

November 25 2020

The Board of Commissioners of Lorain County, Ohio met this day in a regular meeting at 9:30 a.m. by doing a Zoom Platform with Live Streaming with Commissioner Lori Kokoski, President being at home, Commissioner Sharon Sweda, Vice-President being at home, Commissioner Matt Lundy, Member being at home, County Administrator James R. Cordes being at home and Theresa L. Upton, Clerk and Prosecutor Gerald A. Innes being in their county offices.

NOTICE: COMMISSIONERS MEETINGS ARE CLOSED TO THE PUBLIC DUE TO THE COVID-19 PANDEMIC. THE COMMISSIONERS WILL BE DOING A ZOOM PLATFORM WITH LIVE STREAMING THE BOARD MEETING AT [LorainCounty.us/watch](http://LorainCounty.us/watch) AND <https://www.facebook.com/LCGov>

JOURNAL ENTRY

Commissioners said the Pledge of Allegiance.

Commissioner Lundy gave an inspirational word

The following business was transacted

**A.**

**DOGS AT KENNEL**

Dog Warden Pihlblad was not presented today but we showed 6 dogs that are available for adoption.

**B.**

**PROCLAMATION**

Commissioner Kokoski wished Linda Blanchette who is retiring November 30, 2020 from Community Development after 18 years of service. The Commissioners wish her a happy retirement.

**C.**

**PRESENTATIONS**

JOURNAL ENTRY

9:33 a.m. - Don Romancak, Director – LCCDD small business grant program 6th round of awards utilizing CARES funding Mr. Romancak said today is the 6th round of grants to be awarded and will continue with application along with marketing through county web page, county and affiliated department Facebook posts, growth partnership partners, economic development partners, main

street/downtown organizations, advertisements and COVID survey participant follow ups.

- Applications Received
  - As of yesterday – 194
  - 12 since Wednesday
  - Women Owned Businesses – 93
  - Minority Owned Businesses – 46
  - M/W Owned Businesses – 32
  - Sample of Business Types
    - Primarily service orientated
    - Day Care/Adult Care
    - Salons and Spas
    - Entertainment
    - Health and fitness
    - Not For Profits
    - Restaurants
  - Extended - \$168,700 Remaining
  - 13 Grants under \$5,000 have been made
  - 3 Applications under review
  - Easy to fill out – 25 to 35 minutes to complete
  - 8 Grants ready for approval - \$40,000
  - Next Week – November 25 – Additional Grants to be announced
  - \$118,700 Remaining
  - 3 under review
  - Have enough to fund 22 additional applications
  - Checks will be forthcoming after Board announces from Lorain County Port Authority

Commissioner Lundy said he would have thought more restaurants would have applied due to these uncertain times. He asked Mr. Romancak to follow up with the Restaurant Association, Visit Lorain County. Mr. Romancak said thank you and he knows that the restaurant applications were coming in slow but have received about 1/3 and many did receive PPE therefore that is why there are not many apps.

Commissioner Sweda said yes many did receive PPE, Commissioner Lundy said he knows that the Chamber is helping with Avon Lake business

Following resolution was adopted:



## JOURNAL ENTRY

9:48 a.m. - Greg Wiley – APL

Mr. Wiley said they have a good partnership with FIDO's and do the spay/neuter at facility and have lost funding due to non-fundraising. He took over 10 years ago and has helped over 5,000 animals and thanked the community for always supporting the APL as well as the Commissioners, they have over 20,00 hours of volunteer's hours. There is a staff of 15 and the 2<sup>nd</sup> largest APL in Northeast Ohio with ½ the staff of the others. They also partner with Genesis House to help with the animals from a domestic situation until they are able to get help for themselves as well as some families that are in hospitals, etc.

Commissioner Kokoski said APL is amazing with the dogs and welfare and helping with the kennel. Commissioner Sweda thanked him for saving all the animals

Commissioner Kokoski would support and recommend payment to APL in amount of \$75,000. Mr. Wiley thanked the Commissioners and all their support.

Following resolution was adopted:

## RESOLUTION NO. 20-730

In the matter of authorizing payment to Friendship APL )  
to assist the organization during the pandemic in amount )  
of \$75,000.00 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Friendship APL to assist the organization during the pandemic in amount of \$75,000.00

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

\_\_\_\_\_ (discussion was held on the above)

## JOURNAL ENTRY

9:59 a.m. - Stephanie Wiersma, Health Dentistry

Ms. Weirsma said for 18 years Health & Density has been providing healthcare services to the community and served 15,200 patients last year over 51,000 times. In March when Governor issued a stay at home they closed the dentistry on March 18 and did not reopen until April 30 but there was 1 dentist on call for emergencies. We try very hard to keep the virus out and keep patients safe did a lot of telehealth for the first time and about 30% of the patients adopted for this service. They laid off about 45 staff and closed temporary sites. The National Guard helped with local testing at 5 community events and did curbside test at Broadway in early June. There were 300 people tested. She is thankful for the Broadway Building opening up which was purchased in March and it was a relief because they were able to have nurses out there for testing. She said they work very closely with Ohio Department of Health and Mr. Covell, Health District on the covid vaccine and vision to do a drive through there. She said she is very proud of her team and locations they have in the county to serve the community.

Commissioner Sweda thanked her and the health care community has been challenging and provide the services is remarkable

Commissioner Kokoski said the residents are being served

Commissioner Lundy thanked Ms. Wiersma and the organization does amazing work, big demand and many people work multiple jobs and still have no insurance and Lorain County is truly blessed with the many services that are provided to the community.,

Commissioner Sweda would support and recommend payment to Lorain County Health & Dentistry in amount of \$150,000. Ms. Wiersma thanked the Commissioner you are truly amazing and this will truly help the community.

Following resolution was adopted:

## RESOLUTION NO. 20-731

In the matter of authorizing payment to Lorain County )  
Health and Dentistry to assist the organization during )  
the pandemic in amount of \$150,000.00 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Lorain County Health and Dentistry to assist the organization during the pandemic in amount of \$150,000.00

Motion by Sweda, seconded by Kokoski to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Sweda , Kokoski & Lundy / Nays: None

Motion carried.

\_\_\_\_\_ (discussion was held on the above)

## JOURNAL ENTRY

10:12 a.m. - Roger Dorsey - Good Knights

Mr. Dorsey said they are still building and delivering during covid all children need beds, they are just doing it a little bit more distanced but covid has affected the cost of lumber. They have partnered with multi fab to do a metal side rail because many of the beds are transient and this way they can be taken a part and moved. Their goal is to provide 100 beds/month so that is like 1200-1500 beds and there are around 6-9000 kids in this county that do not have a proper bed to lay in. He said Wellington had done a bed drive for them as well as churches for bedding. Since he was talked to the Commissioners about a month ago or so, they have delivered 50 more beds. There have been 75 beds requested from JFS Kinship and also Cleveland Clinic as well as other community organizations are doing bedding drives. They have also partnered with CK buddies to provide a teddy bear to every child that receives a bed ages 9 and under as well as a blanket. He said each bed cost \$15-250 and thanked the Commissioners for their support in his passion and awareness

Commissioner Sweda said she has helped build and delivery there is a job for all ages if you would like to volunteer and just to see the kids smiles when they receive their bed is a true blessing

Commissioner Lundy said this is good to see and appreciate you doing god's work and all the poverty here and lots live paycheck to paycheck and no kids should be without a proper bed.

Commissioner Kokoski said it is truly amazing all the wonderful things that people do for each other in this county and the teddy bear is a nice touch what about a night light. Mr. Dorsey said they also partner with Duracell, Medina to provide batteries because a lot of times walking into these homes the beeping is going off in their smoke alarms. They are also looking to partner with Veterans Service Commission to provide beds for the homeless vets. He tries to do everything possible because no kids or vets should be without

Commissioner Sweda would support and recommend payment to Good Knights in amount of \$30,000. Mr. Dorsey thanked the Commissioners for their support and this is a blessing for the kids to stay off the floor and in a bed by Christmas.

Following resolution was adopted:

## RESOLUTION NO. 20-732

In the matter of authorizing payment to Good Knights )  
 Of Lorain County to assist the organization during the )  
 pandemic in amount of \$30,000.00 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Good Knights of Lorain County to assist the organization during the pandemic in amount of \$30,000.00

Motion by Sweda, seconded by Kokoski to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Sweda ,  
 Kokoski & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_(discussion was held on the above)

## JOURNAL ENTRY

10:26 a.m. - Donna Humphrey and Sr Berigan - Blessing House

Sister Berigan said they provide for children on emergency basis and the center is staffed with retired teachers and provide for safety support so they can stay together and not become part of the system. They can care for 10 children to the age of 12 but it has been challenging with covid and numbers have been reduced so everyone is kept safe. They also do wellness check giving out food baskets, cleaning supplies and kid activities. They will soon have a new building behind St. Vincent DePaul, bought it from the and will be able to care of up to 28 children all on 1 floor with open space and 2 separate areas for little children development needs working with early intervention and 2<sup>nd</sup> space would be for the older kids. They also provide services for the parents with assistance, substance/mental issues.

Ms. Humphrey, they provide emergency services 24/7 and work with children services. She also said not sure what the future will hold because covid has isolated a lot of people and homelessness is a big problem lots of people are facing eviction and utilities shut off the shelters are full and vouchers have all be used up for the hotels.

Sr. Berigan said the building should be opened in February and will have a grand opening in April month of Child Abuse

Commissioner Kokoski thanked them and said you are truly doing god's work

Commissioner Sweda said it was an exciting day when the ground was broken for the new building and can't wait to see completion

Commissioner Lundy said it is great work you're are the brother's keeper and glad we are able to help.

Commissioner Sweda would support and recommend payment to Blessing House in amount of \$150,000. Ms. Humphrey and Sr. Berigan thanked the Commissioners and said that was a blessing.

Following resolution was adopted:

## RESOLUTION NO. 20-733

In the matter of authorizing payment to Blessing House )  
 to assist the organization during the pandemic in amount) November 25, 2020  
 of \$150,000.00 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Blessing House to assist the organization during the pandemic in amount of \$150,000.00

Motion by Sweda, seconded by Kokoski to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Sweda ,  
 Kokoski & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_(discussion was held on the above)

## JOURNAL ENTRY

10:40 a.m. - Victor Leandry - El Centro

Mr. Leandry thanked the Commissioners for allowing him to be here today and listening to all the great service agencies thus far in the county is truly a blessing. He said El Centro provides for 1000 families and also provide English classes and home buying. When the Governor asked for a stay a home order they were already figuring out how to deliver the services. They did receive \$150,000 from the City of Lorain to provide assistance to Lorain City residents for their rent/mortgages but are a lot of restrictions and there are over 300 people on the waiting list plus many outside the city limits that have requested. They had just hired someone to strictly handle this issue.

Commissioner Kokoski said help is needed all over the county.

Commissioner Lundy thanked Mr. Leandry for all their organization does and help all the people and to not have people live in the streets or in their cars

Commissioner Sweda said the county is here to help all. Mr. Leandry said they have been calling the people that have received eviction notices and then called the landlord to make sure if the residents receive this money that the tenants are good and they are able to stay in their homes. Commissioner Lundy said that is good to know

Commissioner Lundy would support and recommend payment to El Centro in amount of \$500,000. Mr. Leandry said thank you, we can help many county residents with rent/mortgage and utilities.

Following resolution was adopted:

## RESOLUTION NO. 20-734

In the matter of authorizing payment to El Centro to assist )  
 the organization during the pandemic in amount \$500,000.00) November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to El Centro to assist the organization during the pandemic in amount of \$500,000.00

Motion by Lundy, seconded by Kokoski to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Lundy,  
 Kokoski & Sweda / Nays: None  
 Motion carried. \_\_\_\_\_(discussion was held on the above)

## JOURNAL ENTRY

10:51 a.m. - Jackie Boehnlein - Community Action

Ms. Boehnlein said it has been a challenging year like the rest of the community services agencies and altered their way of providing the services that are needed. They had received cdbg funds for rent and water, they also have 34 food pantries and expanded their coat distribution almost 600 coats have been requested. It is a drive through this year and residents were to put a size bigger just to make sure the child is able to fit it in, because they could not try on this year. Also received a home relief grant because they have \$1.1 million to be expended through end of the year and they are busy trying to get all services provided with 200 applications just for rent, 200 applications for water and will reopen applications back up in February. There are guidelines you have to be 200% poverty level and have paid an average of \$2900 to get people out of the eviction process with 13 still in que. She knows that there is over \$3 million owed to landlords and eventually they need to be paid and there are about 31,000 rental units in the county and census estimated 25% renters are unlikely to pay. The utilities are also a big issue especially water and have not seen mass shut off yet but as well as all utility companies they have to be paid too.

Commissioner Kokoski said all utilities are paid. Ms. Boehnlein said gas yes and also have the HEAP program which is 175% poverty with a budget plan

Commissioner Lundy said utilities are needed and heard that City is ½ million are delinquent.

Commissioner Lundy would support and recommend payment to Community Action in amount of \$500,000. Ms. Boehnlein thanked the commissioners and this will help out tremendously with housing and utility assistance.

Following resolution was adopted:

## RESOLUTION NO. 20-735

In the matter of authorizing payment to Lorain County )  
Community Action Agency to assist the organization ) November 25, 2020  
during the pandemic in amount of \$500,000.00 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Lorain County Community Action Agency to assist the organization during the pandemic in amount of \$500,000.00

Motion by Lundy, seconded by Kokoski to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Lundy, Kokoski & Sweda / Nays: None

Motion carried. \_\_\_\_\_(discussion was held on the above)

## JOURNAL ENTRY

11:00 a.m. - Alicia Foss - Neighborhood Alliance

Ms. Foss said they have been opened other than the childcare had to be closed and the senior centers due to covid and distancing. They always have waiting list do to the demand that need services and they are doing their best. Homelessness is an issue; the shelters are full as well as hotels and there is just not enough affordable housing. They have also had a demand on meal deliveries. They also work closely with United Way and received some funding for the water, utility and rent assistance as well as pet food. Since last March have provide over 560 people with meals and received 4 new vehicles changed routes in order to provide for meal services with 11 routes/day week. In August served 5023 people and last March it was 318 and since the unemployment has diminished there is a fluctuation in services needed and there is always a waiting list for meals. They do about 450-500 well checks/week.

Commissioner Sweda said her and Kokoski visited them about a year ago and this agency does great work and meals are defiantly needed. Commissioner Lundy said a lot of people are blessed and many peple struggle day to day, they have anxiety, seniors are home bound and it is always nice when someone visits when you do a food deliver or check.

Commissioner Lundy would support and recommend payment to Neighborhood Alliance in amount of \$250,000. Ms. Foss thanked the Commissioners and said this is a blessing to our county residents.

Following resolution was adopted:

## RESOLUTION NO. 20-736

In the matter of authorizing payment to Neighborhood )  
Alliance to assist the organization during the pandemic ) November 25, 2020  
in amount of \$250,000.00 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment to Neighborhood Alliance to assist the organization during the pandemic in amount of \$250,000.00

Motion by Lundy, seconded by Kokoski adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Lundy, Kokoski, & Sweda / Nays: None

Motion carried. \_\_\_\_\_(discussion was held on the above)

## JOURNAL ENTRY

Commissioner Kokoski thanked everyone for coming today, you are all a true blessing in this county and have big hearts.

\_\_\_\_\_

**D.****HEARING****November 25, 2020**

11:15 a.m. - Continued Vacation hearing - paper streets known as Arlington Road and Bellaire Road along with undeveloped section of existing Dellwood Road, Grafton Twp.

Assistant County Prosecutor Innes swore anyone in wishing to give testimony.

Commissioner Kokoski asked Innes if he had conversation with Attorney Breunig and was there a resolution. Mr. Innes said he has come to a conclusion that this is proceeding as a petition from landowners that puts us under section 5503.042, and Erik sent a letter and he would like to make further presentation as well as his client's testimony. Commissioner Kokoski said residents brought this forward so this would require to finish this today, Mr. Innes said no.

Commissioner Kokoski asked if Attorney Breunig if he would like to discuss anything.

Attorney Breunig said good morning, and not to disagree with Jerry and off the record he would tend to agree but his concern that if we happen to be wrong with any reasons either Jerry or him giving advise that this petition landowners but court determined it was a petition by the trustees than if we don't meet the time limits than he has serious problems with his representation. He does not want to be contrary to Jerry he does not necessary disagree with him however, for the sake of protecting his clients from a time running standpoint there is some confusion and think that Jerry would agree. The law on this particular area is sparse and fairly unclear and he said as much last week and he tends to agree with him, so again, and not his intention to push the commissioners in to making a decision prematurely but he does not now how much choice he has in the matter under the statue and for the sake of falsely representing his clients and he thinks the commissioners understand that and he appreciates that understanding. That said, and respectfully for the record he will disagree with Jerry and this be a petition by the trustees just for purposes of the timeline. Mr. Breunig thinks and does not know if Jerry agrees but he thinks this is the major difference between the two methods of determination here and when the commissioners have to make a decision and substantially everything else is pretty similarly. Assistant prosecutor Innes said he would agree with that.

Attorney Breunig said ok and this is the reasons he is urging a decision today just so we don't blow any timelines in the event if the court would disagree with them on appeal from any parties.

Attorney Breunig said with this said he would leave it to the Commissioners to determine how you would like to proceed and would like to for the sake in preserving the record get a few questions and answers on the record rom his clients and can do that now or at a later time if the proponents want to add anything and the commissioners are inclined to hear it.

Commissioner Kokoski said just go ahead with your questions Erik

Attorney Breunig asked Denny Reasar to come up to the podium

Clerk Upton please state your name and address fully stated for the record, thank you

Dennis Reasar, 36393 Grafton Road.

Attorney Breunig asked if he could begin. Commissioners said yes

Attorney Breunig said good morning Denny, can you, you gave your address is that your residence. Denny said yes

Attorney Breunig asked him how long he lived there. Denny said bought the property on June 19 2020

Attorney Breunig said you own that property, Denny said yes

Attorney Breunig said when did you become interesting in purchasing that property initially. Denny said probably in the spring he was approached by previous owners and what took a little while to negotiate what we agreed to so probably March or April 2020.

Attorney Breunig said what attracted you to this property initially. Denny said obviously the size of the property and the possibilities that there is a future with the roads in the back with the paper roads that Dellwood runs into his property was a big factor.

Attorney Breunig asked how big is his property. Denny said 38.23 acres, just over 38 acres

Attorney Breunig said he is sure the commissioners have the maps and if you were to describe your property in relation to Dellwood Road. Denny said it would be west of Dellwood Road basically drive into their section of their property which is a field of probably 12 – 15 acres roughly.

Attorney Breunig asked where the house there is a house on the property, correct you live there. Denny said there is a house on the property and existing house they bought was an existing old farmhouse that was added to just under 2500 square feet it was a house that had some improvements but still needed work

Attorney Breunig said what was your purchase price for the property. Denny said \$600,000

Attorney Breunig asked if there was a negotiation process to get there. Denny said yes

Attorney Breunig said what factors did you take into account when making your offers and finally settling on \$600,000. Denny said the one was the value of the property and potential had with the paper street that ran in the back of it. Second was the acreage it does not take a math wise to figure out that the house was not worth \$600,000

Attorney Breunig said why do you think your house is not worth \$600,000. Denny said he is not a real estate appraisal but there are a lot of factors, the square footage, the age of the house, the date the house was built, how the house is set up, there are lots and lots of factors.

Attorney Breunig said are there a lot of updates that need to be done to your house, Denny said correct

Attorney Breunig asked what potentially would you have doing with the remaining acreage on the property, have you had discussion about that. Denny said he did he consultant an attorney, obviously you before purchasing that and also consulted the county map department he did his homework as to what a paper street was, did homework as to what possibilities are there, obviously sought legal representation in counsel in regards to what rights he has and what opportunities are afforded if he went through with the purchase.

Attorney Breunig asked if it is fair to say that he relied on the existing records and on the advice of the county and from his attorney when you negotiated this purchase, Denny said yes

Attorney Breunig when he said relied on, you look at the map the way it was and had the potential of connecting the back of your property to that paper street, is that correct. Denny said yes

Attorney Breunig asked him what he does for a living. Denny said he owns a local contracting, construction company

Attorney Breunig asked him if he knew what it took to build a road or a drive, Denny said yes

Attorney Breunig asked if he had the equipment and ability to do that, Denny said yes

Attorney Breunig did you factor that into your decision when you bought this property, Denny said yes

Attorney Breunig said without this Dellwood potential connection, do you think you would have purchased the property. Denny said no

Attorney Breunig said than that was a heavily weighted factor in your decision. Denny said yes, he consulted legal counsel and stopped at the county

Attorney Breunig asked if he thinks this is a unique piece of property and develop circumstances associated with it. Denny said yes, he means obviously yes

Attorney Breunig said this is all he has for Denny, thank you unless the Commissioners or anyone else has any questions for you and leave it to them

Commissioner Lundy said he would like to ask because he feels he got conflicting information. He thought there was some indication at the last meeting that there was no and maybe the key phase was no immediate plans to develop this property back there.

Attorney Breunig said to Denny when they talked about this property and he is asking him to breach some privilege because you and him had discussion on this so but when they talked about this they mostly talked about potential development, correctly, Denny said yes.

Attorney Breunig said let's address the commissioner's question directly. Do you have any immediate plans to develop that property beyond the house you have on it now, Denny said immediately no.

Attorney Breunig asked if he purchased this with idea that at some point you may change those plans and do something, Denny said yes

Attorney Breunig said could this involve just a simple lot split and building an additional house on the back acreage, Denny said yes

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Attorney Breunig could that potential involve more, Denny said yes

Attorney Breunig if you did any of this would it be immediate or in the next couple of years, Denny said immediate and the next couple of years are two different things to him. He said he has no current immediate plans submitted with Grafton Township, County or any other organizations.

Attorney Breunig said one of the things you told him in their discussions entering into this purchase agreement back in May and June was that you would be potentially your dream house on the back acreage and split off the front. Denny said it was a possibility, yes what they discussed.

Attorney Breunig said is this still a possibility, Denny said yes

Attorney Breunig said we are not necessarily talking about some huge development are we, Denny said not necessarily no

Attorney Breunig said we closed on this property June of 2020, correct, Denny said correct

Attorney Breunig said we got notice, you received notice of this petition in October is that right, Denny said yes

Attorney Breunig said these streets were platted out and there is evidence previously these streets were platted out in the 1920's are you aware of that, Denny said yes

Attorney Breunig said does the timing seem a little suspicious to you, Denny said yes, quiet, very suspicious

Attorney Breunig said but you don't necessarily have immediate plans and want to reiterate that for the record, correct, Denny said no

Attorney Breunig said he hopes this answers the Commissioners questions and what we are talking about and mentioned it in arguments last week and want to let you know and not asking questions just summarizing there are no necessarily immediate plans but one of the things they are talking about today is a stick in the proverbial bundle of real estate rights. The Reasars have testified they bought the property with the idea there would be more down the pike, not necessarily be but what we are talking about is having a potential situation taken away from them when they just bought this property in June.

Commissioner Lundy said if the decision does not go your way you have indicated there would be forthcoming legal action you would be seeking compensation, correct. Attorney Breunig said that is part of this Commissioner and that is one of the reasons he asked Denny on the record would you have purchased this property if this potential possibility of developing and developing does not necessarily mean 100 houses or something like that to him, development could mean something simple building a residence they bought this and he can say this because he worked with them and counseled them during the purchasing process and bought this with the idea they would temporary reside in the old farmhouse there and build a future residence on there and maybe split off the front parcel and recoup some of those costs, so this was really the idea when they did this. He said cutting off that road, that changes the whole dynamic, changes the negotiations and just paid \$600,000 for this back in June and all of a sudden, they are getting the rug pulled out from them. So he thinks this is compensable and think this is the 14<sup>th</sup> amendment issue and sent to Jerry a letter with case law arguments indicating that this would amount to a regulatory taking absent compensation.

Commissioner Lundy said he understood, Attorney Breunig said thank you. Commissioner Kokoski said thank you

Assistant Prosecutor Innes to Mr. Reasar and ask a couple questions. Do you have any knowledge and don't know if you read your attorney's letter but if he is reading it right, Mr. Breunig is suggesting that this road has not been established so it is premature to evoke the 7 year non use statute, do you have any knowledge or information that this, and think you were at the hearing last week when engineer said he was not aware of this every being accepted by the commissioners. Do you have any knowledge or information that this has ever been accepted for dedication. Mr. Reasar said no. Attorney Innes said ok and when you say you talked to the county people did anybody tell you that it had been dedicated. Mr. Reasar said when he reached out to the county he spoke directly to the maps department and tried to get clarification on what they deem a paper road is and what it is actually considered from their perspective and be lying to tell you if he knew exact name of the person he spoke with but they explained to him and said this road is on paper but not physical there, however there is nothing that says it could not be dedicated or built or accepted obviously there is a process to go through for that and that is what he understood after speaking with them. Attorney Innes said ok, thank you.

Attorney Breunig said his letter that he gave to Mr. Innes he was trying and maybe did not do this very well trying to flush out the difference between platting and incorporating a right of way and opening up a street. So what you are looking at there is his arguments, the 7 year statute of limitations so to speak does not apply because there was never an order by the commissioners opening up the road. There is a difference between dedicating on the plat and his reading of that is more of a can to dedicating a right of way so Denny could if he wanted to could establish a road on that because a right of way has been reserved for that purpose but the actually order of opening that or requiring to open has not been issued by the commissioners. So really, his argument there was just for purposes of that specific statue and taking the mandatory language out of it hopefully that clarifies it somewhat, Mr. Innes said ok

Commissioner Sweda asked Mr. Reasar after the purchase of the property have any of the neighbors come spoke to him about it at all, was there any conversations, Mr. Reasar said no, not one neighbor approached him and only 1 person Paul Kistner who came to him after the letter was received notifying that the petition was filed. There has been no time any neighbors anywhere approached him or asked him any questions whatsoever. Commissioner Sweda thanked him

Attorney Breunig said Denny, Paul Kistner just for the record commissioners Paul Kistner is one of the other owners that own a bunch of the platted undeveloped lots, correct Denny. Denny said yes

Commissioner Lundy said so we are all on the same page, where we left it was there is no official dedication of the streets and never been acceptance of the streets, is that where we are at today. Attorney Breunig said he would submit that the road has been dedicated in the sense of dedicated right of way but not a build upon street at this point. He thinks this is an important distinction because that right of way is what we are talking about vacating in his opinion. Commissioner Lundy said it has never been official accepted. Attorney Breunig said it has not been accepted as built upon road that the county or township would be responsible or maintenance on. Commissioner Kokoski said it has to be built. Attorney Breunig said he does not believe it has to be built for a dedicated right of way. Right of way meaning it is more of kin to an easement, Commissioner Kokoski said right. Attorney Breunig said government entities reserves the right to build upon that and believes that is what we are talking about vacation of. As far as a build upon road he does not think the responsibility for maintenance would occur until that happens and until the build road be dedicated again, does that make any sense. He said it barely makes sense to him so he understands if it doesn't

Commissioner Lundy said as Jerry being our legal counsel do you have another view on that or see it the same way. Mr. Innes said what he is saying is if it is dedicated as a right of way on the plat it is not been accepted as a dedicated road. Commissioner Lundy said ok. Mr. Innes said it is a legal nuance that is tough to understand, Commissioner Lundy said clear as mud. Mr. Breunig said unfortunately this is what we are talking about today though and giving up the legal right to build upon it later. He wants to reiterate that this is not the end of the road figurally if Denny wants to do this in the future and you guys throw out this vacation petition it does not mean he still gets to build a road, it still has to go through additional process through the county engineer, county planning commission, etc. and it is not automatic that these get granted and he is aware of that. Granting this vacation would take away all of that possibility at least absent of a start of a new procedure and then we would be talking about appropriation process and all of that and seems much likely that they would continue on that path if this vacation was granted.

Commissioner Kokoski said this leads her to another questions to Jerry Innes. Regardless of how this plays out today what would preclude the township trustees or residents to file a new petition. Mr. Innes said they could try again. Commissioner Kokoski said either or can. Mr. Innes said yes.

Commissioner Sweda said when Mr. Reasar got the property she thinks it is important to note that anybody who purchased any of those afflicted streets would have been a title insurance policy exception for them when they purchased. She said going back to her background, she sat at many closings and have said what these means, while there is no street right now it any given time it could be a street.

Vacation hearing cont.

November 25, 2020

When purchasers are buying proper with a paper street they are given notice, so she understands there is a long process after that but the buyer process includes awareness. Mr. Innes said what Mr. Breunig is saying that is exactly what his client purchased understanding, there is no physical road there but wants to keep the possibility that sometime in the future that could happen. Commissioner Sweda said right. Mr. Innes said and maybe the other owners around him will change and be more amendable to allowing a road in there so he is just saying that he has a right in the future possibility and if you take away that future possibility that is compensable and he did state cases that have decided along those lines. Mr. Breunig thanked Jerry and Commissioner Sweda he wanted to point out that cuts both ways, his clients relied upon being a paper street and go through the rest of the process and he asked him on the record and he testified he is a builder and do this and took all of that into account when he bought it but likewise unless any of the property owners that are objecting to this and want the street vacated and once they bought their property prior to 1927 or whatever it was they were also on notice at some point this could be extended. He understands no one wants a development so to speak in their backyards but there this has all been plated it is all on record anyone that purchased property and had property transferred can see that this is a possibility if not a reality and would submit a way to prevent these developments from happening you buy up the property and control it. He understands that it is not feasible for everyone but to prevent someone else from exercising property right this is the only sure fire way to accomplish it.

Commissioner Lundy said he has been looking at this and anyone that has come into this area since 1927 has been made aware that it is there and exist for the future, understood. Mr. Breunig said thank you.

Commissioner Kokoski asked if there was anyone else that would like to give testimony.

Commissioner Kokoski asked if Mr. Reasar if he had anything else, Mr. Reasar said no, thank you.

William Peters, 36214 Dellwood Road said we the petitioners respectfully request a continuance to a later date in order to gather information to support their petition. They are not lawyers or have one on retainer, they are simply residents trying to preserve their way of life and not have had sufficient time to understand their legal situation as petitioners. As such we request a continuance after the holiday season so they may seek counsel if warranted and gain their bearings as they dove into the issues surrounding this petition that are clear.....

Commissioner Kokoski said thank you and asked Mr. Innes.....Attorney Breunig said he would object to this based upon they filed this petition and could have obtained legal counsel prior to that or at anytime to this hearing and chose not to. As Mr. Innes has pointed out and he does not disagree with him this would not be a situation where they could not refile if necessary so he respectfully with the reasons indicted earlier he would expect a ruling on this matter today.

Commissioner Kokoski said this is kind of what she was going to suggest if we, however we rule on this today they would have the opportunity to resubmit or township trustees could resubmit and get your ducks in a row at that time. She said there may be an issue with timing here with which attorney you talk too

Commissioner Lundy said have we determined our timeline, he knows we had that discussion before. Commissioner Kokoski said that is why we are meeting today she thinks there was to be a decision by today. Commissioner Lundy said what is the absolute time deadline. Mr. Innes said his opinion is that we are going under statue that would give us more time but on the other hand and if there is nothing done today it will force Mr. Breunig to file an appeal and get all of us embroiled in a lot of proceedings that will be compounded and complexity that we will have a new board and although he appreciates the landowners concern. He said if we rule on this today it will not jeopardize their ability to come back and do this again and believes the cleanest way is to at least to dispose of the issue today and think continuing it will just make it complex and difficult for everyone and be better to just do a fresh start depending on what your decision is. If you do have a decision to go forward then we have to go into the second compensation matter that was already indicated to continue that. Mr. Breunig said he has no issue discussing the compensation date at a later date and he would prefer to do that and we only need to there if the decision is to vacate the road, but he does not think the statue precludes us from revising that issue after today. Mr. Innes said he would urge a decision on vacating this road today just to simplify things. Mr. Breunig agreed. Commissioner Lundy understood.

Commissioner Kokoski asked if there was anything else sir

Mr. Peters said yes there was, he has a few items that he wanted to make sure that you are all aware of. There some comments earlier that tried to cast a doubt or shadow on the timing of this and he has personally been talking with the Township Trustees since 2018 trying to get these paper roads vacated so he can have use of the land there. So trying to scribe mal intent towards the Grafton Township Trustees is unfounded. Even before then, they bought the property Trustees had a resolution to vacate all paper roads and have previously vacated Law Road successfully and will continue this and clean up and get rid of all these roads that the county had no intention of building. Some other items, Reasar has drive way of 57 and could put a road or driveway off his property it is not a reasonable expectation to utilize a road that does not physically exist in any form. He said the county and township do not plan to build it, the paper road of extension and Dellwood has mature woods and a gully and takes the road runoff that would interfere with existing road drainage and curb great costs with ..... so he does not know what the intention is there and who would be paying for that, but that would be great costs for the county especially modern codes on the order of \$3-4,000/liner foot and estimates he has been told. He said the Reasar property does not touch any other property of the vacation of imaginary roads of Bellaire or Arlington. He said Reasar does not have approval for subdivision build or division of lot splits on his property He is still trying to understand damages for compensation that something of this gesture if it will or will not exist is, unreasonable, impractical and unjust. In speaking no one lose .... He said Mr. Kistner does have access on 83 all of those lots with all intend of Bellaire; Mr. Dudak and Mr. Kistner own so they will not lose lot access and will be generation to pass this to their sons and their sons and would be no impact there. He said lot consolidation is not difficult and believe when he purchased is property in 2017 he consolidated 7 of those sublots and Grafton township trustees passed a resolution to vacate roads in 2018/2019 as it was already stated earlier, Reasar bought his property in June 2020. He does not have a reasonable claim for hardships or damages resulting in speculations on what he might do with the land. He does not speak lawyers but a plain reading of 533.110 of county commissioners to vacate the property independent of any petition from the residents and there is also some ..... and lawyers what constitutes a dedication and what exactly that entails. The top of the plat says it was dedicated signed and recorded on the plat that is available on the GIS website and he does not no what the law was in 1927 or the what the requirements were back then but that is something that should be looked into. The ORC if you look through it you can not find anything older than 1953, so what the rules then and what constituted establishing that and providing authority maybe different from standards today. He believes this is all he has, thank you

Commissioner Kokoski said thank you

Carl Wesemyer, Grafton Township Trustee, 34550 Law Road said Mr. Peters just spoke about a resolution they had and resolution was done on May 23, 2019 and to reiterate what he said last week. He said back in February 6, 2016 he reached out to Jerry Innes as to direction how to vacate roads which he gave him the original letter which I have and this is all gone back for a long time as far as vacating roads. It wasn't something that was just brought up. When they passed the resolution, they actually had a special meeting on the 23<sup>rd</sup> of May 2019 published properly have a sign in sheet with people that were in attendance so there again just as Mr. Peters said we did not do anything behind anyone's back they were just trying to do something that the resident that came to them asked them to do and that is what they were doing. He was just trying to clarify anything and if there were any questions of what he had or what they did. Commissioner Kokoski said no, thank you

Commissioner Kokoski asked if there was anyone else.



Vacation hearing cont.

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Kathy Flury, 36211 Dellwood Road said she wanted to reiterate that you talked to some of us neighbors and the trustees and there has been active work being done to get these roads vacated. The fact that there was a resolution passed a year ago 2019 before Reasar even bought the property and as she mentioned last week and done their due diligence and talked with the trustees, the trustees would have told them that these roads are being in the gone. Nothing was done underhandedly and honestly, they have to talk to them because they are way on the other side. No one on Dellwood has any reasons to talk to the Reasar because they are off 57. There is nothing like no one is talking to each other or a secret thing that has been going on here. He did also mention that their plan was to possibly build their dream house behind their house which opens up this whole front area even more to put the road in on their own property and put the development on their own land and not even mess with anyone else's property. She just wanted to open that up and show that as a consideration, no one is doing anything underhanded, people are working hard. Before Reasar even came into the picture and getting these roads vacated and their trustees already set it in motion. Attorney Breunig said he is starting to get confused here hearing from the Trustee and residents that this because Trustee Township action and Jerry saying it is because it was petitioned directly from the landowners so those are two different procedures and he would also wants to mention and hope that Commissioner Sweda would agree, don't know but we are viewing township trustees resolution are not necessarily part of the due diligence and title process and especially when they talk to the county offices on this and again we are talking about the action of a right of way. People are coming up and talking about their rights in this property and no one has any rights in this property it is an easement reserve for road purposes at this point. Again we are talking about what is of record and what is of record would allow his client do exactly what they what we reiterated what their intention even if it is not their intention the possibility of doing it. And, again he understands there is a lot of what the statute says and even him and Jerry even agree as to what the statute says on this stuff but at the end of the day this is property right because it was relied upon his client when he purchased the property and in negotiating the purchase price. Sure they could put a road on their property but would lose one of their potential buildable lots and was all factor into the decision when they bought it in the first place and taken away now would be a compensable situation if we go that route. Hopefully, he is sincerely hopeful that it doesn't even come into question after the commissioner's rule on this. But, to say the trustees have been working on this for so many years still it only got to the commissioners now in September/October after his client bought the property in June and it might have been going on for a long time but no one knew that. His clients did not know that, the title company did not know that and he did not know that and really, they are not required to know that they are going on what is of record. If this resolution was passed back in 2019 then they should have started it then.

Commissioner Lundy said he would like to stress if he could, Madame President that we would be all out with Trustees and Carl and his colleagues are good characters and don't think for a minute that anyone was trying to mislead anybody or do anything shady. He is not saying that at all, he wants to establish they have dealt with them they are good character and always enjoyed working with Carl and the rest of the township trustees. He thinks it is important to point out thought he is not a title expert anywhere near Sharon Sweda experience or knowledge or you counselor dealing with real estate matters but he would never think going to a township trustee and looking through if there was ever a resolution He also wants to point out just because the resolution was passed and trustees have the right to do that but does not make it binding or final because that is why we are here today and make that clarification

Mr. Breunig thanked the Commissioner and wanted to add and did not mean and no disrespect to the township trustees and not suggestions or suggest that anything under hand was done but still looking at the lenses of his client they bought the property in June and petition was filed and even if it was contemplated before they just did not know, had no knowledge and no reason too, so thank you.

Commissioner Sweda said for clarity she was not inclining anything when she asked if there was any conversation between the homeowner and Reasar and that was only for informational knowledge only and she is not suggesting that had to occur. She will state in the process of development the contact with the trustees would have been after not prior to a purchase and will confer with that. Mr. Breunig thanked her.

Commissioner Kokoski asked Carl if he had anything further. Carl said he does, one thing he wants to point out is that we all know that seems like government seems to work at a different speed than people would like to see. He knows that since the resolution as past, one trustee stepped down, there is a new trustee thing are passed back and forth between trustees and it just took a little long and we did not want to take this long either. To clarify Mr. Breunig one of the reasons they passed the resolution because is 5553.04 which is the procedure for establishing, altering or vacating a road, there are 2 sections. B of that states a board of county commissioners shall not adopt a resolution to vacate a public road that is a township road under division a of this section unless the applicable board of trustees has adopted a resolution of vacation and that is one of the reasons they did what they did and wanted to clarify that they are just trying to follow the ORC as it is written. That is the only thing he wanted to say, thank you

Mr. Breunig said 5553.04 he is right but what it does not say is just because they passed that resolution doesn't mean that you must accept road vacation it just states that you can't vacate road unless they say they wanted too. That is all it means and the commissioners have discretion at this point. It is not mandatory, obviously argument listen to Jerry but he thinks Jerry would agree that this is still discretionary thank you.

Commissioner Kokoski asked if there was anyone else, before I ask legal counsel to wrap it up

Commissioner Kokoski said Mr. Innes. Mr. Innes said you need a motion to close the hearing.

Commissioner Kokoski said we don't vote until hearing is closed.

Commissioner Lundy said last all anyone else

Clerk said there is someone coming.

Kathy Flury, said she wanted to clarify if you could and the reason why they can't have the continuance and feel like last week they were thrown into because it had to be a week because you felt that it came from the trustees but the fact that it came from the people she thought this opened it up and did not have to have the meeting ended today and that is why they want the continuance because they really did not get that opportunity last week. Some of them are saying they would like to put it off until new year and then they were told it came from the trustees then Jerry checked and by that time it was already scheduled for this week, but it coming from the people she feels that no decision today they can continue.

Commissioner Kokoski said that is the problem we are not positive Ohio Revised Code this falls under so we have to be and error on the side of caution. Ms. Flury said last week Jerry said it came from the people. Mr. Innes said that is his opinion but there is some disagreement. He said the Commissioners point is should they turn it down today it can be refiled so trustees can or landowners and landowners will not lose their rights. Ms. Flury said she understands that but if it came from the people last week and they should have had the right to continue and they were not and decided that it came from the people. Commissioner Sweda said to Ms. Flury this is where the problem lies, some have decided it is from the people and some have indicated they doubt that and they have to error on the side of caution.

Commissioner Lundy said our legal counsel is advising we make a decision today and he is not the attorney in the room and he follows guidance of our legal counsel. Mr. Innes said he just does not want to over complicated something that is already got complicated and will embroil all of us including the residents and legal proceedings we don't want to get too and it simplifies everything to make a decision on the action today and like he said if you turn it down and they want to come back at the first of the year that possibility is still open. Commissioner Kokoski said thank you

Commissioner Kokoski made a motion to close the public hearing, seconded by Lundy. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

\_\_\_\_\_ (discussion was held on the above)

Vacation hearing cont.

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Commissioner Lundy said he wants to make sure that we are clear on the official question, Jerry.  
Commissioner Kokoski said to vacate or not to vacate the road.  
Mr. Innes said someone has to make a motion to vacate or not vacate.

Commissioner Kokoski said to not vacate means to leave it as it is right now. Mr. Innes said right and that you can either have a motion to approve petition vacating the road or a motion to reject the petition.

Commissioner Lundy said can we have some discussion prior to the motion. Commissioner Sweda said after the motion we can have discussion. Commissioner Lundy said we have discussed matters before and then we actually formulated a motion. Commissioner Kokoski said we should have had these discussions while we were in the hearing or. Commissioner Lundy said he will have discussion one way or the other, so.

Commissioner Kokoski said we can make a motion. Commissioner Sweda said let's get a motion and second and there can be discussion.

Commissioner Lundy said he understands and seen this board do it both ways so however you guys want to do it he is here for the ride and has his seatbelt on.

Commissioner Kokoski made a motion to reject the petition and not vacate the road at this time, seconded by Sweda.  
Clerk call for discussion.

Commissioner Lundy said wow, now he gets a chance to talk about it. This is one of the things in government complicated issues and he knows there are strong arguments on both sides of the issue and for him he can tell you he kept going back to and for anyone that lives on the street, lives adjacent to this property and has known all these years that there is a possibility that there were streets in the area or streets that could open up at the end of the street. He knows that we probably would not be here today and neighbors would not be in the room if this issue was not brought forward. We have piece in the land everything was fine everybody was aware that there was potential for streets in the figure and he thinks that it is important that we acknowledge that. The .... Previously existed before this board came along going all the way back to 1927 and always been an advocate for private property rights and has concern what would take place if we were in fact to vacate and would ask that you understand his thinking about it is everyone has had the knowledge that these are on the books whether officially they have been platted, dedicated whatever those legal discussions are but he thinks everyone at least everyone acknowledges that they have the knowledge that those streets are on the books and potential become more formal and acknowledge this as well too. He thinks it is important for everyone to know that this can be brought back again in the future for a decision to be made to do that so don't want anyone to think we are short change you on the opportunity to come forward with your own legal counsel. He would say that he thought we would have heard from legal counsel representing everyone else as well too and realize that you are still working on that. But our counsel has advised them to make a decision on this and be as fair as possible and achieved a fair position with everyone having knowledge of these paper streets and also being sensitive to private property rights and the motion here today is appropriate at this time.

Commissioner Sweda said if we are having discussion, one of the primary foundations of ownership is that you buy a lot and it would be far beyond anything she could conceive to try to take those rights for a property owner without compensating them. When you use property for government use homeowners don't always like that their property is being taken but they are compensated fairly and in this incense each of the property owners affecting by paper streets had full knowledge of them without and without a mutual consent of everybody she does not see how she would have the authority to remove that right of that property owners.

Clerk called for anything further discussion, there being none, the following resolution was adopted:

RESOLUTION NO. 20-737

In the matter of rejecting the petition request to )  
Vacate the paper streets known as Arlington Road and )  
Bellaire Road along with the undeveloped section of )  
Existing Dellwood Road, Grafton Township, Ohio ) November 25, 2020

WHEREAS, a petition to vacate pursuant to Section 5553.042 was received from Grafton Township residents on September 29, 2020; and

WHEREAS, the residents were notified and was published in Chronicle of the viewing that was held on November 2, 2020 and the hearing that was held on November 17, 2020; and

WHEREAS, on November 17, 2020, a hearing took place with testimony given and was determined that additional information was needed before a decision was made as to how this petition was submitted; either by the township or residents based upon the Ohio Revised Code; and

WHEREAS, further testimony was received this day.

NOW THEREFORE BE IT RESOLVED, that upon consideration of the evidence and testimony presented the Board of Commissioners find:

- 1. The area of the roads being sought to vacate were not accepted for dedication via plat, resolution of a governmental body or by common usage.
- 2. The evidence was therefore insufficient to demonstrate that the roads have been established.
- 3. There being no clear evidence that the roads have been established, it does not serve the public convenience or welfare to vacate the same.
- 4. The petition is therefore denied.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried. \_\_\_\_\_(discussion was held on the above)

e/1

## RESOLUTION NO. 20-738

In the matter of confirming Investments as procured by the )  
Lorain County Treasurer )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby confirm Investments as procured by the Lorain County Treasurer.

	DATE	DESCRIPTION	INTEREST EARNED / ON	cusip#	INV WITH	ACCT #	
1	11/17/2020	INT PAYMENT	\$6,937.78	federal farm credit bank, po#20-0044	3133elzy3	us bank	001050976260
2	11/17/2020	INT PAYMENT	\$5,727.50	federal national mortgage assn, po#17-0030	3136g3lh6	us bank	001050976260
3	11/18/2020	INT PAYMENT	\$555.56	federal home loan mortgage, po#20-0087	3134gwqc3	us bank	001050976260
4	11/18/2020	INT PAYMENT	\$10,000.00	federal home loan bank, po#16-0054	3130a9x48	us bank	001050976260
5	11/23/2020	INT PAYMENT	\$1,041.67	federal farm credit bank, po#20-0079	3133ela87	us bank	001050976260
6	11/23/2020	INT PAYMENT	\$1,222.22	federal national mortgage assn., po#20-0045	3135go4q3	us bank	001050976260

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

e/2

## RESOLUTION NO. 20-739

In the matter of authorizing various appropriations)

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various appropriations.

APPROPRIATIONS			
#	AMOUNT	TO	DESCRIPTION
	\$ 10,362.30	1000 - General Fund / Sheriff - VARIOUS	appropriate reimbursement Lorain Cnty JVS deputy salary in Oct 2020 & OVI task force grant for deputy overtime in Aug 2020 Payin 261395 & 261396
	\$ 71,428.40	1000 - General Fund / Commissioners - advance out	funds to advance for 2020 bond principle & interest payment for Redfern Sewer - advance to be repaid once available from assets
	\$ 20,000.00	1000 - General Fund / Econ Development - Contract services	funds to facilitate the formation of a special improvement district to address lakefront erosion harming community parks & homes in the communities
	\$ 1,100,000.00	1000 - General Fund / Commissioners - other expenses	funds to cover payments to various local organizations providing services to Lorain County citizens during the covid-19 pandemic
	\$ 175,000.00	2000 -Alcohol & Drug / various	appropriate funds for EOY bills, patient care services and prevention services
	\$ 50,000.00	2680 - Youth Sve Subsidy Grant / Domestic Relations	cover the supplies & equipment expenses for the COVID OCJS grant
	\$ 808.10	4000 - Ditch Maintenance / Storm Water - VARIOUS	funds to cover invoice 2020-074
	\$ 400,000.00	5000 - Q Construction Buildings / advance out	return of advance funds from the 201 Burns Rd const. project to the general fund
	\$ 2,450,000.00	5000 - Q Construction Buildings / advance out	return of advance funds from the health district construction project to the general fund
	\$ 2,300,000.00	5000 - Q Construction Buildings / advance out	return of advanced funds from the parking deck construction project to the general fund
	\$ 100,000.00	5000 - Q Construction Buildings / advance out	return of advanced funds from the courthouse construction project to the general fund
	\$ 136,770.00	6000 - Bond Retirement / VARIOUS	appropriations to cover 2020 bond principle / interest payments
	\$ 200.00	7100 - Sanitary Engineer / dues	appropriation for membership & training reimbursement
	\$ 25,000.00	7100 - Sanitary Engineer / Engineering Project	appropriation for san sewer extension for middle ridge

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

e.3

## RESOLUTION NO. 20-740

In the matter of authorizing various account and fund transfers) November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various account/fund transfers

ACCOUNT TRANSFERS				
#	AMOUNT	FROM	TO	DESCRIPTION
	\$ 15,000.00	1000 - General Fund / Commissioners -equipment	1000 - General Fund / equipment COVID	funds to cover additional work needed to be done for the recorder's office renovation
	\$ 3,200.00	1000 - General Fund / Commissioners - various	1000 - General Fund / various	funds to cover various expenses for the remainder of the year
	\$ 4,000.00	1000 - General Fund / Commissioners - repair maintenance	1000 - General Fund / contract services-COVID	Covid related services expenses
	\$ 1,500.00	1000 - General Fund/ Commissioners - capital furniture/fixture	1000 - General Fund / equipment	funds to cover equipment expenses

	\$ 44,414.22	1000 - General Fund / Commissioners - real estate settlement deductions	1000 - General Fund / equipment	funds to cover COVID related equipment expenses
	\$ 3,700.00	1000 - General Fund / treasurer - advertising & printing	1000 - General Fund / other expenses	to cover 2021 CTAO dues
	\$ 404.39	1000 - General Fund / Clerk of Courts - transfer out	1000 - General Fund / clerk of courts - employees	appropriation to cover vacation payout for Kelsey Knott
	\$ 3,654,086.66	1050 - Local coronavirus Relief / various	1050 - Local coronavirus Relief / various	transfer of money to appropriate accounts to cover all CARES related expected
	\$ 1,000.00	2220 - Dog kennel / bldg repair & maintenance	2220 - Dog Kennel / utilities	funds to cover utilities for the remainder of the year
	\$ 40,000.00	2260 - Solid Waste / Capital Improvements	2260 - Solid Waste / printing & advertising	printing & advertising expenses
	\$ 30,000.00	2260 - Solid Waste / Capital vehicle	2260 - Solid Waste / capital equipment	funds to cover purchase of forklift for collection center
	\$ 143,400.00	2300 - Workforce Development / various	2300 - Workforce Development / various	state funded equipment upgrades for OMJ center increased client training
	\$ 72,000.00	3480 - 9-1-1 / various	3480 - 9-1-1 / various	to pay for message one paging system, netmotion subscription renewal & various equipment
	\$ 2,471.15	5000 - Q construction / contract services	5000 - Q Construction / rental	rental costs for the parking garage project
	\$ 2,400.00	7000 - Hospitalization / various	7000 - hospitalization / various	transfer to cover personnel expenses for the remainder of the year
	\$ 7,280.00	7010 - Workers Comp fund / various	7010 - Workers comp fund / various	funds to cover personnel expenses through the remainder of the year
	\$ 2,000.00	8016 - Hotel/Motel tax - supplies	8016 - Hotel/motel tax - equipment lease	funds to cover equipment lease expenses
<b>FUND TRANSFERS</b>				
#	AMOUNT	FROM	TO	DESCRIPTION
	\$ 630.89	1000 - Commissioners / transfer out	7000 - Hospitalization / transfer in	amount of hospitalization owed by employee who was on non-essential admin leave. This is being deducted from employee sick/vacation time payout for termed employee

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

RESOLUTION NO. 20-741

e.4

In the matter of authorizing various advances/repayments)

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various advances/repayments

ADVANCE TRANSFERS				
#	AMOUNT	FROM	TO	DESCRIPTION
	\$ 71,428.40	1000 - Commissioners / advance out	7100 - Sanitary Engineer - advance in	funds to advance for the 2020 bond principle & interest payment for Redfern sewer. Advance to be repaid one available from assessments
	\$ 100,000.00	5000 - Q construction Bldgs. / advance out	1000 - General fund /advance in	return funds from the courthouse construction project
	\$ 400,000.00	5000 - Q construction Bldgs. / advance out	1000 - General fund /advance in	return of advanced funds from the 201 Burns Rd construction project
	\$ 2,450,000.00	5000 - Q construction Bldgs. / advance out	1000 - General fund /advance in	return of advanced funds from the health district construction project
	\$ 2,300,000.00	5000 - Q construction Bldgs. / advance out	1000 - General fund /advance in	return of advanced funds from the parking deck construction project to the general fund

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

RESOLUTION NO. 20-742

e.5

In the matter of authorizing the purchase of supplies and) Services for various county departments )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize the purchase of supplies and services for various County departments.

LOG #	DEPARTMENT	FUND	DESCRIPTION OF PURCHASE	VENDOR	AMOUNT
1612	Auditor's	8310	Advertisement for Forfeited Land Sale to Include: Rules and Land Sale App. Information – To Run 10/17 & 10/24/20	21 <sup>st</sup> Century Media dba Morning Journal	3,720.50
1613	Auditor's	8310	Advertisement for Forfeited Land Sale to Include: Rules and Land Sale App. Information – To Run 10/17 & 10/27/20	Lorain County Printing & Publishing dba The Chronicle Telegram	4,449.00
1614	Board of Elections	1000	Tax Levy Ads for 2020 General Election	Lorain County Printing & Publishing dba The Chronicle Telegram	1,863.12
1615	Board of Elections	2040	Ballot Printing for 2020 General Election	Mid-West Presort Mailing Services Inc. dba Midwest Direct	37,600.00
1616	Board of Elections	1000	Ballot Printing for 2020 General Election, Provisional Ballots for 2020 General Election	Mid-West Presort Mailing Services Inc dba Midwest Direct	121,743.48
1617	CBCF	8300	Amend PO 202002920 for Supplies and Shipping	Bob Baker Company	3,100.00
1618	CBCF	8300	Commodore 20 gal. Carpet Extractor	Gergely's Maintenance King	7,574.00
1619	CBCF	8300	Xlerator Automatic Hand Dryers	Global Equipment, Inc. dba Global Industrial	7,200.00
1620	CBCF	8300	Shelving Units for Storage Area in Administration	Lowe's Companies, Inc. dba Lowers Home Centers LLC	719.98

1621	CBCF	8300	Kenwood Digital VHF, 5W Radios w/Accessories, Tune, Program, Charger	Vasu Communications Inc.	4,268.00
1622	Clerk of Courts	1000	Color Copier Kyocera 8353ci, BW Copier Kyocera 9003ci	Meritech, Inc.	20,560.00
1623	Domestic Relations	2700	Amendment to PO 2020002683 SBPO July – December 2020 MST Services (MultiSystemic Therapy)	Applewood Centers Inc	20,000.00
1624	Domestic Relations	1000	Competency Attainment Program	Bellefaire JCB	1,102.50
1625	Domestic Relations	1000	Foreign Judge Expenses	Treasurer, State of Ohio Supreme Court of Ohio	1,435.00
1626	Job & Family Services	2280	Prevention, Retention and Contingency Car Repair Voucher Program- Ashley Kelsay- Voucher #36394	Certified Auto & Truck Repair Inc	1,359.14
1627	Law Library	3110	Backup System for Existing Computer Server	Accellis Technology Group	3,615.86
1628	Law Library	3110	Annual Access to Unique Legal Database	Hannah News Service	1,700.00
1629	Maintenance	1000	Amend PO 2020002510 SBPO July-Dec 2020 Elevator Maintenance	ThyssennKrupp Elevator Corporation	2,500.00
1630	Maintenance	1000	Amend PO 2020001624 SBPO January – December 2020 Elevator Operating Certificates- Annual Renewal and Also Boiler Inspections for Various County Facilities	Treasurer State of Ohio Division of Industrial Compliance	1,200.00
1631	Prosecutor's	1000	Office Chair (1), Guest Chair (2), Design	Friends Service Co Inc dba FriendsOffice	901.56
1632	Recorder's	1000	Draper Roller Shades for Recorders Office Alterations	Standard Textile Company, Inc.	13,568.45
1633	Sheriff's	2200	Annual Technical Support & Software Upgrades (Medical)	Correctek Inc	6,600.00
1634	Sheriff's	1000	Colt LE6920 223Rem Rifle, 16' MT BLK w/Bayonet Lug & Collapsible Stock, Plus Credit and Shipping	Kiesler Police Supply	3,144.15
1635	TB Clinic	3100	TB Services Provided for January – December 2020	Mercy Health dba Mercy TB Clinic	360,399.96
1636	Commissioner's	1000	CARES FUNDS Plex G Dividers 36x30 w/Post Delivery & Installation	Talent Tool & Die Inc.	1,073.00
1637	Domestic Relations	1000	Network Cable & Power Lines for 13 Hearing Rooms	Firelands Electric, Inc.	11,595.09
1638	Airport	7300	Engineering Services for the Taxiway Lighting Improvements 95% Grant Reimbursement	Wallace & Pancher Inc.	50,000.00

Motion by Kokoski, seconded by Sweda to adopt Resolution. Clerk called for discussion. Commissioner Lundy said please note that the last election was very expensive paying \$165,000 and Midwest vendor stating the mailed ballots, didn't and our Director went there to make sure. He would like the Board of Elections to follow up with this vendor to determine if they are appropriate for the next election. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

c.6

RESOLUTION NO. 20-743

In the matter of authorizing various travel expenses)

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various travel expenses.

LOG #	DEPARTMENT	NAME	EVENT	LOCATION	DATE	AMOUNT not to exceed
086	Treasurer's	Talarek, Daniel	OCCO & Legislative Functions as the Chairman of the Legislative Committee for County Treasurers Association of Ohio	Dublin, OH	July-December 2020	2,014.00

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

c7

RESOLUTION NO. 20-744

APPROVING BILLS FOR PAYMENT

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve the following bills for payment, which have been signed by two or more Commissioners

VENDOR	PURPOSE	ACCOUNT #	AMOUNT
<b>General Fund</b>			
Charter Communications Holdings LLC	Utility Services	1000 0000 100 112 01 6200 6202	\$647.35
Charter Communications Holdings LLC	Utility Services	1000 0000 100 112 01 6200 6202	\$1,120.93
Cleveland Hearing & Speech Center	Professional Services	1000 0000 100 142 01 6200 6218	\$170.00
Cleveland Plumbing Supply Co.	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$494.56
Don Moulds Plantation	Supplies	1000 0000 100 104 01 6000 0000	\$549.94
Don Moulds Plantation	Services	1000 0000 100 104 01 6200 0000	\$354.60
Emerge Corporation	Contract Services	1000 0000 100 100 01 6200 0000	\$960.00
Fastenal Company	Supplies	1000 0000 100 104 01 6000 0000	\$54.84
Friends Service dba Friends Office	Supplies	1000 0000 100 100 01 6000 0000	\$92.66
Friends Service Co. Inc dba FriendsOffice	Supplies	1000 0000 100 116 01 6000 0000	\$7.00
Gardiner Service Company dba Gardiner	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$550.00
Gross Plumbing Inc.	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$59.95
John Deere Financial	Supplies	1000 0000 100 104 01 6000 0000	\$39.80
John Deere Financial	Supplies	1000 0000 100 104 01 6000 0000	\$246.10
Lorain County Printing & Publishing dba Chronicle	Advertising	1000 0000 100 118 01 7220 0000	\$57.99
Lorain County Sanitary Engineers	Utility Services	1000 0000 100 112 01 6200 6202	\$154.32
Lowes Companies	Supplies	1000 0000 100 104 01 6000 0000	\$48.04
Nari, Inc. dba Lorain Quickprint	Business Cards	1000 0000 100 000 01 7220 0000	\$255.00
Ohio Economic Development Assn.	Dues	1000 0000 100 116 01 7070 7070	\$749.00
O'Toole McLaughlin Dooley & Pecora	Professional Services	1000 0000 100 142 01 6200 6218	\$150.00
Paladin Professional Sound Inc.	Repair/Maintenance	1000 0000 100 108 01 6380 0000	\$322.00
Pollworker Payroll	Payroll	1000 0000 540 000 01 6200 6201	\$157,447.65
Pollworker Payroll	Payroll	1000 0000 540 540 01 6200 6201	\$68,460.00
South Shore Electric Inc	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$189.90

Strohsack, Sandra	Reimbursement	1000 0000 100 000 01 7200 0000	\$36.00
Synchrony Bank- Amazon.com	Supplies	1000 0000 100 104 01 6000 0000	\$59.99
Synchrony Bank- Amazon.com	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$439.72
Synchrony Bank- Amazon.com	Vehicle Expenses	1000 0000 100 112 01 6380 6380	\$33.98
Synchrony Bank- Amazon.com	Supplies	1000 0000 100 108 01 6000 0000	\$117.40
Synchrony Bank- Amazon.com	Vehicle Expenses	1000 0000 100 112 01 6380 6380	\$45.99
Synchrony Bank- Amazon.com	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$22.98
Synchrony Bank- Amazon.com	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$28.99
United Refrigeration Inc	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$57.84
United Refrigeration Inc	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$150.24
Windstream Holdings Inc dba Windstream	Telephone Services	1000 0000 100 112 01 6200 6202	\$63.40
Young Investments dba Young Security Services	Repair/Maintenance	1000 0000 100 104 01 6380 0000	\$444.96
	<b>TOTAL</b>		<b>\$234,683.12</b>
<b>Hospitalization</b>			
Linda Blanchette	Life Insurance Refund	1030 0000 100 000 01 7070 7089	\$26.40
	<b>TOTAL</b>		<b>\$26.40</b>
<b>CARES Fund</b>			
McKesson Med Surgical Gov't Solutions	Thermometer	1050 0000 100 000 01 6050 COVID	\$262.42
	<b>TOTAL</b>		<b>\$262.42</b>
<b>Board of Elections</b>			
Pollworker Payroll	Payroll	2040 2040 540 000 01 6200 6201	\$68,460.00
	<b>TOTAL</b>		<b>\$68,460.00</b>
<b>Dog Kennel</b>			
Spok Inc.	Utility Services	2220 0000 100 000 05 6200 6202	\$44.40
	<b>TOTAL</b>		<b>\$44.40</b>
<b>Solid Waste</b>			
Lorain County Farm Bureau	Dues	2260 0000 100 000 05 7070 7070	\$75.00
	<b>TOTAL</b>		<b>\$75.00</b>
<b>Law Library</b>			
Matthew Bender & Co., Inc. dba LexisNexis	Law Books	3110 0000 650 000 02 6000 6011	\$57.54
Matthew Bender & Co., Inc. dba LexisNexis	Law Books	3110 0000 650 000 02 6000 6011	\$701.14
Windstream Holdings Inc dba Windstream	Telephone Services	3110 0000 650 000 02 6200 6202	\$36.76
	<b>TOTAL</b>		<b>\$795.44</b>
<b>Crime Lab</b>			
Advanced Computer Technologies, LLC	Contract Services	3460 0000 100 000 03 6200 0000	\$255.40
	<b>TOTAL</b>		<b>\$255.40</b>
<b>9-1-1 Agency</b>			
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$199.60
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$151.90
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$78.40
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$46.79
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$23.15
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$18.93
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$62.72
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$145.80
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$193.80
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$153.56
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$249.90
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$333.62
Friends Service Co, Inc. dba FriendsOffice	Misc. Supplies	3480 0000 100 000 03 6000 0000	\$148.82
Paladin Professional Sound	Repair/Maintenance	3480 0000 100 000 03 6380 0000	\$145.00
	<b>TOTAL</b>		<b>\$1,951.99</b>
<b>Workers' Compensation</b>			
Goodman, John L	Services	7010 0000 100 000 12 6200 6218	\$950.00
	<b>TOTAL</b>		<b>\$950.00</b>
<b>Sanitary Engineer's</b>			
Friends Service Co, Inc. dba FriendsOffice	Supplies	7100 7100 300 304 11 6000 0000	\$6.79
LTE Inc. dba Lake Shore Tool & Equipment	Supplies	7100 7100 300 304 11 6000 0000	\$57.96
	<b>TOTAL</b>		<b>\$64.75</b>
<b>Airport</b>			
Lorain County Sanitary Engineer's	Utility Services	7300 0000 100 000 11 6200 6202	\$210.90
Trico Oxygen	Supplies	7300 0000 100 000 11 6000 0000	\$17.15
	<b>TOTAL</b>		<b>\$228.05</b>
<b>Visitors' Bureau</b>			
Emerge Inc	Services	8016 0000 100 000 14 6200 6218	\$237.50
Localist Corporation	Software	8016 0000 100 000 14 6000 6009	\$2,005.96
Lorain County Sanitary Engineer's	Utility Services	8016 0000 100 000 14 6200 6202	\$40.73
	<b>TOTAL</b>		<b>\$2,284.19</b>
<b>Children and Family Council</b>			
Treasurer State of Ohio	Auditor State Fees	8100 FY21 100 000 14 6200 6218	\$7,175.00
	<b>TOTAL</b>		<b>\$7,175.00</b>

LORAIN COUNTY DEPARTMENT OF JOB & FAMILY SERVICES  
 RECAPITULATION OF VOUCHERS

SCHEDULE # H20-1361

DATE: 11/13/2020

VENDOR NAME	PURPOSE	ACCOUNT	AMOUNT
DEAN, RANDALL	GAS MILEAGE REIMBURSEMENT	2280-0000-260-264-06-6000-6010	\$136.24
REICHERT, JULIE	GAS MILEAGE REIMBURSEMENT	2280-0000-260-264-06-6000-6010	\$115.44
WHITFIELD-ALLGOOD, TINA	GAS MILEAGE REIMBURSEMENT	2280-0000-260-264-06-6000-6010	\$149.76
2020 MILEAGE REIMBURSEMENT RATE OF \$0.52/MILE			
TOTAL			<u>\$401.44</u>

RECEIVED  
 2020 NOV 16 PM 2:00  
 LORAIN COUNTY  
 AUDITOR

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

e.8

JOURNAL ENTRY

Mr. Cordes requested an executive session to discuss new hires, bargaining issues and potential sale of real estate.

e.9

RESOLUTION NOL. 20-745

In the matter of approving the meeting minutes and )  
 waive the reading of November 12 & 20, 2020 ) November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve the meeting minutes and waive the reading of November 12 & 20, 2020

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

RESOLUTION NO. 20-746

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

- Commissioner Lori Kokoski, President
- Commissioner Sharon Sweda, Vice-President
- Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-746

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,860,000 TAX-EXEMPT CAPITAL IMPROVEMENT PLAN IMPROVEMENTS BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$3,860,000 Tax-Exempt Capital Improvement Plan Improvements Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than twenty-five (25) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$3,860,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring improvements to various county-owned properties, including HVAC improvements, roof repair and replacement, sidewalk, parking lot, storm sewer, landscape, security and other site and building improvements, and additional money for a new warehouse and repairs to parking decks and surface lots (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the

Resolution No. 20-746 cont.

November 25, 2020

County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt Capital Improvement Plan Improvements Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.



SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

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SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020.

Resolution No. 20-747

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-747

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,655,000 TAX-EXEMPT CLE BUILDING IMPROVEMENT BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$1,655,000 Tax-Exempt CLE Building Improvement Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than twenty-five (25) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$1,655,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring CLE Building Improvements, including roof repair and replacement, sidewalk and parking lot repair and replacement, landscaping, security and other site and building improvements (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond

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subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt CLE Building Improvement Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds;

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however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

## RESOLUTION NO 20-748

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-748

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$4,565,000 TAX-EXEMPT COURT INFORMATION TECHNOLOGY CASE MANAGEMENT SYSTEM IMPROVEMENTS BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$4,565,000 Tax-Exempt Court Information Technology Case Management System Improvements Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than ten (10) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$4,565,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring, installing and implementing improvements for the Lorain County Court Information Technology System, including hardware and software upgrades, servers, computers, rack switches, migration and integration development, tracking system, license fees and all other capital costs required for system installation and use (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt Court Information Technology Case Management System Improvements Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for

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the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall

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have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

Resolution No.20-749

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
Commissioner Sharon Sweda, Vice-President  
Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-749

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,570,000 TAX-EXEMPT JOB AND FAMILY SERVICES CAPITAL IMPROVEMENT BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$2,570,000 Tax-Exempt Job and Family Services Capital Improvement Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than twenty-five (25) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$2,570,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring improvements to the Lorain County Job & Family Services building, 42485 North Ridge Road, Elyria, Ohio 44035, including HVAC improvements, roof repair and replacement, sidewalk, parking lot, sewer, landscape, security and all other site and building improvements (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

Resolution No. 20-749 cont.

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SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt Job and Family Services Capital Improvement Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.



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SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

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SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

#### RESOLUTION NO. 20-750

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

#### RESOLUTION NO. 20-750

#### RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$545,000 TAX-EXEMPT SANITARY SEWER IMPROVEMENTS (OBERLIN ROAD PROJECT) BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$545,000 Tax-Exempt Sanitary Sewer Improvements (Oberlin Road Project) Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than twenty (20) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$545,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring sanitary sewer system improvements for the Oberlin Road Project, together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day

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preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt Sanitary Sewer Improvements (Oberlin Road Project) Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds;

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however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

## RESOLUTION NO. 20-751

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-751

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,110,000 TAX-EXEMPT COUNTY PHONE SYSTEM IMPROVEMENT BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$1,110,000 Tax-Exempt County Phone System Improvement Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than ten (10) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$1,110,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of acquiring and installing a new phone system in all county-owned facilities (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt County Phone System Improvement Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

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The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

he County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this

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County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

#### RESOLUTION NO. 20-752

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
Commissioner Sharon Sweda, Vice-President  
Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

#### RESOLUTION NO. 20-752

#### RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,215,000 TAX-EXEMPT COUNTY HEALTH DEPARTMENT BUILDING BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$2,215,000 Tax-Exempt County Health Department Building Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than twenty-five (25) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$2,215,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of constructing and acquiring improvements for a new facility for the Lorain County General Health District (the "Project") together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at

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the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt County Health Department Building Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.



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SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the

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present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020.

RESOLUTION NO. 20-753

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-753

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,940,000 TAX-EXEMPT COUNTY BOARD OF ELECTIONS VOTING EQUIPMENT BONDS, OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LORAIN, OHIO

WHEREAS, the County Auditor, as fiscal officer of the County, has heretofore estimated that the life of the improvements and assets funded with the proceeds of the \$1,940,000 Tax-Exempt County Board of Elections Voting Equipment Bonds is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is not less than ten (10) years.

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

SECTION 1. That it is necessary to issue and sell bonds of this County in the principal sum of not to exceed \$1,940,000 (the "Bonds") for the purpose of refunding certain outstanding general obligation bond anticipation notes issued for the purpose of paying the costs of acquiring voting equipment for the Lorain County Board of Elections (the "Project"), together with all necessary appurtenances, and paying costs of issuance of the Bonds; under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

SECTION 2. That the Bonds shall be issued for the purpose aforesaid. The Bonds shall (i) be issued in a principal amount as determined by the County Administrator or the Budget Director, but not to exceed the amount set forth above, for the purpose aforesaid, (ii) be dated their date of issuance, (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the County Administrator or the Budget Director, and (vi) bear interest payable semiannually on the first day of June and the first day of December of each year commencing June 1, 2021 or as otherwise provided on the face thereof, at the rate or rates per annum determined by the County Administrator or the Budget Director, provided that the net interest cost payable by the County over the life of the Bonds shall not exceed five percent (5%) per annum. Determinations required to be made by the County Administrator or the Budget Director pursuant to this resolution shall be stated in a Bond Purchase Agreement for the Bonds (the "Bond Purchase Agreement") which the County Administrator or the Budget Director are hereby authorized to sign. The Bond proceeds may be used to pay costs of issuance of the Bonds and capitalized interest on the Bonds and notes issued in anticipation thereof, to the extent permitted by law.

The Bonds may be subject to redemption prior to maturity at the option of the County upon such terms, at such times and at such price or prices (but in any case, not greater than 102% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date), as may be determined by the County Administrator or the Budget Director.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or

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portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this resolution as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "Tax-Exempt County Board of Elections Voting Equipment Bonds" and may have additional designations.

It is hereby determined by this Board of County Commissioners that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the County.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this resolution. The Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board of County Commissioners and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio to serve as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any interest payment date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the County are hereby irrevocably pledged, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in the County within applicable limitations, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended or collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The Revenues to be applied to debt service on the Bonds and the funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and the principal of the Bonds when and as the same shall fall due; provided, that in each year to the extent that moneys from other sources (the anticipated repayment revenue) are available for the payment of debt service on the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such moneys so available and appropriated.

SECTION 5. That the Bonds shall be sold to Hilltop Securities Inc., Powell, Ohio (the "Purchaser") at not less than ninety-seven percent of par of the principal amount thereof, plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director. The proceeds from the sale of the Bonds, except as any premium and accrued interest received, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the County from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

SECTION 6. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. Without limiting the generality of the foregoing, this Board of County Commissioners represents and covenants that not more than 10% of the improvements financed with the proceeds of the Bonds shall be used directly or indirectly in the trade or business of any person that is not an "exempt person" within the meaning of the Code. The County Auditor or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 7. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Bonds and other interested parties, a preliminary official statement with respect to the Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board of County Commissioners with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Bonds for distribution to prospective purchasers of the Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of the Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

Resolution No. 20-753 cont.

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SECTION 8. That at least two members of this Board of County Commissioners, the County Auditor, the County Administrator or the Budget Director are separately hereby authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 9. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) there shall be a single Bond of each maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board of County Commissioners to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 10. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for a municipal bond insurance policy with respect to the Bonds, and accept a commitment therefor, if the Purchaser should request the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy.

SECTION 11. That the members of this Board of County Commissioners, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others, to apply for one or more municipal bond ratings with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 12. That the Clerk of this Board of County Commissioners is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. That it is found and determined that all formal actions of this Board of County Commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

## RESOLUTION NO. 20-754

The Board of County Commissioners of Lorain County, Ohio, met in special session at 9:30 o'clock a.m. on the 25th day of November, 2020, at 226 Middle Avenue, Elyria, Ohio with the following members present:

Commissioner Lori Kokoski, President  
 Commissioner Sharon Sweda, Vice-President  
 Commissioner Matt Lundy, Member

Commissioner Kokoski moved the adoption of the following resolution:

RESOLUTION NO. 20-754

RESOLUTION CONSOLIDATING TEN BOND ISSUES OF THE COUNTY OF LORAIN, OHIO FOR SALE AS A CONSOLIDATED BOND ISSUE, AND ESTABLISHING THE TERMS OF SUCH CONSOLIDATED ISSUE.

WHEREAS, this Board of County Commissioners (sometimes referred to herein as the "Board") has this date adopted ten (10) resolutions authorizing the following tax-exempt general obligation bond issues pursuant to Chapter 133 of the Ohio Revised Code for the purposes indicated: (1) not to exceed \$450,000 Tax-Exempt Building Acquisition Refunding Bonds for the purpose of refunding certain outstanding 2013 Bonds issued for the purpose of refunding certain outstanding bonds issued for the acquisition, renovation, improvement, equipping and furnishing of a Board of Elections building for the County and paying costs of issuance; (2) not to exceed \$550,000 Tax-Exempt Highway Improvement Refunding Bonds for the purpose of refunding certain outstanding bonds issued for the purpose of paying costs of making permanent improvements to roads, highways and bridges within the County of Lorain, Ohio and paying costs of issuance of the Original Bonds; (3) not to exceed \$3,860,000 Tax-Exempt Capital Improvement Plan Improvements Bonds for the purpose of paying costs of constructing and acquiring improvements to various county-owned properties, including HVAC improvements, roof repair and replacement, sidewalk, parking lot, storm sewer, landscape, security and other site and building improvements, and additional money for a new warehouse and repairs to parking decks and surface lots; (4) not to exceed \$1,655,000 Tax-Exempt CLE Building Improvement Bonds for the purpose of paying costs of constructing and acquiring CLE Building Improvements, including roof repair and replacement, sidewalk and parking lot repair and replacement, landscaping, security and other site and building improvements; (5) not to exceed \$4,565,000 Tax-Exempt Court Information Technology Case Management System Improvements Bonds for the purpose of paying costs of acquiring, installing and implementing improvements for the Lorain County Court Information Technology System, including hardware and software upgrades, servers, computers, rack switches, migration and integration development, tracking system, license fees and all other capital costs required for system installation and use; (6) not to exceed \$2,570,000 Tax-Exempt Job and Family Services Capital Improvement Bonds for the purpose of paying costs of constructing and acquiring improvements to the Lorain County Job and Family Services building, 42485 North Ridge Road, Elyria, Ohio 44035, including HVAC improvements, roof repair and replacement, sidewalk, parking lot, sewer, landscape, security and all other site and building improvements; (7) not to exceed \$545,000 Tax-Exempt Sanitary Sewer Improvements (Oberlin Road Project) Bonds for the purpose of paying the costs of constructing and acquiring sanitary sewer system improvements for the Oberlin Road Project; (8) not to exceed \$1,110,000 Tax-Exempt County Phone System Improvement Bonds for the purpose of paying costs of acquiring and installing a new phone system in all county-owned facilities; (9) not to exceed \$2,215,000 Tax-Exempt County Health Department Building Bonds for the purpose of paying costs of constructing and acquiring improvements for a new facility for the Lorain County General Health District; and (10) \$1,940,000 Tax-Exempt County Board of Elections Voting Equipment Bonds for the purpose of paying costs of acquiring voting equipment for the Lorain County Board Of Elections, and together with all necessary appurtenances thereto, and paying the costs of issuance of those bonds (such bond issues are collectively referred to as the "Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt)"); and

WHEREAS, this Board desires to issue and sell the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) on a consolidated basis pursuant to Section 133.30(B) of the Ohio Revised Code and this resolution;

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

SECTION 1. That pursuant to the provisions of Section 133.30(B) of the Ohio Revised Code, the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) shall be consolidated into a single bond issue which shall be designated "Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt)" (such consolidated bonds are hereinafter referred to as the "Consolidated Bonds"), together with any additional designations.

SECTION 2. That the Consolidated Bonds shall be issued under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. The Consolidated Bonds shall (i) be dated as of the same date as each issue of Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) (ii) be in a principal amount equal to the sum of the aggregate principal amounts of the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt), (iii) be numbered from R-1 upwards in order of issuance, (iv) be of the denominations of \$5,000 and any integral multiple thereof, provided that each Consolidated Bond shall be of a single maturity, (v) mature or be subject to mandatory sinking fund redemption on each date the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) mature or are subject to mandatory sinking fund redemption in an amount for any given date equal to the sum of the maturity or mandatory sinking fund amounts for the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) for such date, and (vi) bear interest payable on each date interest on the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) is payable at a rate for each respective maturity equal to the rate of interest on the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) for such maturity.

The Consolidated Bonds shall be subject to optional redemption on each date the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) are subject to optional redemption in an amount for any given date equal to the sum of the amounts of the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) being redeemed on such date upon the same terms, at the same redemption prices, on the same dates and in the same manner as the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt).

If fewer than all of the outstanding Consolidated Bonds of a single maturity are called for redemption, the selection of Consolidated Bonds to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by lot by the Paying Agent and Registrar (as hereinafter defined) in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Consolidated Bonds when Consolidated Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Consolidated Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Consolidated Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of that Consolidated Bond shall surrender the Consolidated Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Consolidated Bond or Bonds of the same series, of any authorized denomination or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Consolidated Bond surrendered.

The notice of call for redemption of Consolidated Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Consolidated 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. The notice shall be given by the Paying Agent and Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption, to the registered holder of each Consolidated Bond subject to redemption in whole or in part at such registered holder's address shown on the

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Consolidated Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Consolidated Bond, however, shall not affect the validity of the proceedings for the redemption of any Consolidated Bond. Notice having been mailed in the manner provided above, the Consolidated Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Consolidated Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Consolidated Bonds or portions thereof at the place or places specified in that notice, such Consolidated Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

It is hereby determined by this Board that the issuance of the Consolidated Bonds provided herein, including without limitation, the redemption provisions, are in the best interests of the County and that the maturities and mandatory sinking fund and optional redemption provisions are consistent with the aggregate of the periodic separate maturities and mandatory sinking fund and optional redemption provisions of the respective resolutions authorizing the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) and the bond purchase agreement for the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt), which may be the same agreement for all ten issues of the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt).

SECTION 3. That the Consolidated Bonds shall express upon their faces a summary statement of purposes encompassing the purposes stated in the resolutions authorizing the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) and may state that they are issued in pursuance of this resolution. The Consolidated Bonds shall be in fully registered form without coupons, shall bear the signatures of at least two members of this Board and of the County Auditor, provided that any or all such signatures may be facsimile signatures, may bear the seal of such County Auditor or a facsimile thereof, and shall bear the manual authenticating signature of an authorized representative of The Huntington National Bank, Cleveland, Ohio (the "Paying Agent and Registrar") for the Consolidated Bonds. The principal amount of each Consolidated Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (May 15 and November 15 for June 1 and December 1 interest, respectively) on the Consolidated Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at his address as it appears on such registration records.

The Consolidated Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The County and the Paying Agent and Registrar shall not be required to transfer any Consolidated Bond during the 15-day period preceding any interest payment date or preceding any selection of Consolidated Bonds to be redeemed, or after such Consolidated Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Consolidated Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The County and the Paying Agent and Registrar may deem and treat the registered holders of the Consolidated Bonds as the absolute owners thereof for all purposes, and neither the County nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That the provisions of the respective resolutions authorizing the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) relating to security and sources of payment, federal tax status of the Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) and of interest payable thereon, are hereby incorporated by reference into this resolution and the Consolidated Bonds.

SECTION 5. That the Consolidated Bonds shall be sold to Hilltop Securities Inc. (the "Purchaser") at not less than 97% of the principal amount thereof plus accrued interest to the date of delivery, as determined by the County Administrator or the Budget Director without further action of this Board pursuant to the Purchaser's offer to purchase which such officer is hereby authorized to accept. The County Administrator or the Budget Director are hereby authorized to execute and deliver a purchase agreement for the Bonds (the "Bond Purchase Agreement") in such form as may be approved by the officer executing the same, such officer's execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and to make the necessary arrangements with the Purchaser to establish the date, location, procedure and conditions for the delivery of the Consolidated Bonds to the Purchaser, to give all appropriate notices and certificates and to take all steps necessary to effect the due execution and delivery of the Consolidated Bonds pursuant to the provisions of the Bond Purchase Agreement. The proceeds from the sale of the Consolidated Bonds, except as any premium and accrued interest received, shall be apportioned, deposited and credited in accordance with Section 133.32 of the Ohio Revised Code to the respective purposes and funds in accordance with the amount of each issue of Various Purpose General Obligation Bonds, Series 2020B (Tax-Exempt) and for which purposes such proceeds are hereby appropriated. Any premium and accrued interest received from such sale shall be transferred to the bond retirement fund to be applied to the payment of the principal and interest of the Consolidated Bonds in the manner provided by law.

SECTION 6. That at least two members of this Board, the County Auditor, the County Administrator and/or the Budget Director are separately hereby authorized, alone or with others, to prepare and distribute to prospective purchasers of the Consolidated Bonds and other interested parties, a preliminary official statement with respect to the Consolidated Bonds on behalf of this County, which shall be in substantially the form heretofore submitted to this Board with such changes thereto as such officials may approve, and which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule and which will be provided in the final official statement. At least two members of this Board, the County Auditor, the County Administrator and/or the Budget Director are hereby separately authorized, alone or with others, to prepare, execute and deliver a final official statement with respect to the Consolidated Bonds on behalf of the County, which shall be in such form as the officials signing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3), their execution thereof on behalf of the County to be conclusive evidence of such authorization and approval, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Consolidated Bonds for distribution to prospective purchasers of the Consolidated Bonds and other interested persons.

The County hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Consolidated Bonds (the "Continuing Disclosure Certificate") in connection with the issuance of the Consolidated Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Consolidated Bonds; however, any holder of the Consolidated Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the County to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

SECTION 7. That at least two members of this Board, the County Auditor, the County Administrator and/or the Budget Director are hereby separately authorized, alone or with others, to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for the Consolidated Bonds in such form as such officers may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval.

SECTION 8. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Consolidated Bonds may be transferred only through a book entry, and (ii) physical Consolidated Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the Consolidated Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this County is the record that identifies the owners of beneficial interests in those Consolidated Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Consolidated Bonds or principal and interest, and to effect transfers of Consolidated Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

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"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Consolidated Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Consolidated Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Consolidated Bonds: (i) there shall be a single Consolidated Bond of each maturity; (ii) those Consolidated Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Consolidated Bonds in book entry form shall have no right to receive Consolidated Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Consolidated Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Consolidated Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this County. Debt service charges on Consolidated Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this County's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Consolidated Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this County, enter into an agreement with the beneficial owner or registered owner of any Consolidated Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Consolidated Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Consolidated Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this County. That payment in any event shall be made to the person who is the registered owner of that Consolidated Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Consolidated Bonds and to this County. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The County Administrator or the Budget Director are authorized and directed without further action of this Board to execute, acknowledge and deliver, in the name of and on behalf of this County, a blanket letter agreement between this County and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Consolidated Bonds to the Depository for use in a book entry system, and to take all other actions the County Administrator or the Budget Director deems appropriate in issuing the Consolidated Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Consolidated Bonds for use in a book entry system, this County and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this County and the Paying Agent and Registrar do not or are unable to do so, this County and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Consolidated Bonds from the Depository and authenticate and deliver Consolidated Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Consolidated Bonds), if the event is not the result of action or inaction by this County or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 9. That the members of this Board, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others to apply for a municipal bond insurance policy with respect to the Consolidated Bonds, and accept a commitment therefor, if the Purchaser should recommend the same, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Consolidated Bonds is hereby authorized if the County Administrator or the Budget Director determines that the present value of the interest cost savings on the Consolidated Bonds resulting from the insurance policy is greater than the premium to be charged for the insurance policy, which determination shall be conclusive.

SECTION 10. That the members of this Board, the County Auditor, the County Administrator, the Budget Director or any other officer, employee or agent of this County, are each hereby separately authorized, alone or with others to apply for a rating from one or more national rating services with respect to the Bonds, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the fees and expenses relating to any such rating from the proceeds of the Bonds is hereby authorized.

SECTION 11. That this Board of County Commissioners hereby covenants that it will restrict the use of the proceeds of the Consolidated Bonds hereby authorized 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 obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Code and the regulations prescribed thereunder, including any expenditure requirements, investment limitations or rebate requirements. The County Auditor or any other officer having responsibility with respect to the issuance of the Consolidated Bonds is authorized and directed to give an appropriate certificate on behalf of this County on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 12. That the Clerk of this Board is hereby directed to forward a certified copy of this resolution to the County Auditor.

SECTION 13. 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 of 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 Revised Code of Ohio.

SECTION 14. That this resolution shall take effect immediately upon its adoption.

Commissioner Sweda seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

AYES: (3); Three; Kokoski, Sweda & Lundy

NAYS: (0); Zero

ADOPTED: this 25th day of November, 2020. \_\_\_\_\_

e.19

RESOLUTION NO. 20-755

In the matter of establishing The Lorain County Race and Equity Alliance (REA) to be comprised of 7 member organizations from; Coalition for Hispanic/Latino Issues and Progress (CHIP), El Centro, Elyria NAACP, Lorain NAACP, Oberlin NAACP, Urban League of Lorain County & YWCA )  
 November 25, 2020

WHEREAS, The Board of Lorain County Commissioners is committed to understanding the link between race, government and health, and how the institutions contribute to inequities. As a government body, The Board recognizes the importance of bringing about change for all residents of Lorain County. The Lorain County Race and Equity Alliance (REA) is created to identify and address policies, practices and power structures that intentionally or unintentionally create inequities. The REA will report and present findings, and will make recommendations to address inequities; and

WHEREAS, The Board of Lorain County Commissioners is committed to having the voices of community members represented to advance racial equity throughout the county. The REA will recognize that no one person or group can accomplish the goals of equity alone and will work in partnership with community organizations advancing racial equity and will work with Lorain County Community College. The establishment of The Lorain County Race and Equity Alliance will be comprised of seven member organizations. The original member organizations appointing a representative will be:

- Coalition for Hispanic/Latino Issues and Progress (CHIP)
- El Centro
- Elyria NAACP
- Lorain NAACP
- Oberlin NAACP
- Urban League of Lorain County
- YWCA

And;

WHEREAS, The REA can add two additional member organizations upon a vote of the board one year after its formation. The membership of REA will not exceed nine organizations; and

WHEREAS, The Lorain County Race and Equity Alliance will focus on the following areas where county government can better link to help transform services and help create a system that works for all residents:

- \*Poverty
- \*Unemployment
- \*Diverse and Inclusive Workforce
- \*Health Care
- \*Addiction
- \*Incarceration
- \*High School/College Graduation
- \*Diversity and Cultural Awareness

And;

WHEREAS, The seven-member Lorain County Race & Equity Alliance will be seated in December of 2020. A President, Vice-President and Secretary will be elected by REA members to serve a one-year term. One year after the initial year of REA, yearly elections will be held each January to determine leadership of REA. Each organization will determine in December of each year whether its appointee will continue or whether to appoint a new representative. REA will follow Robert’s Rules of Order; and

WHEREAS, REA will meet six times a year for publicly posted meetings. REA will hold two community forums and will produce a yearly report on findings & recommendations. REA will present the report to The Board of Commissioners and the community. The Board of Commissioners Office will provide support services, meeting space and resources for the REA.

NOW BE IT RESOLVED, the Lorain County Board of Commissioners hereby establishes The Lorain County Race and Equity Alliance (REA) to be comprised of the 7 member organizations above to identify and address policies, practices and power structures that intentionally or unintentionally create inequities.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_(discussion was held on the above)

e.20

RESOLUTION NO. 20-756

In the matter of entering into a Design-Build Agreement With The Brewer-Garrett Company for Energy Conservation) )  
 November 25, 2020

BE IT RESOLVED by the Lorain County Board of Commissioners that we do and hereby authorize entering into a Design Building Agreement with The Brewer Garrett Company to perform design-build services for the Lorain County Energy Conservation Project.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_



e.21

## RESOLUTION NO. 20-757

In the matter of entering into an Energy Performance )  
 Agreement with The Brewer-Garrett Company for )  
 Energy Conservation )

November 25, 2020

BE IT RESOLVED by the Lorain County Board of Commissioners that we do and hereby authorize entering into an Energy Performance Agreement with The Brewer-Garrett Company for the purposes of an assessment of the energy consumption characteristics of certain property and buildings owned by Lorain County and more further described in schedule B of said agreement, the sale and installation of certain energy saving equipment, described in Schedule A of said agreement and provisions of other services described in Schedule D of said agreement designed to save energy and reduce related costs for the premises.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

\_\_\_\_\_ (discussion was held on the above)

**JOB & FAMILY SERVICES**

e.22

## RESOLUTION NO. 20-758

In the matter of authorizing an interagency )  
 agreement between Lorain County Department )  
 of Job and Family Services and Lorain County )  
 Children Services for child welfare services using )  
 Title XX TANF Transfer funds )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize an interagency agreement between Lorain County Department of Job and Family Services and Lorain County Children Services for child welfare services using Title XX TANF Transfer funds.

Said agreement is considered a part hereof to this resolution and by reference thereto and can be found on file in the Commissioner's office/Purchasing Department and Lorain County Department of Job and Family Services. This agreement is effective retroactive from October 1, 2019 through September 30, 2020 and will not exceed a value of \$800,000.00.

FURTHER BE IT RESOLVED, we hereby authorize Director to execute this agreement and amend this agreement for changes in the programming content on behalf of the Lorain County Commissioners with Prosecutors' approval as to form.

BE IT FURTHER RESOLVED, we hereby authorize said payment for services to be made within the amount set above for contract and/or subcontracts.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

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e.23

## RESOLUTION NO. 20-759

In the matter of authorizing a Purchase of Service )  
 agreement between Lorain County Department of )  
 Job and Family Services and Medina County Sheltered )  
 Industries, Inc. dba Windfall Industries, Wadsworth, Ohio )  
 to provide a Work Experience Program for )  
 Supplemental Nutrition Assistance Program recipients )  
 and OWF clients in federal fiscal year 2021 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize a Purchase of Service agreement between Lorain County Department of Job and Family Services and Medina County Sheltered Industries, Inc. dba Windfall Industries, Wadsworth, Ohio to provide a Work Experience Program for Supplemental Nutrition Assistance Program (FAET) recipients and OWF clients in federal fiscal year 2021.

Said agreement is considered a part hereof to this resolution and by reference thereto and can be found on file in the Commissioners/Purchasing Department and Lorain County Department of Job and Family Services. This agreement is effective from October 1, 2020 through September 30, 2021 and will not exceed a value of \$236,485.22.

FURTHER BE IT RESOLVED, we hereby authorize Director to execute this agreement and amend this agreement for changes in the programming content on behalf of the Lorain County Commissioners with Prosecutors' approval as to form.

BE IT FURTHER RESOLVED, we hereby authorize said payment for services to be made within the amount set above for contract and/or subcontracts.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None

Motion carried.

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**SOLID WASTE MANAGEMENT**

e.24 RESOLUTION NO. 20-760

In the matter of approving the Task Order 2021-01 with )  
 GT Environmental Inc., for the solid waste management ) November 25, 2020  
 plan implementation and technical assistance, effective )  
 January 1, 2021 – December 31, 2021 )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve the Task Order 2021-01 with GT Environmental Inc., for the solid waste management plan implementation and technical assistance.

FURTHER BE IT RESOLVED, this task order is considered a part hereof to this resolution by reference thereto and can be found on file in the Commissioners/Purchasing/Solid Waste Office, effective January 1, 2021 – December 31, 2021.

BE IT FURTHER RESOLVED, we hereby authorize said payment to be made in the amount of not to exceed \$94,000

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_

e.25 RESOLUTION NO. 20-761

In the matter of approving the Task Order 2021-02 with )  
 GT Environmental Inc., for the solid waste management ) November 25, 2020  
 temporary technical assistance for collection center )

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve the Task Order 2021-02 with GT Environmental Inc., for the solid waste management temporary technical assistance for collection center

FURTHER BE IT RESOLVED, this task order is considered a part hereof to this resolution by reference thereto and can be found on file in the Commissioners/Purchasing/Solid Waste Office, effective January 1, 2021 – December 31, 2021.

BE IT FURTHER RESOLVED, we hereby authorize said payment to be made in the amount of not to exceed \$90,000

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_

**STORMWATER MANAGEMENT**

e.26 RESOLUTION NO. 20-762

In the matter of awarding a contract to Denes Concrete, Inc.)  
 Wellington, OH in the amount of \$83,110.00 for the Kobelt ) November 25, 2020  
 Ditch Restoration Phase 4, LaGrange Township )

WHEREAS, King and Kobelt Ditch have been approved to be improved via ORC 6131 through Resolution No. 16-290 and had been broken up into phases, this being the final phase; and

WHEREAS, bids were received and opened on November 13, 2020 for the Kobelt Ditch Restoration Phase 4 in LaGrange Township. The project plans and specifications included a base bid with a scope of work. Bids were received from three contractors as follows:

<b>Contractor</b>	<b>Base Bids</b>
1. Denes Concrete, Inc	\$83,110.00
2. N&N Construction Co., Inc	\$83,140.00
3. Mason Dixon Energy Services, LLC	\$99,775.00

NOW THEREFORE BE IT RESOLVED, we hereby authorize said payment to be made to Denes Concrete, Inc to be paid from Acct# 7100.7118.300.304.11.6200.0000

BE IT FURTHER RESOLVED, that we do and hereby issue a Notice to Proceed effective on or after December 15, 2020 and to complete said contract within 60 days from start, but in no event later than February 28, 2021.

FURTHER BE IT RESOLVED, the County Administrator is hereby granted the authority to notify the County Auditor to release retainage at the completion of the contract.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried. \_\_\_\_\_

**TRANSIT**

E27

RESOLUTION NO. 20-763

In the matter of approving and entering into an )  
 Agreement on behalf of Lorain County Transit )  
 With the City of Oberlin to provide transportation )  
 Service effective January 4 – December 30, 2021 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve and enter into an agreement on behalf of Lorain County Transit with the City of Oberlin for Connector and Modified Fixed Route transit service.

FURTHER BE IT RESOLVED, Said agreement will increase the City of Oberlin's service from two (2) days per week to five (5) days per week. The hours of service will increase from nine (9) hours of service to fifteen (15) hours of service, including deadhead time, for each of those days; the Modified Fixed Route service shall consist of trips from Oberlin to Elyria and/or Lorain. Residents of Elyria or Lorain travelling to Oberlin may schedule trips as long as there are no adverse impacts on Oberlin residents.

Said agreement may be amended by mutual agreement of both parties.

Said agreement specifies Oberlin service fares that are consistent with LCT fares plus a special one-way fare of \$1.00 for Oberlin residents of LMHA facilities who are declared by the City of Oberlin as low-income and provided with an Oberlin-issued ID card entitling them to receive the fare discount through the agreement period and on the Oberlin Connector only.

Said agreement is considered a part hereof to this resolution by reference thereto and can be found on file in the Commissioners/Purchasing and LCT offices.

BE IT FURTHER RESOLVED, City of Oberlin will provide the County with local funds in the amount of \$25.02 per hour to be used by LCT as match to an equal amount of grant funds in order to support the service, plus a \$50.00 monthly fee to cover administrative expenses, no County general funds dollars will be used for said service.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

**CHILDREN SERVICES**

e.28

RESOLUTION NO. 20-764

In the matter of authorizing various personnel in the )  
 Lorain County Children Services Department to )  
 utilize the Agency's Mastercards for the year 2020 )  
 not to exceed \$2,500 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various personnel in the Lorain County Children Services Department to utilize the Agency's Mastercards for the year 2018 not to exceed \$2,500 for the following work-related expenses: food, lodging, transportation, telephone, gas and oil for vehicles the county owns or leases, minor vehicle maintenance and emergency repairs for vehicles the county owns or leases, webinar expenses and for purchases for children. List of personnel as follows:

<b>Terminations:</b>		
<b>SURNAME</b>	<b>FIRSTNAME</b>	<b>ID</b>
Smartt	Maria	11404

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

**ENGINEER**

e.29

RESOLUTION NO. 20-765

In the matter of accepting the dedication plat for a portion of )  
 Middle Ridge Road and a portion of Old West Ridge Road as )  
 prepared by Campbell & Associates in September of 2020, to )  
 facilitate the widening of Middle Ridge Rd in Elyria Township)

November 25, 2020

WHEREAS, Ken Carney, Lorain County Engineer by letter dated November 23, 2020 submitted the following:

As part of the road widening required to facilitate the new Carvana facility in Elyria Township, additional right of way along the east side of Middle Ridge Road is required. Carvana has agreed to donate the additional right of way and a dedication plat depicting the property to be conveyed to Lorain County has been prepared.

At this time, Lorain County Engineer Ken Carney is requesting the board to take the necessary actions to accept the **DEDICATION PLAT FOR PORTION OF MIDDLE RIDGE ROAD AND A PORTION OF OLD WEST RIDGE ROAD** as prepared by Campbell & Associates in September of 2020. Additionally, upon approval by the Board, the engineer will collect the required signatures and have the plat recorded by the Lorain County Recorder's Office. Thank you for your assistance and please feel free to contact Robert Klaiber or myself at 440-329-5586 if you have any questions.

BE IT RESOLVED, by the Board of Commissioners of Lorain County, Ohio, that upon the recommendation of the Lorain County Engineer by his letter dated November 23, 2020, we do hereby accept the dedication plat for portion of Middle Ridge Road and a portion of Old West Ridge Road as prepared by Campbell & Associates in September of 2020.

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

(discussion was held on the above)

**VETERANS**

e.30

RESOLUTION NO. 20-766

In the matter of authorizing payment of \$1,000 to )  
 Reichlin-Roberts Funeral Home, Elyria for Indigent )  
 Veteran Michael Groomes, Lorain in accordance )  
 with ORC 5901.25 )

November 25, 2020

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize payment of \$1,000 to Reichlin-Roberts Funeral Home, Elyria for Indigent Veteran Michael Groomes, Lorain in accordance with ORC 5901.25

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

f

**COUNTY ADMINISTRATOR**

Mr. Cordes said it is not great out there, we need to continue to wear our masks and he knows that it is rough with the holidays but try virtual and next year we can all get together and said the vaccine is coming and will be given to healthcare front line workers first. He wished everyone a Happy Thanksgiving \_\_\_\_\_(discussion was held on the above)

g

**ASSISTANT COUNTY PROSECUTOR**

Mr. Gerald A. Innes requested an executive session to discuss 1 personnel matter re: compensation and 1 pending litigation

h

**COMMISSIONERS REPORT**

Commissioner Lundy said Community Protection Team met yesterday and Mr., Covell has changed his tune the cases are up to 1,200 said the vaccine should be coming mid-December for healthcare workers, Spring/Summer for rest. He said the hospitals are stressed issue with staff having covid

Commissioner Lundy wished all a Happy Thanksgiving and need to reflect on our blessings and wait to be with everyone next year.

Commissioner Kokoski said Commissioners gave money to Second Harvest & Commodore Cupboard and delivered 500 hot meals  
 Commissioner Kokoski said it will just be her and her son on Thanksgiving and rest virtual getting meals from Germans Villa and wish everyone a happy holiday, be safe and wear masks

Commissioner Sweda said presentations this morning was great, have wonderful service agencies that are here to help our residents  
 Commissioner Sweda said Saturday, Lorain Historical Society doing a shop local and everyone gets cookies and trolley will run  
 Commissioner Sweda urges all to stay safe and said travel is down 10% and they are just eating turkey at home on their comfy couch  
 \_\_\_\_\_(discussion was held on the above)

i

**CLERK'S REPORT**

- #1. Tuesday, December 1 at 9:30 a.m., Annexation Hearing 41.9821 acres from Eaton Township to the Village of Grafton, Ohio James R. White, Esq., Agent for Petitioner Kevin Flanigan, Authorized Member, KNG, LTD, zoom platform
- #2. Wednesday, December 2 at 9:30 a.m., Commissioners meeting zoom platform

h

**BOARD CORRESPONDENCE**

Motion by Kokoski, seconded by Sweda to approve the Board Correspondence and waive the reading of the same. Ayes: Kokoski, Sweda & Lundy / Nays; None

- #1. Lorain County Collection Center and Tire Sites to reopen with restrictions  
 -Collection Center, 540 S. Abbe Rd, Elyria Wednesdays ONLY from 12 pm – 6 pm & Saturdays ONLY from 9 am – 3pm  
 - Lorain Tire Site, located at 114 E 35th Street, Lorain from 9 am – 1 pm Tuesdays ONLY  
 -Grafton Tire Site, 17109 Avon Belden, Grafton from 9 am – 1 pm., Saturdays ONLY  
 1. Stay home if sick or have symptoms                      2. Pack materials in truck bed or car trunk  
 3. Do not place next to personal belongings              4. Expect longer wait times  
 5. Stay in vehicle at all times                                      6. Provide proof of Lorain county residency  
 7. Facial coverings required to be serviced  
 More information about specific materials, costs or other program look at [www.loraincounty.us/solidwaste](http://www.loraincounty.us/solidwaste) or 440-329-5111
- #2. Ohio Division of Liquor license  
 New for Schild Inc., dba Schilds IGA, 34981 E. Royalton Rd, Eaton Twp.  
 Transfer from Brittany Tursivio, dba Britts Riverside Deli, 38670 Butternut Ridge Rd, Carlisle to Jay Mahakal, Inc. dba Britts Riverside Deli  
 Transfer from Rock and Racing LLC dba Lorain County Speedway Tack Stands & Concessions, 46279 Telegraph Rd, Amherst Twp. to Raceway Concessions, LLC
- #3. Sheriff in compliance with ORC 311.20 monthly itemized account of feeding and keeping poisoners and others in his charge was 21,941 meals served in October at a cost of \$1.49
- #4. Engineer issued various highway use permits  
 #20-156-Columbia Gas of Ohio, Lorain install 2” gas service on west side of Olivet Ave at 5 feet +/- north of Rosewood St to service house #6115, Elyria Twp.  
 #20-157-Columbia Gas of Ohio, Columbus install 1” gas service tap on west side of Station Rd at 900’+/- south of Sprague Rd service house #10052, Columbia Twp.

Board correspondence cont.

November 25, 2020

#20-158-Columbia Gas, Columbus install 1" gas service tap on north side of Arrowhead Dr at 1,100'+- north of Flint Ridge Dr service tap on north side of Arrowhead Dr at 1,100'+- north of Flint Ridge Dr service house #1117, Eaton Twp.

#20-159-Columbia Gas of Ohio, Lorain install 4" plastic gas mainline on east side of Oberlin Rd at 4,400'+- south of Telegraph Rd to service house #9243, Elyria Twp.

#20-160-Columbia Gas/Infrasource, Columbus install 1" gas service tap on south side of Bexley Dr at 300'+- north of Barrington Dr service house #12175, Eaton Twp.

#20-161-Columbia Gas of Ohio, Columbus install 1" gas service tap on east side of Clarke Rd at 2,300'+- south of Snell Rd to service house #11837, Columbia Twp

#20-161-Columbia Gas of Ohio, Columbus install 1" gas service tap on south side of Antler Dr at 210'+- east of Whitetail run to service house #11501, Columbia Twp.

#20-163-Consumers Gas Cooperative, Orrville install 1" gas service line on north side of Law Rd at .5'+- west of Island Rd then bore under road, Grafton Twp.

- #5. Publications: "Crain's"; "Ohio Turnpike Connection"; "NACO news"; "CCAO statehouse reports"; "Counties Current"; "LCCAA mission moment": "
- #6. Sheriff in compliance with ORC 301.27 estimates December gas cards to be \$400
- #7. Thank you email from Little Devil Cupcakery on receiving the small business grant she is beyond grateful and appreciative
- #8. HB404 extends expiration date of driver license, identification cards and vehicle registration until July 1, 2021.1 More info at [www.OPlates.com](http://www.OPlates.com)

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#### JOURNAL ENTRY

Commissioner Kokoski moved, seconded by Commissioner Sweda to recess into an executive session at 10:59 a.m. with the zoom platform breakout room to new hires, pending litigation issues and sale of real estate and pending litigation issues. Upon roll call the vote taken thereon, resulted as: Ayes: All Kokoski, Sweda & Lundy / Nays: None  
Motion carried.

Commissioners reconvened and the following resolution was adopted:

#### RESOLUTION NO. 20-767

In the matter of authorizing various personnel actions as )  
Indicated on the summary sheet for employees within the ) November 25, 2020  
Jurisdiction of the Lorain County Board of Commissioners)

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby authorize various personal actions as indicated on the summary sheet for employees within the jurisdiction of the Lorain County Board of Commissioners

#### **Stormwater:**

##### New hire:

1. Matt Arnold, Storm Water Technician, effective date and rate of pay to be determined

#### **Community Development:**

##### New hires:

1. Natasha Cresap, ED Specialist, effective date and rate of pay to be determined
2. Robert LaRussa, ED Specialist, effective date and rate of pay to be determined

##### Promotion:

3. Drake Hopewell, CDBG and CHIP Program Manager, effective date to be determined at rate of \$24/25 / hour

#### **Transportation Center:**

##### Resignations:

1. Heather Ives, Hostess, effective November 17, 2020 at rate of \$10.83/hour

#### **Commissioners:**

##### Contract approved

1. Agreement between Local 18-S of the International Union of Operating Engineers, SERB Case #2020-MED-07-0669, effective September 1, 2020 – August 31, 2023

##### New hires:

2. Megan Gordan, Secretary 3, effective date and rate of pay to be determined

#### **NOACA**

##### Appoint:

1. David Moore, Commissioner Elect, effective January 1, 2021 – December 31, 2021
1. Alternate to Commissioner Elect Moore, effective date and person to be determined

##### Re-appoint:

2. Ken Carney, Member, effective January 1, 2021 – December 31, 2021
2. Robert Klaiber, Alternate to Ken Carney, effective January 1, 2021 – December 31, 2021
3. Dick Heidecker (Columbia Township Trustee), Member, January 1, 2021 – December 31, 2021
3. Mark Cunningham (Columbia Township Trustee), Alternate to Dick Heidecker, January 1, 2021 – December 31, 2021
4. Jack Bradley, Lorain Mayor, January 1, 2021 – December 31, 2021
5. Frank Whitfield, Elyria Mayor, January 1, 2021 – December 31, 2021
6. Matt Lundy, Commissioner, January 1, 2021 – December 31, 2021
6. Greg Zilka, Alternate Member to Commissioner Lundy, January 1, 2021 – December 31, 2021
7. John Hunter, Sheffield Mayor, January 1, 2021 – December 31, 2021
7. David DiVencenzo, Grafton Mayor, January 1, 2021 – December 31, 2021

**NOACA/AIR**

**Appoint:**

- 1. David Moore, Commissioner Elect, Member, January 1, 2021 – December 31, 2021
- 1. Robert Klaiber, Alternate to Commissioner Elect, January 1, 2021 – December 31, 2021

**NOACA/RURAL ADVISORY COUNCIL**

- 1. Carl Wesemyer, Grafton Township Trustee, Member, January 1, 2021 – December 31, 2021
- 2. Christin Brandon, LCCDD, Member, January 1, 2021 – December 31, 2021

Motion by Kokoski, seconded by Sweda to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes: Kokoski, Sweda & Lundy / Nays: None  
 Motion carried.

\_\_\_\_\_

**JOURNAL ENTRY**

With no further business before the Board, Motion by Kokoski seconded by Sweda to adjourn at 2:57 p.m. Ayes: Kokoski Sweda & Lundy / Nays: None  
 Motion carried.

The meeting then adjourned.

\_\_\_\_\_)Commissioners  
 Lori Kokoski, President )  
 )  
 \_\_\_\_\_)of  
 Sharon Sweda, Vice-president )  
 )  
 \_\_\_\_\_)Lorain County  
 Matt Lundy, Member )Ohio

Attest: \_\_\_\_\_, Clerk  
 Theresa L. Upton, Clerk

**HAPPY THANKSGIVING - COUNTY OFFICES CLOSED ON - THURS 11/26 & FRI 11/27**

