

COUNTY OF CENTRE  
COMMONWEALTH OF PENNSYLVANIA

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ORDINANCE NO. 1 of 2004

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AN ORDINANCE

OF THE COUNTY OF CENTRE, COMMONWEALTH OF PENNSYLVANIA AMENDING COUNTY ORDINANCE NO. 4 OF 2002 ENACTED IN CONNECTION WITH THE ISSUANCE OF THE COUNTY'S GENERAL OBLIGATION BONDS, SERIES OF 2003 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$39,985,000 (THE "2003 BONDS") TO FUND, *INTER ALIA*, THE COUNTY'S 2003 CAPITAL PROJECTS THAT INCLUDES, BUT IS NOT LIMITED TO, PLANNING, DESIGN AND CONSTRUCTION TO THE COUNTY COURTHOUSE AND OTHER COUNTY BUILDINGS AND FACILITIES; PROVIDING FOR THE ADDITION OF ONE OR MORE ADDITIONAL CAPITAL PROJECTS, INCLUDING, BUT NOT LIMITED TO, THE PURCHASE AND ACQUISITION OF REAL ESTATE, IMPROVED OR UNIMPROVED, AND THE CONSTRUCTION OF IMPROVEMENTS, ADDITIONS AND RENOVATIONS THEREON AND THERETO FOR COUNTY GOVERNMENT USE; SPECIFYING THE REALISTIC ESTIMATED USEFUL LIFE OF SUCH ADDITIONAL CAPITAL PROJECTS; RATIFYING PRIOR ADVERTISEMENT OF THIS ORDINANCE AND AUTHORIZING FURTHER ADVERTISEMENT; AUTHORIZING AND DIRECTING THE PREPARATION, EXECUTION AND FILING OF A TRANSCRIPT OF PROCEEDINGS WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE OFFICERS AND OFFICIALS OF THE COUNTY TO EXECUTE AND DELIVER DOCUMENTS AND TO TAKE ACTION AS MAY BE NECESSARY AND PROPER RELATING TO THE REVISION OF THE SCOPE OF THE 2003 CAPITAL PROJECTS AND WITH EFFECTUATING THE INTENT OF THIS ORDINANCE; AUTHORIZING THE PAYMENT OF EXPENSES; STATING THE EFFECTIVE DATE HEREOF; PROVIDING FOR THE SEVERABILITY OF PROVISIONS AND REPEALING INCONSISTENT ORDINANCES.

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ENACTED MARCH 16, 2004

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WHEREAS, the County of Centre (the "County"), Commonwealth of Pennsylvania (the "Commonwealth"), is a county of the fifth class and political subdivision of the Commonwealth and is a "local government unit" under provisions of the Act of the General Assembly of the Commonwealth, 53 Pa.C.S. §8001 *et seq.*, as amended, reenacted and supplemented, from time to time, known as the Local Government Unit Debt Act (the "Debt Act"); and

WHEREAS, The County heretofore enacted Ordinance No. 4 of 2002, dated December 12, 2002 (the "2002 Ordinance"), that authorized issuance of the County's General Obligation Bonds, Series of 2003 in the aggregate principal amount of \$39,985,000, dated as of January 1, 2004 (the "2003 Bonds") the proceeds of which 2003 Bonds are to finance, *inter alia*, the costs of the 2003 Capital Projects, which include the planning, design and construction of improvements and renovations to the County Courthouse and other County buildings and facilities; and

WHEREAS, The County has determined to amend the 2003 Capital Projects to provide for the addition of one or more additional capital projects, including, but not limited to, the purchase and acquisition of real estate, improved or unimproved, and the construction and placement of improvements, additions and renovations thereon and thereto for county government use (the "2004 Capital Project"); and

WHEREAS, The County desires to amend the 2002 Ordinance and the 2003 Capital Projects to include the 2004 Capital Project in accordance with the terms of this Ordinance and the provisions of the Debt Act; and

WHEREAS, Upon compliance by the County with the requirements of the Debt Act relating to the amendment of the 2002 Ordinance and the 2003 Capital Projects to include the 2004 Capital Project, the County will apply proceeds of the 2003 Bonds to finance the 2004 Capital Project.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of County Commissioners (the "Board") of the County of Centre, Commonwealth of Pennsylvania, that:

Section 1. Ratification; Amendment. The County hereby ratifies and confirms its approval pursuant to the 2002 Ordinance of the 2003 Capital Projects and the issuance of the 2003 Bonds except as otherwise amended by this Ordinance. The County hereby amends the 2002 Ordinance and the 2003 Capital Projects to include the 2004 Capital Project. The description of the 2004 Capital Project contained in the Recitals hereof, and other terms therein defined or identified, are incorporated into this Section by reference as if set forth at length.

Section 2. Project Costs and Useful Life. Reasonable cost estimates have been obtained for the 2003 Capital Projects and the 2004 Capital Project (collectively, the "Amended 2003 Capital Projects") with the assistance of architects, engineers, real estate brokers/agents, and others who by education, training and/or experience are qualified to provide the County with realistic estimates of the costs of the 2004 Capital Project and the 2003 Capital Projects. The realistic estimated costs of the Amended 2003 Capital Projects is at least \$23,600,000.00. The useful life of real estate portion of the 2004 Capital Project is greater than forty (40) years; the part of the 2004 Capital Project consisting of capital improvements, additions and renovations to the real estate has a composite useful life of, at least, twenty-five (25) years. Therefore, the maturities of the 2003 Bonds are in accordance with Section 8142 of the Debt Act.

Section 3. Advertising. The action of the officers and officials of the County in advertising, or causing the advertisement of, a summary of this Ordinance as required by the Debt Act is ratified and confirmed. The officers and officials of the County, or any of them, are authorized and directed to advertise or causing the advertisement of a notice of enactment of this Ordinance in an newspaper of general circulation within the County within 15 days after enactment hereof. A certified copy of this Ordinance shall immediately be made available for inspection by any citizen during normal office hours.

Section 4. Filing. The President of the Board of Commissioners and the Chief Clerk of the County are hereby authorized and directed to prepare and file with the Department of Community and Economic Development of the Commonwealth (the "Department"), in accordance with the Debt Act, a transcript of the proceedings relating to the amendment of the 2002 Ordinance and the 2003 Capital Projects, and to take other necessary action, and to prepare and file all necessary documents with the Department.

Section 5. General Authorization. Proper Officers of the County are hereby authorized and directed to execute, attest and deliver any and all necessary or appropriate documents and to do any and all necessary or appropriate things in connection with the transactions hereby contemplated in order to effect the amendment of the 2002 Ordinance and the 2003 Capital Projects, and the approval of the 2004 Capital Project.

Section 6. Authorization of Officers. Any authorization granted to, power conferred on, or direction given to the chairman of the Board of Commissioners or the Chief Clerk of the County shall be deemed, and hereby does, run to the Vice Chairman of the board of Commissioners or any assistant or deputy chief clerk of the County. The foregoing, as well as any other member of the Board of Commissioners and any other officer of the County named in the 2002 Ordinance constitute "Proper Officers" of the County (each a "Proper Officer").

Section 7. Payment of Expenses. All expenses incurred in connection with the amendment of the 2002 Ordinance and the 2003 Capital Projects, and the approval of the 2004 Capital Project shall be paid out of the proceeds of the 2003 Bonds on deposit in the Project Account. Proper Officers and officials of the County are authorized to sign and deliver requests for payment of such expenses.

Section 8. Ratification. The County hereby ratifies and confirms authorization to the County officials and administrators, the County solicitor, bond counsel to undertake all necessary steps and actions relating to the amendment of the 2002 Ordinance and the 2003 Capital Projects, and the approval of the 2004 Capital Project.

Section 9. Severability. In the event any provisions, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the County that the remainder of this Ordinance shall remain in full force and effect.

Section 10. Repealer. All ordinances and resolutions or parts thereof, in so far as the same are inconsistent herewith, are repealed hereby.

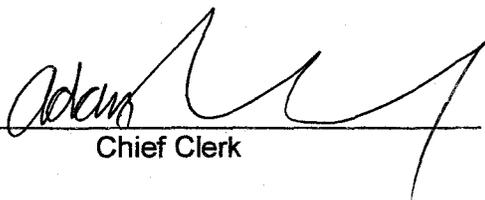
Section 11. Effectiveness. This Ordinance shall become effective in accordance with the provisions of the Debt Act.

DULY ENACTED AND ORDAINED, this 16th day of March 2004, by the Board of Commissioners of the County of Centre, Pennsylvania, in lawful session duly assembled.

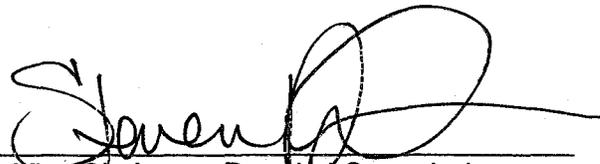
COUNTY OF CENTRE  
COMMONWEALTH OF PENNSYLVANIA



Chairman, Board of Commissioners



Chief Clerk



Vice Chairman, Board of Commissioners

(SEAL)



Member, Board of Commissioners

CERTIFICATE

I, the undersigned official of the County of Centre, Commonwealth of Pennsylvania ("County"), hereby certify that: (a) attached to this Certificate is a true, correct and complete copy of an ordinance (the "Ordinance") which was duly enacted at a meeting of the Board of Commissioners of the County on March 16, 2004, at which a quorum was present and acting throughout, and which was at all times open to the public; (b) the Ordinance was duly recorded in the County's Ordinance Book, and a summary of the Ordinance was published as required by law in a newspaper of general circulation in the County; (c) the County met the advance notice requirements of Act No. 1986-84 by advertising the date of the meeting and posting a notice of the meeting at the public meeting place of the Board of Commissioners; (d) the total number of members of the Board of Commissioners is three; and (e) the vote upon the Ordinance was called and duly recorded upon the minutes and that the members voted in the following manner:

	Yes	No	Abstain	Absent
C. Chris Exarchos	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
Steven G. Dershem	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>
H. Scott Conklin	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>

WITNESS my hand and the seal of the County this 16th day of March 2004.

  
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Chief Clerk

[SEAL]