



MELANIE F. WILT

LOWELL R. MCGLOTHIN

SASHA L. RITTENHOUSE

3130 East Main Street, Springfield, OH 45503 | Phone: 937.521.2005 | Email: commission@clarkcountyohio.gov

Commission Meeting Agenda

July 13, 2022

8:30 A.M. Informal Session

10:00 A.M. Formal Session

Call to Order President of County Commission
Resolution 2022-0497

Pledge to the flag

Approve minutes of the last meeting and
Dispense with reading of same: Commissioner Rittenhouse

Review/Action:
Matters before the Board and Departmental Requests: See attached motions

Staff Notes:

8:30 Review Agenda
County Administrator/Strategic Plan Updates
Calendar/Event Updates
9:00 Executive Session to discuss Security Matters
10:00 Public Hearing – Mercy Bond Issue
Formal Session

Connections. Communities. Opportunities.

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0498
COMC file

**Authorize Contract with
The Ohio State University Extension Clark County**

Commissioner ____ moved, per the request of the County Administrator, to authorize a contract with:

Organization Name: The Ohio State University Extension Clark County
Organization Address: 3130 East Main Street, Springfield, Ohio 455505
In the amount of: \$23,060.00
Funding Source(s): ARPA
Purpose: Local Food Program Assistant
Effective Dates: July 13, 2022

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0499
ENG file

**Authorize Agreement with
Ohio River Pipe Line LLC**

Commissioner ____ moved, per the request of the County Engineer, to authorize a contract with:

Organization Name: Ohio River Pipe Line LLC
Organization Address: 539 South Main Street, Findlay, Ohio 45840
In the amount of: Not to exceed \$230,461.00
Funding Source(s): Local Funds (MVGT) reimbursable by Federal Highway Administration
Purpose: Altering existing facilities to conform to the proposed CLA-CR315-1.28 (Enon-Xenia Road) Improvements
Effective Dates: July 13, 2022 through December 31, 2022

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0500
ENG file

**Authorize Inter-governmental Agreements Between
Harmony Township and the Board of Clark County Commissioners**

Commissioner ____ moved, per the request of the County Engineer, to authorize the following inter-governmental agreement:

Agreement between: Harmony Township and the Board of Clark County Commissioners
In the amount of: County and Township agree to cooperate in completing the 2022 Roadway Resurfacing project. Harmony Township agrees their total local share of the cost for the project to be \$147,793.52.
Purpose: 2022 Roadway Resurfacing Project
Funding Source(s): MV> (local)
Effective Dates: July 13, 2022 through December 31, 2022

Further move to authorize the County Administrator to execute the inter-governmental agreement and related documents, including the purchase order.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0501
JFSC file

**Authorize Contract with
Clark County Juvenile Court**

Commissioner ____ moved, per the request of Job and Family Services Director, to authorize a contract with:

Organization Name: Clark County Juvenile Court
Organization Address: 101 East Columbia Street, Springfield, Ohio 45502
In the amount of: \$337,896.01
Funding Source(s): Children's Services Levy
Purpose: To operate Clark County's Family Treatment Court
Effective Dates: July 1, 2022 through June 30, 2024

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

**Resolution 2022-0502
COMB file**

**Instruct Clerk to Advertise for Bids for the New Clark County
Fair Board Office Building Project**

Commissioner ____ moved, per the request of the County Administrator, to instruct the Commission Clerk to advertise for bids for the New Clark County Fair Board Office Building Project. Said bids will be opened in public session on Thursday, August 25, 2022, at approximately 10 a.m., 3rd Floor, Springview Government Center, 3130 East Main Street, Springfield, Ohio 45503. It is noted that bids are due in the County Commission Office at the above address no later than 10 a.m. on Thursday, August 25, 2022.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothin

Sasha L. Rittenhouse

Resolution 2022-0503

ENGB file

**Instruct Clerk to Advertise for Bids for
CLA-CR 315-1.28 Enon-Xenia Road Improvements**

Commissioner ____ moved, per the request of the County Engineer, to instruct the Commission Clerk to advertise for bids for CLA-CR 315-1.28 Enon-Xenia Road Improvements. Said bids will be opened in public session on Thursday, August 25, 2022, at approximately 10:30 a.m., 3rd Floor, Springview Government Center, 3130 East Main Street, Springfield, Ohio 45503. It is noted that bids are due in the County Commission Office at the above address no later than 10:30 a.m. on Thursday, August 25, 2022.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0504
ENGG file

**Accept Grant Agreement with
Ohio Public Works Commission**

Commissioner ____ moved, per the request of the County Engineer, to accept the following:

Grantor: Ohio Public Works Commission
Amount Funding: \$627,988.00
Purpose: Enon-Xenia Road Improvements (CLA-CR315-1.28) DKZ03 OPWC Project
Effective Dates: July 1, 2022 through November 30, 2023

Further move to authorize the County Administrator to execute the grant and related documents.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0505
UTLG file

**Accept Grant Agreement with
Ohio Public Works Commission**

Commissioner ____ moved, per the request of the Utilities Director, to accept the following:

Grantor: Ohio Public Works Commission
Amount Funding: \$120,000.00
Purpose: To secure grant funds for replacement of an influent screw pump at the Southwest Regional Wastewater Treatment Plant (WWTP) CK12Z OPWC Project
Effective Dates: July 1, 2022 through June 30, 2024

Further move to authorize the County Administrator to execute the grant and related documents.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0506
EMAP file

Adopt Clark County Fairgrounds Emergency Response Plan

Commissioner ____ moved, per the request of the Emergency Management Agency Director, to adopt the following plan:

Plan Name:

Clark County Fairgrounds Emergency Response Plan

Purpose:

Plan provides a comprehensive framework for countywide emergency management while:

- 1) Addressing the administrative and operational functions, authorities, and responsibilities of the organizations of local government.
- 2) Providing a link with the state, and private organizations that may be activated to address emergencies in Clark County.
- 3) Ensures consistency with current policy guidance and describes the interrelationship with other levels of government.
- 4) Continues to evolve, reflecting lessons learned from actual experiences in disasters and ongoing state planning, training, and exercise activities.

Effective Date:

July 13, 2022

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

**Resolution 2022-0507
BRDD file**

Dissolve Dangerous Wild Animal Response Team (DWARD) Board

Commissioner ____ moved to approve the following:

Whereas, the Clark County Dangerous Wild Animal Response Team (DWARD) Board was established per Ohio Revised Code; and,

Whereas, the 132nd General Assembly repealed §935.26, §935.27 and §935.28 of the Ohio Revised Code effective February 20, 2018.

Now, therefore, we, the Board of County Commissioners, Clark County, Ohio do hereby dissolve the Clark County Dangerous Wild Animal Response Team (DWARD) Board.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0508
INVS file

Authorize Disposal of Obsolete Equipment

Commissioner ____ moved, per the request of the County Engineer, to dispose of the following through on-line auction for 15 calendar days in accordance with Resolution 2022-0009 §307.12(E) of the Ohio Revised Code:

<u>Reference No.</u>	<u>Description</u>	<u>VIN No.</u>
B34	1997 Ford F250	1FTEF276VNC85302

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0509
FINS file

Approve Supplemental Appropriation(s)

Commissioner ____ moved, upon the recommendation of the County Administrator, to authorize the following supplemental appropriation(s) from unappropriated funds:

Fund:	Department:	Account:	Amount:
Marriage License	Commission	Assistance	\$10,710.00

Reason: To request appropriations for available cash.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothin

Sasha L. Rittenhouse

Resolution 2022-0510
TRAV file

Approve Travel/Expense Allowance

Commissioner ____ moved, per request of the following Department Director(s) or Elected Official(s) to approve the following travel allowances.

Dept.	Name	Purpose	Place	Date	Cost
Auditor	S. Gray, M. Webber	Ohio GIS Conf.	Columbus, OH	9/20-22/22	\$ 658.00
Juv. Court	Administration	Gov. Accounting	Online	Self-Paced	\$1,700.00
Comm. Dev.	D. Lackovich-Van Gorp	OCCD Meeting	Columbus, OH	7/27-28/22	\$ 125.00
*Reentry	B. Wagner	Risk Training	Cincinnati, OH	8/18-19/22	\$2,000.00

*Requesting use of credit card for training and travel expenses

Further move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothin, Commissioner Wilt,

I, Megan Burr, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Megan Burr, Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0511
ARPA file

Authorize Allocation of American Rescue Plan Act (ARPA) Funds toward the Clark County Dog Warden's Office Staffing Increase

Commissioner ____ moved, per request of the County Administrator to approve the following project:

WHEREAS, Clark County has received direct payments from the United States (US) Treasury under the Coronavirus State and Local Fiscal Recovery Funds authorized by the American Rescue Plan Act (ARPA); and,

WHEREAS, Clark County will use the funding in accordance with ARPA and guidance from the US Treasury; and,

WHEREAS, the Department of Treasury issued the Final Rule, effective April 1, 2022, to provide guidance on permissible uses; and,

WHEREAS, the hiring of government personnel in order to bolster the government's ability to effectively administer services is a permissible use of the ARPA funds. Specifically, recipients may pay for payroll, covered benefits, and other costs associated with the recipient increasing the number of its employees up to the pre-pandemic baseline; and,

WHEREAS, upon request of the Dog Warden's Office, the allocated funds will be used to increase employment up to the pre-pandemic baseline as determined by the formula provided in the Final Rule.

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

The Board of County Commissioners approves the use of ARPA funds toward the Clark County Dog Warden's Office staffing increase in the amount of \$60,000.00.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0512
ANXS file

**Acknowledge Receipt of Expedited Type 1 Annexation Petition for
Approximately 13.38 acres in Springfield Township**

Commissioner ____ moved, upon recommendation by the County Administrator, to acknowledge receipt of an Expedited Type 1 Annexation Petition for the following property:

Petitioner: Eric Zartman on behalf of Gallery 59, LLC
Petitioner Address: 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054
Property Address: Titus Road/South Charleston Pike
PID 3000700003000135
Location: Approximately 13.38 acres
From: Springfield Township
To: The City of Springfield
Documents Filed: Annexation Petition, Legal Description, Annexation Map, Properties Included in and Adjacent to Proposed Annexation, CEDA Agreement, Filing fee.
Date Received: July 6, 2022

Further move to refer to staff for review and recommendation.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Township Trustees
Petitioner /Property Owners
County Engineer
Community Development
County Recorder (FYI)
County Prosecutor
Tax Maps/LIS

The Board of County Commissioners, in and for Clark County, Ohio, met this 13th day of July, 2022 in regular session, pursuant to adjournment, in accordance with Section 121.22 O.R.C. (Sunshine Law), with the following members present, viz:

Melanie F. Wilt

Lowell R. McGlothlin

Sasha L. Rittenhouse

Resolution 2022-0513
FINB file

**Authorize the Issuance of Hospital Facilities Revenue Bonds of
The County of Allen, Ohio**

Commissioner ____ moved to authorize the issuance of Hospital Facilities Revenue Bonds of the County of Allen, Ohio.

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 Clark County, Ohio (the "County") and the Corporation has determined to acquire, construct and equip certain additional Hospital Facilities located in the County (collectively, the "Local Facilities"), and 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 anticipates that the Issuer will issue its Hospital Facilities Revenue Bonds, Series 2022 (Bon Secours Mercy Health, Inc.), in one or more series (the "Series 2022 Bonds"), in an amount not to exceed \$200,000,000 to finance and refinance the acquisition, construction and equipping of Hospital Facilities located in the jurisdiction of the Participating Public Hospital Agencies, 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 2022 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, including the County; and

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

WHEREAS, a public hearing was held with respect to the issuance of the Series 2022 Bonds prior to the consideration of this resolution;

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

SECTION 1. That any revenue bonds issued 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 Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2022 Bonds by the County of Allen, Ohio, in the maximum principal amount of \$200,000,000. It is anticipated that the proceeds of the Series 2022 Bonds will be made available to the Corporation and certain of its nonprofit affiliates. The Series 2022 Bonds will be issued as qualified 501(c)(3) bonds as defined in Section 145 of the Internal Revenue Code of 1986, as amended, 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) 240 Enon Road North, Enon, known as Enon MOB, (B) 1343 North Fountain Boulevard, Springfield, known as Springfield Regional Imaging Center and Hospice, (C) 2501-2503 East High Street, Springfield, known as Community Mercy Center for Occupational Health and Medicine, (D) 2600 and 2610 North Limestone Street, Springfield, known as Community Mercy Rehab Center and Springfield Regional Outpatient Center, (E) 2055 South Limestone Street, Springfield, known as South Springfield Family Medicine, (F) 2105 East High Street, Springfield, known as East Springfield Internal Medicine, (G) 30 West McCreight Avenue, Springfield, known as Mercy Crest Medical Arts Building, North Family Medicine, (H) 100 West McCreight Ave, Springfield, known as Mitchell Thomas Center fka Mercy St. John's Center, (I) 211 Northparke Road, Springfield known as Clark County Gastroenterology and Northparke Internal Medicine, (J) 218 Northparke Road, Springfield, (K) 148 West North Street, Springfield, known as Springfield Regional Cancer Center, (L) 200, 206, 216, 218, 296 O'Connor Lane, Springfield, (M) 1310, 1316, 1320 Pythian Avenue, Springfield, (N) 100 Medical Center Drive, Springfield, Ohio, (O) 200 Medical Center Drive Suite 100, Springfield, known as Community Hospital Health Services Foundation, (P) 200 West Ward Street Springfield, known as North Family Medicine Wittenberg Clinic, (Q) 346 South Burnett Road, known as CMHP lab, (R) 362 South Burnett Road, known as CMHP Wound Care Center, (S) 1911 E. High Street, Springfield, Ohio known as Cardiologists of Clark & Champaign County, (T) 234 Hubert Avenue, Springfield, Ohio known as Cardiologists of Clark & Champaign County, (U) 1840 Springfield Road, also referred to as 1840 Dayton Springfield Road, Fairborn, Ohio, known as Mercy Health – Dayton Springfield Emergency Center (each, a "project" and collectively, the "projects"), the initial legal owner or principal user of each project being Community Mercy Health Partners or Mercy Health Physicians LLC, each an Ohio non-profit corporation or limited liability company, or the Corporation, or a related party thereof; and (ii) finance certain costs associated with the issuance of the Series 2022 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 \$20,000,000 of the stated principal amount of the Series 2022 Bonds will be spent at the projects in the aggregate, and not more than \$10,000,000 of the stated principal amount of the Series 2022 Bonds will be spent at any one project listed above. A portion of the proceeds of the Series 2022 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, 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 2022 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 2022 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, 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 proper officers of this Board.

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. That 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. That 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.

SECTION 14. 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 15. This Resolution shall be in full force and effect immediately upon its adoption.

Commissioner ____ seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Commissioner McGlothlin, Commissioner Wilt,

I, Angela Wheeler, Acting Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of a motion as recorded in the Journal of the Clark County Commissioners, under the date of July 13, 2022.

Angela Wheeler, Acting Clerk

copy: County Auditor
County Administrator
Requesting Department(s)