

WKS... mtg. 4/28/04
(Res. file)

COUNTY OF DAUPHIN
PENNSYLVANIA

RESOLUTION NO. 11-2004

APPROVING THE FINANCING OF CERTAIN PINNACLE HEALTH SYSTEM HEALTH CARE FACILITIES LOCATED IN DAUPHIN COUNTY, PENNSYLVANIA; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA TO BE SERVED BY SUCH FACILITIES TO HAVE SUCH FACILITIES PROVIDED BY, OR FINANCED THROUGH, THE DAUPHIN COUNTY GENERAL AUTHORITY

WHEREAS, the Dauphin County General Authority (hereinafter referred to as the "Authority") is a body corporate and politic organized under the provisions of the Pennsylvania Municipality Authorities Act, 53 Pa.C.S. Ch. 56, as amended and supplemented (the "Act") by the Board of Commissioners (the "County Commissioners") of the County of Dauphin, Pennsylvania (the "County"), for the purpose of undertaking projects of the kind and character contemplated by law for a general purpose authority, as authorized and permitted by, and also as limited by, provisions of the Act; and

WHEREAS, Pinnacle Health System (the "System"), a Pennsylvania not-for-profit corporation, is the sole member of Pinnacle Health Hospitals (the "Corporation"), a Pennsylvania not-for-profit corporation; and

WHEREAS, the Corporation owns and operates, among other facilities, two health care facilities and related real and personal property in Dauphin County, Pennsylvania, known as Harrisburg Hospital (the "Harrisburg Hospital") and Community General Osteopathic Hospital ("CGOH" and, together with Harrisburg Hospital, the "Hospitals"); and

WHEREAS, the Corporation for the benefit of itself and the System (collectively, the "Obligated Group") has applied to the Authority for financing assistance for the purpose of (i) constructing, renovating and equipping certain capital improvements at the Hospitals, (ii) funding interest during construction and a debt service reserve fund, and (iii) paying the costs of issuing and insuring the 2004 Bonds hereinafter mentioned (collectively the "2004 Project"); and

WHEREAS, the Obligated Group has requested that the Authority issue its Health System Revenue Bonds, Series of 2004 (Pinnacle Health System Project) (Auction Rate Securities), in an aggregate principal amount not to exceed \$55,000,000 (the "2004 Bonds"), estimated to be sufficient to provide for the 2004 Project; and

WHEREAS, the Act permits an authority to undertake the financing of hospital or health care projects with loans to public hospitals, non-profit corporation health centers or non-profit hospital corporations serving the public provided that a declaration is made by the municipality which organized an authority for such a project that it is desirable for the health, safety and welfare of the people in the area to be served by the facilities to have such facilities provided by, or financed through, an authority; and

WHEREAS, the County Commissioners acknowledge that the Obligated Group and its health care facilities provide significant and important services in the area, which seek to address the health, safety and welfare of the people of the County; and

WHEREAS, the Authority has conducted a public hearing (the "TEFRA Hearing") on behalf of the itself, as the issuer of the 2004 Bonds, and on behalf of the County, as the governmental unit on behalf of which the Authority acts, as required by the United States Internal Revenue Code, of 1986, as amended (the "Code"); and

WHEREAS, the TEFRA Hearing, after due and proper advertisement thereof being duly given according to law, was held on April 28, 2004; and

WHEREAS, Minutes of the TEFRA Hearing were taken and a transcript thereof was provided to the County Commissioners in order for the County to issue its Certificate of Approval of the 2004 Bonds required by the Code (the "Certificate of Approval");

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF DAUPHIN, PENNSYLVANIA, as follows:

1. The 2004 Project, as defined in the preambles hereto, is approved, it being understood that such approval shall not, directly or indirectly, obligate the taxing power of the County or otherwise obligate the County in any way whatsoever. Such approval is given for the purpose of complying with the provisions of the Act relating to the undertaking of the 2004 Project by the Authority.

2. It is hereby declared desirable for the health, safety and welfare of the people in the area served by the Health Care Facilities of the Obligated Group to have the 2004 Project financed through the Authority, and the Authority is hereby authorized to undertake the 2004 Project.

3. The County Commissioners hereby ratify and approve the undertaking by the Authority of the TEFRA Hearing on behalf of itself as the issuer of the 2004 Bonds, and on behalf of the County. The County Commissioners hereby acknowledge and confirm that a transcript of the TEFRA Hearing has been provided to this Board for the Record.

This is to certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the Board of Commissioners of the County of Dauphin at its meeting held the 28th day of April 2004.


Chief Clerk and County Executive