



MELANIE F. WILT

SASHA L. RITTENHOUSE

LOWELL R. MCGLOTHIN

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3130 East Main Street, Springfield, OH 45503 | Phone: 937.521.2005 | Email: [commission@clarkcountyohio.gov](mailto:commission@clarkcountyohio.gov)

# Commission Meeting Agenda

## January 31, 2024

8:30 A.M. Informal Session

10:00 A.M. Formal Session

Call to Order President of County Commission  
Resolution 2024-0068

Pledge to the flag

Approve minutes of the last meeting and dispense with reading of same.

*Review/Action:*

Matters before the Board and Departmental Requests: See attached motions

Staff Notes:

8:30 Springfield-Clark Career Technology Center  
Review Agenda  
County Administrator/Strategic Plan Updates  
Public Information Officer/Calendar/Event Updates  
10:00 Formal Session  
Eric Ratts, DLZ - Jail Feasibility Study Update

**Connections. Communities. Opportunities.**

The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

Lowell R. McGlothlin

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**Resolution 2024-0069**  
**CDDC file**

**Authorize Contract with  
Neighborhood Housing Partnership of Greater Springfield (NHP)**

Commissioner \_\_\_\_ moved, per the request of the Community and Economic Development Director, to authorize a contract with:

**Organization Name:** Neighborhood Housing Partnership of Greater Springfield (NHP)  
**Organization Address:** 527 East Home Road, Springfield, Ohio 45503  
**In the amount of:** Not to exceed \$132,000.00  
**Funding Source(s):** Clark County Lead Safe Ohio Grant (ODoD #LED-2023-203561)  
**Purpose:** Provision of Professional Services for the Clark County Lead Safe Ohio Program  
**Effective Dates:** February 1, 2024 through April 30, 2026

Further, move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

---

I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)

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**Resolution 2024-0070**  
**COMC file**

**Authorize Change Order #4 with Becker Construction  
for the Courthouse Temporary Space Project**

Commissioner \_\_\_\_ moved, per the request of the County Administrator, to authorize change order #4 with:

<b>Organization Name:</b>	Becker Construction
<b>Organization Address:</b>	14 East Main Street, Springfield, Ohio 45502
<b>Original Contract:</b>	\$1,307,000.00
<b>Previous Change:</b>	\$ 21,858.00
<b>This Change:</b>	\$ 5,960.00
<b>New Total Contract Amount:</b>	\$1,334,818.00
<b>Funding Source(s):</b>	Domestic Relations Special Project Fund
<b>Reason for Contract:</b>	Renovations to the courthouse temporary space
<b>Reason for Change:</b>	Purchase three additional witness desks to place on judge's bench platforms. Install judge's bench half wall around each of the judge's platforms.
<b>Original Contract Effective Date:</b>	September 13, 2023 through January 22, 2024
<b>Change Order Effective Date:</b>	January 22, 2024 through January 29, 2024

Further, move to authorize the County Administrator to execute the change order and related documents, including the purchase order.

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

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Lowell R. McGlothlin

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**Resolution 2024-0071**  
**COMC file**

**Authorize Change Order #5 with Becker Construction  
for the Courthouse Temporary Space Project**

Commissioner \_\_\_\_ moved, per the request of the County Administrator, to authorize change order #5 with:

<b>Organization Name:</b>	Becker Construction
<b>Organization Address:</b>	14 East Main Street, Springfield, Ohio 45502
<b>Original Contract:</b>	\$1,307,000.00
<b>Previous Change:</b>	\$ 27,818.00
<b>This Change:</b>	\$ 0.00
<b>New Total Contract Amount:</b>	\$1,334,818.00
<b>Funding Source(s):</b>	Permanent Improvement
<b>Reason for Contract:</b>	Renovations to the courthouse temporary space
<b>Reason for Change:</b>	Substantial completion date extended to January 29, 2024
<b>Original Contract Effective Date:</b>	September 13, 2023 through January 22, 2024
<b>Change Order Effective Date:</b>	January 22, 2024 through January 29, 2024

Further, move to authorize the County Administrator to execute the change order and related documents, including the purchase order.

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

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**Resolution 2024-0072  
COMC file**

**Authorize Contract with  
United Senior Services**

Commissioner \_\_\_\_ moved, per the request of the County Administrator, to authorize a contract with:

**Organization Name:** United Senior Services  
**Organization Address:** 125 West Main Steet, Springfield, Ohio 45502  
**In the amount of:** \$475,215.00  
**Funding Source(s):** Healthy Aging Grant  
**Purpose:** To address social determinants of health, foster an improved quality of life for older Ohioans, enabling them to remain in their homes and stay connected to their communities, preserve their personal assets, and promote a healthy, independent, active lifestyle.  
**Effective Dates:** January 31, 2024 through September 30, 2024

Further, move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

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**Resolution 2024-0073**  
**JFSC file**

**Authorize Contract with  
Northwoods Consulting Partners, Inc.**

Commissioner \_\_\_\_ moved, per the request of Department of Job and Family Services Director, to authorize a contract with:

**Organization Name:** Northwoods Consulting Partners, Inc.  
**Organization Address:** 5200 Rings Road, Dublin, Ohio 43017  
**In the amount of:** \$68,320.00  
**Funding Source(s):** Shared Administrative Dollars  
**Purpose:** To provide Gold Level software maintenance  
**Effective Dates:** March 1, 2024 through February 28, 2025

Further, move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

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

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**Resolution 2024-0074**  
**JFSC file**

**Authorize Contract Amendment #4 with  
TAC Industries, Inc.**

Commissioner \_\_\_\_ moved, per the request of the Department of Job and Family Services Director, to authorize contract amendment #4 with:

**Organization Name:** TAC Industries, Inc.  
**Organization Address:** 2160 Old Selma Road, Springfield, Ohio 45505  
**Original Contract Amount:** \$2,159,803.00  
**Previous Amendments:** \$ 30,000.00  
**Amendment Amount:** \$ 40,281.27  
**New Contract Amount:** \$2,230,084.27  
**Funding Source(s):** Medicaid Title XIX 93.778, TANF 93.558, CCMEP TANF 93.558, Title XX 93.667, WIOA Youth Activities 17.259, FAET 10.561, and Children Services Levy  
**Purpose of Contract:** Provide ground-based transportation services to eligible low-income people, such as Medicaid clients, CCMEP and OhioMeansJobs participants, individuals involved with, or minors in the custody of, Family & Children Services, as well as any other eligible customer of Department.  
**Purpose of Amendment:** To increase the value of the contract based on increased need for transportation.  
**Original Effective Date:** January 1, 2023 through December 31, 2024  
**Amendment Effective Date:** January 31, 2024 through December 31, 2024

Further, move to authorize the County Administrator to execute the contract amendment and related documents, including the purchase order.

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

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**Resolution 2024-0075**  
**CDDG file**

**Accept Grant Amendment #2 for the PY 21 Community Housing  
Impact & Preservation Program (CHIP) Grants B-C-21-1AL-1 and B-C-21-1AL-2**

Commissioner \_\_\_\_ moved, per the request of the Community and Economic Development Director, to authorize grant amendment #2 with:

**Grantor:** State of Ohio, Development Services Agency  
**Grant Agreements:** B-C-21-1AL-1 and B-C-21-1AL-2  
**In the amount of:** \$0.00  
**Purpose:** PY21 Community Housing Impact & Preservation Program (CHIP)  
**Project Description:** Clark County will utilize \$302,500 of HOME funding and \$80,500 of CDBG funding for PY21 CHIP program activities assisting qualifying low-moderate income (LMI) homeowners in Clark County and the City of New Carlisle.  
**Amendment Reason:** Activity reallocation and three (3) month time extension  
**Effective Dates:** December 1, 2021 through July 30, 2024

Further, move to authorize the County Administrator to execute the grant amendments and related documents.

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

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**Resolution 2024-0076**  
**COMB file**

**Acknowledge Bid Opening for  
Clark County Courthouse Renovation Project**

Commissioner \_\_\_\_ moved, per the request of the County Administrator, to acknowledge receipt of the bids below, subject to the Board's right to reject any bid pursuant to the notice of competitive bidding and any other applicable bid requirements. The bid opening for the Clark County Courthouse Renovation project was held on Thursday, January 25, 2024. The following bids were read:

<u><i>Bidder</i></u>	<u><i>Amount Read</i></u>	<u><i>Alt 1</i></u>
Brumbaugh Construction	\$13,900,000.00	\$476,000.00
Elford, Inc.	\$13,400,000.00	\$440,000.00

**Estimate: Base Bid \$11,700,000.00**

Further, move to refer the bids to staff for further evaluation.

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

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**Resolution 2024-0077**  
**ENGD file**

**Acknowledge and Accept  
Deed of Easement for Lotsplit Purposes**

Commissioner \_\_\_\_ moved, per the request of the County Engineer, to acknowledge receipt and accept the following Deed of Easement for the 0.196-acre lotsplit:

**Granted by:**

Erik Vondenhuevel and Nicole Peterson

**Mailing Address:**

2589 North Hampton Road, Springfield, Ohio

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

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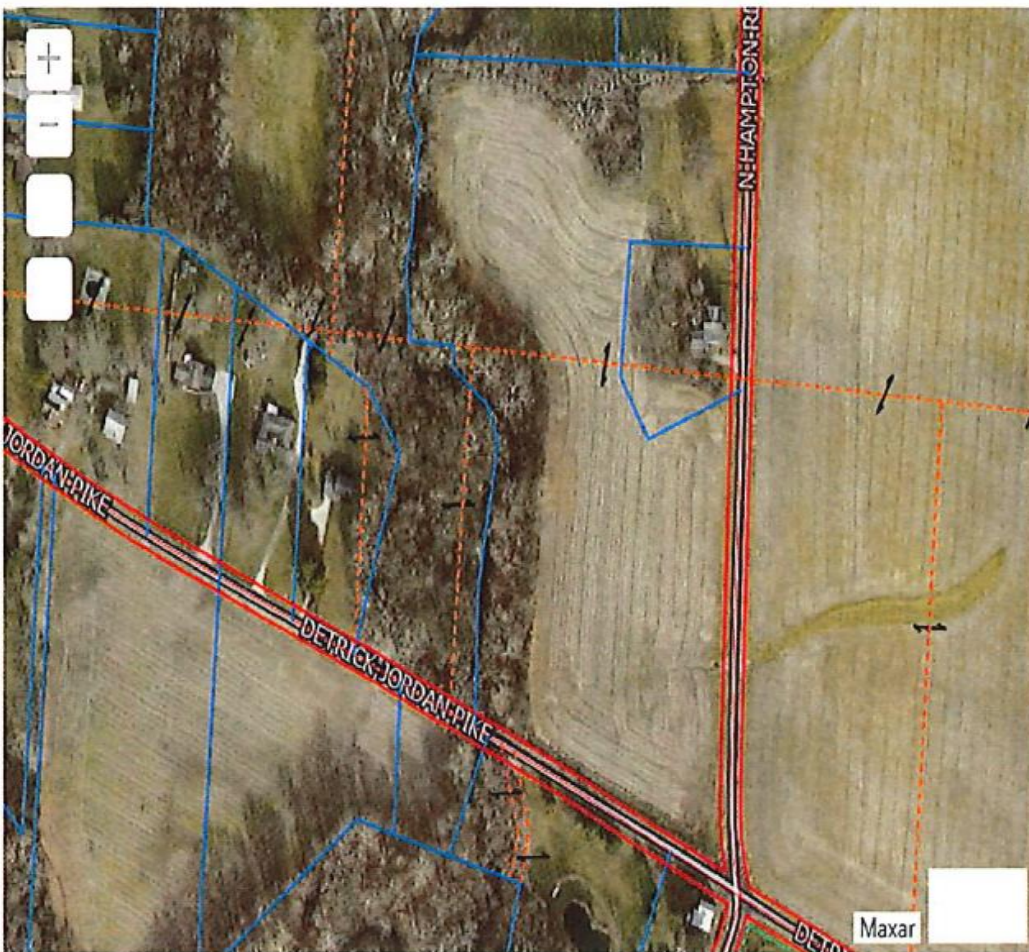
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copy: County Auditor  
County Administrator  
County Engineer  
Tax Map

Attachment to Resolution 2024-0077



The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

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**Resolution 2024-0078**  
**UTLD file**

**Acknowledge and Accept Permanent Utility Easement for  
Electric Right of Way – Ten (10) Foot Wide**

Commissioner \_\_\_\_ moved, per the request of the Utilities Director, to acknowledge receipt and grant the following Electric Right of Way and Easement:

**Granted to:**

The Dayton Power and Light Company

**Parcel/Address:**

1801000023000045/ 0 Haddix Road (ref. Exhibit A, Project No. 01.30.1061)

Further, move to authorize the County Administrator to execute the easement related document(s).

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

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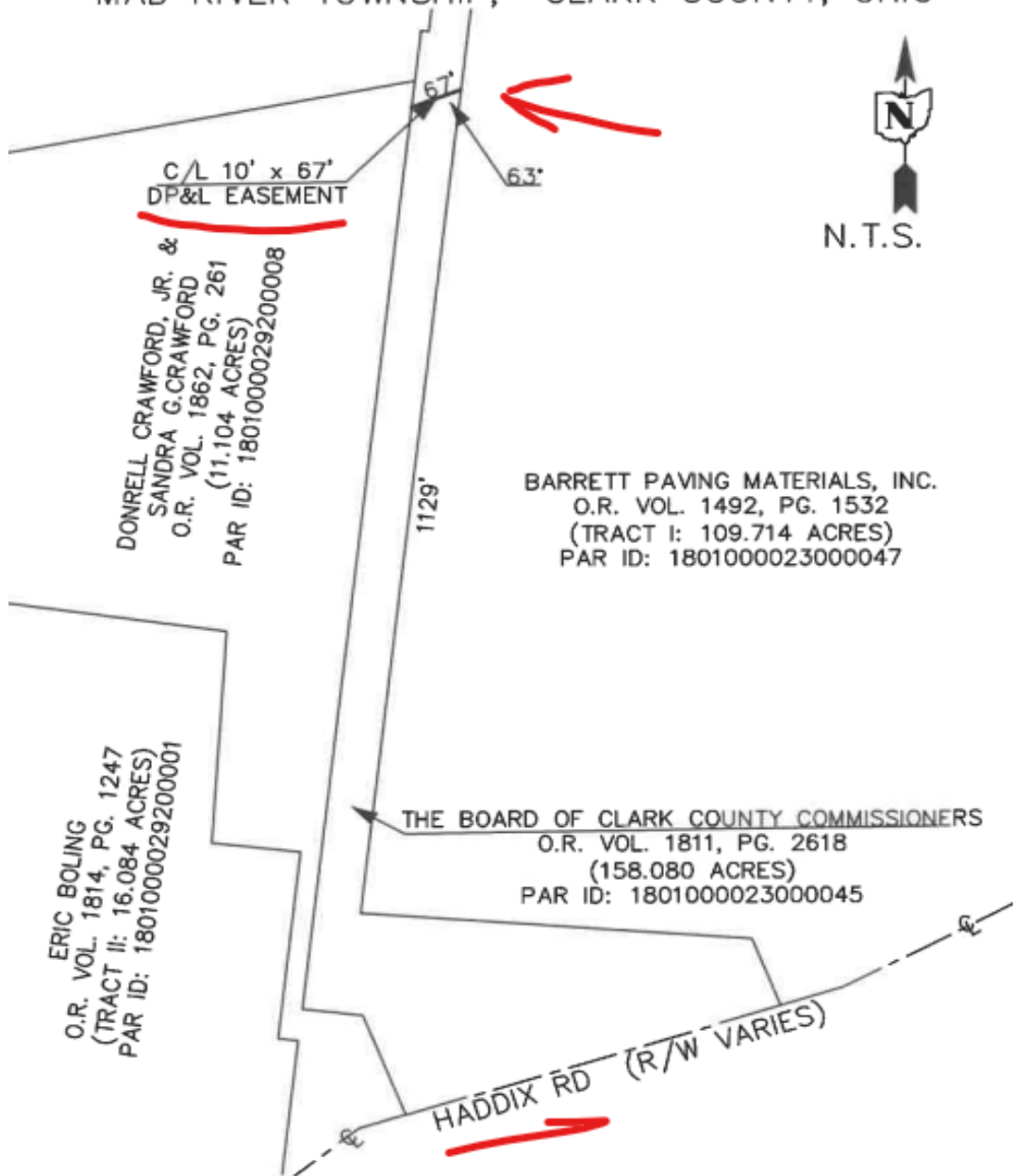
copy: County Auditor  
County Administrator  
County Engineer  
Tax Map

Attachment to Resolution 2024-0078

EXHIBIT A  
PROJECT NO: 01.30.1061

~~N.E. 1/4, SEC. 29, T3E, R8N, MRS,  
MAD RIVER TOWNSHIP, CLARK COUNTY, OHIO~~

I-70



The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>th</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

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**Resolution 2024-0079**

**UTLP file**

**Approve Payment #5 (Final) to  
The Righter Company**

Commissioner \_\_\_\_ moved, per request of the Utilities Director, to approve the following payment #5 (final):

**Payment to:** The Righter Company, Inc.  
**Address:** 2424 Harrison Road, Columbus, Ohio 43204  
**Services:** General Contractor  
**Project:** Southwest Regional WWTP Screw Pump Replacement Project  
**Funding Source(s):** OPWC Grant and General Sewer Funds (\$9,840.74 direct pay to Contractor by OPWC and \$11,008.28 paid by the County; \$0.00 held retainage)  
**Amount:** \$20,849.02

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

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**Resolution 2024-0080**  
**INVP file**

**Authorize Purchase of Vehicle(s) for the  
Utilities Department**

Commissioner \_\_\_\_ moved, per the request of the Utilities Director, to authorize the purchase of a 2024 Ford Super Duty F-250 SRW XL 4WD SuperCab w/8' Knapheide 696 Service Body from National Auto Fleet Group for a cost of \$69,482.44 to be paid from the Sewer/Water Fund. This purchase is necessary for daily operations throughout the county. Vehicle priced from Sourcewell Vehicles and Chassis Contract #091521-NAF, Clark County member ID #2523.

Further, move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

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

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**Resolution 2024-0081**

**INVS file**

**Authorize Transfer of Vehicle from the Sheriff's Office to the Clark County Probation Department**

Commissioner \_\_\_\_ moved, per the request of Sheriff's Office, to authorize the transfer of the following vehicle from the Sheriff's Office to the Clark County Probation Department. The vehicle is owned by the Board of Clark County Commissioners. The transfer is due to the Sheriff's Office no longer having use for this vehicle and the Probation Department being able to use the vehicle.

**Year Make Model**

2012 GMC Terrain

**VIN#**

2GKFLTEK2C6326895

**Mileage**

100,816

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

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**Resolution 2024-0082**  
**FINB file**

**AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$14,500,000 FOR THE PURPOSE OF PAYING COSTS ASSOCIATED WITH DESIGNING, CONSTRUCTING, RECONSTRUCTING, FURNISHING, AND EQUIPPING A COUNTY COURTHOUSE FACILITY, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES THERETO; AND AUTHORIZING AND APPROVING RELATED MATTERS**

Commissioner \_\_\_\_ moved to adopt the following:

**WHEREAS**, the County Auditor (the "Auditor") of the County has certified to this Board that the estimated life of the improvements described in the title of this Resolution (the "Project") that are to be financed with the proceeds of the bonds described herein exceeds five years and the maximum maturity of the bonds is 30 years; and,

**WHEREAS**, it is now deemed necessary to issue and sell not to exceed \$14,500,000 of such bonds for the Project under authority of the general laws of the State of Ohio, including Ohio Revised Code ("Revised Code") Chapter 133;

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

Issuance of Bonds. It is hereby declared necessary to issue bonds (the "Bonds") of the County for the purpose described in the title of this Resolution in the principal sum of not to exceed \$14,500,000 or such lesser amount as shall be determined by the Auditor and certified to this Board for the purpose of paying the costs of the Project. The Bonds may be issued in one or more series.

Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the County to combine the Bonds with other limited tax general obligation bonds of the County authorized by separate resolution of this Board. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Resolution, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated the "County of Clark, Ohio Various Purpose Bonds, Series 2024," or as otherwise provided in the Certificate of Fiscal Officer defined in Section 4 hereof.

Terms of Bonds. The Bonds shall be issued as fully registered bonds, in such denominations as shall be determined by the Auditor, but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered consecutively from R-1 upward, as determined by the Auditor; shall be dated the date determined by the Auditor and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Auditor and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

Certificate of Fiscal Officer Relating to Terms of Bonds. The Auditor is hereby authorized and directed to execute on behalf of the County a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Resolution, shall be as determined by the Auditor. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase

price for the Bonds (which shall be not less than 97% of the aggregate principal amount thereof), the maturity schedule for the Bonds (provided that the maximum maturity date of the Bonds shall not exceed 30 years), the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 7.00% per annum), the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Resolution as the Auditor shall deem appropriate.

Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected shall be in the amount of \$1,000 or any integral multiple thereof unless otherwise determined by the Auditor.

Any notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of the Bonds to be redeemed at the address shown in the Bond Register (as defined herein) on the 15th day preceding the date of mailing. Failure to receive such notice or any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

General Obligation Pledge. The Bonds shall be the full general obligation of the County, and the full faith, credit and revenue of the County are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Bonds shall, to the extent necessary, be used only for the retirement of the Bonds at maturity and are hereby pledged for such purpose.

Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the County, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby 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 such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the County determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the County shall appropriate such funds to the payment of the Bonds in accordance with law.

Sale of the Bonds; Use of Proceeds. The Bonds shall be sold to FHN Financial Capital Markets (the "Original Purchaser") at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued, if any, to the date of delivery of the Bonds to the Original Purchaser. The Auditor, County Administrator (the "County Administrator"), or not less than two of the County Commissioners of the County (the "County Commissioners"), are authorized to execute on behalf of the Board a bond purchase

agreement with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which agreement shall be in such form, not inconsistent with the terms of this Resolution, as the Auditor shall determine.

The proceeds of such sale, except any accrued interest or premium thereon, shall be used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the County, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Resolution; and shall be executed by the Auditor and not less than two of the County Commissioners, in their official capacities, provided that any and all of such signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Resolution and is entitled to the security and benefit of this Resolution. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Auditor on behalf of the County. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar (as defined herein) upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Appointment of Bond Registrar. The Auditor is hereby authorized and directed to execute on behalf of the County a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Auditor and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (the "Bond Registrar") for the Bonds. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the County maintained by the Bond Registrar. If at any

time the Bond Registrar shall be unable or unwilling to serve as such, or the Auditor in such officer's discretion shall determine that it would be in the best interest of the County for such functions to be performed by another party, the Auditor may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the County shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of this Resolution, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The County and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the County shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The exchange or transfer shall be without charge to the owner; except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this Resolution, as the Bonds surrendered upon that transfer or exchange.

Book-Entry System. For purposes of this Resolution, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book-entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" in the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of securities and to effect transfers of securities in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Resolution: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Bond Registrar may, with the approval of the County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

If requested by a Depository, the County Commissioners, Auditor, Clerk of the Board, or any other officer of this Board, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the County, an agreement among the County, the Bond Registrar and such Depository to be delivered in connection with the issuance of the Bonds to such Depository for use in a book-entry system.

The County may decide to discontinue use of the book-entry system through the Depository. In that event, physical Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the Depository for the Bonds for use in a book-entry system, the County and the Bond Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Resolution. If the County and the Bond Registrar do not or are unable to do so, the County and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Bonds), if the event is not the result of action or inaction by the County or the Bond Registrar, of those persons requesting such issuance.

Federal Tax Law Compliance. The County hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The County further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Auditor, the County Commissioners and any other officer of this Board, or any of them individually, are each hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as permitted or required

to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Auditor, which action shall be in writing and signed by the Auditor, any of the County Commissioners or any other officer of the County, on behalf of the County; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the County as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the County, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the County pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the County regarding compliance by the County with Sections 141 through 150 of the Code and the Regulations.

The Auditor shall keep and maintain adequate records pertaining to the use and investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the County to comply with any federal law or regulation now or hereafter having applicability to the Bonds that relates to the use of such proceeds, which limits the amount of Bond proceeds which may be invested on an unrestricted yield or requires the County to rebate arbitrage profits to the United States Department of the Treasury. The Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Municipal Bond Insurance. The Auditor is authorized to make appropriate arrangements, if the Auditor deems it in the best interest of the County, for the issuance of a municipal bond insurance policy with respect to all or any portion or series of the Bonds, including executing and delivering a commitment therefor and certificates and other documents in connection therewith and paying the bond insurance premium related thereto. All additional provisions required to be authorized by this Board for the issuance of a municipal bond insurance policy shall be contained in the Certificate of Fiscal Officer.

Official Statement. The distribution of an Official Statement of the County, in preliminary and final form, relating to the original issuance of the Bonds is authorized if the Auditor determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Bonds. If the Auditor so determines, then the Auditor, County Administrator, County Commissioners and any other officer of this Board, or any of them individually, are each hereby authorized and directed to negotiate, prepare and execute, on behalf of the County and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the County. The County Commissioners, Auditor and County Administrator are each authorized to execute and deliver, on behalf of the County and in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Obtaining of Rating for the Bonds. The obtaining or updating of a rating or ratings on the Bonds and the County is hereby authorized if the Auditor determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Auditor so determines, then the Auditor, County Administrator, County Commissioners, and any officer of this Board are hereby authorized and directed to take all steps necessary to obtain such rating or ratings, including paying the rating fees imposed by any rating agency and paying any travel expenses relating to obtaining such rating or ratings.

Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of this Board and any other officers of this Board, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of this Board relating to the power and authority of the County to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of the Board and a no-litigation certificate of not less than two of the County Commissioners and the Auditor, and such certified copies and certificates shall be deemed representations of the County as to the facts stated therein. Except for the procedure for authenticating the Bonds set forth in Section 9 herein, documents (including this Resolution) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Bonds, for the purposes of this Resolution, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The County Commissioners, the Auditor, County Administrator, and any other officer of the County are hereby authorized and directed to take such action (including, but not limited to, hiring such professionals and consultants as may be needed to facilitate the issuance of the Bonds) and to execute and deliver, on behalf of this Board, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution. Such documents shall be in the form not substantially inconsistent with the terms of this Resolution, as they in their discretion shall deem necessary or appropriate.

Appointment of Bond Counsel and Municipal Advisor. The Board hereby approves the appointments of the law firm of Bricker Graydon LLP to serve as Bond Counsel and Bradley Payne Advisors, LLC to serve as a municipal advisor to the County with respect to the issuance of the Bonds. The respective fees to be paid to such firms shall be subject to review and approval by the Auditor and shall not exceed the fees customarily charged for such services.

Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the County have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the County are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage 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 such formal action, were in meetings open to the public, in compliance with all legal requirements including Revised Code Section 121.22.

Filing of Bond Resolution. The Clerk of the Board is hereby directed to forward a certified copy of this Resolution to the Auditor.

Effective Date. This Resolution shall take effect and be in force at the earliest date permitted by law.

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

Commissioner McGlothin, Commissioner Rittenhouse, Commissioner Wilt,

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I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)



The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

Lowell R. McGlothlin

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**Resolution 2024-0083**

**FINB file**

**AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$500,000 FOR THE PURPOSE OF PAYING COSTS ASSOCIATED WITH MAKING UPGRADES TO ELEVATOR SYSTEMS IN COUNTY FACILITIES; AND AUTHORIZING AND APPROVING RELATED MATTERS**

Commissioner \_\_\_\_ moved to adopt the following:

**WHEREAS**, the County Auditor (the "Auditor") of the County has certified to this Board that the estimated life of the improvements described in the title of this Resolution (the "Project") that are to be financed with the proceeds of the bonds described herein exceeds five years and the maximum maturity of the bonds is 30 years; and.

**WHEREAS**, it is now deemed necessary to issue and sell not to exceed \$500,000 of such bonds for the Project under authority of the general laws of the State of Ohio, including Ohio Revised Code ("Revised Code") Chapter 133;

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

Issuance of Bonds. It is hereby declared necessary to issue bonds (the "Bonds") of the County for the purpose described in the title of this Resolution in the principal sum of not to exceed \$500,000 or such lesser amount as shall be determined by the Auditor and certified to this Board for the purpose of paying the costs of the Project. The Bonds may be issued in one or more series.

Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the County to combine the Bonds with other limited tax general obligation bonds of the County authorized by separate resolution of this Board. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Resolution, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated the "County of Clark, Ohio Various Purpose Bonds, Series 2024," or as otherwise provided in the Certificate of Fiscal Officer defined in Section 4 hereof.

Terms of Bonds. The Bonds shall be issued as fully registered bonds, in such denominations as shall be determined by the Auditor, but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered consecutively from R-1 upward, as determined by the Auditor; shall be dated the date determined by the Auditor and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Auditor and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

Certificate of Fiscal Officer Relating to Terms of Bonds. The Auditor is hereby authorized and directed to execute on behalf of the County a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Resolution, shall be as determined by the Auditor. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the aggregate principal amount thereof), the maturity schedule for the Bonds (provided that the maximum maturity date of the Bonds shall not exceed 30 years),

the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 7.00% per annum), the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Resolution as the Auditor shall deem appropriate.

Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected shall be in the amount of \$1,000 or any integral multiple thereof unless otherwise determined by the Auditor.

Any notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of the Bonds to be redeemed at the address shown in the Bond Register (as defined herein) on the 15th day preceding the date of mailing. Failure to receive such notice or any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

General Obligation Pledge. The Bonds shall be the full general obligation of the County, and the full faith, credit and revenue of the County are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Bonds shall, to the extent necessary, be used only for the retirement of the Bonds at maturity and are hereby pledged for such purpose.

Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the County, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby 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 such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same falls due. Notwithstanding the foregoing, if the County determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the County shall appropriate such funds to the payment of the Bonds in accordance with law.

Sale of the Bonds; Use of Proceeds. The Bonds shall be sold to FHN Financial Capital Markets (the "Original Purchaser") at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued, if any, to the date of delivery of the Bonds to the Original Purchaser. The Auditor, County Administrator (the "County Administrator"), or not less than two of the County Commissioners of the County (the "County Commissioners"), are authorized to execute on behalf of the Board a bond purchase agreement with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and

delivered, which agreement shall be in such form, not inconsistent with the terms of this Resolution, as the Auditor shall determine.

The proceeds of such sale, except any accrued interest or premium thereon, shall be used for the purpose aforesaid and for no other purpose. Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the County, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Resolution; and shall be executed by the Auditor and not less than two of the County Commissioners, in their official capacities, provided that any and all of such signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Resolution and is entitled to the security and benefit of this Resolution. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Auditor on behalf of the County. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar (as defined herein) upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Appointment of Bond Registrar. The Auditor is hereby authorized and directed to execute on behalf of the County a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Auditor and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (the "Bond Registrar") for the Bonds. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the County maintained by the Bond Registrar. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Auditor in such officer's discretion

shall determine that it would be in the best interest of the County for such functions to be performed by another party, the Auditor may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the County shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of this Resolution, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The County and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the County shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The exchange or transfer shall be without charge to the owner; except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this Resolution, as the Bonds surrendered upon that transfer or exchange.

Book-Entry System. For purposes of this Resolution, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book-entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" in the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of securities and to effect transfers of securities in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Resolution: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Bond Registrar may, with the approval of the County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

If requested by a Depository, the County Commissioners, Auditor, Clerk of the Board, or any other officer of this Board, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the County, an agreement among the County, the Bond Registrar and such Depository to be delivered in connection with the issuance of the Bonds to such Depository for use in a book-entry system.

The County may decide to discontinue use of the book-entry system through the Depository. In that event, physical Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the Depository for the Bonds for use in a book-entry system, the County and the Bond Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Resolution. If the County and the Bond Registrar do not or are unable to do so, the County and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Bonds), if the event is not the result of action or inaction by the County or the Bond Registrar, of those persons requesting such issuance.

Federal Tax Law Compliance. The County hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The County further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Auditor, the County Commissioners and any other officer of this Board, or any of them individually, are each hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as permitted or required

to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Auditor, which action shall be in writing and signed by the Auditor, any of the County Commissioners or any other officer of the County, on behalf of the County; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the County as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the County, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the County pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the County regarding compliance by the County with Sections 141 through 150 of the Code and the Regulations.

The Auditor shall keep and maintain adequate records pertaining to the use and investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the County to comply with any federal law or regulation now or hereafter having applicability to the Bonds that relates to the use of such proceeds, which limits the amount of Bond proceeds which may be invested on an unrestricted yield or requires the County to rebate arbitrage profits to the United States Department of the Treasury. The Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Municipal Bond Insurance. The Auditor is authorized to make appropriate arrangements, if the Auditor deems it in the best interest of the County, for the issuance of a municipal bond insurance policy with respect to all or any portion or series of the Bonds, including executing and delivering a commitment therefor and certificates and other documents in connection therewith and paying the bond insurance premium related thereto. All additional provisions required to be authorized by this Board for the issuance of a municipal bond insurance policy shall be contained in the Certificate of Fiscal Officer.

Official Statement. The distribution of an Official Statement of the County, in preliminary and final form, relating to the original issuance of the Bonds is authorized if the Auditor determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Bonds. If the Auditor so determines, then the Auditor, County Administrator, County Commissioners and any other officer of this Board, or any of them individually, are each hereby authorized and directed to negotiate, prepare and execute, on behalf of the County and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the County. The County Commissioners, Auditor and County Administrator are each authorized to execute and deliver, on behalf of the County and in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Obtaining of Rating for the Bonds. The obtaining or updating of a rating or ratings on the Bonds and the County is hereby authorized if the Auditor determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Auditor so determines, then the Auditor, County Administrator, County Commissioners, and any officer of this Board are hereby authorized and directed to take all steps necessary to obtain such rating or ratings, including paying the rating fees imposed by any rating agency and paying any travel expenses relating to obtaining such rating or ratings.

Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of this Board and any other officers of this Board, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of this Board relating to the power and authority of the County to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of the Board and a no-litigation certificate of not less than two of the County Commissioners and the Auditor, and such certified copies and certificates shall be deemed representations of the County as to the facts stated therein. Except for the procedure for authenticating the Bonds set forth in Section 9 herein, documents (including this Resolution) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Bonds, for the purposes of this Resolution, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The County Commissioners, the Auditor, County Administrator, and any other officer of the County are hereby authorized and directed to take such action (including, but not limited to, hiring such professionals and consultants as may be needed to facilitate the issuance of the Bonds) and to execute and deliver, on behalf of this Board, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution. Such documents shall be in the form not substantially inconsistent with the terms of this Resolution, as they in their discretion shall deem necessary or appropriate.

Appointment of Bond Counsel and Municipal Advisor. The Board hereby approves the appointments of the law firm of Bricker Graydon LLP to serve as Bond Counsel and Bradley Payne Advisors, LLC to serve as a municipal advisor to the County with respect to the issuance of the Bonds. The respective fees to be paid to such firms shall be subject to review and approval by the Auditor and shall not exceed the fees customarily charged for such services.

Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the County have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the County are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage 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 such formal action, were in meetings open to the public, in compliance with all legal requirements including Revised Code Section 121.22.

Filing of Bond Resolution. The Clerk of the Board is hereby directed to forward a certified copy of this Resolution to the Auditor.

Effective Date. This Resolution shall take effect and be in force at the earliest date permitted by law.

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

Commissioner McGlothin, Commissioner Rittenhouse, Commissioner Wilt,

---

I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)



The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

Lowell R. McGlothlin

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**Resolution 2024-0084**

**FINO file**

**Authorize Salary/Wage Adjustment**

Commissioner \_\_\_\_ moved, upon the recommendation of the County Administrator, to authorize a 3.25% salary/wage adjustment for all non-collective bargaining unit employees that report to the Board of Clark County Commissioners as the Appointing Authority or Co-Appointing Authority. Said adjustments shall begin on January 8, 2024 for employees on a one week delay pay schedule and on January 14, 2024 for employees on a two week delay pay schedule.

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

---

I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

copy: County Auditor  
County Administrator  
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

Lowell R. McGlothlin

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**Resolution 2024-0085**

**FINT file**

**Approve Issuance of Warrants for Then and Now(s)**

Commissioner \_\_\_\_ moved, upon the recommendation of the County Administrator, to approve the issuance of warrants for then and now(s) are as follows:

<b>P.O. Number</b>	<b>Fund</b>	<b>Vendor</b>	<b>Date</b>	<b>Purchase Amount</b>
240029560	Public Assistance (JFS)	ACT Inc.	12/15/23	\$ 2,500.00
Reason: Previous purchase order liquidated. New purchase order created for one year subscription to ACT Workkeys Curriculum.				
230029456	General (Personnel)	ComPsych Employee Assistance	10/18/23	\$ 300.00
Reason: Delay in invoicing for two wellness online training sessions.				
230029456	General (Personnel)	ComPsych Employee Assistance	9/28/23	\$ 150.00
Reason: Delay in invoicing for one wellness online training session.				
230029456	General (Personnel)	ComPsych Employee Assistance	3/23/23	\$ 150.00
Reason: Delay in invoicing for one wellness online training session.				
240029597	General (Sheriff)	Insterstate Ford	12/20/23	\$16,990.82
Reason: Received invoice for Sheriff's vehicle repair following cutoff date for 2023 to apply for purchase order.				
240029902	General (Sheriff)	US Bak Equipment Finance	12/26/23	\$ 114.72
Reason: Funds needed for recurring monthly expense for copier lease and overages.				
240029902	General (Sheriff)	US Bank Equipment finance	12/27/23	\$ 25.00
Reason: Funds needed for recurring monthly expense for copier lease.				
240029902	General (Sheriff)	US Bank Equipment finance	12/26/23	\$ 17.00
Reason: Funds needed for recurring monthly expense for copier lease.				
240029902	General (Sheriff)	US Bank Equipment finance	12/26/23	\$ 45.00
Reason: Funds needed for recurring monthly expense for copier lease.				

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

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I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

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

The Board of County Commissioners, in and for Clark County, Ohio, met this 31<sup>st</sup> day of January, 2024 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Sasha L. Rittenhouse

Lowell R. McGlothlin

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**Resolution 2024-0086**  
**TRAV file**

**Approve Travel/Expense Allowance**

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

<b>Dept.</b>	<b>Name</b>	<b>Purpose</b>	<b>Place</b>	<b>Date</b>	<b>Cost</b>
JFS	J. Powell	Life at Performance Level	Springfield, OH	3/5/24	\$ 39.00
ReEntry	S. McHenry	MI Training	Virtual	2/26/24	\$ 450.00
ReEntry	B. Wagner	Resilience X	Virtual	3/1/24	\$1,150.00
Utilities	E. Hensley	Management Advanc. for the Public Service Training	Columbus, OH	2/27/24	\$ 100.00

Further, move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual and/or Office Policy.

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

Commissioner McGlothlin, Commissioner Rittenhouse, Commissioner Wilt,

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I, Angela Wheeler, 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 January 31, 2024.

Angela Wheeler, Clerk

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