
REGULAR SESSION SEPTEMBER 12, 2016

This day the Board of Morrow County Commissioners met in their office at 80 North Walnut St., Ste. A, Mt. Gilead, Ohio with the following members present: Mr. Whiston, Mr. Miller and Mr. Leader.

Public in attendance: Mike Porter, Burgess Castle, Warren Davis, Troy Landon (Sheriff Office), Sheriff Hinton, Alberta Stojkovic (Sentinel), Caleb Bell, Mike Williamson (Terrain Evolution), Jim Brucker (Brucker & Assoc), Don Wake (JFS), Sundie Brown (JFS), Tim Maceyko (MCTC) and Shane Farnsworth (Development).

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Miller, who then proceeded with the business at hand. The following matters came before the Board for their consideration and approval.

**IN THE MATTER OF
APPROVAL OF THE MINUTES
OF REGULAR SESSION OF SEPTEMBER 7, 2016: 16-R-571**

Mr. Leader made a motion to approve the minutes of regular session of September 7, 2016, as recorded in the Commissioners Journal # 46.

Mr. Whiston duly seconded this motion

Roll Call Vote: ...,Mr. Leader..., "yea" ...,Mr. Whiston..., "yea" ..., Mr. Miller..., "yea"

**IN THE MATTER OF
PAY-INS: 16-R-572**

The following pay-ins were made to Patricia K. Davies, Morrow County Auditor:

Pay-in # 3960 Payment from AVI Food Systems for vending machines for July 2016 001-100-59901 \$78.94

Pay-in # 3961 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$70.00

Pay-in # 3962 Johnsville sewer maintenance and operations portion 100-101-40100 \$300.00

Pay-in # 3963 Johnsville sewer debt retirement portion 100-101-50100 \$200.00

Pay-in # 3964 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$67.70

Pay-in # 3965 Ketterman – City of Galion portion 121-121-40300 \$211.50

Pay-in # 3966 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$33.60

Pay-in # 3967 Chesterville sewer maintenance and operations portion 159-159-40100 \$86.40

Pay-in # 3968 Chesterville sewer debt retirement portion 159-159-50100 \$110.40

Pay-in # 3969 Chesterville sewer asset management portion 159-159-50200 \$9.60

Pay-in # 3973 Payment from Metropolitan Housing for September 2016 rent 172-172-79905 \$775.00

Pay-in # 3976 Payment from Wenmor user monthly user fees 095-215-30200 \$28.65

Pay-in # 3977 Wenmor user monthly debt service fee 095-215-30300 \$343.80

Pay-in # 3978 Wenmor user operations and maintenance fees 095-215-50100 \$200.55

Pay-in # 3979 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$33.60

Pay-in # 3980 Chesterville sewer maintenance and operations portion 159-159-40100 \$86.40

Pay-in # 3981 Chesterville sewer debt retirement portion 159-159-50100 \$110.40

Pay-in # 3982 Chesterville sewer asset management portion 159-159-50200 \$9.60

Pay-in # 3983 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$35.00

Pay-in # 3984 Johnsville sewer maintenance and operations portion 100-101-40100 \$150.00

Pay-in # 3985 Johnsville sewer debt retirement portion 100-101-50100 \$100.00

Pay-in # 3986 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$40.62

Pay-in # 3987 Ketterman – City of Galion portion 121-121-40300 \$126.90

**IN THE MATTER OF
APPROVAL OF BOND RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$900,000 OF REVENUE BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING THE CHESTERVILLE, OHIO SANITARY SEWER SYSTEM: 16-R-573**

COUNTY OF MORROW, OHIO

The Board of County Commissioners (the "Board") of the County of Morrow, Ohio (the "County"), met in regular session on Monday, September 12, 2016, at 9:00 a.m., at the Hearing Room of the Board at 80 N Walnut St., Mount Gilead, OH 43338, with the following members present:

Mr. Leader
Mr. Whiston
Mr. Miller

Mr. Miller introduced the following Resolution and moved its passage:

BOND RESOLUTION

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$900,000 OF REVENUE BONDS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING THE CHESTERVILLE, OHIO SANITARY SEWER SYSTEM AND RELATED APPURTENANCES THERETO, LANDSCAPING AND IMPROVING THE SITE THEREOF, AND ACQUIRING LAND AND INTERESTS IN LAND AS NECESSARY IN CONNECTION THEREWITH; PROVIDING FOR THE COLLECTION OF REVENUE FROM THE CHESTERVILLE, OHIO SANITARY SEWER SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE DEBT SERVICE ON THE BONDS AND THE COSTS OF OPERATION AND MAINTENANCE THEREOF; PROVIDING NECESSARY FUNDS AND ACCOUNTS; AND AUTHORIZING OTHER DOCUMENTS RELATED THERETO

WHEREAS, the County wishes to acquire, construct, and improve the Chesterville, Ohio sanitary sewer system and related appurtenances thereto (collectively, the "Utility"), to landscape and improve the site thereof, and to acquire land and interests in land as necessary in connection therewith, and the Board has found it is advisable and necessary for the Utility to be acquired, constructed, and improved as set forth in the title of this Resolution; and

WHEREAS, it is now deemed necessary to issue and sell not to exceed \$900,000 of revenue bonds (the "Bonds") under authority of the general laws of the State of Ohio, including Chapter 133, Ohio Revised Code, and in particular Section 133.08 thereof, for the purpose of acquiring, constructing, and improving the Utility; and

WHEREAS, the Board finds all conditions precedent to the issuance and sale of the Bonds have been met;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MORROW, OHIO THAT:

Section 1. It is hereby declared necessary to issue the Bonds in the principal sum of not to exceed Nine Hundred Thousand Dollars (\$900,000), which bonds shall be designated "Morrow County, Ohio Sanitary Sewer System Revenue Bonds (Chesterville Sanitary Sewer System Project), Series 2016" for the purpose described in the title of this Resolution. The Board hereby finds and determines that when the acquisition, construction, and improvement of the Utility is completed, the Utility shall continue to be operated as a public utility, including all extensions and improvements thereto; that prior to the issuance of the Bonds, rates and charges for the services of the Utility and tap-in fees will be fixed in an amount sufficient to pay (a) the costs of operating and maintaining the Utility; (b) the principal and interest coming due on the Bonds and all other outstanding bonds payable from the Utility revenues, together with all costs necessary to comply with debt service reserve, replacement and improvement requirements and all other requirements provided herein; and (c) the costs of compliance with all other covenants provided for herein provided.

Section 2. The Board hereby declares that the remaining useful life of the assets comprising the Utility is not less than forty (40) years.

Section 3. The Bonds shall be issued in fully registered form of a single maturity without interest coupons and shall be dated the date delivered to the United States of America (the "Government"). The Bonds shall be in the denomination of \$1,000 or any multiple thereof. The Bonds shall be numbered as determined by the County Auditor of the County (the "Auditor"). The Bonds shall be negotiable instruments, and shall bear interest at the rate set forth in the Certificate of Fiscal Officer (as defined herein). The interest on said Bonds shall be calculated on a 365-day year, and

payable annually or semi-annually on such dates as shall be specified by the Auditor in the Certificate of Fiscal Officer, continuing until full payment of the principal amount of the Bonds has been made. The Bonds shall be scheduled to become due and payable in numerical order on such dates as are specified in the Certificate of Fiscal Officer. The Bonds shall express upon their faces the purpose of which they are issued and shall be signed by the Board President and by the Auditor of the County or shall be signed and sealed in such manner as may be required in such Resolution or by law applicable at the time of issuance of the respective Bonds; provided, that each such signature may be a facsimile signature.

Section 4. The Auditor is authorized and directed to prepare a Certificate of Fiscal Officer (the "Certificate of Fiscal Officer") which shall set forth the aggregate principal amount of the Bonds, the interest rate to be borne by the Bonds (not to exceed 3.00% per annum - to provide flexibility in case something unpredicted happens), the principal and interest payment dates (the "Interest Payment Dates"), the principal repayment schedule (provided that such schedule shall provide for substantially equal annual or semi-annual installments of principal and interest), the optional and mandatory sinking fund redemption provisions for the Bonds, if any, and such other terms, not inconsistent with this Resolution, as the Auditor shall deem appropriate.

Section 5. The Auditor is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds (the "Bond Registrar") or to execute on behalf of the Board a bond registrar agreement with such bank or other appropriate financial institution as shall be acceptable to the Auditor and the Government, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, bond registrar, transfer agent, and paying agent (collectively, the "Bond Registrar") for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Auditor in such officer's discretion shall determine that it would be in the best interest of the County for such functions to be performed by another party, the Auditor may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the County shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this section (the "Bond Register"). Subject to the provisions hereinabove, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The County and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business fifteen (15) days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

Section 6. In all cases in which Bonds are exchanged or transferred hereunder, the County shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this resolution. The exchange or transfer shall be without charge to the owner; except that the County and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Auditor

or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered upon that transfer or exchange.

Section 7. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Interest on the Bonds shall be payable by check or draft mailed to the registered holder or registered assigns at the address shown on the Bond Register, and the principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar; provided, that principal of and interest on Bonds registered in the name of the United States of America, shall be payable by check or draft at the regional office of the United States Department of Agriculture, Rural Development, Findlay, Ohio or such other office as shall be specified by the United States of America, Department of Agriculture, Rural Development, and all such payments shall be endorsed on the payment schedule of such Bond or Bonds by the appropriate officer of the Government.

Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (the "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. In addition to the redemption provisions for the Bonds to be set forth in the Certificate of Fiscal Officer, if all of the Bonds are held by the Government, all or any number of the bonds may be redeemed at any time in inverse numerical order, as the Auditor shall determine, provided that the portions of the Bond or Bonds so selected shall be in the amount of \$1,000 or any integral multiples thereof. Notice of redemption, specifying the numbers of such Bonds to be called, shall be published by the County once a week for two consecutive weeks in a newspaper of general circulation in the County the first publication to be not more than forty (40) nor less than thirty (30) days prior to the date of redemption, upon which date all interest upon the Bonds so called shall cease except for those as to which default shall be made, upon presentation, in the payment of the redemption price. Notice of redemption of Bonds shall also be mailed by certified mail to the registered holder hereof not less than thirty (30) days prior to the date of redemption. The Bonds shall be signed by the Board President and the Auditor of the County. Any authority, officer or board which hereafter succeeds, by operation of law, to the powers and duties of any such authority or of any such officer shall be deemed included in the applicable official designation while having such powers and duties.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at

the address shown in the Bond Register (as defined hereinabove) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

Section 9. The Auditor of the County shall be custodian of all funds and accounts belonging to or associated with the Utility and such funds and accounts shall be deposited in such bank as shall be selected by the Auditor, which bank shall be a member of the Federal Deposit Insurance Corporation. The Auditor is hereby directed to create the following funds and accounts into which the proceeds of the Bonds and the revenues and income from the Utility shall be deposited, which shall be established and maintained, except as otherwise provided, so long as any Bond hereby authorized remains unpaid.

A. The proceeds of the Bonds, except the premium and accrued interest thereon, are hereby allocated and appropriated, and shall be deposited into the a fund designated the "Bond Fund" and used, for the purpose of paying costs associated therewith. The premium and accrued interest, if any, received from the sale of the Bonds shall be transferred to the Bond Retirement Fund of the County to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law.

B. So long as any Bonds remain outstanding, all revenues from the operation of the Utility, as now constituted or hereafter improved or extended, shall be transferred to or deposited to a fund designated the "Utility Fund" which shall be maintained in the name of the County in a bank deposit account separate and distinct from all other funds of the County. Out of the Utility Fund the following payments only shall be made and in the following order, to wit:

FIRST. All reasonable and proper expenses of operating and maintaining the Utility and all its appurtenances, such expenses to exclude those of any other utility of the County, whether or not such other utility shall be operated as a single unit with the Utility, and to exclude depreciation and capital replacements.

SECOND. Monthly on the first (1st) day of each month into the Bond Fund, beginning on the first (1st) day of the month next following the date of delivery of the Bonds: (a) the equal monthly amount necessary to provide for payment of the interest due on the next ensuing interest payment date upon all Bonds outstanding; and (b) the equal monthly amount necessary to provide for payment of the next ensuing principal maturity of all Bonds outstanding.

THIRD. Monthly, as aforesaid, such sum, in addition to any of the foregoing allocations as may be necessary and available, after meeting the requirements of the preceding Paragraphs First and Second, to make up any previous deficiency in any such monthly allocation.

FOURTH. Monthly, as aforesaid, out of the balance of income and revenue after the allocations required by Paragraphs First through Third hereof have been made there shall be set aside and deposited in a separate account held by the County designated the "Utility Reserve Fund" an amount until there is accumulated in such fund a sum equal to the maximum annual payment of principal and interest on the Bonds (the "Reserve Amount"), which deposit shall (i) be made each month during a twelve (12) month period until an amount equal to 1/10 of the Reserve Amount has been met for such twelve (12) month period, and (ii) shall continue each month until the Reserve Amount has been met or for ten (10) years following the date of delivery of the Bonds, whichever is earlier, after which no further deposits need be made into said fund except to replace withdrawals approved by the Government. The Utility Reserve Fund shall be used and disbursed only with the prior written consent of the Government only for a purpose authorized by the Government or the purposes of paying the cost of repairing or replacing any damage to the Utility which may be caused by an unforeseen catastrophe, for making extensions or improvements to the Utility, and, when necessary, for the purpose of making payments of principal and interest on the Bonds if the amount in the Bond Fund is not sufficient to meet such payments. Whenever disbursements are made from said fund, monthly payments shall be resumed until there is again accumulated the Reserve Amount at which time payments may be again discontinued. The funds in the Utility Reserve Fund may be invested in obligations of the United States of America or in time or savings deposits. Any such investment will be a part of the Utility Reserve Fund.

FIFTH. Annually on January 1, beginning January 1, 2017, the revenues available in the Utility Fund at the end of the preceding calendar year, after making the payments required by Paragraphs First to Fourth hereof, and after reserving therein an amount sufficient to provide adequate working capital and to provide necessary accruals against the current requirements of Paragraphs Second to Fourth, shall be transferred to a fund designated the "Surplus Fund."

The Bond Fund shall be maintained in the custody of the County, and shall be used solely for the payment of the principal and interest of the outstanding Bonds and the Bonds, and to the extent provided in this Resolution, for the early redemption of Bonds. Until required for such purpose, moneys in the Bond Fund shall, when and as directed by the Auditor, be invested in direct obligations of the United States of America maturing not later than the interest and principal payment date next following such investment. If at any time there shall be sufficient moneys and investments in the Bond Fund to retire on the next available redemption date any outstanding Bonds, without thereby reducing the balance thereafter remaining in the Bond Fund below the amount which, on such call date, would be required by this Section to be on hand therein with respect to Bonds not to be retired, such moneys shall be used to accomplish such retirement.

The Surplus Fund shall be held in the custody of the County and shall, to the extent necessary, from time to time be transferred to the Bond Fund to permit the payment of all obligations payable from the Bond Fund, and otherwise may be used for any lawful Utility purpose, including without implied limitation, the retirement of debt service requirements on notes and bonds hereafter issued solely for improvements to the Utility. Until required or used for such purposes, moneys in the Surplus Fund may be invested in direct obligations of the United States of America maturing or redeemable by the holder in not more than five years from the date of investment.

Any Bonds purchased for cancellation shall be purchased at a price not exceeding their face amount or their fair market value.

Interest on any moneys or investments in each Fund or Account shall be credited to such Fund or Account.

The Auditor of the County shall be custodian of all funds belonging to or associated with the Utility and such funds shall be deposited in such bank selected by the Auditor, which bank shall be a member of the Federal Deposit Insurance Corporation. The Auditor shall execute a fidelity bond in an amount not less than the maximum annual payment of principal and interest on the Bonds. If the Government is the holder of any of the Bonds authorized hereby, the fidelity bond shall be with a surety company approved by the Government and the Government and the County shall be named as co-obligees in such bond and the amount thereof shall not be reduced without the prior written consent of the Government.

Section 10. The County shall have the right from time to time to issue Additional Bonds for the purpose of providing additional funds, if necessary, for the completion of the System, and otherwise for the purpose only of making replacements, extensions and improvements to the Utility, which Additional Bonds shall be payable from the Bond Fund and be secured by a lien upon the revenues of the Utility on a parity with the Bonds; provided, however, that when any such Additional Bonds are issued, the County shall have been furnished the following certificates:

- A. Certificate of Auditor and the legal officer of the County certifying that, to the best of their knowledge, the County is not, on the date of issuance of such Additional Bonds, in default in the performance of any of its covenants provided in this Resolution or in the Bonds; and
- B. Certificate of an independent engineer, showing either:
 - (i) That said Additional Bonds are necessary for completion of the Utility and will provide funds sufficient to effect such completion, or

- (ii) That said Additional Bonds are necessary to provide replacements, extensions or improvements to the Utility which are reasonably necessary for the proper and economical operation of the Utility or for meeting existing or prospective demands for its services, or both; and that the aggregate revenues for the Utility received during the fiscal year immediately preceding the issuance of such Additional Bonds aggregated an amount at least equal to one hundred twenty percent (120%) of the largest amount required to be paid into the Bond Fund in any succeeding year to meet interest and principal maturities of all Bonds to be outstanding immediately after the issuance of the Additional Bonds; provided, however, that this limitation shall not be applicable in the event it is necessary to issue Additional Bonds to complete the Project, and, further, this limitation may be waived or modified by ordinance of the Board and with the written consent of the holders of not less than seventy-five percent (75%) in the aggregate principal amount of outstanding Bonds (excluding Bonds held or owned by the County).

The proceeds of any sale of Additional Bonds shall be allocated in substantially the same manner as provided in this Resolution with respect to the Bonds and a bond fund or a construction fund for such proceeds shall be created in connection with each issue of Additional Bonds and shall be applied to the purpose set forth in the applicable certificate of the independent engineer to defray costs and expenses incidental thereto or incidental to the sale or issuance of the Additional Bonds.

Junior or subordinate bonds may be issued without limitation.

Section 11. The Bonds shall be payable solely from the net revenues and properties of the Utility and shall be secured only, but equally and ratably without priority of one over another by reason of number or of date of Bond, sale, execution or delivery, by the net revenues and properties of the Utility after provision for the reasonable operation and maintenance expenses of the Utility, and anything in this Resolution or in the Bonds to the contrary notwithstanding, neither the general resources of the County shall be required to be used, nor the general credit of the County pledged, for the performance of any duty under this Resolution or the Bonds, but any payment to be made this Resolution or the Bonds shall be made only from the properties and revenues of the Utility; provided, however, that if otherwise lawful, nothing herein shall be deemed to prohibit the County from using, of its own volition, any of its general resources for the fulfillment of any of the terms and conditions of this Resolution or the Bonds.

The rates and charges for all services and facilities rendered by the Utility shall be reasonable and just, taking into consideration the costs and value of said Utility and the cost of maintaining, repairing and operating the same and the amounts necessary for the retirement of the Bonds and there shall be charged such rates and charges as shall be adequate to meet the requirements of this Section and Section 9 hereof.

Subject to the provisions of Section 12 of this Resolution, the County hereby covenants with the holders of the Bonds (a) that it will at all times prescribe and charge such rates for the services of the Utility, and will so restrict operation and maintenance expenses of the Utility, as shall result in Utility revenues at least adequate, after meeting such operation and maintenance expenses to provide for (i) the payments required by this Resolution to be made into the Bond Fund or other special funds described herein; and (ii) proper improvement and replacement reserves; (b) that the County will segregate the revenues, funds and properties of the Utility from all other funds and properties of the County; (c) that the County will observe and perform all its agreements and obligations provided for by the Bonds or this Resolution. All of the obligations under this section are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the County within the meaning of Ohio Revised Code Section 2731.01.

Section 12. So long as the Bonds remain unpaid the County covenants and agrees as follows:

- A. It will comply with applicable State laws and the regulations and continually operate and maintain the Utility in good condition.
- B. No customer of the Utility, whether individual, corporation or municipality, shall receive free services or any services without being charged the rates prescribed in the rules and regulations of the Utility.
- C. It will maintain complete books and records relating to the operation of the Utility and its financial affairs and will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and will furnish the United States Department of Agriculture, Rural Development, so long as it is holder of any Bonds,

- without request, a copy of each audit report and will furnish any other holder of the Bonds a copy of such report upon written request. At all reasonable times the United States Department of Agriculture, Rural Development, so long as it is holder of any Bonds, shall have the right to inspect the system and the records, accounts, and data relating thereto.
- D. It will maintain such insurance coverage as may be required by the United States Department of Agriculture, Rural Development so long as it is holder of any Bonds.
- E. It will not borrow any money from any source or enter into any contract or agreement or incur any other liabilities, in connection with making extensions or improvements other than normal maintenance to the Utility, without obtaining the prior written consent of the United States Department of Agriculture, Rural Development so long as it is holder of any bonds, nor shall it transfer or use any portion of the revenues derived in the operation of the Utility for any purpose not herein specifically authorized.
- F. It will not dispose of or transfer its title to the Utility or any part thereof, including lands and interest in lands, by sale, mortgage, lease or other encumbrance.
- G. Except as otherwise specifically provided herein, so long as any Bonds are outstanding, no Additional Bonds or other obligations pledging any portion of the revenues of the Utility shall be incurred or issued by the County unless the same shall be junior and subordinate in all respects to the Bonds herein authorized.
- H. Prior to the beginning of each fiscal year the County will prepare an annual budget of the Utility for the ensuing fiscal year itemized on the basis of monthly requirements. A copy of such budget shall be mailed without request to the United States Department of Agriculture, Rural Development as long as the Government is holder of any Bonds and upon written request to any other holder of Bonds.
- I. The provisions of this resolution shall constitute a contract between the County and the holder of the Bonds and after the issuance of such Bonds this resolution shall not be repealed or amended in any respect which will adversely affect the rights and interests of the holders nor shall the Board adopt any law, ordinance or resolution in any way adversely affecting the rights of the holder so long as the Bonds or interest thereon remains unpaid.
- J. So long as the United States Department of Agriculture, Rural Development is holder of any of the Bonds if at any time it shall appear to said holder that the County is able to refund, upon call for redemption or with consent of said holder, the then outstanding Bonds held by it, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time, the County will, upon request of said holder, apply for and accept such loan in sufficient amount to repay said holder, and will take all such action as may be required in connection with such loans.
- K. If not already executed, the Board will execute contracts for acquisition of the Utility immediately after delivery of the Bonds and obtaining any requisite approvals pursuant to policies and procedures of the United States Department of Agriculture, Rural Development, will promptly thereafter consummate such acquisition and will request advances from the United States Department of Agriculture, Rural Development as needed to cover disbursements in accordance with policies and procedures of the United States Department of Agriculture, Rural Development, within a reasonable time.

Section 13. If there shall be default in the provisions of this Resolution or in the payment of principal or interest of any Bonds, upon the filing of a suit by any holder of a Bond any court having jurisdiction of the action may appoint a receiver to administer the Utility on behalf of the County with power to charge and collect rates sufficient to provide for the payment of the Bonds and for the payment of operating expenses, and to apply income and revenues in accordance with this resolution and laws of Ohio.

The County hereby agrees to transfer to any bona fide receiver or other subsequent operator of the Utility, pursuant to any valid court order in a proceeding brought to enforce collection or payment

of obligations of the County, all contracts and other rights of the County, conditionally, for such time only as such receiver or operator shall operate by authority of the Court.

Twenty-five percent (25%) of the holders of the Bonds in the event of default may require by mandatory injunction the raising of rates in a reasonable amount.

Section 14. The Bonds are hereby awarded and sold to the Government, pursuant to and under the terms and conditions of a Loan Resolution (the "Loan Resolution") between the County and the Government. As long as the Government is holder of any revenue bonds issued pursuant to this Resolution, this Resolution will be subject, to the extent permitted by and not in conflict with the Constitution and laws of the State of Ohio, to said Loan Resolution. The provisions of this Resolution are subject to the laws of the State of Ohio and to the present and, to the extent they are not inconsistent with the express provisions hereof, future regulations of the United States Department of Agriculture, Rural Development so long as it is holder of any of the Bonds.

Section 15. The County hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The County further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations"). The Auditor is authorized and directed to give an appropriate certificate on behalf of the County, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the County pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the County regarding compliance by the County with Sections 141 through 150 of the Code and the Regulations.

If the Government determines to sell the Bonds, the Board hereby covenants that it will use its best efforts to take all actions necessary to cause interest on the Bonds to be excluded from gross income for federal income tax purposes in accordance with the laws in effect at such time.

The Auditor of the County shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the County to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of Bond proceeds which may be invested on an unrestricted yield or requires the County to rebate arbitrage profits to the United States Department of the Treasury. The Auditor of the County is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

The Bonds are hereby designated by the County to be "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The Auditor or any other officer, including the Board President, having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the County, for inclusion in the transcript of proceedings, setting forth the representations, warranties and covenants of the County designed to assure that the Bonds will remain "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 16. The Clerk of the Board, any other officer having charge of the minutes of the Board, and any other officers of the Board or the County, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Government. Such transcript shall include certified copies of all proceedings and records of the Board relating to the power and authority of the County to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of the Board and a no-litigation certificate of not less than two of the County Commissioners and the Auditor, and such certified copies and certificates shall be deemed representations of the as to the facts stated therein.

Section 17. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed, and each section of this resolution and each subdivision of any section thereof is hereby declared to be independent and the

finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this resolution.

Section 18. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the County have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 19. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 20.

Mr. Leader seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: Mr. Leader "yea", Mr. Whiston "yea", Mr. Miller "yea"

Nays: _____

Passed: September 12, 2016

BOARD OF COUNTY COMMISSIONERS
COUNTY OF MORROW, OHIO

Attest: s/ Cheryl S. Heacock
Clerk

s/Dennis A. Leader
Commissioner

s/Tom E. Whiston
Commissioner

s/Richard J. Miller
Commissioner

Approved as to Form:

s/Charles S Howland
Prosecuting Attorney

**IN THE MATTER OF
APPROVAL OF LOAN RESOLUTION TO OBTAIN ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF ACQUIRING THE CHESTERVILLE WASTEWATER TREATMENT PLANT AND FOR CHAIRMAN RICHARD J MILLER TO SIGN: 16-R-574**

Mr. Leader made a motion to approve the following Loan Resolution to obtain assistance from the United States Department of Agriculture for the purpose of acquiring the Chesterville WasteWater Treatment Plant and for Chairman Richard J Miller to sign said resolution.

LOAN RESOLUTION
(Public Bodies)

A Resolution of the BOARD OF COUNTY COMMISSIONERS of the COUNTY OF MORROW, OHIO authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its WASTEWATER TREATMENT PLANT AND COLLECTION facility to serve an area lawfully within its jurisdiction to serve.

WHEREAS, it is necessary for the BOARD OF COUNTY COMMISSIONERS (public body) (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of NINE HUNDRED THOUSAND & 00/100 DOLLARS (\$900,000.00) pursuant to the provisions of SECTION 133.08 AND CHAPTER 6117 OF THE OHIO REVISED CODE; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.00.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service

and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be establish, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$0 under the terms offered by the Government; that the PRESIDENT, BOARD OF COUNTY COMMISSIONERS and CLERK, BOARD OF COUNTY COMMISSIONERS of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ...,Mr. Leader..., "yea" ...,Mr. Whiston..., "yea" ..., Mr. Miller..., "yea"

**IN THE MATTER OF
 APPROPRIATION OF UNAPPROPRIATED CERTIFIED MONIES – COMMUNITY
 SERVICE BUILDING FUND 172: 16-A-081**

Mr. Whiston made a motion to appropriate from the unappropriated certified monies to the following account:

172-172-26021	Repair/Maintenance	\$15,000.00
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Mr. Leader duly seconded this motion.

Roll Call Vote: ...,Mr. Leader..., "yea" ...,Mr. Whiston..., "yea" ..., Mr. Miller..., "yea"

**IN THE MATTER OF
SUPPLEMENTAL APPROPRIATION – ECONOMIC DEVELOPMENT FUND 141: 16-A-082**

WHEREAS, an amended official certificate of estimated resources was received by the Morrow County Commissioners, from the Morrow County Budget Commission, in the amount of \$83,000.00;

THEREFORE, a motion was made by Mr. Whiston to approve the amended official certificate of estimated resources and appropriate from the amended certificate to the following accounts.

141-014-29028	Private Owner Rehab	\$83,000.00
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Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF
SUPPLEMENTAL APPROPRIATION – ECONOMIC DEVELOPMENT FUND 42: 16-A-083**

WHEREAS, an amended official certificate of estimated resources was received by the Morrow County Commissioners, from the Morrow County Budget Commission, in the amount of \$176,000.00;

THEREFORE, a motion was made by Mr. Leader to approve the amended official certificate of estimated resources and appropriate from the amended certificate to the following accounts.

042-015-26013	Contract Services	\$148,000.00
042-015-29027	Administration	\$ 24,700.00
042-015-26029	Fair Housing	\$ 3,300.00

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF
SUPPLEMENTAL APPROPRIATION – INMATE MEDICAL FUND 224: 16-A-084**

WHEREAS, an amended official certificate of estimated resources was received by the Morrow County Commissioners, from the Morrow County Budget Commission, in the amount of \$15,500.00;

THEREFORE, a motion was made by Mr. Whiston to approve the amended official certificate of estimated resources and appropriate from the amended certificate to the following accounts.

224-224-00002	Jail Medical	\$15,500.00
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Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF
SUPPLEMENTAL APPROPRIATION – PROSECUTOR DRETAC FUND 417: 16-A-085**

WHEREAS, an amended official certificate of estimated resources was received by the Morrow County Commissioners, from the Morrow County Budget Commission, in the amount of \$8,000.00;

THEREFORE, a motion was made by Mr. Leader to approve the amended official certificate of estimated resources and appropriate from the amended certificate to the following accounts.

417-02-00005	Medicare	\$ 72.00
417-02-01099	Salaries	\$5,200.00
417-02-29099	Other Expenses	\$2,000.00
417-02-29100	PERS	\$ 728.00

Mr. Miller duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller..., "yea"

IN THE MATTER OF **Mr. Miller moved to table this item**
APPOINTMENT TO THE WATER AND SEWER REVOLVING **Mr. Leader seconded**
LOAN FUND (WSRLF): 16-R-

IN THE MATTER OF
APPROVAL TO SELL/DISPOSE OF UNNEEDED OBSOLETE OR UNFIT
MOTOR VEHICLES: 16-R-575

WHEREAS, pursuant to O.R.C. 307.12 (B) the Board of County Commissioners finds, by resolution, that the County has personal property, including motor vehicles acquired for the use of county officers and departments, and road machinery, equipment, tools, or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and when the fair market value of the property to be sold or donated under this division is, in the opinion of the board, two thousand five hundred dollars or less, the board may sell the property by private sale, without advertisement or public notification; and

THEREFORE, Mr. Whiston made a motion to sell, by sealed bids, the following vehicles and to post notice to sell said vehicles on the Morrow County Website. Bids will be received by the Board of Commissioners until September 26, 2016 at 10:00 a.m. The Board of Commissioners reserve the right to reject or accept any or all bids. All vehicles are sold "AS IS" with no warranty, either written or implied. The successful bidder will have 30 days to pay for any vehicle they acquire and the vehicle will not be released until payment is made. Vehicles can be viewed at 4565 County Road 9 (JFS Service Garage) Cardington, Ohio, between the hours of 8:00 a.m. and 12 Noon, Monday through Thursday. Contact Ken Collins, 419-946-2615 at the garage.

VEHICLE #1

2005 Ford Crown Victoria
Vin# 2FAFP71W45X133716
Mileage 102,247
Condition: poor

VEHICLE #2

2006 Chevrolet Uplander Van
Vin# 1GBDV13LX6D222940
Mileage 207,856
Condition: very rusty, unsafe to transport clients

VEHICLE# 3

2000 Cadillac Deville 4D
Vin# 1G6KF5795YU300858
Mileage 126,285
Condition: engine shot, body good

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller..., "yea"

IN THE MATTER OF
APPROVAL OF CHANGE ORDER WITH WINDOW WORLD TO REPLACE
WINDOWS AT THE MORROW COUNTY PROSECUTOR'S OFFICE AND FOR
CHAIRMAN RICHARD J MILLER TO SIGN PAPERWORK: 16-R-576

WHEREAS, on June 20, 2016, the Morrow County Commissioner's approved the estimate from Window World for \$15,713.00; and

WHEREAS, the Morrow County Commissioner's paid a 50% deposit of \$7,856.00 on June 22, 2016, leaving a balance due on completion of \$7,857.00; and

WHEREAS, it was discovered the need to replace 18 rotten sills in the amount of \$990.00, therefore bringing the total cost owed on completion of \$8,847.00.

THEREFORE, Mr. Leader made a motion to approve the change to the estimate in the amount of \$990.00 due to the rotten sills and to process payment for the \$8,847.00 due to Window World.

Mr. Miller duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller.., "yea"

**IN THE MATTER OF
APPROVAL TO ADVERTISE NOTICE FOR PUBLIC HEARING CONCERNING
A REZONE/MAP AMENDMENT REQUEST: 16-R-577**

WHEREAS, the Morrow County Zoning Commission held a public hearing on August 15, 2016 to hear the application, case ZA16-001 from Mary Eckard/Angel's Home Care for a zoning map amendment to rezone parcel G19-001-00-222-05 from Agricultural (A-1) to Commercial (C-1), property located at 4440 State Route 61, Gilead Township; and

WHEREAS, the proposed amendments are available for viewing at the Morrow County Commissioner's office, Monday through Friday, 7:30 a.m. – 4:00 p.m.

THEREFORE, Mr. Leader made a motion to hold a public hearing on September 28, 2016, at 10:00 a.m. as required by law, and to advertise a public notice on the Morrow County website and the Morrow County Sentinel on September 14, 2016.

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller.., "yea"

There being no further matters to bring before the board, a motion to adjourn was made by Mr. Miller and duly seconded by Mr. Leader.

Roll Call Vote: ..,Mr. Leader..., "yea" ..,Mr. Whiston..., "yea" .., Mr. Miller.., "yea"

We hereby certify the foregoing to be true and correct.

CHAIRMAN

CLERK

ASSISTANT CLERK

MORROW COUNTY COMMISSIONERS