

COUNTY OF UNION,
ILLINOIS

**ORDINANCE AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS (ALTERNATE
REVENUE SOURCE) OF THE COUNTY OF UNION,
ILLINOIS, IN AN AGGREGATE PRINCIPAL AMOUNT
NOT TO EXCEED \$14,500,000 FOR THE PURPOSE OF
FINANCING THE COSTS OF CERTAIN CAPITAL
PROJECTS OF THE COUNTY, AND PAYING FOR COSTS
RELATED THERETO.**

WHEREAS, the County of Union, Illinois, (the "County"), a body politic and corporate, is an Illinois county, duly created, organized and existing under the laws of the State of Illinois and having the powers, objects and purposes provided by the Counties Code of the State of Illinois; and

WHEREAS, Board of Commissioners of the County (the "Board") has determined that it is necessary to (i) finance the costs of certain capital projects within the County, including, but not limited to, the construction and equipping of a new courthouse (the "Project") and (ii) pay certain costs of issuance of the Bonds (as such term is hereinafter defined), all for the benefit of the inhabitants of the County; and

WHEREAS, the estimated cost of the Project, including legal, financial, bond discount, printing and publication costs, capitalized interest, and other expenses (collectively, the "Costs"), is not less than \$14,500,000, and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS, up to \$14,500,000 of alternate bonds (the "Bonds") need to be issued at this time pursuant to the Local Government Debt Reform Act, 30 ILCS 350/1 to 350/18 (the "Act"); and

WHEREAS, it is necessary for the best interests of the County that the Project be completed, and in order to raise funds required for such purpose it will be necessary for the County to borrow an aggregate principal amount of not to exceed \$14,500,000 and in evidence thereof to issue alternate bonds, being general obligation bonds payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues") in an aggregate principal amount not to exceed \$14,500,000, all in accordance with the Act; and

WHEREAS, if the above-mentioned revenue source is insufficient to pay the alternate bonds, ad valorem property taxes upon all taxable property in the County without limitation as to

rate or amount are authorized to be extended to pay the principal of and interest on the alternate bonds;

WHEREAS, pursuant to and in accordance with the provisions of Section 15 of the Act, the County is authorized to issue alternate bonds in an aggregate principal amount not to exceed \$14,500,000 for the purpose of providing funds for the financing the Project and to pay the Costs; and

NOW THEREFORE, Be It Ordained by the Board of Commissioners of the County of Union, Illinois as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds; Underwriter and Bond Counsel. It is necessary and in the best interests of the County to complete the Project and that for the purpose of completing the Project and paying the Costs, alternate bonds of the County are hereby authorized to be issued and sold in an aggregate principal amount not to exceed \$14,500,000, known as "General Obligation Bonds (Alternate Revenue Source)" of the County, said Bonds being issued in one or more series and payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues"). The County engages Bernardi Securities, Inc., as Underwriter with respect to the issuance of the Bonds and Ice Miller LLP as bond counsel.

Section 3. Publication. This Ordinance, together with a notice in the statutory form, shall be published once within ten days after passage hereof by the Board in *The Gazette-Democrat*, the same being a newspaper of general circulation in the County, and if no petition, signed by 1,146 or more electors (said number being the greater of (i) seven and one-half percent (7½%) of the registered voters in the County or (ii) the lesser of 200 registered voters or fifteen percent (15%) of the registered voters in the County), asking that the question of the issuance of the Bonds be submitted to the electors of the County, is filed with the County Clerk within thirty (30) days after the date of the publication of this Ordinance and said notice, then this Ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. A petition form shall be provided by the County Clerk at the principal office of the County, located at 309 W. Market, Jonesboro, Illinois, to any individual requesting one.

Section 4. Additional Ordinances. If no petition meeting the requirements of applicable law is filed during the petition period hereinabove referred to, then the Board may adopt additional resolutions or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Bonds and prescribing all the details of the Bonds, so long as the maximum amount of the Bonds as set forth in this Ordinance is not exceeded and there is no material change in the purposes described herein. Such additional resolutions or proceedings shall in all instances become effective in accordance with applicable law. This Ordinance,

together with such additional resolutions or proceedings, shall constitute complete authority for the issuance of the Bonds under applicable law.

Section 5. Additional Proceedings. If no petition meeting the requirement of applicable law is filed during the petition period hereinabove referred to, then the preparation and distribution of a preliminary official statement relating to the Bonds is hereby approved, and the County Board Chairman is hereby authorized to deem the preliminary official statement nearly final.

Section 6. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 7. Repealer. All resolutions, ordinances or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 8. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at a regular meeting of the Board of Commissioners of the County of Union, Illinois this 6th day of July, 2010.

Chairman: Donald Kault voting yes.

County Commissioner: John Hawn voting YES.

County Commissioner: Donald Perry voting Yes.

Subscribed and Sworn to me this 6th day of July, 2010

County Clerk: Bobby Jones Jr.

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION
AND HEARING ON PROPOSED ISSUANCE**

Notice is hereby given that pursuant to a resolution, adopted on July 6, 2010, the County of Union, Illinois (the "County"), intends to issue alternate bonds, being general obligation bonds (the "Bonds") payable from the hereinafter identified revenue source, in an aggregate principal amount not to exceed \$14,500,000, and bearing interest per annum at not to exceed the maximum rate authorized by law at the time the Bonds are sold, for the purpose of financing project costs, including the construction and equipping of a new courthouse, and paying certain costs thereof. The Bonds shall be payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues"). The ordinance authorizing the issuance of bonds is attached hereto and appears below this notice.

Notice is hereby further given that if a petition signed by 1,146 or more of registered voters of the County is submitted to the County Clerk of the County (the "County Clerk") within 30 days of publication of this notice, asking that the question of the issuance of the Bonds be submitted to referendum, then the question of the issuance of the Bonds shall be submitted to the electors of the County at the general election to be held on the 2nd day of November, 2010. If no petition is filed with the County Clerk within said 30-day period, the Bonds shall be authorized to be issued. A form of petition is available from the County Clerk at the principal office of the County at 309 W. Market, Jonesboro, Illinois.

By: Bobby Jones Jr.
Its: County Clerk,
County of Union, Illinois

PETITION

To the County Clerk of Union County, Illinois,:

We, the undersigned, being registered voters of the County of Union, Illinois, do hereby petition you to cause the question of issuing not to exceed \$14,500,000 General Obligation Bonds (Alternate Revenue Source) (the "Bonds") of said County for the purpose of financing the costs of construction and equipping of a new courthouse, and to pay costs of issuance thereof, said Bonds being payable from certain revenues obtained from the one percent (1%) county-wide sales tax that was approved via referendum on February 2, 2010 for purposes of public facilities, the County's share of Illinois income taxes, other sales taxes and such other funds lawfully available and annually appropriated for such purpose (collectively, referred to herein as the "Pledged Revenues") to be certified to the County Clerk of Union County, and submitted to the electors of said County at the general election to be held on the 2nd day of November, 2010.

<u>Name</u>	<u>Address</u>	<u>City</u>
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois
_____	_____	_____, Union County, Illinois

I, _____ of _____ (insert residence address), _____, Illinois, do hereby certify that I am a citizen of the United States and at least 18 years of age or older, and that the signatures on this petition were signed in my presence, and are genuine, and, to the best of my knowledge and belief, the persons so signing were at the time of signing this petition registered voters of said County and that their respective addresses are correctly stated herein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 2010.

Notary Public

My Commission Expires: _____

BINA Notice Form

The Chairman and Board of Commissioners of the County of Union, Illinois will hold a public hearing on August 2, 2010 at 4:00 p.m. The hearing will be held at the County Office at 309 W. Market, in Jonesboro, Illinois. The purpose of the hearing will be to receive public comments on the proposal to sell bonds in the amount of up to \$14,500,000 for the purpose of financing certain capital projects within the County, including the construction and equipping of a new courthouse.

By: /s/ Bobby Toler

Title: County Clerk

Note to Publisher: The above notice is to be published one time on or before 7 days before the hearing, but not prior to 30 days before the hearing. Suggest sometime in the week of July 12, 2010. The publication may be in the "legals" or "classified" section of the paper. **NO SPECIAL BORDER IS REQUIRED FOR THIS PUBLICATION. DO NOT USE ANY SPECIAL BORDER.** Please send your statement to:

Treasurer
The County of Union, Illinois
309 W. Market
Jonesboro, Illinois 62952

and send two publication certificates (and text) to Ice Miller LLP, 200 West Madison Street, Suite 3500, Chicago, Illinois 60606-3417, Attention Jenine Phillips.

PUBLISHER: DO NOT PRINT THE FOLLOWING:

Chairman's Approval and Order Setting Public Hearing:

The undersigned, Chairman of the above County hereby approves and orders the setting of the above Bond Issue Notification Act hearing.

Date: _____, 2010

Chairman

When signed by the Chairman, please date and fax back to Ice Miller LLP, Attention: Jenine Phillips at 312/726-2694.

UNION COUNTY BOARD OF COMMISSIONERS
AGENDA FOR
July 6, 2010 @ 4:00 pm

I CALL MEETING TO ORDER

II ROLL CALL

III APPROVAL OF MINUTES

IV COUNTY FINANCES

V OLD BUSINESS

- A. Executive Session – Contract, Personnel, Litigation, and Property
- B. General Assistance
- C. David Livesay – Phone System
- D. New Wave Proposal
- E. Labor Contracts
- F. Animal Control
- G. Courthouse Bonds

VI NEW BUSINESS

- A. Resolution
 - Expressing official intent to designate the County of Union, Illinois as a Recovery Zone and allocating Recovery Zone volume cap and approving projects for purposes of the American Recovery and Reinvestment Tax Act of 2009
- B. Ordinance
 - Authorizing the issuance of General Obligation Bonds (Alternate Revenue Source) of the County of Union, Illinois, in an aggregate principal amount not to exceed \$14,500,000 for the purpose of financing the costs of certain capital projects of the County, and paying for costs related thereto.
- C. Event Ordinance
- D. Recovery Zone Ordinance
- E. Stephen Burns - Courthouse

VII BUILDING PERMIT

VIII NEW COURTHOUSE UPDATE

IX COMMITTEE REPORTS

John Garner
Animal Control
911 Board

Randy Lambdin
Southern Five Planning
Southern Seven Health Dept.

Don Denny
Economic Development
Shawnee Development

X OTHER BUSINESS

XI PUBLIC COMMENTS

XII ADJOURNMENT

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State of Illinois)
ss July 5, 2010

County of Union)

The Union County Board of Commissioners met for a regular meeting at the courthouse in Jonesboro at 4:00 p.m. Roll call was taken by Bobby Toler Jr., with Randy Lambdin, John Garner and Don Denny present.

Randy Lambdin - First we need to approve the minutes.

John Garner - I'll make a motion to approve the regular session minutes on June 7, 2010.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Don Denny - I'll make a motion to approve the executive session minutes on June 7, 2010 and they remain closed to the public.

John Garner - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Don Denny - I'll make a motion to approve the minutes on June 21, 2010.

Randy Lambdin - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

John Garner - I'll make a motion to approve the executive session minutes held on June 21,

2010 and they remain closed to the public.

Randy Lambdin - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

John Garner - I'll make a motion to approve the minutes for the meeting held on June 29, 2010.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - I'll make a motion to approve the executive session minutes held on June 29, 2010 and they remain closed to the public.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - Next on the agenda is county finances.

Bobby Myers - We received \$65,841.32 in income tax money, which gives us a total of \$45,740.30 in the bank.

Randy Lambdin - We are holding \$22,477 in old bills and we have \$77,577 in new bills. I saw where there was a \$50,000 disbursement of property tax money to the general fund. I am concerned that we won't get to the end of the budget. On the May 31st budget summary, income tax was running 32 percent behind.

That would be a \$270,000 short fall. I think we need to pay the old bills and hold \$35,000 in new bills.

Randy Lambdin - Next on the agenda is General Assistance. Ashley's contract is going to be exactly the same as it was last year. We can go ahead and have Tyler prepare her contract.

Randy Lambdin - Next on the agenda is a Newwave proposal.

Brad Housewright - I have a new proposal for the courthouse. We would have to install fiber optics to the courthouse. We would like to have a five year agreement because of the installation cost. The monthly bill would be \$2,345 and we would need \$2,000 up front for the installation.

Randy Lambdin - Thank you and we appreciate your proposal.

Heather Wright - I should be able to lower our long distance phone bill by 90 percent.

Randy Lambdin - Next on the agenda is Animal Control.

Tyler Edmonds - I sent a draft to Wes Wilkins. The meeting will be Thursday at 6 p.m.

John Garner - The letters for the meeting have been sent out.

Randy Lambdin - Under new business the bond resolution and ordinance.

Mike Bowen - The bond ordinance reads an amount not to exceed \$14,500,000. We expect

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the amount to be close to \$12,500,000. We have to have a little higher amount in case the cost of financing the bonds is slightly higher.

Don Denny - I'll make a motion to approve resolution #2010-14 expressing official intent to designate the County of Union, Illinois as a recovery zone and allocating recovery zone volume cap and approving projects for purposes of the American Recovery and Reinvestment Tax Act of 2009.

John Garner - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - I'll make a motion to approve ordinance #2010-15 authorizing the issuance of general obligation bonds (alternate revenue source) of the County of Union, Illinois, in an aggregate principal amount not to exceed \$14,500,000 for the purpose of financing the costs of certain capital projects of the County and paying for costs related thereto.

John Garner - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - We need to have a meeting with Kim Myers the accountant who is working on the cost analysis at 9 a.m. on July 15,

2010.

Randy Lambdin - Next on the agenda is a letter of support for the Shawnee Development Council.

Paula Stairs - We need a letter of support from Union County for a grant from the Department of Aging and the Department of Human Services. The grant is for \$120,000. One home will be selected from each county.

John Garner - I'll make a motion to do a letter of support for Shawnee Development Council to apply for a grant.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - Next on the agenda is Steven Burns.

Steven Burns - I have been working with Linda Hileman on saving the courthouse. I have asked an architect to come up with a stand alone design. I would like to know the time line for a grant.

Randy Lambdin - The kickoff meeting with the architects is tomorrow. They expect construction to start by next spring. You can check back with us in a couple of weeks.

Don Denny - Some organizations will have to step forward with some money to finance the restoration.

Steven Burns - Landmark,

Illinois has restoration grants. The courthouse must be on the National Register to be eligible for grants.

Randy Lambdin - We have worked on this project for a year and a half. Why start looking for grants now?

Randy Lambdin - Next on the agenda is event ordinance.

Tyler Edmonds - I will draft something for you to look at.

Randy Lambdin - Next on the agenda is building permits.

Kevin Grammer - I have one building permit that I can recommend for approval.

1 - Jeffery and Catherine Meadows, parcel #042302449A.

Don Denny - I'll make a motion to approve the building permit as recommend by the County Engineer.

John Garner - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none. Motion carried.

Randy Lambdin - Do we have a new courthouse update?

Don Denny - The kickoff meeting with the architects is tomorrow morning at 9 a.m.

Randy Lambdin - Is there any committee reports?

Randy Lambdin - I had a Southern Seven meeting. They are hurting for money. They are owed \$750,000 by the state. They are getting tax warrants and looking at

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a \$5,000 deductible for health insurance.

Don Denny - I have a Shawnee Development meeting in two weeks.

Kevin Grammer - I have some bills for Clear Creek Levy and Drainage District to be paid through the grant.

Don Denny - Go ahead and voucher it and pay it.

David Livesay - July 13, I will be at a speed control meeting in Alto Pass. I will report back to you after the meeting.

John Garner - I'll make a motion to go into executive session to discuss contracts, personnel, litigation and property.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none.
Motion carried.

Time: 4:55 p.m.

John Garner - I'll make a motion to return to open session.

Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none.
Motion carried.

Time: 6:35 p.m.

John Garner - I'll make a motion to adjourn.

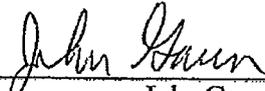
Don Denny - I'll second it.

Randy Lambdin - All those in favor, say aye, opposed none.
Motion carried.

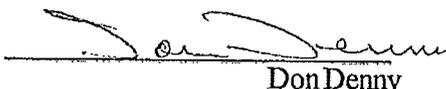
Time: 6:40 p.m.



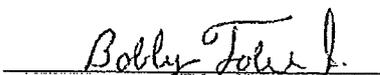
Randy Lambdin



John Garner



Don Denny



Bobby Toler Jr.