

It was moved by **Mr. Dave Gully** and seconded by **Mr. Steve Wilson** that the following resolution be adopted:

Resolution No. 2008-01

RESOLUTION AUTHORIZING THE RECEIPT OF DONATIONS FROM OTTERBEIN HOMES AND FROM OTHER DONORS FOR STUDYING THE FEASIBILITY OF ESTABLISHING A PORT AUTHORITY FACILITY FOR THE PERFORMING ARTS

WHEREAS, by and pursuant to the laws of the State of Ohio, the Warren County Port Authority (the "Authority") was created and exists as a body both politic and corporate, performing essential public functions under Ohio Revised Code Sections 4582.21 *et seq.* (the "Act");

WHEREAS, the Authority wishes to establish a regional performing arts center in Warren County, Ohio, which facility qualifies as a "port authority facility" under the Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WARREN COUNTY PORT AUTHORITY as follows:

Section 1. Authorization of Receipt and Acceptance of Donations. The Authority is authorized to receive and accept any donations of aid, funding, and other contributions made by Otterbein Homes, 580 N. State Route 741, Lebanon, Ohio or by any other donor in furtherance of the establishment of port authority facilities.

Section 2. Authorization of Fund for Donations. The Authority is authorized to deposit any donations received from Otterbein Homes, or from any other donor, into funds or accounts, which donations shall be disbursed only for the purposes for which they were made.

Section 3. Authorization and Execution of Other Documents. Subject to the terms hereof, the Economic Development Director is authorized and directed to execute any other documents, agreements, assignments, and instruments as are necessary or appropriate, in the opinion of the Economic Development Director, to consummate the transactions contemplated by this Resolution.

Section 4. Open Meetings. It is found and determined that all formal actions of the Authority concerning and relating to adoption of this Resolution were taken in and adopted in an open meeting of the Authority, and that all deliberations of the Authority and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code.

Section 5. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption.

The foregoing motion having been put to vote, the result of the roll call was as follows:

Voting Aye: **Mr. Ficke, Mr. Gully, Mr. Hearsom, Mr. Sample & Mr. Wilson**

Voting Nay: **None**

The undersigned, Secretary of the Board of Directors of the Warren County Port Authority, does hereby certify that the foregoing is a true and correct copy of a resolution of the Warren County Port Authority, duly adopted on January 14, 2008, and appearing upon the official records of that Board.

Adopted: January 14, 2008

Dated: January 14, 2008

Attest: Mart Russell
Secretary, Board of Directors of the
Warren County Port Authority