

Moved by Mr. Uible, seconded by Mr. Humphrey

Recommendation that the Board of County Commissioners adopt Resolution Number 48-19 resolving to approve payment to vendors in the total amount of \$1,314,984.09 as set forth in the BCC Approval Invoice Report(s) For **Checks Dated April 8, 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 04/06/2015, 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>Y</u>
Robert L. Proud,	<u>absent</u>
David H. Uible,	<u>Y</u>

Date Adopted: April 8, 2015

Edwin H. Humphrey
Edwin H. Humphrey, President

absent
Robert L. Proud, Vice-President

David H. Uible
David H. Uible, Member

Resolution No. 41-15

The Board of Commissioners of Clermont County met in a regular session on the 8th day of April, 2015 with the following members present:

Edwin H. Humphrey, President

David H. Uible, Member

Mr. Uible moved for adoption of the following Resolution:

RESOLUTION SUPPORTING A LOCAL AGRICULTURAL EASEMENT PURCHASE PROGRAM (LAEP) APPLICATION FOR FUNDING THROUGH THE OHIO DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF PRESERVING FARM LAND IN FRANKLIN TOWNSHIP, CLERMONT COUNTY, OHIO.

WHEREAS, the Southern Ohio Farmland Preservation Association, acting as a Local Sponsor for Timothy L. Jarman , 2858 Chilo Cemetery Road, Felicity, Ohio is preparing on Mr. Jarman's behalf a Local Agricultural Easement Purchase Program (LAEP) Application for Clean Ohio Funds through the Ohio Department of Agriculture/Office of Farmland Preservation for the purchase of an agricultural easement on Parcel Numbers 08-21-13C-011. and 08-21-13C-013. to preserve 103.6 acres of farmland within Franklin Township, effective as of 04/08/2015, and

WHEREAS, the Southern Ohio Farmland Preservation Association has requested assistance from Clermont Soil & Water Conservation District in preparing the application, and

WHEREAS, the Clermont Soil and Water Conservation District has asked the Board of County Commissioners of Clermont County for a resolution supporting the application, and

WHEREAS, the Board of Commissioners of Clermont County has determined that the nomination of the property for purchase of an agricultural easement is compatible with the county's goals to preserve and promote agriculture as an important part of the area's economy; and

WHEREAS, all formal actions of the board relating to the adoption of this resolution were taken in an open meeting of the board in compliance with all legal requirements of ORC Section 121.22, the Sunshine Law, and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Clermont County, Ohio supports the above application.

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

Mr. Humphrey Aye

Mr. Proud Absent

Mr. Uible Yes

The Resolution was duly passed on the 8th day of April, 2015

ATTEST:



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

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

By:



Allan L. Edwards
Assisting Prosecuting Attorney

Date:

4-6-15

The Board of County Commissioners of the County of Clermont, Ohio met in regular session on April 8, 2015, with the following members present:

Edwin H. Humphrey, President

David H. Uible, Member

Mr. Uible introduced the following resolution and moved its adoption:

RESOLUTION 42-15

RESOLUTION AUTHORIZING THE COUNTY OF CLERMONT, OHIO TO APPROVE THE ISSUANCE OF HOSPITAL FACILITIES REVENUE BONDS OF THE COUNTY OF ALLEN, OHIO, SOLELY AS IT RELATES TO LOCAL FACILITIES; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

WHEREAS, Mercy Health, formerly known as Catholic Health Partners, has represented to Clermont County, Ohio (the "County") that it is a nonprofit Ohio 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 the County; that the Corporation has determined to acquire, construct and equip certain additional Hospital Facilities located in the County (collectively, the "Local Facilities"); and that it 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 has represented to the County that it anticipates that the Issuer will issue its Hospital Facilities Revenue Bonds, Series 2015 (Mercy Health), in one or more series (the "Series 2015 Bonds"), in an amount not to exceed \$500,000,000 to (a) finance and refinance the acquisition, construction and equipping of Hospital Facilities located in the jurisdiction of the Participating Public Hospital Agencies and (b) refund and retire certain outstanding prior indebtedness, 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 2015 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 ("Host Approval"), including the County; and

WHEREAS, this Board of County Commissioners (the "Board") is the applicable elected representative of the County; and

WHEREAS, a public hearing was held by this Board or its designee with respect to the issuance of the Series 2015 Bonds solely as it relates to the Local Facilities prior to the consideration of this resolution; and

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

SECTION 1. That any revenue bonds issued by the Issuer 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 the Host Approval required under Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2015 Bonds by the County of Allen, Ohio, in the maximum principal amount of \$500,000,000 solely as it relates to the Local Facilities. It is anticipated, based solely on information provided by the Corporation, that the

proceeds of the Series 2015 Bonds will be used 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: (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) 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) pay costs of issuance of the Series 2015 Bonds. The Corporation has represented that it is anticipated that not more than \$25,000,000 of the proceeds of the Series 2015 Bonds will be allocated to any one Local Facility and a portion of the proceeds of the Series 2015 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 only as to the Local Facilities, 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 2015 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 2015 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 only as to the Local Facilities, 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 Clerk or any member of this Board. Neither the Clerk or any member of this Board shall execute any certificates, documents or instruments unless the full indemnification of the County against any liability and for the incurrence of any costs of the County are provided for by the Corporation in the relevant documents for the Series 2015 Bonds.

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. 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. 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.

Mr. Humphrey seconded the motion and the roll being called for adoption of the foregoing resolution, the vote thereon resulted as follows:

Ayes: Mr. Humphrey
 Mr. Uible

Nays:

ADOPTED this 8th day of April, 2015.



Clerk, Board of County Commissioners,
Clermont County, Ohio

CERTIFICATE

The undersigned, duly appointed and acting Clerk of the Board of County Commissioners of Clermont County, Ohio, does hereby certify that the foregoing is a true and correct copy of a resolution adopted by such Board on April 8, 2015, together with an extract from the minutes of the meeting at which that resolution was adopted to the extent pertinent thereto.



Clerk, Board of County Commissioners,
Clermont County, Ohio

April 8, 2015

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RESOLUTION NUMBER 43-15

The Board of County Commissioners of Clermont County, Ohio, met in Regular Session on the 8th day of April, 2015, with the following members present:

Edwin H. Humphrey, President
David H. Uible, Member

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

**RESOLUTION APPROVING THE NAME CHANGE OF
OLIVE BRANCH-STONELICK ROAD TO OLIVE BRANCH CEMETERY ROAD
SITUATED WITHIN BATAVIA TOWNSHIP**

WHEREAS, the Board of County Commissioners has received a request to change the name of Olive Branch-Cemetery Road (T-3114), a township road located in Batavia Township, Clermont County, Ohio, submitted by the Board of Batavia Township Trustees, and being in Darby Military Survey No. 2058, and more particularly described as follows:

Roadway to be renamed approximately 350' west of the centerline intersection of Old SR 74 and Amelia-Olive Branch Road at the centerline intersection of Old SR 74 and Olive Branch-Stonelick Road; thence, in a northerly direction along the centerline of the existing Olive Branch-Stonelick Road (T-3114) for a distance of 850' to the terminus of said Olive Branch-Stonelick Road (T-3114).

WHEREAS, a public hearing has been held on this request pursuant to one notice in a newspaper of general circulation in the County and Batavia Township; and

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners finds that there is good cause for the name change; that the name change will not be detrimental to the general interest; that the name of the road as above described shall be changed and that the name of Olive Branch-Stonelick Road (T-3114) as described above will be changed to Olive Branch Cemetery Road pursuant to Section 5541.04 of the Ohio Revised Code, effective upon passage of this Resolution.

BE IT FURTHER RESOLVED, that the Clerk of the Clermont County Board of Commissioners shall certify a copy of this Resolution to the County Engineer, the County Recorder, and the County Auditor, who shall change their records accordingly, but in some manner still retain the old name of the road.

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 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. Humphrey seconded the Resolution and upon roll call the vote was as follows:

Mr. Uible, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

ATTEST:



Judith Kocica, Clerk
Board of County Commissioners
Clermont County, Ohio

April 8, 2015