

COUNTY OF YORK, PENNSYLVANIA

ORDINANCE NO. 2001-04

OF THE BOARD OF COUNTY COMMISSIONERS OF THIS COUNTY AMENDING AN ORDINANCE OF THIS COUNTY PREVIOUSLY ENACTED ON APRIL 26, 2000, THAT AUTHORIZED LEASE RENTAL DEBT OF THIS COUNTY IN THE MAXIMUM PRINCIPAL AMOUNT OF \$70,000,000, EVIDENCED BY A GUARANTY AGREEMENT, BY AND AMONG THIS COUNTY, AS GUARANTOR, THE GENERAL AUTHORITY OF SOUTHCENTRAL PENNSYLVANIA, AND ALLFIRST BANK, AS TRUSTEE, PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT, GUARANTYING BONDS OF SUCH AUTHORITY TO BE ISSUED FOR CERTAIN CAPITAL PROJECTS OF THIS COUNTY RECITED THEREIN; PROVIDING THAT APPLICABLE PORTIONS OF SAID ORDINANCE BE AMENDED AND RESTATED TO AMEND AND EXPAND THE PROJECTS TO BE FINANCED TO INCLUDE (1) A PARK MAINTENANCE GARAGE AND RELATED FACILITIES, AND (2) A PRISON WORK RELEASE FACILITY; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THIS COUNTY TO DO, TAKE AND PERFORM CERTAIN NECESSARY AND/OR APPROPRIATE ACTS AND THINGS RELATING TO SUCH AMENDED ORDINANCE; PROVIDING THAT THE REMAINDER OF SAID ORDINANCE SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT.

WHEREAS, The Board of County Commissioners (the "Board") of this County (the "County"), by Ordinance duly enacted, in accordance with law, on April 26, 2001 (the "Guaranty Ordinance"), authorized lease rental debt in the maximum principal amount of

\$70,000,000, pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania (the "Commonwealth"), 53 Pa.C.S. Chs. 80-82 (the "Act"), as then in force and effect, evidenced by a Guaranty Agreement, dated as of June 1, 2000, by and among the County, as guarantor, the General Authority of Southcentral Pennsylvania (the "Authority"), and Allfirst Bank, as trustee, guarantying up to \$70,000,000 of County Guaranteed Revenue Bonds (the "Bonds") of the Authority to provide funds for certain capital projects that were listed in the Guaranty Ordinance; and

WHEREAS, The Department of Community and Economic Development of the Commonwealth approved the proceedings of this County related to the incurrence of such lease rental indebtedness; and

WHEREAS, The Board desires to amend and expand the purposes of the financing under the Guaranty Ordinance; and

WHEREAS, Such amendment, in part, of the Guaranty Ordinance is permitted pursuant to the Guaranty Ordinance and pursuant to the Act.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of County Commissioners of this County, as follows:

1. The Board of this County does amend the caption of the Guaranty Ordinance to read in its entirety as follows:

ORDINANCE NO. 2000-03

OF THE BOARD OF COUNTY COMMISSIONERS OF THIS COUNTY DETERMINING TO INCUR DEBT; DETERMINING THAT THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF SUCH DEBT SHALL BE \$70,000,000; DETERMINING THAT SUCH DEBT SHALL BE INCURRED AS LEASE RENTAL DEBT TO BE EVIDENCED BY A GUARANTY OF MULTIPLE SERIES OF COUNTY GUARANTEED REVENUE BONDS, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF SEVENTY MILLION DOLLARS (\$70,000,000), TO BE AUTHORIZED AND TO BE ISSUED, FROM TIME TO TIME, BY THE GENERAL AUTHORITY OF SOUTHCENTRAL PENNSYLVANIA IN CONNECTION WITH THE FINANCING OF CAPITAL PROJECTS CONSISTING OF (A) THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF (1) A NEW JUDICIAL CENTER, (2) RENOVATIONS TO THE EXISTING COUNTY COURTHOUSE, (3) RENOVATIONS TO THE GOVERNMENT CENTER BUILDING, (4) EXPANSION OF THE EXISTING ARCHIVES BUILDING (PLEASANT ACRES), (5) PRISON PROJECTS INCLUDING KITCHEN AND FARMHOUSE RENOVATIONS AND AN OUTMATE MODULAR BUILDING INSTALLATION (6) A PARK MAINTENANCE GARAGE AND RELATED FACILITIES, AND (7) A PRISON WORK RELEASE FACILITY, AND TO THE EXTENT OF AVAILABLE FUNDS, VARIOUS OTHER FACILITIES OF THIS COUNTY, ALL AS MORE FULLY DESCRIBED HEREIN, (B) CAPITALIZING INTEREST ON SAID BONDS, AND (C) PAYING RELATED COSTS AND EXPENSES; SPECIFYING THE ESTIMATED REALISTIC USEFUL LIFE OF SAID PROJECTS; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THIS COUNTY TO EXECUTE, TO ATTEST AND TO DELIVER, AS APPROPRIATE, A GUARANTY AGREEMENT, BETWEEN THIS COUNTY, AS GUARANTOR, SAID AUTHORITY AND ALLFIRST BANK, AS TRUSTEE, WITH RESPECT TO SAID

PROJECTS AND SAID BONDS; APPROVING THE FORM OF SAID GUARANTY AGREEMENT; SPECIFYING THE MAXIMUM ANNUAL AMOUNTS OF THE GUARANTY OBLIGATIONS OF THIS COUNTY PURSUANT TO SAID GUARANTY AGREEMENT, AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THIS COUNTY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH GUARANTY OBLIGATIONS AS PROVIDED IN SAID ACT; APPOINTING A SINKING FUND DEPOSITARY IN CONNECTION WITH SUCH GUARANTY OBLIGATIONS; PROVIDING FOR PROPER OFFICERS OF THIS COUNTY TO TAKE ALL OTHER REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SAID PROJECTS, SAID PROCEEDINGS UNDER THE LOCAL GOVERNMENT UNIT DEBT ACT, AND SAID GUARANTY AGREEMENT, AND TO ENABLE SAID AUTHORITY TO MEET REQUIREMENTS OF SAID TRUST INDENTURE; PROVIDING FOR THE EFFECTIVENESS OF THIS ORDINANCE; PROVIDING FOR THE SEVERABILITY OF PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR REPEAL OF ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES. “.

2. The Board does amend the third grammatical paragraph of the Guaranty

Ordinance to read in its entirety as follows:

“WHEREAS, The Authority, at the request of this County, has agreed to undertake the financing of capital projects consisting of (a) the acquisition, construction, furnishing and equipping of (1) a new judicial center, (2) renovations to the existing County courthouse, (3) renovations to the Government Center Building (4) expansion of the existing Archives Building (Pleasant Acres), (5) prison projects including kitchen and farmhouse renovations and an outmate modular building installation, (6) a park maintenance garage and related facilities, (7) a prison work release facility, and to

the extent of available funds, various other facilities of this County, including capital additions thereto (collectively, the "County Facilities"), all as more particularly described in Exhibit A attached hereto and made a part hereof, (b) capitalizing interest on the Bonds (hereinafter defined), and (c) paying related costs and expenses (the "Project"), by issuance of the Bonds (hereinafter mentioned) to be guaranteed by this County."

3. The Board does amend Exhibit A attached to the Guaranty Ordinance to read in its entirety as Exhibit A attached to this Ordinance.

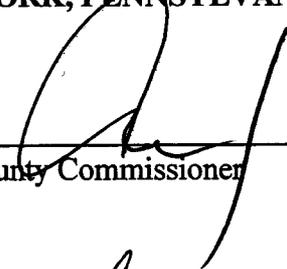
4. Members of the Board and the Chief Clerk, respectively, which shall include their duly qualified successors in office, if applicable, are authorized and directed, as required, necessary and/or appropriate, to do, take and perform such acts and things in connection with passage of this Ordinance as an amendment to the Guaranty Ordinance, including the filing of a certified copy of this Ordinance and appropriate proofs of publication with the Department of Community and Economic Development of the Commonwealth.

5. The remainder of the Guaranty Ordinance shall be and shall remain in full force and effect.

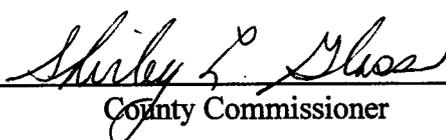
6. This Ordinance shall be effective in accordance with Section 8003 of the Act.

DULY ENACTED AND ORDAINED, by the Board of County Commissioners of
the County of York, Pennsylvania, in lawful session duly assembled, this 5th day of September,
2001.

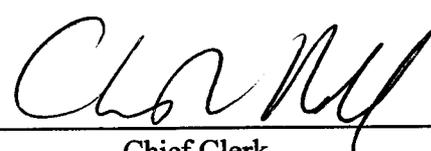
COUNTY OF YORK, PENNSYLVANIA

By: 
_____ County Commissioner

By: 
_____ County Commissioner

By: 
_____ County Commissioner

ATTEST:


_____ Chief Clerk

(SEAL)

COUNTY OF YORK, PENNSYLVANIA

EXHIBIT A

LIST OF CAPITAL PROJECTS

1. New Judicial Center
2. Renovations to existing Court House
3. Renovations to Government Center Building
4. Expansion of existing Archives Building (Pleasant Acres)
5. Prison projects; kitchen and farmhouse renovations; and
outmate modular building installation
6. Park Maintenance Garage and Related Facilities
7. Prison Work Release Facility

CERTIFICATE

I, the undersigned, Chief Clerk of the County of York, Pennsylvania (the "County"), certify that: the foregoing is a true and correct copy of an Ordinance which duly was enacted by affirmative vote of a majority of all members of the Board of County Commissioners (the "Board") of the County, in accordance with law, at a meeting duly held on September 5, 2001, at which meeting a quorum was present; said Ordinance has been certified and recorded by me, as Chief Clerk of the County, in the book provided for the purpose of such recording; said Ordinance, upon enactment, as aforesaid, was assigned Ordinance No. 2001-03; the total number of members of the Board is three (3); the vote of the members of the Board, upon enactment of said Ordinance, the yeas and nays having been called, duly was recorded by me, as Chief Clerk, as follows:

Christopher B. Reilly	-	
James F. Donahue	-	
Shirley L. Glass	-	;

said Ordinance has been advertised, as required by law, in a newspaper of general circulation in the County; and said Ordinance has not been amended, altered or repealed, as of the date of this Certificate.

I further certify that the Board met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, by advertising said meeting, by posting prominently a notice of said meeting at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this 5th day of September, 2001.



Chief Clerk

(SEAL)

Proof of Publication

in the _____ Court _____ of York County

Copy of Advertisement Attached Here

Of _____ Term, 20

No. _____

THE YORK DISPATCH/YORK SUNDAY NEWS and YORK DAILY RECORD are the names of the daily newspapers of general circulation published continuously for more than the last six months by York Newspaper Company, at its principal place of business, which is at 1891 Loucks Road, York, PA 17404.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said **The York Dispatch/York Sunday News and York Daily Record** published on the following dates, viz:

August 31, 2001

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF YORK SS

Before me, a Notary Public, personally came Kristel Hennessy who being duly sworn deposes and says that he/she is the classified manager of York Newspaper Company, and has personal knowledge of the publication of the advertisement mentioned in the foregoing statement as to the time, place and character of publications are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.

Sworn and subscribed to before me this

31st day of August 2001

Jean Marie Porter
Notary Public

Kristel Hennessy

Notarial Seal
Jean Marie Porter, Notary Public
York Twp., York County
My Commission Expires Mar. 20, 2005
Member, Pennsylvania Association of Notaries

Received _____

_____ Dollars

100

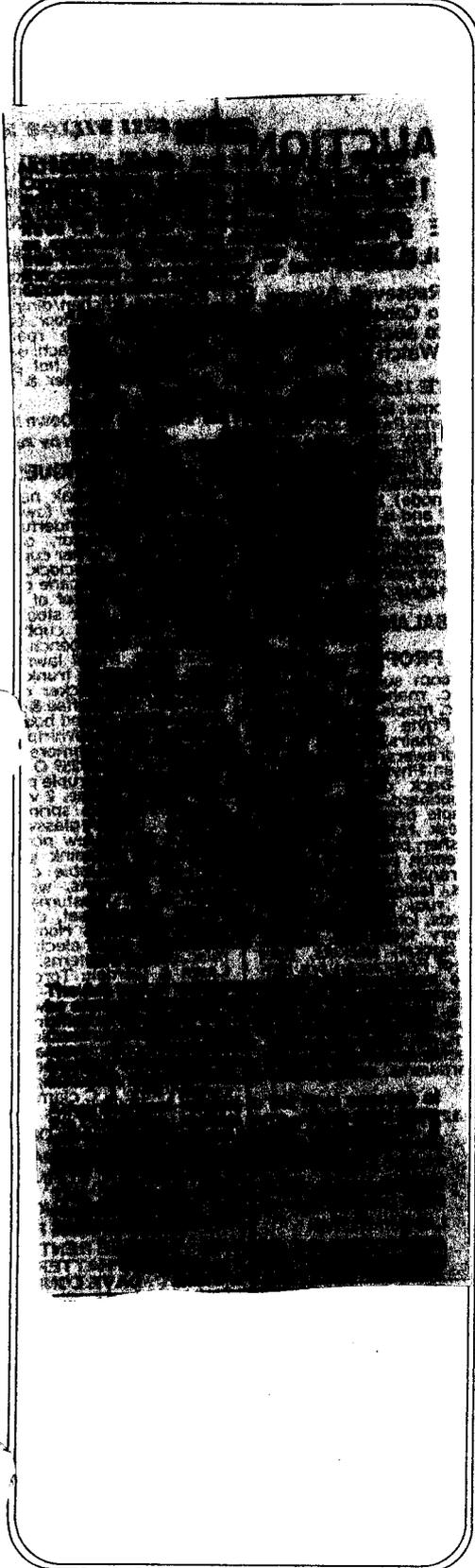
in payment of the charge for the publication of above mentioned advertisement and the expense of above affidavit.

Advertisement \$ _____

Affidavit \$ _____

Flat Rate Fee \$ _____

\$ _____



Motion to advertise an ordinance

April 26, 2001

RHOADS & SINON LLP *modifying*

ATTORNEYS AT LAW
TWELFTH FLOOR
ONE SOUTH MARKET SQUARE
P.O. BOX 1146
HARRISBURG, PA 17108-1146

TELEPHONE (717) 233-5731

FAX (717) 231-6610

EMAIL jdangaard@rroads-sinon.com

WEBSITE: www.rroads-sinon.com

August 13, 2001

- JC
- CH
- GC Renovations
- Archives
- Misc. Prison
 - o Modules
 - o Furniture
 - o Kitchen

OF COUNSEL
FRANK A. SINON
HENRY W. RHOADS
JOHN C. DOWLING
R. STEPHEN SHIBLA

PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYLE R. HENDERSHOT
1922-1980

DIRECT DIAL NO.
(717) 231-6621

FILE NO.
6427/05

**Re: County of York, Pennsylvania
Amendment of Project Definition**

Mr. Charles R. Noll
Chief Clerk/Administrator
County of York
One West Marketway, 4th Floor
York, PA 17401

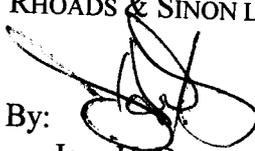
Dear Chuck:

As discussed at our meeting on August 9, 2001, enclosed is a draft Ordinance of the County expanding the definition of projects which are authorized to be financed with bonds issued through the General Authority of Southcentral Pennsylvania. We understand that this Ordinance can be presented at the Commissioners' meeting on September 5. Please confirm this timetable and we will arrange advertisement of the Ordinance in accordance with the Debt Act.

If you have any questions, please call.

Very truly yours,

RHOADS & SINON LLP

By: 
Jens H. Damgaard

RECEIVED

AUG 15 2001

YORK COUNTY COMMISSIONERS

Enclosure

cc: David S. Craun, Esquire, County Solicitor
Mr. James J. Tricolli, Tucker Anthony

397689.1

YORK:

TELEPHONE (717) 843-1718, FAX (717) 232-1459

AFFILIATED OFFICE:

STE. 203, 1700 S. DIXIE HWY, BOCA RATON, FL 33432
TELEPHONE (561) 395-5595, FAX (561) 395-9497

LANCASTER:

TELEPHONE (717) 397-4431, FAX (717) 232-1459

ROBERT H. LONG, JR.*
MERILL T. MOYER
P. PADEN
HARD B. WOOD
WRENCE B. ABRAMS III*
BRUCE WALTER
JHN P. MANBECK
FRANK J. LEBER
PAUL A. LUNDEEN
JACK F. HURLEY, JR.
DAVID B. DOWLING
DAVID F. O'LEARY
DAVID O. TWADDELL
CHARLES J. FERRY
STANLEY A. SMITH
JENS H. DAMGAARD*
DRAKE D. NICHOLAS
THOMAS A. FRENCH
DEAN H. DUSINBERRE
DONNA M.J. CLARK
CHARLES E. GUTSHALL
PAUL F. WESSELL

SHAWN D. LOCHINGER
JAMES H. CAWLEY
DEAN F. PIERMATTEI
KENNETH L. JOEL
DEBRA M. KRIETE
TODD J. SHILL
LORI J. MCELROY
THOMAS J. NEHILLA
KEVIN M. GOLD
CARL D. LUNDBLAD
JAMES E. ELLISON
RICHARD E. ARTELL
ROBERT J. TRIBECK
TIMOTHY J. NIEMAN
PAUL J. BRUDER, JR.
JOANNE BOOK CHRISTINE
SUSAN E. SCHWAB
AMY J. MENDELSON*
MICHAEL W. WINFIELD**
KATHRYN G. SOPHY
STEPHANIE E. DIVITTORE
KIMBERLY L. SNELL-ZARCONI
KATHLEEN D. BRUDER

*ALSO ADMITTED TO THE FLORIDA BAR
**ALSO ADMITTED TO THE MARYLAND BAR