Wayne County Commissioners' Agenda

- Pledge of Allegiance to the Flag
- Call to Order Regular Session of April 17, 2019
- Announcement of Commissioners in Attendance
- Swearing In of Ann M. Obrecht to the Board of Elections
- Approval of Agenda
- Approval of minutes from April 10 through April 16, 2019

<table>
<thead>
<tr>
<th>Date</th>
<th>Res.#</th>
<th>Resolution Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/17</td>
<td>2019-185</td>
<td>Approval of County Bills</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-186</td>
<td>Approval of County Home Bills</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-187</td>
<td>Appropriation Transfer Approval</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-188</td>
<td>Fund Transfer Approval</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-189</td>
<td>Personnel Change Approval</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-190</td>
<td>Travel/Training Expense Approval</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-191</td>
<td>Organizational Membership Approval</td>
</tr>
<tr>
<td>4/17</td>
<td>2019-193</td>
<td>Authorization for Wayne County to enter into a Partnership Agreement with the City of Wooster and the City of Orrville for the Purpose of Applying for PY’19 Community Housing Impact and Preservation (CHIP) Program funds from the State of Ohio, Development Services Agency (ODSA)</td>
</tr>
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<td>2019-194</td>
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</tr>
<tr>
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<td>2019-195</td>
<td>Authorization to Enter into an Agreement with Frost Brown Todd, LLC, for Legal Services Related to the Creation of a New Transportation Improvement District (TID) and Order Fixing Compensation of Additional Legal Counsel for the Board (ORC Sections 305.14(B) and 309.09(C))</td>
</tr>
</tbody>
</table>
Resolution

Board of Wayne County Commissioners
Ron Amstutz    Rebecca S. Foster    Sue A. Small

Adopted: April 17, 2019
Subject: Approval of County Bills

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

Computer run dated April 16, 2019 for County Bills in the amount of $538,735.66, Interagency Transaction/Payment batch #6038 & 6037 in the amount of $25,181.24, taxable travel reimbursements in the amount of $18.55 and any Then & Now Certificates are hereby approved for payment.

As taxing authority, the Then & Now Certificates submitted as of this date for the Board of Elections, Children Services, Department of Developmental Disabilities, Soil and Water and Veterans Services are approved for processing by the Auditor.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Small yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

Board of Wayne County Commissioners
Ron Amstutz   Rebecca S. Foster   Sue A. Smail

Adopted: April 17, 2019
Subject: Approval of County Home Bills

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

Computer run dated April 16, 2019 for County Home Bills in the amount of $49,992.99. Interagency Transaction/Payment batch #6042 in the amount of $45,351.00, taxable travel and any Then & Now Certificates are hereby approved for payment.

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE
I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: April 17, 2019
Subject: Appropriation Transfer Approval

It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

The following appropriation amounts are to be transferred by the Wayne County Auditor.

<table>
<thead>
<tr>
<th>Appropriation Transfers:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CP Adult Prob</strong></td>
</tr>
<tr>
<td>$2,187.00</td>
</tr>
<tr>
<td>To Equipment</td>
</tr>
</tbody>
</table>

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution
No. 2019-188

Board of Wayne County Commissioners

Ron Amstutz   Rebecca S. Foster   Sue A. Smail

Adopted: April 17, 2019
Subject: Fund Transfer Approval

It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

Fund Transfers:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
<th>From (Fund)</th>
<th>From Approp Acct</th>
<th>To (Fund)</th>
<th>To Receipt Acct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioners</td>
<td>$50,000.00</td>
<td>Fund 001/A</td>
<td>A015A15</td>
<td>Fund 209</td>
<td>T060A27</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General Fund</td>
<td>001.1915.13.6150</td>
<td>Airport Improvement</td>
<td>209.1400.00.4404.000.000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>000.000</td>
<td></td>
<td>Local Share AIP</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Transfers Out</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common Pleas</td>
<td>$34,263.66</td>
<td>Fund 021 B30</td>
<td>B030B02</td>
<td>Fund 023 B50</td>
<td>RB05B10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Common Pleas</td>
<td>021.3405.02.6150</td>
<td>Court System</td>
<td>023.3100.00.4904.000.000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Computerization</td>
<td>000.000</td>
<td>Computerization</td>
<td>Transfers in</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Transfers</td>
<td></td>
<td>Common Pleas</td>
</tr>
</tbody>
</table>

To provide local funds for the airport improvement project

Court ordered transfer of computerization funds

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

No. 2019-189

Board of Wayne County Commissioners
Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: April 17, 2019
Subject: Personnel Change Approval

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

<table>
<thead>
<tr>
<th>Department</th>
<th>Name</th>
<th>Title</th>
<th>Effective Date</th>
<th>Status Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioners / IT</td>
<td>Jeremiah Mast</td>
<td>Computer Tech.</td>
<td>4/29/2019</td>
<td>New Hire</td>
</tr>
<tr>
<td>Care Center</td>
<td>Alyson Guthrie</td>
<td>Asst. Care Aide</td>
<td>4/12/2019</td>
<td>Resigned</td>
</tr>
<tr>
<td>Care Center</td>
<td>Leslie Sickels</td>
<td>LPN</td>
<td>5/6/2019</td>
<td>New Hire - Intermittent</td>
</tr>
<tr>
<td>Care Center</td>
<td>Danielle Taylor</td>
<td>STNA</td>
<td>5/6/2019</td>
<td>New Hire - Intermittent</td>
</tr>
<tr>
<td>Care Center</td>
<td>Jodi Gump</td>
<td>LPN</td>
<td>5/6/2019</td>
<td>New Hire</td>
</tr>
<tr>
<td>Dog Shelter</td>
<td>Sam Simons</td>
<td>Dog Shelter Tech 1/Cleaner</td>
<td>4/15/2019 (last date worked 4/13)</td>
<td>Resigned</td>
</tr>
</tbody>
</table>

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution  
Board of Wayne County Commissioners  
Ron Amstutz  Rebecca S. Foster  Sue A. Smail

Adopted:  April 17, 2019  
Subject:  Travel/Training Expense Approval

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

<table>
<thead>
<tr>
<th>Dept./Person</th>
<th>Where</th>
<th>Date</th>
<th>Travel</th>
<th>Travel (taxable)</th>
<th>Seminar, Conf., Mtg., etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auditor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jarra Underwood, Kelly Hettick</td>
<td>Zanesville</td>
<td>4/18/2019</td>
<td>0</td>
<td>24.00</td>
<td>ODNR/Ohio Woodland Mtg.</td>
</tr>
<tr>
<td>Common Pleas / Adult Probation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cindy Kuhl</td>
<td>New Albany</td>
<td>6/11-12/2019</td>
<td>314.00</td>
<td>0</td>
<td>Community Corrections Symposium</td>
</tr>
<tr>
<td>Commissioners</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patrick Herron, Misty White, Barb Chapin</td>
<td>North Canton</td>
<td>5/15/2019</td>
<td>0</td>
<td>0</td>
<td>EHC Annual Conf.</td>
</tr>
<tr>
<td>Common Pleas</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Courtney Curtis, Matt Zaleski, Cindy Kuhl, Tyler Beamon</td>
<td>Columbus</td>
<td>4/3-5/2019 (Correction to dates of attendance to previously approved travel by Res. 2019-137 to include 4/3/2019)</td>
<td>0</td>
<td>Annual Line Officers Trng. Inst.</td>
<td></td>
</tr>
<tr>
<td>Juv. Probation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kelly Dillion, Misty Hanson, Roberta Teler</td>
<td>Columbus</td>
<td>5/3/2019</td>
<td>0</td>
<td>0</td>
<td>Ohio DYS – Reclaim Qly. Mtg.</td>
</tr>
<tr>
<td>Juv. &amp; Probate Court</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joshua Newton</td>
<td>Columbus</td>
<td>4/23/2019</td>
<td>140.50</td>
<td>0</td>
<td>DYS RECLAIM Bidders Conf.</td>
</tr>
<tr>
<td>Public Defender</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Angel Sanchez</td>
<td>Dayton</td>
<td>5/31-6/5/2019</td>
<td>972.00</td>
<td>0</td>
<td>National Defender Trng. Project</td>
</tr>
<tr>
<td>Angel Sanchez</td>
<td>Columbus</td>
<td>5/10/2019</td>
<td>20.00</td>
<td>12.00</td>
<td>OACDL New Lawyer Trng. Seminar</td>
</tr>
<tr>
<td>John Leonard, Rodney Baca, Michael Rudy, Jessica Kenepp, Lisa Brown</td>
<td>Richfield</td>
<td>6/5/2019</td>
<td>0</td>
<td>0</td>
<td>Ethics Info. Session</td>
</tr>
</tbody>
</table>

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

Board of Wayne County Commissioners
Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: April 17, 2019
Subject: Organizational Membership Approval

It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

<table>
<thead>
<tr>
<th>Department</th>
<th>Organization</th>
<th>Person</th>
<th>Fee/Each</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerg. Mgmt.</td>
<td>Ohio Township Association</td>
<td>Joseph Villegas,</td>
<td>20.00</td>
<td>40.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Barbara Pittard</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution
No. 2019-192
Board of Wayne County Commissioners
Ron Amstutz  Rebecca S. Foster  Sue A. Smail

Adopted:  April 17, 2019
Subject:  Authorization of Acceptance of the 2019 Ohio Pet Fund Grant

It was moved by Commissioner Smail and seconded by Commissioner Foster that authorization is hereby granted for the acceptance of the 2019 Ohio Pet Fund Grant for assistance with the spay/neuter program at the Wayne County Dog Shelter.

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE
I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution  
No. 2019-193

Board of Wayne County Commissioners
Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: April 17, 2019  
Subject: Authorization for Wayne County to enter into a Partnership Agreement with the City of Wooster and the City of Orrville for the Purpose of Applying for PY’19 Community Housing Impact and Preservation (CHIP) Program funds from the State of Ohio, Development Services Agency (ODSA)

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

WHEREAS, the State of Ohio, Development Services Agency, Office of Community Development, has established through its Program Year (PY) 2019 Community Housing Impact and Preservation (CHIP) program guidelines a partnership option allowing eligible communities to partner with one another for the purpose of filing a single CHIP application, and

WHEREAS, by partnering the City of Wooster is eligible to receive $350,000, the City of Orrville is eligible to receive $212,500 and Wayne County is eligible to receive $400,000, for a total of $962,500, and

WHEREAS, Wayne County, the City of Wooster and the City of Orrville have agreed that forming a CHIP Partnership would be serving the best interest of the entire community, and

WHEREAS, Wayne County, the City of Wooster and the City of Orrville have mutually agreed that the City of Wooster will serve as the grantee for the benefit of the Partnership, and

WHEREAS, upon award of a CHIP grant to the Partnership, the grantee will enter into an agreement for contract services with Wayne Metropolitan Housing Authority (WMHA) for the purpose of administering and implementing the CHIP grant as outlined in the Partnership Agreement, and

WHEREAS, each Partner has retained their respective Project Review Committee for the purpose of project selection, grant activity and budget oversight and project approval,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio that the PY’19 CHIP Partnership Agreement be hereby authorized for the purpose of filing the application and if awarded, for the purpose of successfully completing a CHIP program for the benefit of the City of Wooster, the City of Orrville and Wayne County residents; and

BE IT FURTHER RESOLVED, the President of the Board is authorized to sign any necessary documents for the purposes of the grant and partnership agreements.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

CERTIFICATE
I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution
No. 2019-194

Board of Wayne County Commissioners
Ron Amstutz  Rebecca S. Foster  Sue A. Smail

Adopted: April 17, 2019
Subject: Approval of Amendment #1 to Task Order #7 with CHA Consulting Inc. for Consulting for the Wayne County Airport

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

Name: CHA Consulting Inc.
1501 North Marginal Rd., Suite 200
Cleveland, OH 44114

Purpose: Consulting Services related to the construction of a new taxiway at the Wayne County Airport Amendment #1 – Section 401/404 Clean Water Act Permitting

Cost: $346,374.00
Addition: $34,957.00
New Total: $381,331.00

Effective Date: 4/17/2019

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Smail yea

CERTIFICATE
I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

No. 2019-195

Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: April 17, 2019

Subject: Authorization to Enter into an Agreement with Frost Brown Todd, LLC, for Legal Services Related to the Creation of a New Transportation Improvement District (TID) and Order Fixing Compensation of Additional Legal Counsel for the Board (ORC Sections 305.14(B) and 309.09(C))

It was moved by Commissioner Foster and seconded by Commissioner Smail that the following resolution be adopted:

WHEREAS, the Board of County Commissioners of Wayne County, Ohio, intends to create a new Transportation Improvement District (TID), in accordance with Chapter 5540 of the Ohio Revised Code; and

WHEREAS, the Board requires additional legal counsel capable of providing specialized legal services to assist the Board with the creation of the TID; and

WHEREAS, such additional legal counsel and legal services for the Board are provided for in Division (B) of Section 305.14 and Division (C) of Section 309.09 of the Ohio Revised Code; and

WHEREAS, the Board deems it necessary, advisable, and in the best interests of Wayne County to engage the law firm of Frost Brown Todd, LLC, to serve as additional legal counsel for the Board and provide legal services related to the abovementioned particular matter.

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

Section 1. The Board is hereby authorized to enter into an Agreement with Frost Brown Todd, LLC, for legal services related to the creation of a new Transportation Improvement District.

Section 2. Frost Brown Todd, LLC, is hereby appointed additional legal counsel for the Board for the particular matter described in Section 1.

Section 3. The Board hereby orders that the compensation to be paid to Frost Brown Todd, LLC, for providing legal services related to the particular matter described in Section 1 is hereby fixed at $6,250.00, in accordance with Division (C) of Section 309.09 of the Ohio Revised Code.

Section 4. The Board shall comply with all other applicable requirements of Sections 305.14 and 309.09 of the Ohio Revised Code.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk
Resolution

No. 2019-196

Board of Wayne County Commissioners
Ron Amstutz  Rebecca S. Foster  Sue A. Smail

Adopted: April 17, 2019

Subject: AUTHORIZING PARTICIPATION IN A SUBLEASE-PURCHASE ARRANGEMENT WITH THE OHIO SECRETARY OF STATE FOR THE PURPOSE OF ACQUIRING AND IMPLEMENTING VOTING MACHINES AND EQUIPMENT AND FINANCING CERTAIN COSTS THEREOF, A SUBLEASE-PURCHASE AGREEMENT EVIDENCING SUCH ARRANGEMENT, AND MATTERS RELATED THERETO

It was moved by Commissioner Smail and seconded by Commissioner Foster that the following resolution be adopted:

WHEREAS, pursuant to Amended Substitute Senate Bill 135 of the 132nd Ohio General Assembly (as the same may be amended, modified, revised, supplemented or superseded from time to time, the “Act”) and the financing program authorized thereunder (the “SoS Financing Program”), the Secretary of State of the State of the Ohio (the “Sublessor”) is providing financing to Ohio counties for the acquisition of voting systems, including, but not limited to, voting machines, marking devices, automatic tabulating equipment, and direct record electronic voting machines, as defined in Ohio Revised Code (“ORC”) Section 3506.01, together with associated allowable expenditures, as defined in the Act; and

WHEREAS, in accordance with ORC Section 3506.02, it has been determined that the equipment used by the citizens of the County of Wayne, Ohio (the “Sublessee”) to vote in federal, state and local elections shall be changed to that equipment described in the Proposal of Dominion Voting Systems, Inc. (the “Vendor”) dated April 17, 2019 (the “Proposal”); and

WHEREAS, the Vendor has submitted a draft contract for the implementation of the Proposal to the Sublessee (the “Project Contract”), and the Sublessor has reviewed and approved the Project Contract (as it relates to the SoS Financing Program) and the Project Equipment (as hereinafter defined); and

WHEREAS, the Proposal requires the Sublessee to acquire certain voting machines and equipment (the “Project Equipment”) and pay certain costs related to implementing the Proposal (along with the acquisition of the Project Equipment, the “Project”) and this Board of County Commissioners of the Sublessee (the “Legislative Authority”) desires to accept the Proposal, enter into the Project Contract, undertake the Project, and finance a portion of the cost of the Project by utilizing the provisions of the SoS Financing Program;

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

SECTION 1. It is hereby determined to be necessary, desirable and expedient, and in the best interests of the Sublessee and its citizens, for the Sublessee (i) to accept the Proposal, (ii) enter into the Project Contract, (iii) acquire the Project Equipment, and (iv) finance a portion of the costs of the Project Equipment (the “State-Financed Equipment”) and other costs of the Project by participating in the SoS Financing Program.

SECTION 2. The Sublessee’s participation in the SoS Financing Program shall be evidenced by a Sublease-Purchase Agreement between the Sublessor and the Sublessee (together with all exhibits and appendices thereto, the “Sublease”). At least two members of the Legislative Authority and the Sublessee’s County Auditor (collectively, the “County Signers”) are hereby separately and individually authorized, alone or with others, to execute and deliver the Sublease on behalf of the Sublessee in substantially the form presently on file with the Legislative Authority, which is hereby approved, with such changes not substantially adverse to the Sublessee as the County Signers may approve; the approval of
such changes and that the same are not substantially adverse to the Sublessee shall be conclusively evidenced by the execution of the Sublease by the County Signers.

SECTION 3. All of the obligations of the Sublessee set forth and covenants made by the Sublessee under the Sublease are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Sublessee within the meaning of ORC Section 2731.01 et seq.

SECTION 4. Pursuant to the SoS Financing Program, the Sublessee shall not be required to make any scheduled payments towards the purchase of the State-Financed Equipment to the Sublessor or any other entity. To pay that portion of the cost of the Project not financed through the SoS Financing Program, there is hereby appropriated from the Sublessee’s General Fund (i) the amount of $0.00, and (ii) to pay the Sublessee’s other obligations under the Sublease during this 2019 calendar year, the amount of $0.00.

SECTION 5. The County Signers and other appropriate officers of the Sublessee, or any of them, are hereby separately and individually authorized and directed to (i) make the necessary arrangements with the Sublessor to establish the date, location, procedure and conditions for executing and delivering the Sublease, and delivering the Sublease to, the Sublessor, and (ii) give all appropriate notices and execute and deliver, on behalf of the Sublessee, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out, give effect to and consummate the transaction contemplated thereby in such forms as the official executing the same may approve, and to take all other steps necessary or appropriate to effect the due execution, delivery and performance of the Sublease pursuant to the provisions of this resolution. The Clerk of the Board of County Commissioners shall furnish to the Sublessor a true transcript of proceedings pertaining to the Sublease containing such information from the records of the Sublessee as is necessary to evidence or determine the regularity and validity of the authorization, execution and delivery of the Sublease. Each of the County Signers is hereby separately and individually designated to act as the authorized representative of the Sublessee for purposes of the Sublease until such time as the Legislative Authority shall designate any other or different authorized representatives for such purpose.

SECTION 6. The Sublease shall constitute a special obligation of the Sublessee. Nothing in the Sublease or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt, bonded indebtedness or a general obligation of the Sublessee. Neither the taxing power nor the full faith and credit of the Sublessee are pledged or shall be pledged for the payment or security of the Sublease, or any other related agreement or document.

SECTION 7. The Legislative Authority acknowledges that the Sublessor has obtained funds for the SoS Financing Program by utilizing a sublease-purchase / certificates of participation arrangement, and that the interest component of the Sublessor’s lease payments thereunder is intended to be exempt from federal income taxation under the Internal Revenue Code of 1986, as amended and the regulations prescribed thereunder (the “Code”). The Legislative Authority hereby covenants that it will restrict the use of the State-Financed Equipment in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the Sublease is entered into, so that the interest portion of such lease payments by the Sublessor will not be subject to federal income taxation under the Code. Any County Signer or any other officer having responsibility with respect to the execution and delivery of the Sublease is authorized and directed to give an appropriate certificate on behalf of the Sublessee on the date of delivery of the Sublease, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the State-Financed Equipment and other matters under the Code.

SECTION 8. It is hereby determined that the terms of the Sublease and this resolution are in compliance with all legal requirements. If any section, paragraph, clause or provision of this resolution or the Sublease shall for any reason be held invalid or unenforceable, such invalidity or unenforceability shall not affect any remaining provisions of this resolution or the Sublease, respectively. Any provisions of any ordinance or resolution inconsistent with this resolution are hereby repealed, but only to the extent of such inconsistency; this provision shall not be construed as reviving any ordinance or resolution or any part thereof.
SECTION 9. It is found and determined that all formal actions of the Legislative Authority concerning and relating to the adoption of this resolution were adopted in an open meeting of the Legislative Authority, and that all deliberations of the Legislative Authority and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including ORC Section 121.22.

SECTION 10. This resolution shall take effect and be in force upon its adoption.

ADOPTED April 17, 2019.

The vote is as follows: Ron Amstutz yea  Rebecca S. Foster yea  Sue A. Small yea

CERTIFICATE
I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

Diane L. Austen, Clerk