

BOARD OF COUNTY COMMISSIONERS
COUNTY OF BUCKS
PENNSYLVANIA

ORDINANCE NO. 61
Enacted April 18, 1984

AMENDING ORDINANCE NO. 55 ENACTED DECEMBER 1, 1982, AS AMENDED, BY EXPANDING THE SCOPE OF THE ORIGINAL PROJECT AND MODIFYING THE DEFINITION OF COSTS OF THE PROJECT FOR WHICH MONIES MAY BE APPLIED; SPECIFYING A REASONABLE INITIAL WORKING CAPITAL AS PART OF THE PROJECT; AND REPEALING INCONSISTENT ORDINANCES.

WHEREAS, the Board of County Commissioners (the "Board") of the County of Bucks, Pennsylvania ("the County") enacted Ordinance No. 55 on December 1, 1982 authorizing and directing the incurring of the County's General Obligation Bonds, Series of 1982 as non-electoral debt in the amount of Nineteen Million Dollars (\$19,000,000.00) for the financing of a project consisting of the construction and equipping of a new 367 cell County Prison; and

WHEREAS, Ordinance No. 56 enacted December 29, 1982 amended Ordinance No. 55 by eliminating the construction fund and transferring the responsibilities for the accounting function involved in the construction of the County Prison to the County Treasurer; and

WHEREAS, Section 403 of the Local Government Unit Debt Act, Act 185 of the 1972 General Assembly of the Commonwealth of Pennsylvania, as amended and reenacted by Act No. 52 of the 1978 General Assembly of the Commonwealth of Pennsylvania (the "Debt Act"), provides that in the case of non-electoral general obligation debt the purposes for which the debt was incurred may be changed by ordinance at any time; and

WHEREAS, Section 107 of the Debt Act provides that the cost of a project shall include a reasonable initial working capital for operating the project; and

WHEREAS, the Board has determined that the project as originally set out in the initial "WHEREAS" paragraph of Ordinance No. 55 shall be expanded as hereafter set forth.

NOW, THEREFORE, be it Enacted and Ordained by the Board of County Commissioners of the County of Bucks, Commonwealth of Pennsylvania as follows:

Section 1. The first WHEREAS paragraph of the Ordinance No. 55, as amended, is hereby restated in its entirety as follows:

"WHEREAS, the Board of County Commissioners of the County of Bucks, (the "County") deems it in the best interest of the County that the County undertake a project (the "Project") consisting of the construction, equipping and initial working capital for start-up costs of a new 367 Cell County Prison, including the expansion of certain County water and sewer facilities and connections; and".

Section 2. Section 8 of Ordinance No. 55, as amended, is hereby repealed and a new Section 8 is enacted as follows:

"Section 8. Bond proceeds shall be applied exclusively toward the cost of the Project, including without limitation any costs of constructing, installing and equipping and working capital for start-up of the Project; amounts payable to contractors and suppliers (including fees for designing the Project where designs are provided by the contractor or supplier); costs of labor, services, materials and equipment furnished to the County (including shipping costs); engineering and other professional fees; costs of insurance, fees and permits and utility charges; interest on the Bonds; and costs of financing.

The County hereby covenants that all amounts remaining after completion of construction of the Project shall be applied to pay interest on the Bonds, to redeem Bonds or to pay costs of other capital projects of the County with useful lives of more than five (5) years, all to the extent authorized by and in accordance with the Debt Act and as to be provided by ordinance of the Board of County Commissioners."

Section 3. The Schedule of Estimated Project Costs incorporated as a part of Section 19 of Ordinance 55 is amended by reducing the Total Direct Prison Project Costs by \$900,000 and by inserting a line item thereafter as follows:

"Reasonable Initial Working Capital \$900,000."

Section 4. All other provisions of the County's Ordinance No. 55, as amended, not inconsistent herewith shall remain in full force and effect. All prior ordinances and resolutions of the County to the extent inconsistent herewith are hereby repealed.

Enacted and Ordained by the Board of County Commissioners of the County of Bucks this 18th day of April, 1984.

BOARD OF COMMISSIONERS OF
COUNTY OF BUCKS


Carl F. Fonash, Chairman


Lucille M. Trench


Andrew L. Warren

Attest: 
William H. Rieser, Chief Clerk
(SEAL)