

Moved by MR. PROUD, seconded by MR. UIBLE,

Recommendation that the Board of County Commissioners adopt Resolution Number 28-15 resolving to approve payment to vendors in the total amount of \$2,048,622.27 as set forth in the BCC Approval Invoice Report(s) For **Checks Dated March 18, 2015**, BCC Directed Pre-Paid Invoices Report(s), Vendor Invoice List Report(s), Items paid by Fund and Check Date Range report and/or Procurement Card Transaction Report presented by the County Auditor 03/16/2015, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Edwin H. Humphrey,	<u>aye</u>
Robert L. Proud,	<u>yea</u>
David H. Uible,	<u>yes</u>

Date Adopted: MARCH 18, 2015

Edwin H. Humphrey
Edwin H. Humphrey, President

Robert L. Proud
Robert L. Proud, Vice-President

David H. Uible
David H. Uible, Member

RESOLUTION NO. 29-15

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 18th day of March 2015, with the following members present:

Edwin H. Humphrey, President

Robert L. Proud, Vice President

David H. Uible, Member

Mr. Proud moved for the adoption of the following

Resolution:

**RESOLUTION ACCEPTING RECOMMENDATION OF ENGINEER;
TERMINATING PERFORMANCE BOND AND ACTIVATING
MAINTENANCE BOND OF COMBINED PERFORMANCE AND
MAINTENANCE BOND DOCUMENTS FOR O'BANNON MEADOWS
SUBDIVISION, PHASE 3, SECTION 1, IN GOSHEN TOWNSHIP.**

WHEREAS, the Board has previously by Resolution dated August 15, 2012 as appears in Commissioners' Journal 308, accepted a Combined Performance and Maintenance Bond of Obannon Properties, LLC as principal and Cashier's Check no. 374204 issued by The Bank of Kentucky as surety for the development and construction of Oakland Hills Drive and related improvements of O'Bannon Meadows Subdivision, Phase 3, Section 1, and

WHEREAS, the office of the County Engineer has inspected the right-of-way and related improvements, and approves they have been constructed according to the plans and specifications previously approved; and

WHEREAS, the Combined Performance and Maintenance Bond by its own terms requires a conversion to a Maintenance Bond for a period of one year to insure that the above-referenced principal maintain the improvements in accordance with the subdivision regulations of Clermont County, Ohio.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the performance provisions of the above referenced bond have been completed and the bond is released as to the performance aspects. The surety represented by the previously referenced bond shall continue as surety for the maintenance aspects of the bond.
2. That the Maintenance Bond provisions of the Combined Performance and Maintenance Bonds are hereby effective and activated and that the said principal and sureties shall remain firmly bound to Clermont County, Ohio in the penal sum of \$13,000.00 as previously provided and shall continue to be so responsible for a period of one year of use from the date of this conversion during which period the Maintenance Bond shall remain in full force and effect upon the terms previously specified in said Bond.
3. That the Clerk shall certify this Resolution to the County Engineer who shall notify the principal and sureties of this conversion of the bond pursuant to its terms.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of the Resolution were taken in an open meeting of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Mr. Uible seconded the motion and upon roll call, the vote was as follows:

Mr. Humphrey Aye ; Mr. Proud Yea ; Mr. Uible Yes ;

DATED: MARCH 18, 2015

ATTEST:

Judith Kocica
JUDITH KOCICA, CLERK
Board of County Commissioners

RESOLUTION NO. 30 -15

The Board of County Commissioners, Clermont County, Ohio, met in regular session on the 18th day of March, 2015, with the following members present:

Edwin H. Humphrey, President

Robert L. Proud, Vice President

David H. Uible, Member

Mr. Uible moved for the adoption of the following Resolution:

RESOLUTION GRANTING ANNEXATION OF 7.3278 ACRES OF LAND OWNED BY RIDGE CLUB, INC. AND PAUL AND LEEANN STAGGS TO THE VILLAGE OF BATAVIA IN CLERMONT COUNTY, OHIO

WHEREAS, the Petition for Annexation of 7.3278 acres of land constituting territory adjacent to the Village of Batavia in Batavia Township, Clermont County, Ohio was filed by Dennis Nichols, Agent for Petitioners Ridge Club, Inc., and Paul and LeeAnn Staggs, who constitute the sole owners of the real estate sought to be annexed, with the Board of County Commissioners of Clermont County, Ohio on February 20, 2015 pursuant to Ohio Revised Code **Section 709.023**; and

WHEREAS, notice of said Petition was served personally by Dennis Nichols, Agent for the Petitioners on the Fiscal Officer for Batavia Township; and by regular US mail to the owners of property adjacent to the territory proposed to be annexed, within five days of the filing of the Petition pursuant to Ohio Revised Code **Section 709.023(B)**; and

WHEREAS, the map or plat and legal description of the perimeter of the territory proposed for annexation is accurate.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

1. That the Board finds that within twenty-five days after the date the Petition was filed the Council of the Village of Batavia adopted and filed with the Board of County

Commissioners an ordinance consenting to the proposed annexation. The Board further finds that no objection has been filed to the proposed annexation.

2. In accordance with Ohio Revised Code **Section 709.023(E)**, the Board has reviewed the Petition and has determined that all of the seven conditions in that section have been met, as follows:

- 2.1 The Petition for Annexation meets all the requirements set forth in, and was filed in the manner provided in, Ohio Revised Code **Section 709.021**.

- 2.2 The persons who signed the Petition constitute the sole owners of the real estate proposed for annexation, as defined in Ohio Revised Code **Section 709.02(E)**.

- 2.3 The territory proposed for annexation does not exceed five hundred acres and the description and plat of the territory proposed for annexation is accurate.

- 2.4 The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.

- 2.5 The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.

- 2.6 The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant ordinance adopted by the municipal corporation under Ohio Revised Code **Section 709.023**.

- 2.7 There will be no street or highway divided or segmented by the boundary line between the municipality and the township. The condition set forth in Ohio Revised Code **Section 709.023(E)(7)** has been met.

3. That pursuant to Ohio Revised Code **Section 709.023(D)** the Petition for Annexation of territory described therein to the Village of Batavia, Clermont County, Ohio, be and hereby is granted, and the Clerk of the Board of County Commissioners of Clermont County, Ohio, is hereby directed to enter on the journal all of the orders of the Board relating to the annexation and to deliver a certified copy of the entire record of the

annexation proceedings, including resolution of the Board, signed by a majority of the members of the Board, the Petition, map, and all other papers on file to the Clerk of the Village of Batavia.

4. That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including **Section 121.22** of the Ohio Revised Code.

Mr. Proud seconded the motion and on roll call, the vote resulted as follows:

Mr. Humphrey Aye

Mr. Proud Yea

Mr. Uible Yes

This Resolution was duly passed on the 18th day of March, 2015.

ATTEST:

Judith A. Kocica

Judith A. Kocica, Clerk of the Board of County Commissioners

This Resolution was prepared and approved as to form by the Office of the Prosecuting Attorney of Clermont County, Ohio

By: Marshall McCachran

Marshall McCachran
Assistant Prosecuting Attorney

Date: March 12, 2015

The Board of County Commissioners of the County of Clermont, Ohio, met in regular session on the 18th day of March, 2015, with the following members present:

Edwin H. Humphrey, President

Robert L. Proud, Vice President

David H. Uible, Member

Mr. Proud introduced the following resolution and moved its passage:

RESOLUTION NO. 31-15

**RESOLUTION SETTING A DATE
FOR A PUBLIC HEARING**

WHEREAS, Mercy Health, formerly known as Catholic Health Partners, an Ohio nonprofit corporation ("Mercy Health"), plans to finance the acquisition, construction, installation and equipping of certain "hospital facilities" as that term is defined in Section 140.01, Ohio Revised Code, located within the County of Clermont, Ohio (the "County"); and

WHEREAS, Mercy Health has requested the County of Allen, Ohio (the "Issuer") to issue its hospital facilities revenue bonds (the "Bonds") in one or more series and in an approximate aggregate principal amount currently estimated not to exceed \$500,000,000, pursuant to the authority contained in Chapter 140, Ohio Revised Code and the Participating Public Hospital Agencies Agreement dated as of May 1, 2008, between the County and the Issuer, among other counties, for the purpose of financing or refinancing the acquisition, construction, installation and equipping of additional hospital facilities including, without limitation, hospital facilities at some or all of the following locations, or other locations within the County: (A) 3000 Hospital Drive, Batavia, known as Mercy Hospital Clermont; (B) 3020 Hospital Drive, Batavia, known as Medical Arts Building; (C) 2055 Hospital Drive, Batavia, known as Clermont Physicians Pavilion, MHP-Mercy Lung Specialists, Mercy Health – The Heart Institute Clermont and MHP Physician Office; (D) 201-210 Old Bank Road, Milford, known as Mercy Health Center-Milford; (E) Grants Landing Retail Center, 720 W. Plane Street, Bethel, known as Mercy Health Physicians & Bethel Physical Therapy; (F) 1121 Northview, Hillsboro, known as Mercy Health - Clermont Women's Center; (G) 473 Old State Route 74, Suite 4, Mt. Carmel, known as Mt. Carmel Family Medicine; (H) 1324 State Route 125, Amelia, known as MHP Physician Office – Mercy Heart Institute; and (I) 4440 Glen Este., Suite 500, Withamsville, known as MHP Physician Office – Orthopaedic & Sports Medicine; the initial owner or operator of which is the Corporation, Mercy Health – Clermont Hospital LLC, Mercy Health Cincinnati LLC, each an Ohio nonprofit corporation or limited liability company, or an affiliate thereof (the "Project"); and

WHEREAS, the proceeds of the Bonds will be used for the purposes of (1) financing the Project, (2) refunding all or a portion of the following bonds whose proceeds were utilized to finance or refinance hospital facilities at locations described above: County of Allen, Ohio Hospital Facilities Revenue Bonds, Series 2010A (Catholic Healthcare Partners); County of

Lorain, Ohio Adjustable Rate Hospital Facilities Revenue Bonds, Series 2006 (Catholic Healthcare Partners); and County of Lorain, Ohio Adjustable Rate Hospital Facilities Revenue Refunding Bonds, Series 2003 (Catholic Healthcare Partners); and (3) paying certain costs and expenses incurred with respect to the issuance of the Bonds; and

WHEREAS, the issuance of the Bonds and the acquisition, construction, installation and equipping of the Project as described above will promote the public purpose set forth in Section 140.02, Ohio Revised Code, by 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;

WHEREAS, the Internal Revenue Code of 1986, as amended, requires that all jurisdictions where proceeds of hospital facilities revenue bonds will be spent hold a public hearing on projects to be financed by hospital facilities revenue bonds prior to the issuance of such bonds;

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

SECTION 1. The Board of County Commissioners of the County of Clermont, Ohio will hold a public hearing on the Issuer's issuance of the Bonds to finance the Project.

SECTION 2. The hearing shall be held at 10:30 a.m. (local time) on Wednesday, April 8, 2015 in the Commissioners' meeting room in the Clermont County Administration Building, 101 East Main Street, Batavia, Ohio 45103.

SECTION 3. The Clerk of this Board is directed to cause notice of such meeting to be published in the *Cincinnati Enquirer* once at least fourteen days prior to the date of the hearing.

SECTION 4. This Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Mr. Uible seconded the motion and upon call of the roll, the vote thereon resulted as follows:

Mr. Humphrey Aye; Mr. Proud Yea; Mr. Uible Yes
PASSED: March 18, 2015.



Clerk, Board of County Commissioners
County of Clermont, Ohio

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Resolution No. 31-15 adopted at a meeting held on March 18, 2015 by the Board of County Commissioners of the County of Clermont, Ohio and that a copy of the foregoing resolution was certified to the County Auditor of the County of Clermont, Ohio.

Date: March 18, 2015.



Clerk, Board of County Commissioners
County of Clermont, Ohio

NOTICE OF PUBLIC HEARING

Public Notice is hereby given that a public hearing will be held by the Board of County Commissioners of the County of Clermont, Ohio (the "County") on April 8, 2015 at 10:30 A.M. in the County Commissioners' Hearing Room, 101 East Main Street, Batavia, Ohio as a joint undertaking with Allen County, Ohio, to discuss the possible issuance by the County of Allen, Ohio (the "Issuer"), for itself and in cooperation with certain counties including the County, of its County of Allen, Ohio Hospital Facilities Revenue Bonds, Series 2015 (Mercy Health), in one or more series (the "Series 2015 Bonds"), pursuant to Chapter 140, Ohio Revised Code (the "Act").

It is anticipated that the proceeds of the Series 2015 Bonds will be made available to Mercy Health, formerly known as Catholic Health Partners (the "Corporation"), an Ohio non-profit corporation, and certain of its non-profit affiliates, (i) to finance additional Hospital Facilities anticipated to be the following locations in Clermont County, Ohio: (A) 3000 Hospital Drive, Batavia, known as Mercy Hospital Clermont; (B) 3020 Hospital Drive, Batavia, known as Medical Arts Building; (C) 2055 Hospital Drive, Batavia, known as Clermont Physicians Pavilion, MHP-Mercy Lung Specialists, Mercy Health – The Heart Institute Clermont and MHP Physician Office; (D) 201-210 Old Bank Road, Milford, known as Mercy Health Center-Milford; (E) Grants Landing Retail Center, 720 W. Plane Street, Bethel, known as Mercy Health Physicians & Bethel Physical Therapy; (F) 1121 Northview, Hillsboro, known as Mercy Health - Clermont Women's Center; (G) 473 Old State Route 74, Suite 4, Mt. Carmel, known as Mt. Carmel Family Medicine; (H) 1324 State Route 125, Amelia, known as MHP Physician Office – Mercy Heart Institute; and (I) 4440 Glen Este., Suite 500, Withamsville, known as MHP Physician Office – Orthopaedic & Sports Medicine; the initial owner or operator of which is the Corporation, Mercy Health – Clermont Hospital LLC, Mercy Health Cincinnati LLC, each an Ohio nonprofit corporation or limited liability company, or an affiliate thereof; (ii) to refund all or a portion of the following bonds whose proceeds were utilized to finance or refinance Hospital Facilities at locations included in (i) above: County of Allen, Ohio Hospital Facilities Revenue Bonds, Series 2010A (Catholic Healthcare Partners); County of Lorain, Ohio Adjustable Rate Hospital Facilities Revenue Bonds, Series 2006 (Catholic Healthcare Partners); and County of Lorain, Ohio Adjustable Rate Hospital Facilities Revenue Refunding Bonds, Series 2003 (Catholic Healthcare Partners); and (iii) to finance certain costs associated with the issuance of the Series 2015 Bonds.

It is estimated that not more than \$25,000,000 of proceeds of the Series 2015 Bonds will be spent at any one location listed in this notice. The aggregate amount of the Series 2015 Bonds will not exceed \$500,000,000. THE SERIES 2015 BONDS SHALL NOT REPRESENT OR CONSTITUTE A DEBT OR PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE COUNTY OF CLERMONT, THE ISSUER OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE OF OHIO. Interested persons are invited to attend this public hearing and will be given an opportunity to express their views concerning the proposed issuance of the Series 2015 Bonds. Written comments may be submitted to the Clerk of the Clermont County Board of Commissioners, Judith Kocica, at 101 East Main Street, Batavia, Ohio 45103 prior to the public hearing.

/s/ Judith Kocica

Clerk, Board of County Commissioners
County of Clermont, Ohio