

## **RESOLUTION NO. 2022-21**

A RESOLUTION OF THE COUNTY OF OHIO, KENTUCKY REAFFIRMING THE AUTHORIZATION AND APPROVAL DIRECTING THE OHIO COUNTY PUBLIC FACILITIES CORPORATION TO TAKE CERTAIN FORMAL ACTIONS AS THE AGENCY AND INSTRUMENTALITY AND AS THE CONSTITUTED AUTHORITY OF THE COUNTY OF OHIO, KENTUCKY; SPECIFICALLY AUTHORIZING, REAFFIRMING THE ISSUANCE OF SECURED RURAL AMERICA BONDS, SERIES 2021A, 2021B AND 2021C (TAXABLE) (OHIO COUNTY HOSPITAL PROJECT) OF OHIO COUNTY PUBLIC FACILITIES CORPORATION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$21,500,000; AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH.

WHEREAS, Ohio County Public Facilities Corporation (the "Corporation"), a nonprofit, no-stock corporation, has been duly organized and created pursuant to the provisions of Kentucky law to act as the agency and instrumentality of the County of Ohio, Kentucky (the "County") in the planning, development, construction, installation and financing of public governmental projects, as provided by KRS Chapter 58 of the Kentucky Revised Statutes (the "Act"); and

WHEREAS, the County previously authorized the issuance of bonds pursuant to the Act and pursuant to Ordinance \_\_\_\_ adopted by the County on August \_\_, 2021 (the "Ordinance") in order to (i) refund all of the \$3,620,000 Lease Revenue Bonds, Series 2010 (Ohio County Hospital Project) (the "Prior Bonds") and (ii) finance the renovation and expansion of the critical access hospital facility, along with the purchase and installation of certain personal property, and the payment of costs and fees related to obtaining and closing the financing for construction of the Project (the "Project") to be leased to the Ohio County Hospital Corporation, a Kentucky nonprofit corporation (the "Hospital Corporation"), and for the Corporation to formally authorize the issuance of its Secured Rural America Bonds, Series 2021A (USDA Guaranteed), in the aggregate original principal amount of \$4,275,000, the Secured Rural America Bonds, Series 2021B (Unguaranteed), in the aggregate original principal amount of \$475,000, and the Secured Rural America Bonds, Series 2021C (Interim Financing), in the aggregate original principal amount of \$16,750,000 (collectively, the "Bonds").

NOW THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF THE COUNTY OF OHIO, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

### **RESOLVED FIRST**

The Ordinance is hereby affirmed and ratified in its entirety. This Resolution is adopted pursuant to the provisions of the Act. The Corporation is hereby directed to forthwith take such actions as may be necessary for the formal authorization, sale and issuance by the Corporation of the Bonds. All such actions taken by the Corporation prior to the date hereof are hereby approved and affirmed.

**RESOLVED SECOND**

The Judge/Executive and Fiscal Court Clerk are each hereby separately authorized to take any and all actions and to execute on behalf of the County such security instruments, financing statements, assignments, certificates and other instruments that may be necessary or appropriate in order to effect the issuance of the Bonds and the intent of this Resolution and the Ordinance.

**RESOLVED THIRD**

If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions. All resolutions or ordinances or parts thereof, if any, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed. This Fiscal Court hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Fiscal Court, and that all deliberations of this Fiscal Court which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

**RESOLVED FOURTH**

This Resolution shall be in full force and effect upon its adoption.

DULY ADOPTED on January \_\_\_, 2022.

COUNTY OF OHIO, KENTUCKY

\_\_\_\_\_  
Judge/Executive

ATTEST:

\_\_\_\_\_  
Fiscal Court Clerk

### **CERTIFICATION**

The undersigned, Fiscal Court Clerk of the County of Ohio, Kentucky, does hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Fiscal Court of the County of Ohio, Kentucky, at a duly convened meeting properly held on January 11, 2022, signed by the Judge/Executive and now in full force and effect, as shown by the official records in my custody and under my control.

WITNESS my hand as of this \_\_\_\_\_, 2022.

\_\_\_\_\_  
Fiscal Court Clerk

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