

Commonwealth
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**RESOLUTION
No. 26 of 2005
COUNTY OF DAUPHIN
(Dauphin County Library Systems Project)**

Adopted August 30, 2005

APPROVING FOR PURPOSES OF PUBLIC COMMENT A LOAN FINANCING BY THE DAUPHIN COUNTY GENERAL AUTHORITY FOR DAUPHIN COUNTY LIBRARY SYSTEMS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$1,205,600; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO EVIDENCE APPROVAL UNDER THE INTERNAL REVENUE CODE; AND RESCINDING ANY INCONSISTENT RESOLUTIONS.

WHEREAS, DAUPHIN COUNTY LIBRARY SYSTEMS, a Pennsylvania not-for-profit corporation having its principal office in the County of Dauphin, Pennsylvania the ("Library") and is desirous of having DAUPHIN COUNTY GENERAL AUTHORITY (the "Authority") issue Bond(s) for a project; and

WHEREAS, The Library owns and operates certain facilities located in the County of Dauphin, Pennsylvania (the "Facilities"); and

WHEREAS, Dauphin County General Authority (the "Authority") is a municipal authority incorporated pursuant to appropriate action of the Board of County Commissioners of the County of Dauphin, Pennsylvania (the "County"), and is existing under and governed by provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. Ch. 56, as amended and supplemented (the "Authorities Act"); and

WHEREAS, the Board of County Commissioners of the County of Dauphin, by appropriate action, has previously declared it to be desirable for the health and safety of the people in the area served, or to be served, by the Facilities, to have such facilities financed by the Authority; and

WHEREAS, as part of the Plan of Financing, the Authority will issue its tax-exempt bond(s) in an amount not to exceed \$1,205,600 to expand or construct facilities in the County of Dauphin, funding certain working capital items and funding construction at the Facilities to be known as The Madeline Olewine Memorial Branch at 240 N. Third Street in the City of Harrisburg, Dauphin County; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Dauphin County as follows:

Section 1. The Board of Commissioners of the County of Dauphin, for purposes of elected public official approval under the Internal Revenue Code of 1986, as amended, only, hereby authorizes and approves the issuance of the Bond(s) by the Dauphin County General Authority.

Section 2. The Board of County Commissioners of this County hereby declares that it is desirable for the health, safety and welfare of the people in the area served, or to be served, by the Library and the Library facilities comprising the Project to be located in this County, to have such Library facilities provided by the Authority and the Library.

Section 3. The Chairman, Vice Chairman, Chief Clerk or any other duly elected officer of the Board of Commissioners is hereby authorized, empowered and directed on behalf of the County (a) to execute any and all papers and documents necessary to evidence the aforementioned TEFRA approval of the Library Project, and (b) to do or cause to be done any and

all acts and things necessary or proper for the execution or carrying out of the purposes of this Resolution.

Section 4. A public hearing was properly advertised and held on August 12, 2005, as required by the Internal Revenue Code of 1986, as amended, on behalf of the County of Dauphin, for public comment on the Bond(s) to be issued by the Dauphin County General Authority. The hearing and publication of required notices thereof is hereby ratified and approved. No member of the public commented.

Section 5. The Board of County Commissioners of this County hereby declares that this resolution is adopted for the purpose of satisfying the requirements of 53 Pa. C.S. § 5607(b)(2) of the Act as an industrial development project so that certain limitations contained or provided for in the Act with respect to prohibiting the exercise of the powers granted under the Act in the construction, improvement, maintenance, extension or operation of any project or projects which, in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes, shall not apply and for the satisfaction of those provisions of Section 147(f) of the Internal Revenue Code of 1986, as the applicable elected officials of this County.

Section 6. This Authority hereby ratifies and confirms all action taken in its behalf in connection with this approval, including the advertisement of this public hearing.

Section 7. All prior resolutions or parts thereof inconsistent herewith are hereby rescinded, canceled and annulled.

Section 8. This Resolution will not create a pledge of the credit or taxing power of Dauphin County, nor of the Commonwealth of Pennsylvania.

Section 9. This Resolution shall take effect immediately.


BOARD OF COUNTY COMMISSIONERS OF
THE COUNTY OF DAUPHIN



Jeff Hasté, Chairman



Dominic D. DiFrancesco, Vice Chairman



George P. Hartwick, Secretary

ATTEST:



Chief Clerk

(SEAL)

CERTIFICATE

I, the undersigned, County Chief Clerk for the Board of Commissioners of the County of Dauphin (the "County"), certify that the foregoing is a true and correct copy of a Resolution duly adopted by majority vote of the entire Board of Commissioners at a meeting duly convened and held according to law on the 30th day of August, 2005; that said Resolution has been duly recorded in the minutes of the County; and that said Resolution remains in full force and effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board met the advance notice requirements of Act No. 84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising the date of said meeting.

IN WITNESS WHEREOF, I affix my hand and the corporate seal of the Dauphin County Board of Commissioners, this 31st day of August, 2005.



Chief Clerk

(SEAL)