

September 4, 2014

Agenda

Pledge of Allegiance

Approve Minutes

Before/After Expenditures

Equipment Request – Commissioners (1)

Equipment Request – JFS (2)

Supplemental Appropriations (5)

Transfer of Funds (4)

Union Hospital Bond Resolution

Pay Bills

Other Business

Adjourn

THE BOARD OF COMMISSIONERS OF TUSCARAWAS COUNTY MET IN REGULAR SESSION, THURSDAY, THE 4TH DAY OF SEPTEMBER, 2014, WITH THE FOLLOWING MEMBERS PRESENT:

Chris Abbuhl
Belle Everett
Kerry Metzger

Commissioner Abbuhl presiding.

*The Lord's Prayer was said.
The Pledge of Allegiance was said.*

RESOLUTION (822-2014) APPROVE MINUTES

It was moved by Commissioner Everett, seconded by Commissioner Abbuhl, to approve the minutes of the previous meeting as written.

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, abstain;

RESOLUTION (823-2014) BEFORE/AFTER EXPENDITURES

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following before/after expenditures:

Harris Battery (W/S)	198.30
Kegler Brown Hill Ritter (W/S)	1501.40
Henry Heating & Cooling (Sheriff)	541.73
Chuck Nicholson (Sheriff)	432.80
Johnson Towing Service (Sheriff)	100.00
Staley Technologies (Insurance Trust)	4,301.26
“ “	10,000.00
Widder Architectural Services (Capital Projects)	480.00
Quill (So. Court)	391.86

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

RESOLUTION (824-2014) EQUIPMENT REQUEST – COMMISSIONERS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following equipment request:

COMMISSIONERS

5 Executive Chairs up to \$200 each and 12 Office Roller Bottom Chairs up to \$125.00 to replace original office chairs in Commissioner’s Board Room and Conference Room. (Up to \$2,500 from A001-A04)

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

RESOLUTION (825-2014) EQUIPMENT REQUEST – Job & Family Services

It was moved by Commissioner Metzger, seconded by Commissioner Everett, to approve the following equipment request:

JOB & FAMILY SERVICES

6 Canon DR-C130 Document Scanners in the amount of \$2808.00 total (\$468 each) from H03 fund. These scanners will replace existing scanners that do not work very well. They may be purchased individually, over a period of time, when we have the available funds.

3 HP Laserjet Pro M401dne Printers in the amount of \$219 each x 3 = \$657.00 from H03 fund. These printers will replace existing printers that do not work very well. They may be purchased individually, over a period of time, when we have the available funds.

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

RESOLUTION (826-2014) SUPPLEMENTAL APPROPRIATIONS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following supplemental appropriations:

DEPARTMENT	FROM	TO	AMOUNT	REASON
Commissioners	A018-A00	A001-A04	\$2,500.00	Equipment
Auditor	A018-A00	A008-C01	\$27.60	Fees
JFS	H000-H46	H000-H33	\$2,416.56	Purchase of Service
Moving Forward	Ohio U050-U05	U050-U01	\$15,200.00	Disbursements

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

RESOLUTION (827-2014) TRANSFER OF FUNDS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve the following transfer of funds:

DEPARTMENT	FROM	TO	AMOUNT	REASON
JFS	H000-H34	H000-H30	\$10,000.00	Travel/Expenses
“ “	H000-H15	H000-H33	\$40,000.00	Purchase of Service
Jury Admin	J12-J04	J12-J01	\$150.00	Supplies
Common Pleas	T035-T01	T035-T10	\$612.75	Contract Services
“ “	T035-T04	“ “	\$85.98	“ “
“ “	T035-T05	“ “	\$21.51	“ “
“ “	T035-T07	“ “	\$9.29	“ “
Maintenance	A004-B13	A004-B18	\$1,958.32	Contract Services

VOTE: Chris Abbuhl, yes;
Belle Everett, yes;
Kerry Metzger, yes;

Discussion – Union Hospital Bonds:

Attorney Michael Melliere and Bob Craig (Vice President, Union Hospital) were present to represent Union Hospital. Attorney Melliere summarized the resolution for consideration. This resolution authorizes the issuance of bonds up to the principal amount of \$50,000,000 for Union Hospital Association. The two main purposes of the bond issue is to refinance the 2009 bonds also issued through the county on behalf of Union Hospital and for new money for the Emergency Department on campus at Union Hospital. Commissioner Metzger reiterated that the passage of this resolution is as a conduit through the county with no cost or obligation to the county if Union Hospital does not make the payments. Attorney Melliere stated that is correct although the county is the "issuer" for the tax exemption there are no county funds or tax payer funds at risk. Even if Union Hospital would default the county is not obligated. There is language in the bond itself and throughout the bond documents to that effect. Commissioner Abbuhl added that the Auditor and Assistant Prosecuting Attorney have reviewed and approved the documents. The commissioners thanked Attorney Melliere and Mr. Craig and are looking forward to the hospital expansion. This is a good thing for the community and health care system.

RESOLUTION (828-2014) UNION HOSPITAL BONDS

The Board of County Commissioners of the County of Tuscarawas, Ohio met in regular session on the 4th day of September, 2014, with the following members present:

**Chris Abbuhl
Belle Everett
Kerry Metzger**

Kerry Metzger introduced the following resolution and moved its passage:

A RESOLUTION DETERMINING THE NECESSITY OF AND AUTHORIZING THE ISSUANCE AND SALE OF VARIABLE RATE HEALTH CARE FACILITIES REFUNDING AND IMPROVEMENT REVENUE BONDS (UNION HOSPITAL PROJECT), IN ONE OR MORE SERIES, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000, AUTHORIZING THE EXECUTION AND DELIVERY OF A BASE LEASE, LEASE AND ASSIGNMENT IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT WITH RESPECT TO THE BONDS; AUTHORIZING EXECUTION OF A TAX REGULATORY AGREEMENT WITH RESPECT TO THE BONDS; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, this Board of County Commissioners previously authorized and issued the County of Tuscarawas, Ohio (the "County") \$27,515,000 original principal amount Health Care Facilities Refunding and Improvement Revenue Bonds, Series 2009 (Union Hospital Project), dated October 15, 2009 (the "Prior Bonds"), for the purpose of financing the acquisition, construction, renovation, installation and equipping of hospital facilities, as that term is defined in Section 140.01 of the Ohio Revised Code, for the benefit of The Union Hospital Association, an Ohio nonprofit corporation (the "Corporation"), and for related necessary purposes; and

WHEREAS, this Board of County Commissioners has determined to authorize the issuance by the County of its Variable Rate Health Care Facilities Refunding and Improvement Revenue Bonds, Series 2014 (Union Hospital Project) (the "Series 2014 Bonds") in one or more series, for the purposes of (i) financing and refinancing, or reimbursing the Corporation for, certain costs of the acquisition, construction, renovation and equipping of certain improvements to "hospital facilities," as that term is defined in Section 140.01 of the Ohio Revised Code, including, but not limited to, construction and equipping of a new emergency department, renovation and construction of existing facilities including but not limited to the existing emergency department, and acquisition and installation of equipment (the "New Project") located at the Corporation's main campus for the healthcare facilities known as "Union Hospital" (the "Hospital"); (ii) current refunding of the outstanding principal amount of the Prior Bonds, the proceeds of which Prior Bonds were used to finance or refinance the acquisition, construction, renovation and equipping of certain improvements to "hospital facilities", including, but not limited to, renovation and construction of existing facilities, acquisition and installation of MRI units, mammography machines, ultrasound machines, communication equipment, beds and other equipment (the "Prior Bonds Project") (iii) refinance an existing loan of the Corporation (the "Prior Loan"), the proceeds of which were used to finance or refinance the acquisition,

construction and equipping of an ambulatory surgical facility (the "Prior Loan Project" and, together with the New Project and the Prior Bonds Project, the "Project") and any interest rate swap termination payments related to such Prior Loan, (iv) fund capitalized interest on the Series 2014 Bonds, if any and (v) pay certain costs of issuance of the Series 2014 Bonds; and

WHEREAS, the financing and refinancing of the acquisition, construction, renovation, installation and equipping of the Project will be in the best interests of the County and will assist in providing hospital facilities at the lowest possible cost to the residents of the County, which hospital facilities are and shall be available for the service of the general public without discrimination by reason of race, creed, color or national origin; and

WHEREAS, this Board of County Commissioners is authorized by the authority contained in Chapter 140, Ohio Revised Code, to issue its revenue bonds for the aforesaid purposes; and

WHEREAS, the County will acquire a leasehold interest in the Project Facilities, as defined in the Bond Purchase Agreement authorized below, pursuant to a Base Lease (the "Base Lease") with the Corporation and will sublease the Project Facilities pursuant to a Lease (the "Lease") to the Corporation, which is an Ohio corporation not for profit, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual and which has authority to operate hospital facilities; and

WHEREAS, it is necessary in connection with the issuance of such Series 2014 Bonds and the financing and refinancing of the Project to provide for the authorization of the Base Lease, the Lease, the Bond Purchase Agreement and the Tax Regulatory Agreement and to authorize certain other documents in connection with the issuance of the Series 2014 Bonds;

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

SECTION 1. That for the purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and facilitating the financing of hospital facilities to be available to or for the service of the general public without discrimination by reason of race, creed, color or national origin, this Board of County Commissioners hereby determines that revenue bonds shall be issued pursuant to Section 140.06, Ohio Revised Code, in the principal amount of not to exceed \$50,000,000 for the purposes set forth in the preambles hereto. Such bonds shall be designated "County of Tuscarawas, Ohio, Variable Rate Health Care Facilities Refunding and Improvement Revenue Bonds, Series 2014 (Union Hospital Project)", or such other designation as shall be set forth in the Bond Purchase Agreement herein authorized. The Series 2014 Bonds shall be issued in the form and denominations and shall be executed, dated, be subject to redemption prior to maturity on the dates and at the prices, have final principal amount for each series, bear interest, and be payable on the dates, as provided in the Bond Purchase Agreement hereinafter authorized. The Series 2014 Bonds shall be issued at a variable rate of interest which shall not exceed 10% per

annum. The Series 2014 Bonds shall be retired either at stated maturity or by mandatory sinking fund redemption over a period not to exceed 35 years as set forth in the Bond Purchase Agreement hereinafter authorized.

SECTION 2. That the Series 2014 Bonds shall be payable at the designated office of the registered owner of the Series 2014 Bonds, initially RBS Citizens, N.A. or one or more affiliates thereof (the "Original Purchaser").

SECTION 3. That each of the Series 2014 Bonds authorized hereby shall bear on its face a statement that the Series 2014 Bonds are not general obligations, debt or bonded indebtedness of the County or the State of Ohio or any political subdivision thereof, and the holders or owners of the Series 2014 Bonds are not given the right, and have no right, to have excises or taxes levied by the County or the State of Ohio or any political subdivision thereof, for the payment of the bond service charges on such Series 2014 Bonds and that the right to such payment is limited to the revenues and special funds pledged for such purpose under the Bond Purchase Agreement herein authorized.

SECTION 4. That any two members of this Board of County Commissioners be and they are hereby authorized and directed to execute on behalf of the County, a Bond Purchase Agreement (the "Bond Purchase Agreement") with the Corporation and the Original Purchaser, in substantially the form presented to this Board and on file with the Clerk, and the security as therein described shall be pledged and the other agreements, covenants and promises therein made on behalf of the County shall be conclusively binding upon the County and in full force and effect from and after delivery of the Series 2014 Bonds to the Original Purchaser pursuant to the terms of the Bond Purchase Agreement. Such Bond Purchase Agreement shall set forth the purchase price of the Series 2014 Bonds including the principal amount, maturities and interest rate or rates on the Series 2014 Bonds. The Bond Purchase Agreement shall be subject to such changes, insertions and omissions as may be approved by this Board of County Commissioners, which approval shall be conclusively evidenced by the execution of the Bond Purchase Agreement as aforesaid.

SECTION 5. That any two members of this Board of County Commissioners are hereby authorized and directed to do all the acts and things required of them by the provisions of the Series 2014 Bonds and the Bond Purchase Agreement to the end that full and complete performance of all of the terms, covenants and agreements of the Series 2014 Bonds and the Bond Purchase Agreement shall be effected.

SECTION 6. That this Board of County Commissioners hereby determines that the leasing of the Project Facilities from the Corporation pursuant to the Base Lease and the subleasing of the Project Facilities to the Corporation pursuant to the Lease is undertaken for and will serve the public purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby.

SECTION 7. That any two members of this Board of County Commissioners be and they are hereby authorized and directed to execute and enter into, on behalf of the County, the Base Lease and the Lease with the Corporation. The Base Lease and the Lease shall be substantially in the forms presented to this Board of County Commissioners and on file with the Clerk of this Board of County Commissioners, subject to such changes, insertions and omissions as may be approved by this Board of County Commissioners, which approval shall be conclusively evidenced by the execution of the Base Lease and the Lease as aforesaid. It is hereby determined that the Lease and the Base Lease will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the County will be duly benefited thereby.

SECTION 8. That any two members of this Board of County Commissioners be and they are hereby authorized and directed to execute and deliver on behalf of the County a Tax Regulatory Agreement substantially in the form presented to this Board of County Commissioners and on file with the Clerk of this Board of County Commissioners, subject to such changes, insertions and omissions as may be approved by this Board of County Commissioners, which approval shall be conclusively evidenced by the execution of the Tax Regulatory Agreement as aforesaid.

SECTION 9. That this Board of County Commissioners, hereby covenants that it will restrict the use of the proceeds of the Series 2014 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 "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code and the regulations prescribed thereunder. The Clerk or any other officer having responsibility with respect to the issuance of the Series 2014 Bonds is authorized and directed to give an appropriate certificate on behalf of the County, on the date of delivery of the Series 2014 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 Section 148 and regulations thereunder.

SECTION 10. That any member of this Board of County Commissioners, be and hereby is authorized to execute and deliver on behalf of the County such other certificates, documents and instruments in connection with the issuance and public sale of the Series 2014 Bonds, the refunding of the Prior Bonds and the acquisition, construction, renovation, installation and equipping of the Project as may be required, necessary or appropriate, including, without limitation, any insurance commitment or other documents executed and delivered to provide that the Series 2014 Bonds be insured or secured by a bank, financial guaranty company or insurance company of recognized standing, any documents which are necessary or appropriate in order to ensure continuing compliance of the Series 2014 Bonds with the Internal Revenue Code, including IRS Forms 8038 (or other similar applicable forms) and conveyances of title to real and personal property, financing statements, terminations of financing statements and other releases of security interests in property and cancellations of leases. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions as may be approved by this Board of County Commissioners, which approval shall be

RESOLUTION (829-2014)

PAY BILLS

It was moved by Commissioner Everett, seconded by Commissioner Metzger, to approve for payment the following bills:

Auditor

Treasurer, State of OH GAAP Conversion/LGS Audit Services 75.00

Child Support Enforcement Agency

Toshiba Business Solution Copier Maintenance 154.56
 G&L Supply Janitorial Supply 30.51
 Embassy Suites Columbus Lodging 99.00
 Dominion East Ohio Monthly Natural Gas Usage 840.32

Community Corrections

Secured Monitoring House Arrest Monitoring 510.00

Emergency Management

Xerox Corp Copier Lease EMA Share 124.29
 Patty Levengood Supplies/Wash EMA Vehicle 10.00

Engineer

Jim's Towing Service Towing Service 300.00

Juvenile/Probate

Ohio Association of Magistrates 2014 Annual Conference 350.00
 Ziegler Tire Tires – Supplies 351.76
 Independence Business Supply Office Supplies 5.78
 Shannon Davis Transcripts 77.00
 Xerox Leased Copier 110.19
 Xerox Leased Copier 64.08
 Xerox Leased Copier 106.52
 Xerox Leased Copier 120.28

Prosecutor

Bloom's Printing Victim Assistance Business Cards 60.00

Recorder

ACS Contract Services 9149.40
 Xerox Base Charges 162.74

Sheriff

Miller & Company Unit Service for IWP 64.00

Treasurer

US Bank Equipment Finance Copier Lease 82.00

Water/Sewer

Twin City Water & Sewer Midvale Barnhill Sewer (Corrected amount) 7598.19
 Lowe's Materials 90.10
 Buckeye Power Emergency Repair 1689.73
 Buckeye Power Sales Replaced failed auto start 1670.97
 Brechbuhler Scales Inc. Annual scale certification 93.85
 Coshocton Environmental Lab Service 185.00
 AEP Electric Service 816.77
 Frontier Telephone Service 37.73
 Newcomerstown Water OM&R (sewer) 3765.04
 ORWA Membership Renewal 458.00
 Frontier Telephone Service 42.03
 Dixon Engineering Engineering Service WH Water Tank 11953.50
 WE Quicksall Engineering Sandyville Sparta WWTP 6559.50
 ORWA Membership Renewal 342.00
 AEP Electric Service 193.77
 Troy Pantilis Cleaning 320.00
 Bridges Excavating Emergency Repair water main Kerns 630.00
 Lowe's Materials 209.10
 HD Supply Materials 1139.04
 The Crossroads Hardware Supplies 52.94

HD Supply	Materials	244.33
Tusc. Co. Commissioners	Repayment of garage/building	3076.25
Job & Family Services		
Nicholas & Clorissa Garlando	FC Clothing Reimbursement	298.174
Coshocton Co. Health Department	Foster Child Medical	65.00
Ohio Treasurer of State JFS	Adoption Incentive SFY.14	161.85
Guidestone	Supervised Visits	1421.77
Melymbrosia Assoc Inc	FACES	50.00
Todd Byers	FACES	600.00
Village of Gnadenhutten	FACES	362.00
Gary Barnhart	FACES	1320.00
New Phila Water Dept	FACES	99.38
Tamara Steiner	KPIP	525.00
Sandra Mann	KPIP	525.00
Kelly Orlando	KPIP	900.00
Harris Communications	Pilot Prevention	205.85
Community Mental Healthcare	FACES	264.00
Norwich City Clerk	Birth Certificate	20.00
Buckeye Ranch	FC Account/Assessments	460.02
Staples Advantage	Supplies	83.12
Officemax Inc	Supplies	48.92
Workforce Initiative Assoc	TANF Summer Youth	55458.99
Timothy Haswell	Travel & Training	148.14
Lisa Wodkowski	Travel & Training	111.94
Angela Barlock	Travel & Training	157.16
Gabrielle Weingarh	Travel & Training	205.16
Maggie Rentsch	Travel & Training	328.62
Beverly Gerber	Travel & Training	181.26
Kathryn Fisher	Travel & Training	587.80
Shannon Gribble	Travel & Training	15.18
Elizabeth Benedetto	Travel & Training	39.56
George LeMay	Travel & Training	97.43
SEA	Transportation	59725.00

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

NO OTHER BUSINESS COMING BEFORE THE BOARD.

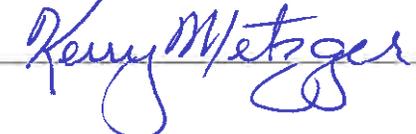
RESOLUTION (830-2014) ADJOURN

It was moved by Commissioner Metzger, seconded by Commissioner Everett, to adjourn at 9:12 a.m. to meet in Regular Session, Monday, the 8th day of September, 2014.

VOTE: Chris Abbuhl, yes;
 Belle Everett, yes;
 Kerry Metzger, yes;

We hereby certify the above and foregoing to be a true and correct account of the proceedings as had by and before us on the day and year first written above.





Attest: 
 Clerk of the Board