

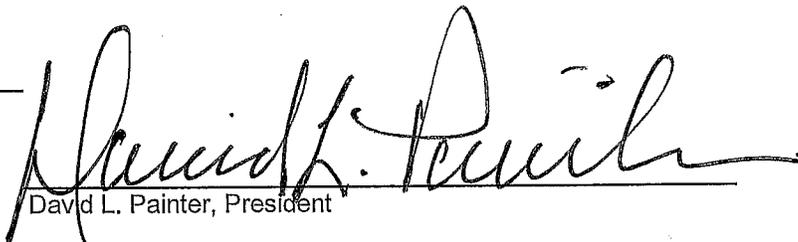
Moved by Mr(s). Corcoran, seconded by Mr(s). Humphrey,

Recommendation that the Board of County Commissioners adopt Resolution Number 046-20 resolving to approve payment to vendors in the Revised Total Amount of \$1,203,404.59 as set forth in the BCC Approval Invoice Report for **Checks Dated April 1, 2020**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 3/30/2020, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

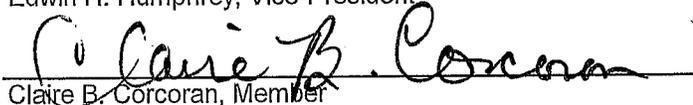
Upon roll call on the foregoing motion, the vote was as follows:

David L. Painter,	<u>YES</u>
Edwin H. Humphrey,	<u>AVE</u>
Claire B. Corcoran,	<u>YES</u>

Date Adopted: April 1, 2020


David L. Painter, President

Edwin H. Humphrey, Vice-President


Claire B. Corcoran, Member

OR

Thomas J. Eigel, County Administrator

1st The Board of County Commissioners of Clermont County, Ohio, met in regular session on the day of April, 2020, at its regular place of meeting, with the following members present:

David L. Painter, President
Edwin H. Humphrey, Vice President
Claire B. Corcoran, Member

Mrs. Corcoran introduced the following resolution and moved its passage:

RESOLUTION NO. 047 -20

RESOLUTION AMENDING RESOLUTION NUMBER 017-19 WHICH DETERMINED TO MAKE IMPROVEMENTS FOR PROJECT NUMBER 6402-60141 KNOWN AS THE LOCUST LAKE LIFT STATION AND CONVEYANCE IMPROVEMENTS PROJECT LOCATED WITHIN BATAVIA AND PIERCE TOWNSHIPS AND HEREBY DETERMINING TO MAKE IMPROVEMENTS AND PROCEED IN ACCORDANCE WITH THE DETAILED PLANS, SPECIFICATIONS, AND REVISED ESTIMATE OF COST AND FINANCING FOR SAID PROJECT

WHEREAS, this Board of County Commissioners previously adopted Resolution Number 61-18 on May 16, 2018, which determined that the Locust Lake Lift Station and Conveyance Improvements Project was a necessary improvement for the preservation and promotion of the public health and welfare, as well as, ratified and declared the necessity for the detailed plans, specifications and estimate of cost and financing for the Project, and determined to proceed with said improvements; and

WHEREAS, bids for said Project were to be received on June 21, 2018, in the Office of the Board of County Commissioners; however, no bids were received at that time and the scope of the Project was then reevaluated by the Clermont County Water Resources Department with changes made to the plans and specifications and the engineer's estimate of construction; and

WHEREAS, this Board of County Commissioners adopted Resolution Number 192-18 resolving to amend Resolution Number 61-18 on December 5, 2018, which ratified and declared the necessity for the revised detailed plans, specifications and estimate of cost and financing and authorized to proceed in accordance with the revised Project and to re-bid for a second time; and

WHEREAS, bids for said revised Project were received by the Office of the Board of County Commissioners on January 24, 2019, with only one bid being received and it was determined to be in excess of ten per cent above the entire engineer's estimate of construction and was rejected by the Board of County Commissioners on February 20, 2019, pursuant to and in compliance with Section 153.12 of the Ohio Revised Code; and

WHEREAS, this Board of County Commissioners adopted Resolution Number 017-19 resolving to amend Resolution Number 192-18 on February 20, 2019, which ratified and declared the necessity for further revised detailed plans, specifications and estimate of cost and financing and authorized to proceed in re-bidding the Project a third time; however, no bids were received by the Office of the Board of County Commissioners at the bid opening held on March 21, 2019; and

WHEREAS, the Clermont County Water Resources Department has again reevaluated the scope of the Project to ensure that a viable, biddable Project is resubmitted and has made a detailed examination of the plans and specifications in order to delineate the work necessary for the improvements as described in Exhibit "A", attached hereto and made a part hereof, and as a result thereof, has increased the engineer's estimate of construction to better correspond with the Project scope and allow for more competitive bids; and

WHEREAS, it is now necessary for the Board of County Commissioners to ratify the detailed plans, specifications and revised estimate of cost and financing for the improvements as prepared and described in Exhibit "A" and to proceed in accordance therewith as valid improvements and expenses attributable to the County Wastewater System within the Clermont County Water Resources Department, Clermont County, Ohio, and to proceed in re-bidding the Project a fourth time.

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

SECTION 1. By this Resolution which amends Resolution Number 017-19 and hereby ratifies and declares the necessity for the detailed plans, specifications and revised estimate of cost and financing for the Project as described in the attached Exhibit "A", which exhibit is hereby made a part hereof, in said County, is hereby approved, ratified and confirmed.

SECTION 2. That this Board of County Commissioners hereby declares it necessary for the preservation and promotion of the public health and welfare to construct said Project as revised in accordance with Exhibit "A", which exhibit is hereby made a part hereof.

SECTION 3. That it is hereby determining to proceed with the Project, in accordance with the detailed plans, specifications, and revised estimate of cost and financing, as herein ratified and confirmed, and to provide for the receipt of bids for the project pursuant to public advertisement therefore in the manner prescribed by law.

SECTION 4. That the work or improvements as described herein shall proceed in accordance with the priority of need and as may be accomplished in conjunction with continued operation of the Clermont County Wastewater System.

SECTION 5. Said construction of certain improvements set forth in Exhibit "A" are more particularly described and set out in the plans, specifications, and revised estimate of cost and financing, which are on file in the Office of the Clermont County Water Resources Department, 4400 Haskell Lane, Batavia, Ohio 45103, where they may be examined.

SECTION 6. That the entire cost of the Project, including engineering fees, legal fees, and all necessary and incidental expenses in connection therewith shall be paid from one or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System.

SECTION 7. That 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 Ohio Revised Code.

SECTION 8. That a copy of this resolution be certified to (a) the County Auditor of Clermont County, Ohio within fifteen (15) days after passage hereof, as provided in Section 319.61 of the Ohio Revised Code, and (b) the County Sanitary Engineer for information.

Mr. Humphrey seconded the motion and the vote thereon resulted as follows:

Mr. Painter, yes; Mr. Humphrey, aye; Ms. Corcoran, yes.

PASSED: April 1, 2020

Attest:
Judith Kocica

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

APPROVED AS TO FORM ONLY:
D. VINCENT FARIS, PROSECUTOR
CLERMONT COUNTY, OHIO

By: Allan L. Edwards
Allan L. Edwards, Assistant Prosecutor

Dated: 3-11-20

CERTIFICATE

The undersigned, Clerk of the Board of County Commissioners of Clermont County, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution No. 047-20 passed by the Board of County Commissioners of Clermont County, Ohio on April 1, 2020, and that a copy thereof was certified to the County Auditor and the Clermont County Water Resources Department.

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

EXHIBIT "A"

Resolution No. 047-20

Adopted April 1st, 2020

**LOCUST LAKE LIFT STATION & CONVEYANCE
IMPROVEMENTS PROJECT
PROJECT NO. 6402-60141**

This project consists of the construction of approximately 7,100 LF of 8" force main beginning at the Locust Lake Lift Station located at 1379 Lakewood Drive and extending along Audubon Road and Locust Lake Road, Oak Street, and Chapel Road within Pierce Township, then ending approximately 360 feet past the intersection of Chapel Road and Burnham Woods Drive located within Batavia Township. The project will also include modifications to the Locust Lake Lift Station piping & controls and the installation of a diesel generator as outlined in the specifications and plans.

Estimated Annual Operation & Maintenance Cost.....\$ 1,000.00
Estimated Impact of Project on Operation & Maintenance Cost.....\$ 1,000.00
Estimated Total Project Cost.....\$ 1,894,280.00

Source of Funds: One or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System.

Resolution No. 048-20

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 1st day of April, 2020 with the following members present:

David L. Painter, President
Edwin H. Humphrey, Vice President
Claire B. Corcoran, Member

Mr. Humphrey moved for the adoption of the following resolution:

WHEREAS, numerous residents and interested citizens have voiced their concern as to the un-posted 55 MPH speed limit on Laurel-Nicholsville Road (C-66) beginning at State Route 232 and ending at State Route 222 in Monroe Township, a total length of 1.251 miles or 6,605.28 feet.

AND WHEREAS, this Board feels that for the general public welfare and safety of the traveling public, the speed limit on the above mentioned road should be changed.

NOW THEREFORE IT BE RESOLVED: that the State of Ohio, Director of Transportation is hereby requested to change the speed limit on the above mentioned road and,

BE IT FURTHER RESOLVED, that Clermont County hereby agrees, in the event the speed limit is changed on the above mentioned road, to erect and maintain appropriate signs and markings,

BE IT FURTHER RESOLVED, that this 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 that all deliberations of this Board and of its Committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

THEREUPON, Mrs. Corcoran seconded the said motion and upon roll call

being called the vote was as follows:

Mr. Painter *Yes*
Mr. Humphrey *Aye*
Mrs. Corcoran *Yes*

The State of Ohio, County of Clermont, Office of the Board of County Commissioners.

ATTEST:

Judith Kocica

Judith Kocica, Clerk of the board

April 1, 2020

Date

Resolution No. 049-20

The Board of County Commissioners of Clermont County, Ohio met in regular session on the 1st day of April, 2020 with the following members present:

David L. Painter, President
Edwin H. Humphrey, Vice President
Claire B. Corcoran, Member

Mrs. Corcoran moved for the adoption of the following resolution:

WHEREAS, numerous residents and interested citizens have voiced their concern as to the un-posted 55 MPH speed limit on Newtonsville Road (C-94) beginning at Cross Street and ending at 0.215 miles northeast in Wayne Township, a total length of 0.215 miles or 1,135.2 feet.

AND WHEREAS, this Board feels that for the general public welfare and safety of the traveling public, the speed limit on the above mentioned road should be changed.

NOW THEREFORE IT BE RESOLVED: that the State of Ohio, Director of Transportation is hereby requested to change the speed limit on the above mentioned road and,

BE IT FURTHER RESOLVED, that Clermont County hereby agrees, in the event the speed limit is changed on the above mentioned road, to erect and maintain appropriate signs and markings,

BE IT FURTHER RESOLVED, that this 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 that all deliberations of this Board and of its Committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

THEREUPON, Mr. Humphrey seconded the said motion and upon roll call

being called the vote was as follows:

Mr. Painter *yes*
Mr. Humphrey *aye*
Mrs. Corcoran *yes*

The State of Ohio, County of Clermont, Office of the Board of County Commissioners.

ATTEST:

Judith Kocica

Judith Kocica, Clerk of the board

April 1, 2020

Date

The Board of County Commissioners of the County of Clermont, Ohio met in regular session on April 1, 2020, with the following members present:

David L. Painter, President
Edwin H. Humphrey, Vice President
Claire B. Corcoran, Member

Mrs. Corcoran introduced the following resolution and moved its adoption:

RESOLUTION NO. 050-20

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, Bon Secours Mercy Health, Inc., successor by merger to Mercy Health, is a nonprofit Maryland corporation (the "Corporation") that, through its subordinate and affiliated nonprofit entities (the "Affiliates"), owns and operates healthcare facilities at various locations in Ohio, including Hospital Facilities, as defined in Section 140.01 of the Ohio Revised Code, in 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 2020 (Bon Secours Mercy Health, Inc.), in one or more series (the "Series 2020 Bonds"), in an amount not to exceed \$525,000,000 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 2020 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 2020 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 2020 Bonds by the County of Allen, Ohio, in the maximum principal amount of \$525,000,000 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 2020 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 in the county: (A) 4440 Gleneste-Withamsville Road, Batavia, known as Orthopaedic & Sports Medicine, (B) 2055 Hospital Drive, Batavia, Ohio known as Clermont Physicians Pavilion, the Heart Institute, (C) 3055 Hospital Drive, Suite 335, Batavia, Ohio known as Mercy Health General & Vascular Surgeons, (D) 720 W. Plane Street, Bethel, Ohio known as Mercy Health Physicians & Bethel Physical Therapy, (E) 1121 Northview, Hillsboro, Ohio known as Mercy Health - Clermont Women's Center, (F) 473 Old State Route 74, Suite 4, Mount Carmel, Ohio known as Mt. Carmel Family Medicine, (G) 3000 Hospital Drive, Batavia, known as Mercy Health - Clermont Hospital LLC, (H) 3020 Hospital Drive, Batavia, known as Mercy Health - Clermont Medical Arts Building, (I) 201 Old Bank Road, Milford, known as Mercy Health Center-Milford, Milford Family Medicine, and (J) 6746 Dick Flynn Boulevard, Goshen known as Goshen Internal Medicine (each, a "project" and collectively, the "projects"), the initial legal owner or principal user of each project being Mercy Health - Clermont Hospital LLC, Mercy Health Cincinnati LLC, or Mercy Health Physicians Cincinnati LLC, each an Ohio limited liability company, or the Corporation, or a related party thereof; (ii) refund all or a portion of the following bonds whose proceeds were utilized to finance or refinance Hospital Facilities at the projects: (A) County of Allen, Ohio Adjustable Rate Hospital Facilities Revenue Bonds, Series 2008 (Catholic Healthcare Partners), which are made up of multiple series of bonds, and (B) County of Allen, Ohio Adjustable Rate Hospital Facilities Revenue Bonds, Series 2015B (Mercy Health); and (iii) pay costs of issuance of the Series 2020 Bonds. The Corporation and its non-profit affiliates operate a healthcare system on several campus sites. The projects are and will be used by the Corporation in an integrated operation for the delivery of healthcare, education, scientific research and administrative activities supporting those activities on several campuses. Not more than \$50,000,000 of the stated principal amount of the Series 2020 Bonds will be spent at the projects in the aggregate, and not more than \$15,000,000 of the stated principal amount of the Series 2020 Bonds will be spent at any one project listed above. A portion of the proceeds of the Series 2020 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 2020 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 2020 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 2020 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: 3

Nays: 0

ADOPTED this 1st day of April, 2020.



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 1, 2020, 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 1, 2020

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