Review Agenda
Discuss Juvenile Court Change Order and Other Purchases

9:00 Executive Session-To Discuss Employment of a Public Employee

10:00 Informal Bond Public Hearing
Formal Session

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0488
ENGC file

**Authorize Inter-governmental Agreements Between the
Bethel Township, German Township, Harmony Township, Mad River Township, Moorefield
Township, Springfield Township, Village of Enon, and the Board of Clark County Commissioners**

Commissioner ____ moved, per the request of Deputy Engineer, to authorize the following inter-governmental agreements:

- Agreement between:** Bethel Township, German Township, Harmony Township, Mad River Township, Moorefield Township, Springfield Township, Village of Enon, and the Board of Clark County Commissioners
- In the amount of:** County, Townships, and Village agree to cooperate in completing the 2016 Roadway Resurfacing project. The County, Townships, and Village agree the total local share of the cost for the project to be \$1,443,943.74.
- Purpose:** 2016 Roadway Resurfacing Project
- Effective Dates:** August 3, 2016 through October 31, 2016

Further move to authorize the County Administrator to execute the inter-governmental agreements 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 August 3, 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 3rd day of August, 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 2016-0489
ENG file

**Authorize Settlement Agreement for
Purchase of Right of Way CLA CR 316-1.71 Lower Valley Pike**

Commissioner ____ moved, per request of the Deputy Engineer, to authorize the following settlement agreement:

Agreement with: Paul Wright
11172 Lower Valley Pike
Medway, Ohio 45341
Case: 14CV0803
Effective Date: August 3, 2016

Further move to authorize the County Administrator to execute the settlement 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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
County Engineer

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0490
EMAP file

**Approve Payment to
Clark County Sheriff's Office and City of Springfield**

Commissioner ____ moved, per request of the 9-1-1 Coordinator, to approve the following payment:

Payment to: Clark County Sheriff's Office
Address: 120 North Fountain Avenue, Springfield, Ohio
Services: Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund Pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (July 2016 received 7/29/16)
Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund
Amount: \$1,096.27

Payment to: City of Springfield
Address: 76 East High Street, Springfield, Ohio
Services: Distribution of funds received from the Wireless 9-1-1 Government Assistance Fund Pursuant to the Clark County Final 9-1-1 Plan Wireless Amendment, and the Board of Clark County Commissioners Resolution 861-07 dated 10/9/07. (July 2016 received 7/29/16)
Funding Source(s): State Treasurer's 9-1-1 Government Assistance Fund
Amount: \$1,644.40

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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0491
BRDL file

**Appoint Member(s) to
Local Emergency Planning Committee (LEPC) 2015-2017**

Commissioner ____ moved to appoint the following member(s) to the LEPC:

Name/Address:

Tim W. McDaniel
EHS Manager, Navistar

New Expiration Date:

August 14, 2017

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 August 3, 2016.

Megan Lokai, Clerk

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

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0492
PERP file

Adopt Amendment to Clark County Personnel Manual

Commissioner ____ moved to adopt an amendment to the Clark county Personnel Policy Manual in Section 5-B to provide for compensation of non-exempt employees for being on-call for emergencies after normal shift hours. This policy shall be effective July 1, 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 August 3, 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 3rd day of August, 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 2016-0493
FINA file

**Authorize Amended Certificate #4 and
Appropriate Funds**

Commissioner ____ moved, upon the recommendation of the County Administrator, to authorize Amended Certificate #4 and appropriate funds.

<u>Fund</u>	<u>Department</u>	<u>Account</u>	<u>Amount</u>
GENERAL FUND (0001)	SHERIFF	OPERATING EXPENSES	21,674.67
LOWER VALLEY CAP PROJ FUND (4910)	ENGINEER	OPERATING EXPENSES	45,583.01
		Total	67,257.68

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 August 3, 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 3rd day of August, 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 2016-0494
FINF file

Authorize Intra-Fund Transfer(s)

Commissioner ____ moved, upon the recommendation of the County Administrator, to authorize the following Intra-Fund Transfer(s):

From			To		
Department	Expense Acct.	Amount	Department	Expense Acct.	Amount
Fund: General					
InsSpecExp&Tfr	Operating Exp.	\$50,000.00	Coroner	Operating Exp.	\$50,000.00

Reason: This transfer is to cover the cost of unanticipated autopsy costs.

Fund: General					
InsSpecExp&Tfr	Operating Exp.	\$2,000.00	EMA	Operating Exp.	\$2,000.00

Reason: This transfer is to cover the cost of unanticipated NOA radios to warn various departments of potential tornados or other hazardous conditions.

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 August 3, 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 3rd day of August, 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 2016-0495
FINI file

Authorize Inter-fund Transfer(s)

Commissioner ____ moved, upon the recommendation of the County Administrator, to authorize the following Inter-Fund Transfer(s):

Transfer From	Amount	Transfer To	Amount
Bd of DD General Services 2080-220-850000	\$500,000.00	Bd of DD Residential Services 2090-220-540000	\$500,000.00

Reason: As per our budget.

General Fund 0001-710-850000	\$25,000.00	Permanent Improvement Fund 4010-010-540000	\$25,000.00
---------------------------------	-------------	---	-------------

Reason: This transfer is to pay for a Community Development truck out of the Permanent Improvement fund that was scheduled for next year. Due to activity and usage that truck needs to be purchased this year.

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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0496
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
160005988	General (Coroner)	Mont. Co. Coroner	7/29/2016	\$1,500.00
Reason: Purchase order was signed after the invoice date.				

160005988	General (Coroner)	Mont. Co. Coroner	7/29/2016	\$1,500.00
Reason: Purchase order was signed after the invoice date.				

160005988	General (Coroner)	Mont. Co. Coroner	7/29/2016	\$1,500.00
Reason: Purchase order was signed after the invoice date.				

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 August 3, 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 3rd day of August, 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 2016-0497
UTLO file

**Authorize Placement on Tax Duplicate for
Uncollected Water and Sewer Use Charges**

Commissioner ____ moved, per the request of the Director of Utilities, to certify to the Auditor, as required by Sections 6117.02 and 6103.02 O.R.C. for placement on the 2016 real property tax list and duplicate against the following property:

Property Owner: Vera Cornelius
Address: 114 Beach Dr, Medway, OH 45341
10-5-25-313-5
Bethel Twp
Amount: \$384.22
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Mark A & Monica Neville
Address: 47 W Birch Rd, Medway, OH 45341
10-5-25-319-5
Bethel Twp
Amount: \$355.69
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Michelle Ratliff
Address: 106 Hawthorn Ave, Medway, OH 45341
10-5-25-311-7
Bethel Twp
Amount: \$384.22
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Courtney Conn
Address: 1914 Lincoln Dr, Medway, OH 45341
10-5-25-107-2
Bethel Twp
Amount: \$384.22
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Gerold Hook
Address: 10886 Lower Valley Pike, Medway, OH 45341
10-1-30-201-9
Bethel Twp
Amount: \$384.22
Comments: Sewer only, Uncollected charges, Place on tax duplicate

Property Owner: Jami R Castle
Address: 5449 Ridgewood Rd E, Springfield, OH 45503
22-3-22-302-5
Moorefield Twp
Amount: \$130.14
Comments: Water & Sewer, Place on tax duplicate prior to Sheriff Sale on August 5, 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 August 3, 2016

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,
Treasurer,

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0498
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
Comm Dev	6 Staff Members	MVBOC Training	Englewood, OH	9/1/16	\$125.00
Personnel	N. Baker	Morton-Barber Class	Worthington, OH	9/19-23/16	\$825.00
Recorder	N. Pence	ORA Fall Cont. Ed	Columbus, OH	9/20/16	\$300.00
Utilities	C. Bauer, T. Bleidorn	EPA Drink Water Wksp	Cincinnati, OH	8/23-24/16	\$650.00
*Veterans	C. Baker, J. Henderson J. Bolen	VA Systems Training	Findlay, OH	8/23-24/16	\$932.00

*Replaces same request on resolution 2016-0480 due to the dates of the training changing.

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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor
County Administrator
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0499
FINB file

**10:00 a.m. Public Hearing for a
Resolution Approving, Solely for the Purpose of Section 147(f) of the Internal Revenue Code of 1986
and Section 66.0304(11)(A) of the Wisconsin Statutes, the Issuance by the Public Finance Authority of
Not To Exceed \$55,000,000 Higher Educational Facility Revenue Bonds (Wittenberg University
Project)**

This is the date and time set by the Board of County Commissioners, Clark County, Ohio, to hold a public hearing on Pursuant to a Notice that was published on July 20, 2016 in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended. This public hearing is to hold a hearing for Public Finance Authority, a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, proposes to issue its Higher Educational Facility Revenue Bonds (Wittenberg University Project), Series 2016 in one or more separate series pursuant to a plan of finance in a principal amount not to exceed \$55,000,000 for the purposes of (i) refunding certain bonds issued by the Ohio Higher Educational Facility Commission for the benefit of Wittenberg University that financed or refinanced certain facilities at Wittenberg University, (ii) refunding certain capital leases that financed Wittenberg University student apartment buildings, (iii) financing, and refunding other Wittenberg University indebtedness that financed, Wittenberg University educational, athletic, student housing, dining, administrative, parking and utility facilities and (iv) paying certain costs related to the Bonds and the facilities financed or refunded, all as more particularly described in the notice of this public hearing that was published in the Dayton Daily News on July 20, 2016. The Bonds will not constitute a federal obligation, debt or bonded indebtedness of the County, neither the faith or credit or taxing power of the County will be pledged to the payment of principal of or interest on the Bonds and the holders or owners of the Bonds will have no right to have excises or taxes levied by the County for the payment of principal of and interest on the Bonds. No part of the Bonds are to be issued, or shall be deemed issued, for or on behalf of the County.

Public Hearing opened by the Commission President at ____ a.m.

Written Comments:

Bond Counsel Report:

Audience Comments:

The Public Hearing was closed by the Commission President at ____ a.m.

Commissioner ____ moved to ____ the issuance of the Higher Educational Facility Revenue Bonds (Wittenberg University Project).

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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 3rd day of August, 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 2016-0500
FINB file

A RESOLUTION APPROVING, SOLELY FOR THE PURPOSE OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986 AND SECTION 66.0304(11)(A) OF THE WISCONSIN STATUTES, THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF NOT TO EXCEED \$55,000,000 HIGHER EDUCATIONAL FACILITY REVENUE BOND (WITTENBERG UNIVERSITY PROJECT)

Commissioner ____ moved to adopt the following:

WHEREAS, The Board of Directors of Wittenberg College (the “Borrower”), acting on behalf of Wittenberg University, has requested the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, to issue its Higher Educational Facility Revenue Bonds (Wittenberg University Project) pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, in one or more series and in an aggregate principal amount not to exceed \$55,000,000 (the “Bonds”), to assist the Borrower to (1) refund all or a portion of the outstanding State of Ohio Higher Educational Facility Revenue Bonds (Wittenberg University 1999 Project), which were issued by the Ohio Higher Educational Facility Commission to (A) pay costs of and relating to constructing, equipping and furnishing a new classroom building, Hollenbeck Hall, together with all necessary and related appurtenances, and (B) refund the State of Ohio Higher Educational Facility Revenue Bonds (Wittenberg University 1995 Project) dated as of March 1, 1995, which were issued by the Ohio Higher Educational Facility Commission to (i) finance costs of and relating to the Alumni Center and a student residence hall and (ii) refund the State of Ohio Higher Educational Facility Mortgage Revenue Bonds (Wittenberg University Project) dated as of September 1, 1987, which 1987 bonds were issued by the Ohio Higher Educational Facility Commission to (a) finance costs of and related to the construction and development of a student center and (b) refund certain Higher Educational Facility First Mortgage Revenue Bonds (Wittenberg University Project) dated July 1, 1982, which 1982 bonds were issued by the Ohio Higher Educational Facility Commission to finance costs of and related to the acquisition, construction and development of athletic, physical education and related facilities; (2) refund all or a portion of the outstanding State of Ohio Higher Educational Facility Revenue Bonds (Wittenberg University 2001 Project), which were issued by the Ohio Higher Educational Facility Commission to pay costs of and relating to constructing, equipping and furnishing certain educational facilities and a site thereof, consisting of a new student residence hall, renovation of Myers Hall (student residence hall), improvement of electrical generation and distribution systems on campus, installation of internet connection facilities, renovation, expansion and equipping of the Science Building, and campus site improvements, including Woodlawn Avenue and related projects; (3) refund all or a portion of the outstanding State of Ohio Higher Educational Facility Revenue Bonds (Wittenberg University 2005 Project), which were issued by the Ohio Higher Educational Facility Commission to pay costs of and relating to construction of a residence hall, including preparation of the site thereof, demolition and removal of Hanley Hall and related reconstruction and site improvements and campus site and other improvements, including improvements to the former Woodlawn Avenue (Alumni Way) corridor; (4) refund certain capital leases that financed University student apartment buildings; (5) finance, and to refund all or a portion of outstanding Borrower indebtedness that financed, costs of and relating to constructing, improving, equipping and furnishing University educational, athletic, student housing, dining, administrative, parking and utility facilities, including as to all such facilities the acquisition,

installation and improvement of all related fixtures, furnishings and equipment and building and site improvements and site acquisitions (the facilities described in (1) through (5) of this paragraph are herein collectively referred to as the "Project"); and (6) pay costs of issuance related to the Bonds, to provide for capitalized interest on the Bonds, to fund a debt service fund and to pay all other costs related to the Bonds and the facilities described above;

WHEREAS, the facilities comprising the Project are or will be located within the City of Springfield, Clark County (the "County"), Ohio on the campus of the Borrower;

WHEREAS, a public hearing has been held concerning the issuance of the Bonds following reasonable public notice, all in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, Section 147(f) of the Code requires, as a prerequisite to the issuance of the Bonds, that this Board of County Commissioners (the "Board") approve the issuance of the Bonds as the "applicable elected representative" for the County under, and solely for the purpose of satisfying, the requirements of Section 147(f) of the Code;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Public Finance Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is located;

WHEREAS, the Borrower has requested that this Board approve the issuance of the Bonds and the use of the proceeds thereof to finance and refinance the Project and related expenses in order to satisfy the requirements of Section 147(f) of the Code, Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement"), and Section 66.0304(11)(a) of the Wisconsin Statutes; and

WHEREAS, the Borrower has agreed to enter into an Indemnification Agreement (the "Indemnification Agreement") with the County, pursuant to which it will agree to reimburse and indemnify the County for any cost or liability arising from the approval by this Board of the Bonds for the purpose of satisfying Section 147(f) of the Code, Section 4 of the Joint Exercise Agreement, Section 66.0304(11)(a) of the Wisconsin Statutes or otherwise;

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

Section 1. Approval. This Board, as the "applicable elected representative" with respect to the County for purposes of Section 147(f) of the Code, hereby approves the issuance of the Bonds, in one or more series as part of a plan of financing, in an aggregate principal amount not to exceed \$55,000,000, for purposes of assisting the Borrower in financing and refinancing costs of the Project.

This Board hereby approves the issuance of the Bonds by the Authority for financing and refinancing the Project. It is the purpose and intent of this Board that this Resolution constitute approval of the issuance of the Bonds by the County, which is one of the governmental units having jurisdiction over the area in which the Project is located, in accordance with Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement. The foregoing approvals are given in accordance with and solely to satisfy the requirements of Section 147(f) of the Code, Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement and do not obligate the County in any way with respect to the Bonds or the Project.

Section 2. No Obligation. The Bonds will not constitute a general obligation, debt or bonded indebtedness of the County, neither the faith or credit or taxing power of the County will be pledged to the payment of principal of or interest on the Bonds and the holders or owners of the Bonds will have no right to have excises or taxes levied by the County for the payment of principal of and interest on the Bonds. No part of the Bonds are to be issued, or shall be deemed issued, for or on behalf of the County.

Section 3. Indemnification Agreement. Any two members of this Board are hereby authorized and directed to sign and deliver the Indemnification Agreement in substantially the form submitted to this Board.

Section 4. Execution of Other Documents. Any member of this Board, the County Administrator, the Clerk of this Board, the County Auditor and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

Section 5. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions relative 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 of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. Effective Date. This Resolution will take effect and be in force 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 August 3, 2016.

Megan Lokai, Clerk

copy: County Auditor,
County Administrator,
Requesting Department,