

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

RESOLUTION NO. 13 2017

**MASTER EQUIPMENT LEASE PURCHASE AGREEMENT NO. 0614600L
AND SCHEDULE NO. 001-0614600-301 THERETO**

A resolution authorizing the negotiation, execution, and delivery of Master Equipment Lease Purchase Agreement No. **0614600L** dated **December 26, 2017** and Schedule No. **001-0614600-301** thereto, together with the related escrow agreement, if any (the "Lease"), in principal amount not to exceed **\$326,255.20**, between **Board of Commissioners of Clark County, Indiana, 501 E. Court Avenue, Suite 404, Jeffersonville, IN 47130** and **TCF Equipment Finance, a division of TCF National Bank, 11100 Wayzata Blvd, Suite 801, Minnetonka, MN 55305**; and prescribing other details in connection therewith.

WHEREAS, Board of Commissioners of Clark County, Indiana, (the "Lessee") is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of Indiana; and

WHEREAS, Lessee is duly authorized by applicable law to acquire such items of personal property as are needed to carry out its governmental functions and to acquire such personal property by entering into lease-purchase agreements; and

WHEREAS, Lessee hereby finds and determines that the execution of a Lease for the purpose of leasing with the option to purchase the property designated and set forth in Schedule No. 001-0614600-301 to the Lease is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, TCF Equipment Finance, a division of TCF National Bank, (the "Lessor") shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Board of Commissioners of Clark County, Indiana:

Section 1. The Lease, in substantially the form as presently before the governing body of the Lessee, is hereby approved, and the President of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver the Lease and related documents in substantially the form as presently before the governing body of the Lessee, with such changes therein as shall be approved by such officer, and which Lease will be available for public inspection at the offices of Lessee.

Section 2. The Lessee shall, and the officers, agents and employees of the Lessee are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this

Resolution, and to carry out, comply with and perform the duties of the Lessee with respect to the Lease.

Section 3. The Lessee's obligations under the Lease shall be expressly subject to annual appropriation by Lessee; and such obligations under the Lease shall not constitute a general obligation of Lessee or indebtedness of Lessee within the meaning of the Constitution and laws of the State of Indiana.

Section 4. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized, ratified and approved.

Section 5. Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the current calendar year and hereby designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

So Resolved by majority vote of this Board of Clark County Commissioners at its regularly scheduled and properly noticed meeting held this 28th day of December, 2017.

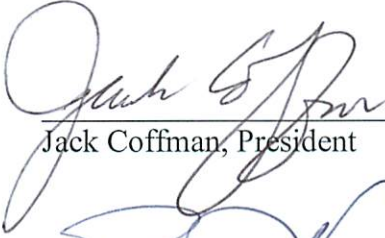
Members voting "NO":

Jack Coffman, President


Bryan Glover, Commissioner

Connie Sellers, Commissioner


Members voting "YES":



Jack Coffman, President

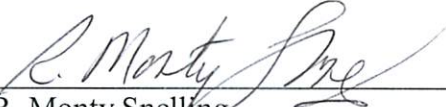


Bryan Glover, Commissioner



Connie Sellers, Commissioner

Attested by:



R. Monty Snelling,
Clark County Auditor