

AGENDA

Wayne County Commissioners' Regular Session of June 3, 2015

- Pledge of Allegiance to the Flag
- Call to Order & Roll Call of Commissioners Present
- Approval of Agenda
- Public Remarks
- Approval of minutes of Regular Session held May 27, 2015
- Approval of minutes from Meetings and/or Hearings May 27, 2015 – June 3, 2015

Date	Res.#	Resolution Title
6/3	2015-245	Approval of County Bills
6/3	2015-246	Approval of County Home Bills
6/3	2015-247	Appropriation Transfer Approval
6/3	2015-248	Fund Transfer Approval
6/3	2015-249	Personnel Change Approval
6/3	2015-250	Travel Expense Approval
6/3	2015-251	Organizational Membership Approval
6/3	2015-252	Authorization for the Final Sale of Real Property in Wayne Township, previously held for Airport use, to James E Kasserman, Trustee and Janet E Kasserman, Trustee
6/3	2015-253	Authorization to apply for Federal Aviation Administration and Ohio Department of Transportation, Division of Aviation Funding
6/3	2015-254	Approval of Change Order #1 & #2 to the Contract with John G. Johnson Construction Company for the Courthouse Exterior Restoration Project
6/3	2015-255	Grant Application Authorization for the Wayne County Sheriff to the U.S. Department of Justice, through the Ohio Office of Criminal Justice Services (OCJS) (VAWA Investigative Enhancement)
6/3	2015-256	A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF REHABILITATING, REMODELING, RENOVATING AND IMPROVING CERTAIN COUNTY BUILDINGS, INCLUDING THE COUNTY COURTHOUSE AND THE KINNEY BUILDING, BY REPLACING ROOFS AND WINDOWS, REPAIRING AND IMPROVING BUILDING FACADES, IMPROVING INTERIOR AND EXTERIOR WATER DRAINAGE FACILITIES, REPAIRING, REPLACING AND WATERPROOFING FOUNDATIONS, AND REPLACING A HEATING, VENTILATION AND AIR CONDITIONING SYSTEM, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND RELATED SITE IMPROVEMENTS

Resolution

No. 2015-245

Board of Wayne County Commissioners

Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Approval of County Bills**

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

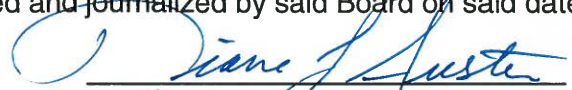
Computer run dated **June 2, 2015** for County Bills in the amount of **\$225,207.43**, Interagency Transaction/Payment **batch #4019** in the amount of **\$10,768.35**, taxable travel reimbursements in the amount of **\$38.49** and any Then & Now Certificates, are hereby approved for payment.

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: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-246

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Approval of County Home Bills**

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

Computer run dated **June 2, 2015** for County Home Bills in the amount of **\$16,635.25**, Interagency Transaction/Payment **batch #4018** in the amount of **\$2,322.75** and any Then & Now Certificates, are hereby approved for payment.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-247

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Appropriation Transfer Approval**

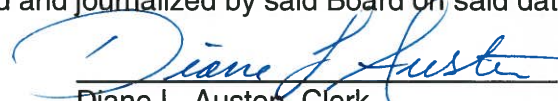
It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following appropriation amounts be transferred by the Wayne County Auditor.

Board of Elections	To cover SOS Summer Conf. registration fees, plus anticipated mileage costs		
\$500.00	From	A003-A04 Equipment	001.2600.01.5300.000.000
	To	A003-A10 Conf. Exp.	001.2600.01.5230.000.000
Commissioners	To cover anticipated costs		
\$10,000.00	From	A015-A13 Other Expenses	001.1915.11.5900.000.000
	To	A015-A14 Attorney Fees	001.1915.11.5410.000.000

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-248

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Fund Transfer Approval**


It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Department	Amount	From (Fund)	From Approp Acct	To (Fund)	To Receipt Acct
Commissioners	\$57,285.50	General Fund A00 Fund 001	Transfers Public Assistance A009-E01 001.0170.13.5930. 000.000	Job & Family Services Fund H00 Fund 026	Transfers In H001-B09 026.0171.00.4904. 000.000
To provide the general fund mandated share to the WCDJFS for the 2 nd Qtr. of CY2015 (sfy15Q4)					

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-249

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Personnel Change Approval**

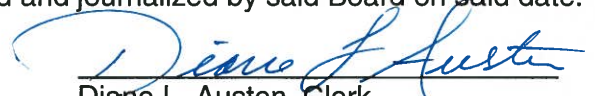
It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

Department	Name	Title	Effective Date	Status
Care Center	Heather Lemon	STNA	6/4/2015 (or after)	New hire p/t

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

CERTIFICATE

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Diane L. Austen, Clerk

Resolution

No. 2015-250

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Travel Expense Approval**

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Dept./Person	Where	Date	Reg.	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
Care Center						
Jan Miller, RN	Independence	6/23/2015	85.00			Focused MDS Surveys
Common Pleas Adult Probation						
Cheryl Gerwig	Columbus	6/11-12/2015	175.00	162.00		Line Officer Trng.
Dominic Palmucci	Columbus	6/11-12/2015	175.00	41.00		Line Officer Trng.
Brandi Couch	Columbus	6/11-12/2015	175.00	41.00		Line Officer Trng.
Cindy Kuhl	Columbus	6/11-12/2015	175.00	41.00		Line Officer Trng.
Matt Zaleski	Columbus	6/11-12/2015	175.00	291.00		Line Officer Trng.
Jarrold Brown	Columbus	6/11-12/2015	175.00	291.00		Line Officer Trng.
Courtney Curtis	Columbus	6/11-12/2015	175.00	291.00		Line Officer Trng.
Engineer						
Matthew Sigler	Wooster	8/6/2015	45.00		9.00	Culvert Inventory & Inspection
Job & Family						
Donn Aukerman, Crystal Pidgeon	Fairfield County J&F	6/11/2015			18.00	Bridges Out of Poverty
Juv. Court Probation						
Ben Van Zile	Columbus	6/10-12/2015	175.00			Line Officer Trng.
Safety & Loss Control						
Dave Hodgson, et. al. (10 participants)	Wooster	scheduling upon approval	560.00			CPR/First Aid & AED Trng.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam yea

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Diane L. Austen, Clerk

Resolution

No. 2015-251

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Organizational Membership Approval**

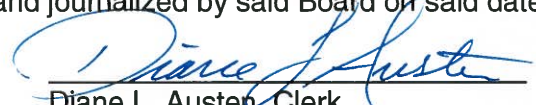
It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Department	Organization	Person	Fee/Each	Total
Commissioners	Ohio Dept. of Admin. Serv. (DAS) General Serv. Div. Office of Procurement Services Cooperative Purchasing Program			300.00

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-252

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Authorization for the Final Sale of Real Property in Wayne Township, previously held for Airport use, to James E Kasserman, Trustee and Janet E Kasserman, Trustee**

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

WHEREAS, by Resolution 2014-521, this Board authorized the sale of real property, subject to restrictions of the Federal Aviation Administration (FAA), by public auction consisting of 44.713 acres in Wayne County, Wayne Township, Section 12 (SW) T-16N, R-13W, no longer needed for use by the Wayne County Airport; and

WHEREAS, the public auction held on November 25, 2014 by Bob Graber Auctioneer with Jeff Wiles Realty, resulted in an Auction Purchase Contract with James and Janet Kasserman, Jim-Jan Farms LLC, for a bid price of \$11,600.00 per acre; and

WHEREAS, on April 6, 2015, this Board received the Wayne County Airport, Wooster, OH, Land Release for Sale of Airport Property (approximately 44.713 acres) from the FAA; and

WHEREAS, now that the FAA has confirmed the release of the real property, the land sale may be concluded;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, Wayne County, Ohio, that the sale of 44.713 acres as herein described shall be concluded with James E. Kasserman, Trustee and with Janet E. Kasserman, Trustee, whose mailing address will be 7046 Geyers Chapel Road, Wooster, OH 44691, in accordance with the terms of the public auction and with the restrictions set by the FAA; and

BE IT FURTHER RESOLVED, that the President of this Board is authorized to sign any and all necessary concluding sale documents on behalf of the county.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-253

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Authorization to apply for Federal Aviation Administration and Ohio Department of Transportation, Division of Aviation Funding**

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

WHEREAS, the Federal Aviation Administration (FAA) provides financial assistance to publicly owned airports through the Airport Improvement Program (AIP) program, and

WHEREAS, the FAA may pay up to 90% of the costs of eligible projects, and

WHEREAS, the Wayne County Airport Authority has requested that the Board of County Commissioners submit an application for such funding for Runway 10/28 Rehabilitation, and

WHEREAS, the FAA requires the application be based upon bids, and

WHEREAS, bids have been received for the project, and

WHEREAS, the total estimated costs for the projects is estimated to be \$1,910,858 (\$1,719,772 FAA and \$191,086 Local), and

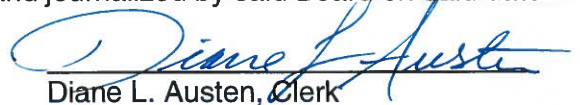
WHEREAS, the Ohio Department of Transportation, Division of Aviation has grant funding available for the local match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Wayne County Commissioners hereby authorizes the President of the Board to file the necessary application to the FAA and ODOT for projects as described above.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-254

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Approval of Change Order #1 & #2 to the Contract with John G. Johnson Construction Company for the Courthouse Exterior Restoration Project**

It was moved by Mr. Carmichael and seconded by Mrs. Obrecht that the following resolution be adopted:

Name: John G. Johnson Construction Co., 1284 Riverbed St., Cleveland OH 44113

Purpose: Change Order #1 – Revise Attic Plumbing for Building Storage Drain System
\$2,918.01

Change Order #2 – Reroute 8" Storm Drain in Basement
\$2,613.74

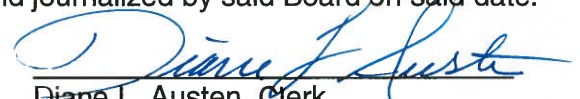
New Contract Total: \$5,355,031.75

Effective Date: June 3, 2015

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-255

Board of Wayne County Commissioners
Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **Grant Application Authorization for the Wayne County Sheriff to the U.S. Department of Justice, through the Ohio Office of Criminal Justice Services (OCJS) (VAWA Investigative Enhancement)**

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

WHEREAS, the U.S. Department of Justice has funds available through the Law Enforcement/Prosecution Enhancement Program; and

WHEREAS, the Wayne County Sheriff has requested to be authorized to file an on-line application in renewal of funds for "VAWA Investigative Enhancement", in the amount of \$59,975.77 (OCJS) with a commitment by the Sheriff of an in-kind match of \$19,991.93 for a total project estimated cost of \$79,967.70 to fund a deputy assigned to Victim Witness and Domestic Violence priorities; and


WHEREAS, the Wayne County Sheriff has agreed to meet all grant conditions and requirements and has requested this Board to authorize the filing of this application by electronic means approving the President of the Board to execute the grant application(s) as required;

NOW, THEREFORE, BE IT RESOLVED by the Board of Wayne County Commissioners that the Wayne County Sheriff's request to file a grant application with the U.S. Dept. of Justice, OCJS, in the total project amount of \$79,967.70 for the period of 1/1/2016 – 12/31/2016 is approved with authorization for the President of the Board to execute the grant documents as required.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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. 2015-256

Board of Wayne County Commissioners

Jim Carmichael Ann M. Obrecht Scott S. Wiggam

Adopted: June 3, 2015

Subject: **A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF REHABILITATING, REMODELING, RENOVATING AND IMPROVING CERTAIN COUNTY BUILDINGS, INCLUDING THE COUNTY COURTHOUSE AND THE KINNEY BUILDING, BY REPLACING ROOFS AND WINDOWS, REPAIRING AND IMPROVING BUILDING FACADES, IMPROVING INTERIOR AND EXTERIOR WATER DRAINAGE FACILITIES, REPAIRING, REPLACING AND WATERPROOFING FOUNDATIONS, AND REPLACING A HEATING, VENTILATION AND AIR CONDITIONING SYSTEM, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND RELATED SITE IMPROVEMENTS**

It was moved by Mrs. Obrecht and seconded by Mr. Carmichael that the following resolution be adopted:

WHEREAS, the County Auditor, as fiscal officer of this County, has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 2 is at least five years, the estimated maximum maturity of the Bonds described in Section 2 is 15 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance;

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

Section 1. Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of this County in an aggregate principal amount not to exceed \$5,000,000 (the "Bonds") to pay costs of rehabilitating, remodeling, renovating and improving certain County buildings, including the County Courthouse and the Kinney Building, by replacing roofs and windows, repairing and improving building facades, improving interior and exterior water drainage facilities, repairing, replacing and waterproofing foundations, and replacing a heating, ventilation and air conditioning system, together with all necessary appurtenances thereto and related site improvements.

Section 2. Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2016, shall bear interest at the now estimated rate of 5.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 15 annual principal installments on December 1 of each year, that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is substantially equal. The first interest payment is estimated to be December 1, 2016, and the first principal payment is estimated to be December 1, 2017.

Section 3. Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Board determines that notes in an aggregate principal amount not to exceed \$5,000,000 (the "Notes") shall be issued in anticipation of the issuance of the Bonds. The Notes shall be dated the date of their issuance and shall mature one year from the date of issuance; provided, however, that the County Auditor may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not sooner than six months or later than one year from the date of issuance by setting forth that maturity in the certificate awarding the Notes in accordance with Section 6 of this Resolution (the "Certificate of Award"). The Notes shall bear interest at a rate not to exceed 3.00% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity, and until the principal amount is paid or payment is provided for. The rate of interest on the Notes and the principal amount of the Notes shall be determined by the County Auditor in the Certificate of Award.

Section 4. Payment of Debt Charges; Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America, without deduction for services of the County's paying agent, at the designated corporate trust office of a bank or trust company requested by the Original Purchaser (as defined in Section 6), provided that such request shall be approved by the County Auditor after determining that the payment at that bank or trust

company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for that purpose, or at the office of the County Auditor if agreed to by the County Auditor and the Original Purchaser.

Section 5. Execution of Notes; Book Entry System. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities; provided that all but one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the County Auditor; provided that the entire principal amount of the Notes may be represented by a single note. The Notes shall not have coupons attached, shall be numbered as determined by the County Auditor and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

As used in this Section and this Resolution:

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

“Depository” means any security depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited and retained in the custody of the Depository or its agent for that purpose; (ii) the owners of book entry interests shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of book entry interests shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the County Auditor may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County Auditor does not or is unable to do so, the County Auditor, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The County Auditor is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 6. Award and Sale of the Notes; Financial Advisor; Financing Costs. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated in the Certificate of Award (the “Original Purchaser”), all in accordance with law and the provisions of this Resolution. The County Auditor shall sign the Certificate of Award fixing the interest rate and the principal amount of the Notes and evidencing that sale and shall cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. Any member of this Board, the County Administrator, the Clerk of this Board, the County Auditor, the County Treasurer, the Prosecuting Attorney, the Assistant Prosecuting Attorney and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such

actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The County Auditor is authorized, if it is determined to be in the best interest of the County, to combine the issue of Notes with one or more other note issues of the County into a consolidated issue of notes in accordance with Section 133.30(B) of the Revised Code.

The County Auditor is authorized to (i) engage the services of a financial advisor and (ii) request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to engage a financial advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the County Auditor is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

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

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

Section 9. Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent other revenues are available for the payment of the debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of revenues so available and appropriated.

Section 10. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions which would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Notes as the County is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for

the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

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

Section 12. Satisfaction of Conditions for Note Issuance. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the County have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 13. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Notes at the direction of the County.

Section 14. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.


Section 15. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated

Section 16. Effective Date. This Resolution shall be in full force and effect from and immediately after its adoption and receipt of the executed fiscal officer's certificate.

The vote is as follows: Jim Carmichael yea Ann M. Obrecht yea Scott S. Wiggam 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