

CONVENED: \_\_\_\_\_

RESOLUTIONS ARE IN DRAFT FORM  
UNTIL THE COMMISSIONERS MEETING  
THEREFORE SUBJECT TO CHANGE  
WITHOUT NOTICE

2024-06

ADJOURNED: \_\_\_\_\_

**LAKE COUNTY COMMISSIONERS' MEETING**  
**FEBRUARY 8, 2024**  
**10:00 A.M.**

JOHN T. PLECNIK, PRESIDENT  
JOHN R. HAMERCHECK, COMMISSIONER  
RICHARD J. REGOVICH, COMMISSIONER

JASON BOYD, ADMINISTRATOR  
JENNIFER BELL, CLERK  
LEGAL COUNSEL

- 
- ROLL CALL
  - MINUTES: ORGANIZATIONAL MEETING OF JANUARY 4, 2024 AND REGULAR MEETINGS OF JANUARY 4, 11, 19 AND 25, 2024
  - PUBLIC COMMENT
- 

RESOLUTIONS:

ENGINEER'S OFFICE – Jim Gills

1. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO ENTER INTO A LOCAL PUBLIC AGENT (LPA) AGREEMENT WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO FOR THE LAK-MIDDLE RIDGE ROAD (CR 022) RESURFACING PROJECT (PID 119690); LCE PROJECT NO. 2023-012(20240208\E01)(E-3)
2. RESOLUTION AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A THREE-YEAR MAINTENANCE SURETY FOR VILLAS OF CANTERWOOD FARMS PHASE 2 SUBDIVISION IN CONCORD TOWNSHIP(20240208\E02)(SD-443)

UTILITIES – Randy Rothlisberger

3. RESOLUTION PROVIDING FOR \$2,175,000 NOTES FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES KIRTLAND OLD TOWN SANITARY SEWER PROJECT 445-S(20240208\U01)(UT-15)

COMMISSIONERS' OFFICE

4. RESOLUTION REAPPOINTING SANDRA F. COFFEE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE LAKE COUNTY LIBRARY DISTRICT, FOR A SEVEN-YEAR TERM COMMENCING FEBRUARY 8, 2024 AND ENDING FEBRUARY 7, 2031(20240208\C01)(B-52)
5. RESOLUTION AUTHORIZING THE LAKE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE FOR REAL PROPERTY LOCATED AT 100 W. ERIE STREET IN THE CITY OF PAINESVILLE, OHIO(20240208\C02)(209-z-47)
6. RESOLUTION AUTHORIZING EXECUTION OF A WORK AMENDMENT TO THE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND BURGESS AND NIPLE, INC. FOR ADDITIONAL DESIGN PROFESSIONAL SERVICES FOR COURTHOUSE HVAC UPGRADES(20240208\C03)(C-107)

FINANCE DEPARTMENT

- 7. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,885,622.89 (20240208\BC01)(C-4)
- 8. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$4,480,793.37 (20240208\BC02)(C-17)
- 9. RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20240208\BC03)(C-111)

DEPARTMENTAL REPORTS

- UTILITIES
  - JOB AND FAMILY SERVICES
  - COUNTY ADMINISTRATOR
  - CLERK
  - LEGAL
- 
- OLD BUSINESS
  - NEW BUSINESS

EXECUTIVE SESSION

\_\_\_\_\_ MOTION TO CONVENE EXECUTIVE SESSION:                      \_\_\_\_\_ SECOND \_\_\_\_\_  
TIME

\_\_\_\_\_ RECESSED:  
TIME

\_\_\_\_\_ MOTION TO ADJOURN THE MEETING:                      \_\_\_\_\_ SECOND \_\_\_\_\_  
TIME

**\*NEXT REGULAR MEETING: 10:00 A.M., THURSDAY, FEBRUARY 15, 2024\***

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO ENTER INTO A LOCAL PUBLIC AGENT (LPA) AGREEMENT WITH THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO FOR THE LAK-MIDDLE RIDGE ROAD (CR 022) RESURFACING PROJECT (PID 119690); LCE PROJECT NO. 2023-012**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code; and

WHEREAS, section 5501.03 (C) of the Ohio Revised Code provides that the Director of Transportation may coordinate the activities of the Department of Transportation with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers, and functions; and

WHEREAS, the LAK-Middle Ridge Road (CR 022) Resurfacing Project is for resurfacing Middle Ridge Road from Townline Road (CR 019) to SR 528 and therefore eligible to receive Federal NOACA (4TA7) Funding; and

WHEREAS, the Lake County Engineer has received funding approval from NOACA, the MPO having responsibility for the Federal Highway funds involved to provide at a rate of eighty percent (80%) up to a maximum participation of \$2,065,198.00, of eligible costs, and

WHEREAS, it is the mutual desire of both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the PROJECT, and

WHEREAS, the Ohio Department of Transportation requires a designated local official with clear authority.

NOW, THEREFORE BE IT RESOLVED, that the Board of Lake County Commissioners, in and for Lake County, Ohio, hereby authorizes execution of an agreement between the Director of Transportation of the State of Ohio and the Board of Lake County Commissioners for the LAK-Middle Ridge Road (CR 022) Resurfacing Project.

BE IT FURTHER RESOLVED, that the Board of Lake County Commissioners, in and for Lake County, Ohio, hereby authorizes County Engineer, James R. Gills to perform all necessary functions that may be required for carrying out the LAK-Middle Ridge Road (CR 022) Resurfacing Project to its completion.

BE IT FURTHER RESOLVED, that the Clerk of the Board of Lake County Commissioners is hereby directed to forward copies of this resolution to the Board of Lake County Commissioners, the Lake County Engineer; and to ODOT District 12, 5500 Transportation Blvd., Garfield Heights, Ohio 44125-5308, Attention Ms. Melinda Bartizal.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

**CLERK'S CERTIFICATION**

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A THREE-YEAR MAINTENANCE SURETY FOR VILLAS OF CANTERWOOD FARMS PHASE 2 SUBDIVISION IN CONCORD TOWNSHIP**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the Lake County Engineer has inspected the work in the above-captioned subdivision and it has met his approval; and

WHEREAS, it is the recommendation of the Lake County Engineer that this Board accept a three-year maintenance surety for the above-captioned subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby accept a three-year maintenance surety in the amount of \$1,480,208.51, for site preparation, storm sewer, paving, and related improvements for Villas of Canterwood Farms, Phase 2 Subdivision, Concord Township, in accordance with the recommendation of the Lake County Engineer and the Concord Township Trustees.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Engineer; Planning Commission; 20<sup>th</sup> Century Construction, 2167 Mentor Avenue, Painesville Oh, 44077; and to Concord Township.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

**CLERK'S CERTIFICATION**

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

---

Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION PROVIDING FOR \$2,175,000 NOTES FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES KIRTLAND OLD TOWN SANITARY SEWER PROJECT 445-S**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, this Board has determined to issue the Notes authorized in Section 3 hereof and other funds available to the County and appropriated for the purpose to pay a portion of the costs of the Kirtland Old Town Sanitary Sewer Project 445-S in anticipation of the levy and collection of special assessments; and

WHEREAS, the County Auditor as fiscal officer of this County has certified to this Board that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years and has certified the maximum maturity of the bonds and notes proposed to be issued.

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

Section 1. It is necessary to issue bonds of this County, in anticipation of the levy and collection of special assessments, in the aggregate principal amount of not to exceed \$2,175,000 (the Bonds) to pay a portion of the costs of constructing and installing sanitary sewer lines, together with related improvements and all necessary appurtenances thereto, comprising the Kirtland Old Town Sanitary Sewer Project 445-S.

Section 2. The Bonds shall be dated approximately February 1, 2025, shall bear interest at the now estimated rate of 6% per year, and are estimated to mature in 20 annual principal installments. The first principal installment is estimated to be December 1, 2026.

Section 3. It is necessary to issue and this Board determines that notes in the aggregate principal amount of not to exceed \$2,175,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and in anticipation of the levy and collection of special assessments. The Notes shall bear interest at a rate or rates not to exceed 6% per year (computed on a 360-day per year basis), payable at maturity or at any date of earlier prepayment as provided for in Section 5 of this resolution and until the principal amount is paid or payment is provided for. The principal amount of the Notes shall be the amount as determined by the County Auditor, the Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board of County Commissioners in the certificate awarding the Notes in accordance with Section 6 of this resolution to be the amount necessary to pay costs of the improvements set forth in Section 1 hereof and any issuance costs, after taking into account any other moneys available to the County and appropriated for those purposes. The rate or rates of interest on the Notes shall be determined by the County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board in the certificate awarding the Notes in accordance with Section 6 of this resolution.

Section 4. The Notes shall be signed by at least two members of the Board of County Commissioners and by the County Auditor, in the name of the County and in their official capacities; provided that, any or all of those signatures may be a facsimile. The Notes shall be issued only as fully registered notes and in the denominations and numbers as requested by the original purchaser and approved by the County Auditor, the County Administrator, the Director of Administrative Services, the County Budget/Finance Director or any member of this Board, provided that the entire principal amount may be represented by a single note. The Notes shall not have coupons attached, shall

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(UT-15)

be numbered as determined by the County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this resolution.

No Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this resolution unless and until the certificate of authentication printed on the Note is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, this resolution.

The County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board is authorized to determine in the Certificate of Award the bank or trust company to act as authenticating agent, note registrar, transfer agent (the Note Registrar) and/or paying agent for the Notes after having determined that the payment at that bank or trust company will not endanger the funds or securities of the County and that proper procedures and safeguards are available for the purpose; provided, however, such official may determine in the Certificate of Award that the County Auditor shall act as Note Registrar and/or paying agent.

So long as any of the Notes remain outstanding, the County will cause the Note Registrar to maintain and keep at its office all books and records necessary for the registration, exchange and transfer of Notes as provided in this Section (the Note Register). The person in whose name a Note is registered on the Note Register shall be regarded as the absolute owner of that Note for all purposes of this resolution. Payment of or on account of the debt charges on any Note shall be made only to or upon the order of that person; the County and the Note Registrar shall not be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Note, including interest, to the extent of the amount or amounts so paid.

Any Note may be exchanged for Notes of any authorized denomination upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. A Note may be transferred only on the Note Register upon presentation and surrender of the Note at the office of the Note Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Note Registrar. Upon exchange or transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations requested by the owner equal in the aggregate to the principal amount of the Note or Notes surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Note Registrar shall undertake the exchange or transfer of Notes only after the new Notes are signed by the authorized officers of the County. In all cases of Notes exchanged or transferred, the County shall sign and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of this resolution. The exchange or transfer shall be without charge to the owner, except that the County and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Note Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Notes issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under this resolution, as the Notes surrendered upon that exchange or transfer.

Notwithstanding any other provisions of this resolution, if it is determined by the County Auditor, the Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board to be advantageous to the County, the Notes shall be issued in book entry form in accordance with the provisions of this Section. As used in this Section and this resolution:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (ii) physical Note certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Notes deposited and retained in the custody of the Depository or its agent. The book

entry maintained by an entity other than the County is the record that identifies the owners of beneficial interests in those Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Notes or the principal of and interest on Notes, and to effect transfers of Notes, 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.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single, fully registered Note registered in the name of the Depository or its nominee, as registered owner, and deposited and retained in the custody of the Depository or its agent; (ii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests 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 (iv) the Notes 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 the County.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the County Auditor may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the County Auditor does not or is unable to do so, the County Auditor, after making provisions for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause note certificates in registered form to be authenticated by the Note Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

Any member of the Board of County Commissioners, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services or the County Auditor, are also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the County.

Section 5. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America if so requested by the original purchaser, and shall be payable, without deduction for services of the County’s paying agent, upon presentation and surrender, at the office of the Note Registrar, to the persons in whose names the Notes are registered on the Note Register. The Notes shall be dated the date of issuance and shall mature not more than one year from the date of issuance as determined by the County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Legislative Services or any member of this Board in the certificate of award after determining such maturity to be in the best interests and financial advantages of the County. If agreed to by the original purchaser, the Notes shall be prepayable without penalty or premium at the option of the County at any time prior to maturity as provided in this resolution. Prepayment prior to maturity shall be made by deposit with the Note Registrar of the principal amount of the Notes together with interest accrued thereon to the date of prepayment. The County’s right of prepayment shall be exercised by mailing a notice of prepayment, stating the date of prepayment and the name and address of the Note Registrar, by certified or registered mail to the original purchaser of the Notes not less than seven days prior to the date of that deposit, unless that notice is waived by the original purchaser of the Notes. If money for prepayment is on deposit with the Note Registrar on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the County Auditor, the original purchaser of the Notes shall arrange for the delivery of the Notes at the designated office of the Note Registrar for prepayment and surrender and cancellation.

Section 6. The Notes shall be awarded and sold at private sale to Stifel, Nicolaus & Company, Incorporated, Cleveland, Ohio (the original purchaser) as set forth in the certificate of award, at a purchase price of not less than par in accordance with law and the provisions of this resolution. The County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services or any member of this Board shall sign the certificate of award referred to in Sections 3 and 5, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The members of the Board of County Commissioners, the Clerk of this Board, the County Auditor, the County Budget/Finance Director, the County Administrator, the Director of Administrative Services and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this resolution. The Notes may be combined with other issues of notes and sold as a single consolidated issue pursuant to Section 133.30(B) of the Revised Code if determined to be in the best interests of the County by the official executing the Certificate of Award.

Section 7. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the County, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent funds from the special assessments, in anticipation of which the Notes and Bonds are issued, sewer utility revenues or other sources are available and appropriated for the purpose of paying debt charges on the Notes or the Bonds, the amount of that tax shall be reduced by the amount so available and appropriated.

Section 10. If determined in the Certificate of Award to be in the best interests of and financially advantageous to the County, the County shall participate in the Treasurer of State's Ohio Market Access program. The related Standby Note Purchase Agreement (Standby Note Purchase Agreement) and Paying Agent Agreement (Paying Agent Agreement) are hereby authorized in the forms presented to the Board with such changes not materially adverse to the County as may be approved by the officers of the County executing those Agreements. The County acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the County is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the County, the Treasurer of State agrees (a) to purchase the Notes from the Holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (b) to purchase renewal notes of the County in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at the Renewal Rate (as defined in the Standby Note Purchase Agreement), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the County shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the County, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes within the ten-mill limitation imposed by law on all property subject to ad valorem taxes levied by the County and (ii) interest on the renewal notes is excluded from gross income for federal tax purposes under Section 103 of the Internal Revenue Code as amended to the same extent that interest on the Notes is so excluded. Such officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide



for such an Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the Holders or beneficial owners of the existence of such Agreement and providing instructions to such Holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

Section 11. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest on the Notes will not be treated as an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Auditor, as the fiscal officer, or any other officer of the County having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Notes as the County is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code or any declarations of official intent on behalf of the County in connection with any reimbursement expenditures, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Section 12. The Clerk of this Board is directed to deliver a certified copy of this resolution to the County Auditor.

Section 13. This Board determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the County have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the County are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to deliver a copy of this resolution to the County Auditor, Budget Director, Lake County Treasurer.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, the duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and for  
Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION REAPPOINTING SANDRA F. COFFEE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE LAKE COUNTY LIBRARY DISTRICT, FOR A SEVEN-YEAR TERM COMMENCING FEBRUARY 8, 2024 AND ENDING FEBRUARY 7, 2031**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the Board of County Commissioners wishes to reappoint Sandra F. Coffee of 181 Michael Ct., Painesville, OH 44077 as a member of the Lake County Library District Board of Trustees for a seven-year term commencing February 8, 2024 and ending February 7, 2031.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby reappoints Sandra F. Coffee as a member of the Lake County Library District Board of Trustees for a seven-year term commencing February 8, 2024 and ending February 7, 2031.

BE IT FURTHER RESOLVED that the Board of County Commissioners, in and for Lake County, Ohio, is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Aurora Martinez, Lake County Library District Board of Trustees, 184 Phelps Street, Painesville, Ohio 44077; and to Sandra F. Coffee, 181 Michael Ct., Painesville, OH 44077.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

**CLERK'S CERTIFICATION**

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION AUTHORIZING THE LAKE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE FOR REAL PROPERTY LOCATED AT 100 W. ERIE STREET IN THE CITY OF PAINESVILLE, OHIO**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, the Board of County Commissioners is in need of additional office space for various county departments; and

WHEREAS, the Board of Lake County Commissioners wishes to enter into a Purchase Agreement for the property located in the City of Painesville, Ohio, identified as follows:

100 W. Erie Street, Permanent Parcels 15D0020000330, 15D0020000340, 15D0020000350, and 15D0020000360

Said Agreement is attached hereto and incorporated herein and made part of this resolution; and

WHEREAS, Ohio Revised Code section 307.02 authorizes the Board of Lake County Commissioners to purchase real estate for public purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes the Lake County Administrator to enter into a Purchase Agreement for real property located at 100 W. Erie Street in the City of Painesville as described herein. Said Agreement is attached hereto and incorporated herein and made part of this resolution.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Administrator; Lake County Prosecutor; Budget/Finance Manager; Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220; and to Mr. Mark Bernhardt, PE, President and CEO, Burgess & Niple, Inc., 330 Rush Alley, Suite 700, Columbus, Ohio 43215.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,

Jennifer Bell, Clerk

**CLERK'S CERTIFICATION**

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION AUTHORIZING EXECUTION OF A WORK AMENDMENT TO THE AGREEMENT BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS AND BURGESS AND NIPLE, INC. FOR ADDITIONAL DESIGN PROFESSIONAL SERVICES FOR COURTHOUSE HVAC UPGRADES**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, representatives of the Lake County Board of Commissioners authorized execution of an Agreement by resolution #20221117\C03, dated November 17, 2022, effective November 17, 2022, to Burgess and Niple, Inc. for design professional services for Courthouse HVAC Upgrades. These upgrades will be performed in the Courthouse, Annex and Juvenile Justice buildings; and

WHEREAS, the Lake County Board of Commissioners wish to authorize a work amendment to the agreement with Burgess and Niple, Inc. Said work amendment to the agreement is incorporated herein by reference and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Board of Commissioners, in and for Lake County, Ohio, hereby authorizes execution of the work amendment to the agreement between the Lake County Commissioners and the Burgess and Niple, Inc, for additional design professional services for Courthouse HVAC Upgrades.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Budget/Finance Manager; Lake County Administrator; Terri Lange, Commissioner's Office; Buildings and Grounds Superintendent; and to Burgess & Niple, Inc., 8160 Norton Pkwy Suite 200, Mentor, OH 44060.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

**CLERK'S CERTIFICATION**

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

Commissioners' Office, Lake County  
Painesville, OH, February 8, 2024

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$2,885,622.89**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, bills against Lake County have been presented to this Board for payment and this Board has examined said bills and approves them for payment. Said bills incorporated herein by reference and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, in and for Lake County, Ohio, that the bills against Lake County are hereby approved, allowed and ordered paid; said bills incorporated herein by reference and made a part of this resolution. The County Auditor is hereby authorized and instructed to issue his warrants in varying amounts totaling \$2,885,622.89.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget/Finance Manager; and to the Lake County Treasurer.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$4,480,793.37**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, purchase orders against Lake County have been presented to this Board for approval and this Board has examined said purchase orders and approves them.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, in and for Lake County, Ohio, that the purchase orders against Lake County are hereby approved and the County Auditor is hereby authorized and instructed to certify and encumber these purchase orders in varying amounts totaling \$4,480,793.37.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget/Finance Manager; and to the Lake County Treasurer.

\*\* seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024, in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: \*(com)

\* presented the following resolution and moved its adoption.

**RESOLUTION INCREASING AND DECREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code; and

WHEREAS, it is agreed by the Lake County Auditor, Budget/Finance Manager and the Board of County Commissioners that these increases and decreases in appropriations are necessary for the following accounts:

APPROPRIATION INCREASES

20401511-512 PIVD - SE	\$9,739.23
20401511-551 PIVD - PR	\$2,616.96
20401511-553 PIVD - WC	\$260.42
20401511-554 PIVD - ME	\$141.22
20401511-557 PIVD - HI	\$10,000.00
20401511-561 PIVD - LI	\$50.00
20401511-563 PIVD - PI	\$2,675.00
20401611-611 PIVD - OS	\$330.00
20401661-635 PIVD - CS	\$32,806.43
20401661-649 PIVD - ITS	\$2,360.00
20401711-654 PIVD - P	\$100.00
20401711-690 PIVD - TE	\$150.00
23003761-771 ALGTR - AAF	\$155.62
40000811-812 PI - E	\$100,000.00

APPROPRIATION DECREASES

20401511-562 PIVD - DI	\$2,000.00
20401811-812 PIVD - E	\$3,200.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes the Lake County Auditor to increase and decrease appropriations for the above listed accounts, based on the recommendation of the Lake County Auditor, Budget/Finance Manager and the Board of Lake County Commissioners.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget/Finance Manager; Engineer and Prosecutor.

\*\*seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: \*(com)

"NAYS":

Resolution adopted,  
Jennifer Bell, Clerk

CLERK'S CERTIFICATION

I, Jennifer Bell, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 8, 2024, and recorded in the Commissioners' and Water and Sewer Journal, Volume 2024.

WITNESS my hand this eighth day of February, 2024 in Painesville, Ohio.

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Jennifer Bell, Clerk  
Board of Commissioners, in and  
for Lake County, Ohio