

The Board of Clark County Commissioners met in regular session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) in the Commission Chambers, 3130 East Main Street, Springfield, Ohio.

The following members and guests were present: Commissioner Melanie F. Wilt; Commissioner Lowell R. McGlothlin; Jennifer Hutchinson, County Administrator; Michelle Noble, HR Director/Assistant County Administrator; Angela Wheeler, Administrative Assistant; Tom O'Neal, Ron Coss, Dale Henry, Michelle Clements-Pitstick, Emergency Management Agency Director; Beau Thompson, Assistant County Prosecutor; Sheriff Deb Burchett; Chief Allen Cox; Sydney Dawes, Springfield News-Sun; Josh Frost, Ohio Edison; Julia Konieczny, Dinsmore & Shohl LLP.

Commissioner McGlothlin called the meeting to order and introductions were made.

*Agenda Review:*

Ms. Hutchinson reviewed the agenda.

Resolution 2022-0498 authorized contract with OSU Extension to help fund a local Food Program Assistant.

Resolution 2022-0499 authorized agreement with Ohio River Pipeline on behalf of our County Engineer. This is for our project but Ohio River Pipeline needs to move some of their lines.

Resolution 2022-0500 authorized Inter-governmental agreement with Harmony Township for chip sealing 4.6 miles of roadway in Harmony Township.

Resolution 2022-0501 authorized contract with Clark County Juvenile Court for Family Treatment Court.

Resolution 2022-0502 instructed the Clerk to advertise for bids for the New Clark County Fair Board Office Building Project. They need to tear the old building down. Commissioner McGlothlin said he assumes we have the plans for that already. Ms. Hutchinson said we are working with Oregon Group on the architecture plans.

Resolution 2022-0503 instructed the Clerk to advertise for bids for the Enon-Xenia Road Project.

Resolution 2022-0504 accepted Grant Agreement with Ohio Public Works Commission. This is for the Enon-Xenin Road Improvements.

Resolution 2022-0505 accepted Grant Agreement with Ohio Public Works Commission on behalf of the Utilities Department to replace the screw pump at the Southwest Regional Wastewater Treatment Plant.

Resolution 2022-0506 adopted Clark County Fairgrounds Emergency Response Plan. The County developed and updated plan. The County wants to make sure it is safe due to incidents that we do not want repeated. It includes more security, lighting, etc.

Resolution 2022-0507 dissolved the Dangerous Wild Animal Response Team Board per Ohio Revised Code.

Resolution 2022-0508 authorized the disposal of obsolete equipment on behalf of the County Engineer to sell a 1997 Ford F-250 via the online auction.

Resolution 2022-0509 approved supplemental appropriations for the marriage license fund. The County uses the marriage license funds and pays it out to Project Women.

Resolution 2022-0510 approved travel/expense allowance.

Resolution 2022-0511 authorized allocation of American Rescue Plan Act funds toward the Dog Warden's office staffing increase. There is an unexplained number of dogs and the dog shelter is full. It takes more staff to take care of the animals.

Resolution 2022-0512 acknowledged receipt of Expedited Type 1 Annexation in Springfield Township for property across from Prime Ohio next to the BP Gas Station.

Resolution 2022-0513 authorized the issuance of hospital facilities revenue bonds of the County of Allen, Ohio. The County is not billed for any of these funds.

Resolution 2022-0514 was an add-on resolution to approve creation of Fund 2920 OneOhio Opioid Fund. Commissioner McGlothlin asked if it is a separate fund that the County will have to maintain. Ms. Hutchinson said yes, it is a fund that money will continue to trickle in for 18 years.

Mr. Thompson said the first payment was from the Big Three and funds will come in for 18 years. It will be similar to American Rescue Plan Act funds as there will be many rules around using the money.

*County Administrator Updates:*

Ms. Hutchinson said the County is still negotiating to repair the concrete on the one horse barn. Commissioner McGlothlin asked if the cost will fall back on the concrete company. Ms. Hutchinson said it would.

Ms. Hutchinson said the Mid-American Conference is being hosted by Clark County. Alex Deitz is speaking at the conference about broadband.

The Board reviewed the calendar. The CIC Meeting was changed to July 20, 2022.

Mr. Cooper reminded the audience that our meeting the week of the fair is on Thursday, July 28<sup>th</sup> at the Clark County Fairgrounds.

*Audience Comments:*

Mr. O'Neal asked Ms. Hutchinson about a letter regarding tax budgets. He wanted to know if it is sales tax or income tax. Ms. Hutchinson said the letter is based on property tax. It is a very primitive first step in the budget. The same letter was sent out this year that was sent the last two years.

Mr. O'Neal also asked if the Commissioner are aware of the work going on in the cemetery by Mother Stewards. There are nine veterans in that cemetery and they would like to put plaques on their graves. Veterans Services would like to do the plaques themselves but they will need to move money to cover it. Mr. O'Neal just wanted to give them a heads up. Mr. O'Neal is not sure which fund they will pull from. Commissioner McGlothlin asked how old the graves are. Mr. O'Neal was not sure.

Commissioner McGlothlin asked if Ms. Clements-Pitstick wanted to talk about the Fairgrounds Plan. Mrs. Clements-Pitstick said they have added cameras, added security, rides are closing earlier, and gates are closing earlier. No backpacks will be permitted this year.

Mr. Frost with Ohio Edison came to say hello and meet Commissioner Rittenhouse. He said he would probably have some updates for them next year.

Ms. Clements-Pitstick said Mr. Frost is one of their contacts at Ohio Edison and helps with safety with the power lines.

Mr. Frost said there is a lot of positive growth in the county. Ohio Edison tries to stay in contact with developers and stay on top of new developments to remind them to contact the electric company with plans so they have power when they need it.

*Commissioner Updates:*

Commissioner McGlothlin said Stronger Together had an event with 200 tables at the Evans Farm. They did a great job. New Carlisle Rotary, Tecumseh Strong and Barrett Strong came together to put the event together. There was a bourbon tasting with a Miami County company there. Commissioner Rittenhouse and Commissioner McGlothlin both bought tables there. It will be an annual event.

Commissioner Rittenhouse moved to go into executive session to discuss the union contract with Fraternal Order of Police. Commissioner McGlothlin seconded the motion. The roll being called for its passage resulted as follows:

Commissioner McGlothlin, Yes; Commissioner Wilt, Yes

Call to Order, Commissioner McGlothlin

Resolution 2022-0497

Following the pledge, Commissioner Rittenhouse moved to approve the agenda in its entirety excluding Resolution 2022-0513. Commissioner McGlothlin seconded the motion. The roll being called for passage resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

Commissioner McGlothlin opened the Public Hearing on Mercy Bonds.

Ms. Konieczny said this is very similar to the bonds in previous years and will be issued by the County of Allen, Ohio but because some of the money will be spent by Mercy Health in Clark County, Allen County needs the elected representatives in Clark County to approve the process. The bonds will not be obligations to Clark County in any way. They will not be Clark County's debt.

Commissioner Rittenhouse moved to approve Resolution 2022-0513. Commissioner McGlothlin seconded the motion. The roll being call for passage resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0498**  
**COMC file**

**Authorize Contract with  
The Ohio State University Extension Clark County**

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

**Organization Name:** The Ohio State University Extension Clark County  
**Organization Address:** 3130 East Main Street, Springfield, Ohio 45505  
**In the amount of:** \$23,060.00

**Funding Source(s):** ARPA  
**Purpose:** Local Food Program Assistant  
**Effective Dates:** July 13, 2022

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

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0499**  
**ENG file**

**Authorize Agreement with  
Ohio River Pipe Line LLC**

Commissioner Rittenhouse moved, per the request of the County Engineer, to authorize a contract with:

**Organization Name:** Ohio River Pipe Line LLC  
**Organization Address:** 539 South Main Street, Findlay, Ohio 45840  
**In the amount of:** Not to exceed \$230,461.00  
**Funding Source(s):** Local Funds (MVGT) reimbursable by Federal Highway Administration  
**Purpose:** Altering existing facilities to conform to the proposed CLA-CR315-1.28 (Enon-Xenia Road) Improvements  
**Effective Dates:** July 13, 2022 through December 31, 2022

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

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0500**  
**ENG file**

**Authorize Inter-governmental Agreements Between  
Harmony Township and the Board of Clark County Commissioners**

Commissioner Rittenhouse moved, per the request of the County Engineer, to authorize the following inter-governmental agreement:

**Agreement between:** Harmony Township and the Board of Clark County Commissioners  
**In the amount of:** County and Township agree to cooperate in completing the 2022 Roadway Resurfacing project. Harmony Township agrees their total local share of the cost for the project to be \$147,793.52.  
**Purpose:** 2022 Roadway Resurfacing Project  
**Funding Source(s):** MV&GT (local)  
**Effective Dates:** July 13, 2022 through December 31, 2022

Further move to authorize the County Administrator to execute the inter-governmental agreement and related documents, including the purchase order.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0501**  
**JFSC file**

**Authorize Contract with  
Clark County Juvenile Court**

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

**Organization Name:** Clark County Juvenile Court  
**Organization Address:** 101 East Columbia Street, Springfield, Ohio 45502  
**In the amount of:** \$337,896.01  
**Funding Source(s):** Children's Services Levy  
**Purpose:** To operate Clark County's Family Treatment Court  
**Effective Dates:** July 1, 2022 through June 30, 2024

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

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0502**  
**COMB file**

**Instruct Clerk to Advertise for Bids for the New Clark County  
Fair Board Office Building Project**

Commissioner Rittenhouse moved, per the request of the County Administrator, to instruct the Commission Clerk to advertise for bids for the New Clark County Fair Board Office Building Project. Said bids will be opened in public session on Thursday, August 25, 2022, at approximately 10 a.m., 3rd Floor, Springview Government Center, 3130 East Main Street, Springfield, Ohio 45503. It is noted that bids are due in the County Commission Office at the above address no later than 10 a.m. on Thursday, August 25, 2022.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0503**  
**ENGB file**

**Instruct Clerk to Advertise for Bids for  
CLA-CR 315-1.28 Enon-Xenia Road Improvements**

Commissioner Rittenhouse moved, per the request of the County Engineer, to instruct the Commission Clerk to advertise for bids for CLA-CR 315-1.28 Enon-Xenia Road Improvements. Said bids will be opened in public session on Thursday, August 25, 2022, at approximately 10:30 a.m., 3rd Floor, Springview Government Center, 3130 East Main Street, Springfield, Ohio 45503. It is noted that bids are due in the County Commission Office at the above address no later than 10:30 a.m. on Thursday, August 25, 2022.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0504**  
**ENGG file**

**Accept Grant Agreement with  
Ohio Public Works Commission**

Commissioner Rittenhouse moved, per the request of the County Engineer, to accept the following:

**Grantor:** Ohio Public Works Commission  
**Amount Funding:** \$627,988.00  
**Purpose:** Enon-Xenia Road Improvements (CLA-CR315-1.28) DKZ03 OPWC Project  
**Effective Dates:** July 1, 2022 through November 30, 2023

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

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0505**  
**UTLG file**

**Accept Grant Agreement with  
Ohio Public Works Commission**

Commissioner Rittenhouse moved, per the request of the Utilities Director, to accept the following:

**Grantor:** Ohio Public Works Commission  
**Amount Funding:** \$120,000.00  
**Purpose:** To secure grant funds for replacement of an influent screw pump at the Southwest Regional Wastewater Treatment Plant (WWTP) CK12Z OPWC Project  
**Effective Dates:** July 1, 2022 through June 30, 2024

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

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0506**  
**EMAP file**

**Adopt Clark County Fairgrounds Emergency Response Plan**

Commissioner Rittenhouse moved, per the request of the Emergency Management Agency Director, to adopt the following plan:

**Plan Name:** Clark County Fairgrounds Emergency Response Plan  
**Purpose:** Plan provides a comprehensive framework for countywide emergency management while:

- 1) Addressing the administrative and operational functions, authorities, and responsibilities of the organizations of local government.
- 2) Providing a link with the state, and private organizations that may be activated to address emergencies in Clark County.
- 3) Ensures consistency with current policy guidance and describes the interrelationship with other levels of government.
- 4) Continues to evolve, reflecting lessons learned from actual experiences in disasters and ongoing state planning, training, and exercise activities.

**Effective Date:** July 13, 2022

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0507**  
**BRDD file**

**Dissolve Dangerous Wild Animal Response Team (DWARD) Board**

Commissioner Rittenhouse moved to approve the following:

**Whereas**, the Clark County Dangerous Wild Animal Response Team (DWARD) Board was established per Ohio Revised Code; and,

**Whereas**, the 132<sup>nd</sup> General Assembly repealed §935.26, §935.27 and §935.28 of the Ohio Revised Code effective February 20, 2018.

**Now, therefore**, we, the Board of County Commissioners, Clark County, Ohio do hereby dissolve the Clark County Dangerous Wild Animal Response Team (DWARD) Board.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0508**  
**INVS file**

**Authorize Disposal of Obsolete Equipment**

Commissioner Rittenhouse moved, per the request of the County Engineer, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2022-0009 §307.12(E) of the Ohio Revised Code:

<u>Reference No.</u>	<u>Description</u>	<u>VIN No.</u>
B34	1997 Ford F250	1FTEF276VNC85302

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0509**  
**FINS file**

### Approve Supplemental Appropriation(s)

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

<b>Fund:</b>	<b>Department:</b>	<b>Account:</b>	<b>Amount:</b>
Marriage License	Commission	Assistance	\$10,710.00

Reason: To request appropriations for available cash.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Resolution 2022-0510**  
**TRAV file**

### Approve Travel/Expense Allowance

Commissioner Rittenhouse moved, per 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>
Auditor	S. Gray, M. Webber	Ohio GIS Conf.	Columbus, OH	9/20-22/22	\$ 658.00
Juv. Court	Administration	Gov. Accounting	Online	Self-Paced	\$1,700.00
Comm. Dev.	D. Lackovich-Van Gorp	OCCD Meeting	Columbus, OH	7/27-28/22	\$ 125.00
*Reentry	B. Wagner	Risk Training	Cincinnati, OH	8/18-19/22	\$2,000.00

\*Requesting use of credit card for training and travel expenses

Further move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes



**Resolution 2022-0511**  
**ARPA file**

**Authorize Allocation of American Rescue Plan Act (ARPA) Funds toward the Clark County Dog Warden's Office Staffing Increase**

Commissioner Rittenhouse moved, per request of the County Administrator to approve the following project:

**WHEREAS**, Clark County has received direct payments from the United States (US) Treasury under the Coronavirus State and Local Fiscal Recovery Funds authorized by the American Rescue Plan Act (ARPA); and,

**WHEREAS**, Clark County will use the funding in accordance with ARPA and guidance from the US Treasury; and,

**WHEREAS**, the Department of Treasury issued the Final Rule, effective April 1, 2022, to provide guidance on permissible uses; and,

**WHEREAS**, the hiring of government personnel in order to bolster the government's ability to effectively administer services is a permissible use of the ARPA funds. Specifically, recipients may pay for payroll, covered benefits, and other costs associated with the recipient increasing the number of its employees up to the pre-pandemic baseline; and,

**WHEREAS**, upon request of the Dog Warden's Office, the allocated funds will be used to increase employment up to the pre-pandemic baseline as determined by the formula provided in the Final Rule.

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

The Board of County Commissioners approves the use of ARPA funds toward the Clark County Dog Warden's Office staffing increase in the amount of \$60,000.00.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes

**Resolution 2022-0512**  
**ANXS file**

**Acknowledge Receipt of Expedited Type 1 Annexation Petition for Approximately 13.38 acres in Springfield Township**

Commissioner Rittenhouse moved, upon recommendation by the County Administrator, to acknowledge receipt of an Expedited Type 1 Annexation Petition for the following property:

**Petitioner:** Eric Zartman on behalf of Gallery 59, LLC  
**Petitioner Address:** 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054  
**Property Address:** Titus Road/South Charleston Pike  
 PID 3000700003000135  
**Location:** Approximately 13.38 acres  
**From:** Springfield Township  
**To:** The City of Springfield

**Documents Filed:** Annexation Petition, Legal Description, Annexation Map, Properties Included in and Adjacent to Proposed Annexation, CEDA Agreement, Filing fee.  
**Date Received:** July 6, 2022

Further move to refer to staff for review and recommendation.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Revised  
Resolution 2022-0513  
FINB file**

**Authorize the Issuance of Hospital Facilities Revenue Bonds of  
The County of Allen, Ohio**

Commissioner Rittenhouse moved to authorize the issuance of Hospital Facilities Revenue Bonds of the County of Allen, Ohio.

**WHEREAS**, Bon Secours Mercy Health, Inc., successor by merger to Mercy Health, is a nonprofit Maryland corporation (the "Corporation") that, through its subordinate and affiliated nonprofit entities (the "Affiliates"), owns and operates healthcare facilities at various locations in Ohio, including Hospital Facilities, as defined in Section 140.01 of the Ohio Revised Code, in Clark County, Ohio (the "County") and the Corporation has determined to acquire, construct and equip certain additional Hospital Facilities located in the County (collectively, the "Local Facilities"), and has requested the County of Allen, Ohio (the "Issuer") to issue its bonds therefor; and,

**WHEREAS**, Chapter 140 of the Ohio Revised Code provides a procedure by which "Public Hospital Agencies," as defined therein and including counties and municipal corporations, may enter into an agreement pursuant to which a Public Hospital Agency may issue its revenue bonds to fund the capital needs of Hospital Facilities located in the jurisdictions of each of the Public Hospital Agencies which are parties to such agreement, for the public purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered thereby; and,

**WHEREAS**, the Corporation has represented to the County that it has organized under a master trust indenture the financing of certain debt of the Corporation and the Affiliates, including debt incurred to fund the capital needs of the Local Facilities, and from time to time will undertake the financing and refinancing of Hospital Facilities, including the Local Facilities, thereby enhancing the availability, efficiency and economy of Hospital Facilities and the services rendered thereby in the County; and,

**WHEREAS**, the County entered into the Participating Public Hospital Agencies Agreement with the Issuer and certain additional political subdivisions (collectively with the County, the "Participating Public Hospital Agencies") pursuant to Section 140.03, Ohio Revised Code, on May 1, 2008 for the purposes of (a) financing and refinancing through the Issuer certain capital equipment and construction needs of the Corporation and its Affiliates, including the Local Facilities, located within the jurisdiction of the County, including the reimbursement of costs advanced for those purposes, and (b) refunding and retiring outstanding prior indebtedness incurred for such purpose; and

**WHEREAS**, the Corporation anticipates that the Issuer will issue its Hospital Facilities Revenue Bonds, Series 2022 (Bon Secours Mercy Health, Inc.), in one or more series (the "Series 2022 Bonds"), in an amount not to

exceed \$200,000,000 to finance and refinance the acquisition, construction and equipping of Hospital Facilities located in the jurisdiction of the Participating Public Hospital Agencies, and the Issuer may, from time to time, determine to issue additional revenue bonds, in order to finance and refinance the costs of Hospital Facilities, in cooperation with the Participating Public Hospital Agencies; and,

**WHEREAS**, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that prior to their issuance, the Series 2022 Bonds must be approved by the "applicable elected representative" (as defined in such Section 147(f) of the Code) of the Issuer and of certain political subdivisions in which Hospital Facilities will be financed, including the County; and

**WHEREAS**, this Board of County Commissioners is the applicable elected representative of the County; and,

**WHEREAS**, a public hearing was held with respect to the issuance of the Series 2022 Bonds prior to the consideration of this resolution;

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

SECTION 1. That any revenue bonds issued under the authority of the Participating Public Hospital Agencies Agreement shall not be, and are not, general obligations, debt or bonded indebtedness of the County or any Participating Public Hospital Agency and the holders or owners of such revenue bonds shall not have the right to have excises or taxes levied by the County or any Participating Public Hospital Agency for the payment of principal of, or interest or premium, if any, on such revenue bonds. Such payment shall be made only from funds provided by the Corporation or its Affiliates.

SECTION 2. That this Board, as the "applicable elected representative" of the County for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2022 Bonds by the County of Allen, Ohio, in the maximum principal amount of \$200,000,000. It is anticipated that the proceeds of the Series 2022 Bonds will be made available to the Corporation and certain of its nonprofit affiliates. The Series 2022 Bonds will be issued as qualified 501(c)(3) bonds as defined in Section 145 of the Internal Revenue Code of 1986, as amended, to (i) finance, refinance, or reimburse the costs of, the acquisition, construction and equipping of equipment, real property and improvements to Hospital Facilities, at some or all of the following locations in the County: (A) 240 Enon Road North, Enon, known as Enon MOB, (B) 1343 North Fountain Boulevard, Springfield, known as Springfield Regional Imaging Center and Hospice, (C) 2501-2503 East High Street, Springfield, known as Community Mercy Center for Occupational Health and Medicine, (D) 2600 and 2610 North Limestone Street, Springfield, known as Community Mercy Rehab Center and Springfield Regional Outpatient Center, (E) 2055 South Limestone Street, Springfield, known as South Springfield Family Medicine, (F) 2105 East High Street, Springfield, known as East Springfield Internal Medicine, (G) 30 West McCreight Avenue, Springfield, known as Mercy Crest Medical Arts Building, North Family Medicine, (H) 100 West McCreight Ave, Springfield, known as Mitchell Thomas Center fka Mercy St. John's Center, (I) 211 Northparke Road, Springfield known as Clark County Gastroenterology and Northparke Internal Medicine, (J) 218 Northparke Road, Springfield, (K) 148 West North Street, Springfield, known as Springfield Regional Cancer Center, (L) 200, 206, 216, 218, 296 O'Connor Lane, Springfield, (M) 1310, 1316, 1320 Pythian Avenue, Springfield, (N) 100 Medical Center Drive, Springfield, Ohio, (O) 200 Medical Center Drive Suite 100, Springfield, known as Community Hospital Health Services Foundation, (P) 200 West Ward Street Springfield, known as North Family Medicine Wittenberg Clinic, (Q) 346 South Burnett Road, known as CMHP lab, (R) 362 South Burnett Road, known as CMHP Wound Care Center, (S) 1911 E. High Street, Springfield, Ohio known as Cardiologists of Clark & Champaign County, (T) 234 Hubert Avenue, Springfield, Ohio known as Cardiologists of Clark & Champaign County, (U) 1840 Springfield Road, also referred to as 1840 Dayton Springfield Road, Fairborn, Ohio, known as Mercy Health – Dayton Springfield Emergency Center (each, a "project" and collectively, the "projects"), the initial legal owner or principal user of each project being Community Mercy

Health Partners or Mercy Health Physicians LLC, each an Ohio non-profit corporation or limited liability company, or the Corporation, or a related party thereof; and (ii) finance certain costs associated with the issuance of the Series 2022 Bonds. The Corporation and its non-profit affiliates operate a healthcare system on several campus sites. The projects are and will be used by the Corporation in an integrated operation for the delivery of healthcare, education, scientific research and administrative activities supporting those activities on several campuses. Not more than \$20,000,000 of the stated principal amount of the Series 2022 Bonds will be spent at the projects in the aggregate, and not more than \$10,000,000 of the stated principal amount of the Series 2022 Bonds will be spent at any one project listed above. A portion of the proceeds of the Series 2022 Bonds will also be used to finance and refinance Hospital Facilities at locations outside the County, in the State of Ohio.

This approval is intended to comply with the provisions of Section 147(f) of the Code, and does not constitute a finding of the Board as to the compliance or noncompliance by the Corporation or the County of Allen, Ohio with any legal requirements imposed upon them in connection with the issuance of the Series 2022 Bonds.

SECTION 3. That the Clerk of this Board and any member of this Board be and they hereby are authorized to execute and deliver on behalf of the County such certificates, documents and instruments in connection with the issuance and public sale of the Series 2022 Bonds and of revenue bonds issued from time to time under authority of the Participating Public Hospital Agencies Agreement, and the delivery of the Participating Public Hospital Agencies Agreement, as may be required, necessary or appropriate, including, without limitation, applicable elected representative approvals, conveyances of title to real and personal property, terminations of financing statements and other releases of security interests in property. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be approved by this Board, which approval shall be conclusively evidenced by the execution thereof by the proper officers of this Board.

SECTION 4. That the provisions of this Resolution are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Resolution.

SECTION 5. That all resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION 6. That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code, and the rules of this Board in accordance therewith.

SECTION 7. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

SECTION 8. This Resolution shall be in full force and effect immediately upon its adoption.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

**Add On**

**Approve Creation of Fund 2920 OneOhio Opioid Fund to Receive Payments from the Local Government Share of the Opioid Settlement**

Commissioner Rittenhouse moved to approve the creation of Fund 2920 OneOhio Opioid Fund.

**WHEREAS**, Ohio Revised Code §5705.09(F) allows the Board of Commissioners to establish a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and,

**WHEREAS**, Clark County is a Local Government that has adopted and approved the OneOhio Memorandum of Understanding (the “Memorandum”), which establishes a mechanism to disburse settlement proceeds from the opioid litigation into Ohio’s communities to help abate the opioid crisis; and,

**WHEREAS**, pursuant to the terms of the Memorandum, 30% of the settlement proceeds will be paid directly to local governments, including Clark County, for approved purposes as delineated by the Memorandum; and,

**WHEREAS**, The Clark County Board of Commissioners desire to request that the Clark County Auditor establish a special fund in accordance with Ohio Revised Code 5705.09(F).

**NOW, THEREFORE, BE IT RESOLVED** that the Clark County Board of Commissioners hereby request and authorize the Clark County Auditor to create a special fund, Fund 2920 OneOhio Opioid Fund, to accumulate revenue for purposes as approved by the Memorandum.

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

Commissioner Rittenhouse, Yes; Commissioner McGlothlin, Yes

Resolution 2022-0515

Commissioner McGlothlin adjourned.

BOARD OF CLARK COUNTY COMMISSIONERS

By: ABSENT  
Melanie F. Wilt, President

By: \_\_\_\_\_  
Lowell R. McGlothlin

I certify that the record is true and accurate:

\_\_\_\_\_  
Acting Commission Clerk

By: \_\_\_\_\_  
Sasha L. Rittenhouse