

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD ON TUESDAY, JUNE 8, 2021 AT 4:30 P.M.
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

The meeting convened with Deputy Clerk Doyle presiding and the following members answering roll call:

Commissioners Desiderio, Hayes, Morey and Thornton- Present (4)
Commissioner Pierson -Virtual (1)

STATEMENT OF DIRECTOR

“This is a notice read pursuant to the requirements of the “Open Public Meetings Act.” At least 48 hours advance notice of this meeting has been provided by posting of the same in writing on the bulletin boards in the County Administration Building, and the County Clerk’s Office and mailing a copy of the notice to the Cape May County Herald and the Atlantic City Press and filing the same with the County Clerk, all being done on Wednesday, January 6, 2021.”

MOMENT OF SILENCE-Dedicated in memory of Lois Lauriello of Wildwood, Mark Soifer of Ocean City and Paul Glynn of Sea Isle City.

FLAG SALUTE-Led by Commissioner Pierson

MINUTES – MOTION TO APPROVE MINUTES OF THE 05/25/21 MEETINGS
FH Desiderio moved/ FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

COMMUNICATIONS: None.

REPORTS:

1) **ENGINEER:**

Bob Church reported on the following projects: Ingram’s Thorofare Bridge, Bayshore Road Resurfacing from Townbank Rd. to Sandman Boulevard, Hudson Avenue Pocket Park in Wildwood and Seashore Road Missing Link Project.

2) **COUNTY COUNSEL:** No report.

3) **COUNTY TREASURER:** Brittney Smith reported guidance from the state was finally received by way of a Local Finance Notice regarding the American Rescue Fund. Adoption of the budget could now move forward with a budget amendment prior to adoption.

COMMISSIONER REPORTS:

1) **COMMISSIONER MOREY:** Cellular Tracking Technologies had acted on the option to take the remaining space at Tech Village, Phase I, Building I, he stated.

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

Preliminary approval had been obtained for a second building. They were actively seeking prospects to lease the space there.

2) COMMISSIONER PIERSON: Mr. Pierson reported he had participated in a Homeless Trust Fund meeting on Zoom prior to leaving for vacation. He also met with a scout from Pack 79 in Tuckahoe for a government mentorship program. He recognized Cape May County Facilities & Services Department for set-up, the Veterans Bureau and Public Information Office for promoting the Memorial Day ceremony this year. It was probably one of the larger turnouts ever, he said.

3) COMMISSIONER HAYES: Ms. Hayes stated that this year she had the honor of being one of the Memorial Day speakers at the American Legion Post 184 in Wildwood. She reported Chuck Lear and Patricia Hendricks of Cape May City along with herself were awarded a Library Champion Award by the New Jersey Library Association for their plan on the Franklin Street School. The once segregated school was being repurposed as a library community center.

4) COMMISSIONER DESIDERIO: Mr. Desiderio recognized all the hard work that went into planning a great Memorial Day ceremony. He gave kudos to those involved in putting it together this year. He announced the Cape May County Police Academy had been awarded the 2020 NACO Achievement Award in the Law and Public Safety Category for upgrading and improving the public safety training center.

5) COMMISSIONER THORNTON: Director Thornton made the graduation speech to the A.C.C.C. 2021 graduating class, he noted the success of the County's Memorial Ceremony, and he continued to take State calls. He reported a test would be run on the Code Red system on June 17th from 1 to 2 p.m.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 384-21 Resolution establishing a Temporary Emergency Budget-2021.
(This Resolution establishes an emergency temporary budget to enable ongoing payments until the final budget has been adopted.)
- 385-21 Resolution authorizing signatories for Crest Haven Nursing Home Bank Accounts.
(This Resolution changes signatories for Crest Haven Nursing Home Bank Accounts from Jennifer Hess to Kevin R. Lare and adding Gerald M. Thornton.)
- 386-21 Resolution accepting award from the New Jersey Department of Children and Families for Child Advocacy Development Grants-Capital for the period February 1, 2021 to June 30, 2021 in the amount of \$128,104.65.
(This Resolution accepts award for Child Advocacy Development Grants-Capital in the amount of \$128,104.65 for the period 2/1/21 to 6/30/21.)
- 387-21 Resolution applying to the State of New Jersey Department of Law and Public Safety Division of State Police Office of Emergency Management for FY21 Emergency Management Agency Assistance Grant for the period of July 1, 2021 to June 30, 2022 in the total amount of \$55,000.00.
(This Resolution authorizes application to the State of NJ Department of Law and Public Safety Division of State Police Office of Emergency Management for the period of 7/1/21 to 6/30/22.)
- 388-21 Resolution extending Contract No. 16-134 with NewVision Systems Corporation through September 14, 2021.
(This Resolution extends Contract No. 16-134 with NewVision Systems Corporation, to provide a comprehensive document recording system upgrade and maintenance for County Clerk's Office through September 14, 2021.)

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

- 389-21 Resolution accepting checks from Arch Insurance Company in the amounts of \$1,455.01, \$339.66, \$6,848.99, totaling \$8,643.66, for additional reimbursement to the County for court-approved settlement of Claim Petition #2010-31401.
 (This Resolution accepts checks totaling \$8,643.66 from Arch Insurance Company, excess carrier, as additional reimbursement to the County of Cape May for excess recoveries with respect to settlement of Claim Petition #2010-31401.)
- 390-21 Resolution awarding Contract No. C1-108 to Archer & Greiner, P.C. to provide Professional Bond Counsel Services.
 (This Resolution awards Contract No. C1-108 to Archer & Griner, P.C. to provide professional bond counsel services commencing on June 13, 2021, for a term of one-year with two additional one (1) year options.)
- 391-21 Resolution rejecting all bids submitted May 26, 2021, in response to 2021 Specification 21 to provide Heating, Ventilation and Air Conditioning Preventative Maintenance Service & Repair for County facilities.
 (This Resolution rejects all bids received May 26, 2021, pursuant to N.J.S.A. 40A:11-13.2(d) substantially revise the specifications.)
- 392-21 Resolution authorizing participation in Somerset County Cooperative Pricing System for all County departments.
 (This Resolution authorizes participation in Somerset cooperative pricing system which provides sourcing and cost reduction opportunities for members.)
- 393-21 Resolution accepting checks from Arch Insurance Company in the amounts of \$346.80, \$1,485.60, and \$6,818.40, totaling \$8,650.80, for additional reimbursement to the County for court-approved settlement of Claim Petition #2010-31401.
 (This Resolution accepts checks totaling \$8,650.80 from Arch Insurance Company, excess carrier, as additional reimbursement to the County of Cape May for excess recoveries with respect to settlement of Claim Petition #2010-31401.)
- 394-21 Resolution applying to U.S. Department of Justice Bureau of Justice Assistance for the FY21 Bulletproof Vest Partnership Grant in the amount of \$16,400.00.
 (This Resolution authorizes application for grant funding to provide law enforcement with protective armored vests in the amount of \$32,800.00 (\$16,400.00 Federal and \$16,400.00 In-Kind Match.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

- 395-21 Resolution granting and amending various Leaves of Absence to County Employees.
 (This Resolution authorizes County Employees to be placed on a Leave of Absence in accordance with the County Leave of Absence Policy and the Family Medical Leave Act (FMLA).)
- 396-21 Resolution authorizing extension of contract No. 16-26 with Cape Regional Home Health Care, LLC through December 31, 2021.
 (This Resolution extends Contract No. 16-26 with Cape Regional Home Health Care, LLC for the administration and management of Home Health Care Services for Cape May County residents, through December 31, 2021.)
- 397-21 Resolution reappointing and appointing members to the Mental Health, Alcohol and Drug Abuse Board.

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

(This Resolution authorizes the reappointments of Barry Keefe, Dave Grusemeyer and Robert Johnson and appoints Jennifer Wolfson and Frank Garcia to a 3-year term, as members of the Mental Health, Alcohol and Drug Abuse Board. Terms shall expire June 30, 2024. Members of this board are volunteers and serve without compensation.)

- 398-21 Resolution authorizing renewal with TDC Specialty Insurance Company for General & Professional Liability for Crest Haven Nursing and Rehabilitation Center in the amount of \$188,100.00.

(This Resolution authorizes renewal of General & Professional Liability Insurance for Crest Haven Nursing and Rehabilitation Center for the term of May 1, 2021 through May 1, 2022.)

- 399-21 Resolution authorizing Letter of Understanding with Gateway Community Action Partnership for the WIC Nutrition Program for 2021.

(This Resolution authorizes the provision of supportive services for at-risk women, infants and children, along with access to health care and nutrition education administered by the County Health Department effective 1/01/21 through 12/31/21.)

- 400-21 Resolution authorizing an Addendum to the Professional Services Agreement with Excellence in Caring, LLC.

(This Resolution authorizes an Addendum to the Non-Fair and Open Professional Services Agreement with Excellence in Caring, LLC., adopted on May 11, 2021 by Resolution No. 333-21.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X					X
Mr. Pierson	X				X	
Mr. Thornton	X					

INTRODUCED BY MS. HAYES, SECONDED BY MR. DESIDERIO

- 401-21 Resolution supplementing the 2021 Salary Resolution and approving appointments and salaries.

(This Resolution authorizes the hiring of new County employees, temporary assignment pay, salary changes or corrections, title changes and promotions of County employees when applicable.)

- 402-21 Resolution authorizing the Board to hold a meeting excluding the public on June 8, 2021 at 3:30 p.m. or as soon thereafter as possible or as practicable. Matters falling within attorney-client privilege, pursuant to N.J.S.A. 10:4-12(b)(7).

(This Resolution authorizes the Board of County Commissioners to conduct a meeting excluding the public at the stated time in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					X
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

- 403-21 Resolution authorizing execution of a Memorandum of Understanding between the County of Cape May, Cape May Brewing Company, LLC and the Atlantic County Improvement Authority.

(This Resolution authorizes a Memorandum of Understanding for cost sharing of professional design services for the expansion of facilities at the Cape May County Airport.)

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

- 404-21 Resolution authorizing execution of a First Amendment to Lease Agreement with Stone Harbor Theater, LLC.
(This Resolution authorizes a Lease amendment with Stone Harbor Theater, LLC.)
- 405-21 Resolution authorizing Atlantic County Improvement Authority to solicit bids for the construction of a Government Services Building at the Cape May County Airport.
(This Resolution authorizes Atlantic County Improvement Authority to undertake competitive bidding for the construction of a Government Services Building.)

Resolution No. 405-21: Amended anywhere in Resolution referencing Phase I to read Phase I with an alternative to complete Phase II of the Government Services Building.

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					X
Mr. Morey	X				X	
Mr. Pierson	X					
Mr. Thornton	X					

- 406-21 Resolution authorizing application for Road Opening Permit to Lower Township Municipal Utilities Authority on Fishing Creek Road (CR639) from Marshall Road to Tabernacle Road, Township of Lower.
(This Resolution authorizes Lower Township Municipal Utilities Authority to open Fishing Creek Road (CR639) from Marshall Road to Tabernacle Road, Township of Lower. Work will be completed promptly.)
- 407-21 Resolution authorizing application for Road Opening Permit to Lower Township Municipal Utilities Authority on Breakwater Road (CR613) from Fishing Creek Road (CR639) to Shunpike Road (CR644) and Seashore Road (CR626) to Nummytown Road, Township of Lower.
(This Resolution authorizes Lower Township Municipal Utilities Authority to open Breakwater Road (CR613) from Fishing Creek (CR639) to Shunpike Road (CR644) and Seashore Road (CR626) to Nummytown Road, Township of Lower. Work will be completed promptly.)
- 408-21 Resolution authorizing application for Road Opening Permit to Lower Township Municipal Utilities Authority for Bayshore Road (CR603) from Fishing Creek Road (CR639) to Baywood Drive, Township of Lower.
(This Resolution authorizes Lower Township Municipal Utilities Authority to open Bayshore Road (CR603) from Fishing Creek Road (CR639) to Baywood Drive, Township of Lower. Work will be completed promptly.)
- 409-21 Resolution authorizing application for Road Opening Permit to Lower Township Municipal Utilities Authority on Seashore Road (CR626) from Weeks Landing Road to Cresse Lane, Township of Lower.
(This Resolution authorizes Lower Township Municipal Utilities Authority to open Seashore Road (CR626) from Weeks Landing Road to Cresse Lane, Township of Lower. Work will be completed promptly.)
- 410-21 Resolution accepting award from the New Jersey Department of Environmental Protection for FY2021 Clean Communities Program in the amount of \$71,945.59 for the period July 1, 2021 to June 30, 2022.
(This Resolution accepts award for FY21 Clean Communities Program in the amount of \$71,945.59 for the period 7/1/21 to 6/30/22 to aid in cleanup, enforcement and promotion of a clean community.)
- 411-21 Resolution authorizing application for Road Opening Permit to Lower Township Municipal Utilities Authority on Shunpike Road (CR644) from Breakwater Road (CR613) to Sheridan Boulevard, Township of Lower.
(This Resolution authorizes Lower Township Municipal Utilities Authority to open Shunpike Road (CR644) from Breakwater Road (CR613) to Sheridan Boulevard, Township of Lower. Work will be completed promptly.)

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

- 412-21 Resolution authorizing application for Road Opening Permit to South Jersey Gas Company for Springers Mill Road (CR643), Township of Middle.
(This Resolution authorizes South Jersey Gas Company to install a 4” gas main along Springers Mill Road (CR643), Township of Middle. Work will be completed promptly.)
- 413-21 Resolution amending Resolution No. 383-21 authorizing Modification No. 11 in the amount of \$0.00 to the Professional Engineering Services Agreement with Tetra Tech, Inc. for Professional Engineering and Licensed Site Remediation Services at the Cape May County Airport.
(This Resolution corrects the Modification No. listed in Resolution No. 383-21 for Tetra Tech, Inc. professional services agreement.)
- 414-21 Resolution authorizing execution of an Addendum to Sublease with Cellular Tracking Technologies, LLC.
(This Resolution authorizing an Addendum to Sublease with Cellular Tracking Technologies, LLC to lease additional space at Cape May County’s Tech Village.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X				X	
Mr. Pierson	X					X
Mr. Thornton	X					

INTRODUCTION OF BOND ORDINANCE 1-21

Bond Ordinance providing for Various 2021 Capital Improvements, by and in the County of Cape May, State of New Jersey; Appropriating \$24,000,000 therefor and authorizing \$22,857,141 Bonds or Notes of the County to finance parts of the costs thereof.

BE IT ORDAINED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the County of Cape May, State of New Jersey (the "County") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$24,000,000, said sum being inclusive of the sum of \$1,142,859 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either provisions or a provision in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$24,000,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the principal amount of \$22,857,141 pursuant to the Local Bond

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the County in a principal amount not exceeding \$22,857,141 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Government Services Building</u> - The Construction Of A Government Services Complex Within The Cape May County Airport In The Township of Lower, At The Physical Addresses Of 370 Forrestal Road (Fare Free Buses), 1250 Langley Road (Fare Free Offices/Garages), 501 Saratoga Road (Road Department Office), 521 Wasp Road (County Road Department), 1389 Langley Road (Lower Township Public Safety Building), 1390 Langley Road (Election Board Maintenance), And 550 Saratoga Road (County Gas Station), All Being Designated Within Block 410.01, Lot 36 On The Official Tax Map Of The Township Of Lower, Such Construction To Include, But Not Limited To, As Applicable, Site Clearing, Excavation, Demolition, Environmental Remediation And Testing, Rough Grading, Reconstruction And/Or Construction Of Structures, Interior And Exterior Improvements, And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;	\$12,705,882	\$12,100,840	\$605,042	30 years
(ii) <u>County Commons</u> - Improvements To The County Commons (Formerly The Rio Mall) In The Township of Middle At The Physical Address Of 3801 Route 9 South, Being Designated Within Block 1450, Lots 5 And 10 On The Official Tax Map Of The Township Of Middle, Such Improvements To Include, But Not Limited To, General Capital Improvements To, And Upfitting For, Existing Theater And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;	\$4,235,294	\$4,033,613	\$201,681	20 years
(iii) <u>Redevelopment Initiative</u> - A Contribution Towards The County's Municipal Redevelopment Initiative To Facilitate And Foster Economic Development And Redevelopment Throughout The County, Including Property Acquisition, Remediation, Demolition, Marketing, And Other Necessary Work; And	\$6,000,000	\$5,714,285	\$285,715	5 years
(iv) <u>Miscellaneous (County-Wide)</u> - General Capital Improvements And/Or Any	\$1,058,824	\$1,008,403	\$50,421	5 years

MINUTES OF A REGULAR MEETING HELD JUNE 8, 2021 (CONTINUED)

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Other Capital Project That Is Deemed Necessary By The County.				
Totals	<u>\$24,000,000</u>	<u>\$22,857,141</u>	<u>\$1,142,859</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$22,857,141.

(c) The aggregate estimated cost of said improvements or purposes is \$24,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is comprised of the down payment in the amount of \$1,142,859 for said improvement or purpose.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or a private entity make a loan, contribution or grant-in-aid to the County, for the improvements or purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or a private entity. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or a private entity shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby

authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the County is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs, as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the Board of County Commissioners and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the County may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 20.88 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of County Commissioners of the County and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$22,857,141 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$4,800,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the County and to execute such disclosure document on behalf of the County. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the County and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of County Commissioners of the County. The Clerk of the Board of County Commissioners of the County is hereby authorized and directed

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to arrange for the publication of this bond ordinance in full after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: JUNE 8, 2021**

**KEVIN LARE,
Administrator/Clerk of the Board
of County Commissioners**

**ADOPTED ON SECOND READING
DATED: JUNE 22, 2021**

**KEVIN LARE,
Administrator/Clerk of the Board
of County Commissioners**

MOTION TO PAY BILLS: FH Desiderio moved/FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

PUBLIC COMMENTS: None.

ADJOURN: 5:03 P.M. FH Desiderio moved/FH Hayes seconded

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD