

Proceedings of the

KANE COUNTY BOARD



KANE COUNTY, ILLINOIS

March 12, 2013

COUNTY BOARD MINUTES – March 12, 2013

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March 12, 2013

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COUNTY BOARD MINUTES – March 12, 2013

The Adjourned Meeting of the Kane County Board was held at the Kane County Government Center, Geneva, IL 9:46 a.m. on Tuesday, March 12, 2013, Chairman, Chris Lauzen, Chief County Clerk, John A. Cunningham, Special Guests (4-H) members, the press and public.

ROLL CALL: PRESENT: Allan, Auger, Barreiro, Davoust, Donahue, Ford, Frasz, Gilliam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Scheflow, Silva, Starrett, Taylor, Vazquez, Wojnicki: PRESENT: 22 ABSENT: 2 - Castro (late 9:48); Smith (late 9:49)

The Chairman called the meeting to order and a quorum was present.

PLEDGE OF ALLEGIANCE was led by Dick Hawks.

PRAYER was led by Rev. Dr. Peter Spiro. Chairman Lauzen read a news report by CNN Kabul, Afghanistan reporting 5 Americans were killed in a helicopter crash. He asked that we keep these families in our prayers.

PRESENTATIONS

4-H Government Day – Introduction of Program & Students (B. Wojnicki)

Students introduce themselves.

Abbreviated Internet Series 2013 Bond Auction (D. Phillips, Speer Financial, Inc.)

Bids were received for the \$29,010,000 General Obligation Bonds (Alternate Revenue Source), Series 2013. Account Manager, Robert W. Baird & Co, Incorporated, Milwaukee, WI won the bid. The debt refinancing will save the County \$2.35 million in interest. A handout was provided to Board Members.

Budget Process Orientation – Initial Survey

Budget Process Survey handed out to County Board Members for completion.

Chairman Lauzen also requested to meet with each Board Member and requested that Board Members respond to his Satisfaction Survey.

Chairman's Short Program

A video presentation was provided.

SPEAKERS (Agenda Items): - None

APPROVAL OF MINUTES – February 13, 2013

Motion by Ford; seconded by Haimann that the minutes of the February 13, 2013 meeting be approved. Motion carried unanimously by voice vote to approve the minutes of the February 13, 2013 meeting.

###

CONSENT AGENDA

Chairman Lauzen requested which items were to be removed from the Consent Agenda. Items removed from Consent Agenda as follows: #13-49 by Kenyon, #13-55 by Kenyon, #13-57 by Allen, #13-64 by T. R. Smith, #13-65 by Scheflow, #13-68 by Kenyon. Motion by Pollock,

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seconded by Laesch that the Consent Agenda (#13-50, #13-51, #13-52, #13-53, #13-54, #13-56, #13-58, #13-59, #13-60, #13-61, #13-62, #13-63, #13-66, #13-67, #13-69, #13-70, #13-71, #13-72, #13-73) be adopted.

###

RESOLUTION #13-50

AUTHORIZING APPROVAL OF A CONTRACT FOR ELECTRICAL SERVICES

WHEREAS, the Building Management Department requires third party professional electrical service work to be completed at all County facilities; and

WHEREAS, bids have been solicited and received to complete the required third party electrical service work; and

WHEREAS, the lowest responsive bidder per the bid specifications was Rehm Electric Shop, St. Charles, IL at an hourly rate of \$75.00 per hour; and

WHEREAS, adequate funds have been budgeted and are available for these expenditures.

NOW, THEREFORE, BE IT RESOLVED By the Kane County Board that the Chairman of the Board is authorized to enter into a contract with Rehm Electric Shop in St. Charles, IL to provide third party professional electrical service work at an hourly rate of \$75.00 per hour.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
Varies	Contractual	Yes	Yes	N/A

###

RESOLUTION #13-51

AUTHORIZING APPROVAL OF A CONTRACT FOR PLUMBING SERVICES

WHEREAS, the Building Management Department requires third party professional plumbing service work to be completed at all County facilities; and

WHEREAS, bids have been solicited and received to complete the required third party plumbing service work; and

WHEREAS, the lowest responsive bidder per the bid specifications was Mechanical Inc. of Freeport, IL at an hourly rate of \$89.95 per hour; and

WHEREAS, adequate funds have been budgeted and are available for these expenditures.

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NOW, THEREFORE, BE IT RESOLVED By the Kane County Board that the Chairman of the Board is authorized to enter into a contract with Mechanical, Inc. of Freeport, IL to provide third party professional plumbing service work at an hourly rate of \$89.95 per hour.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
Varies	Contractual	Yes	Yes	N/A

###

RESOLUTION #13-52

**AUTHORIZING EXTENSION OF CONTRACT FOR THE MILL CREEK SSA
NATIVE PRAIRIE MAINTENANCE**

WHEREAS, bids were solicited and received in 2012 for the Mill Creek Special Service Area Prairie Maintenance contract. Resolution number 12-119 to manage and maintain selected areas within the Mill Creek subdivision. The Mill Creek SSA would like to exercise the one year extension option within the contract; and

WHEREAS, Natural Resource Management, Inc. of Beecher, IL, has agreed to continue to provide the necessary maintenance services at a cost of \$32,920; and

WHEREAS, adequate funds have been budgeted and are available to complete this work. Staff recommends this service contract is extended.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Board is authorized to enter into a contract with Natural Resource Management Inc. of Beecher Illinois to provide the Mill Creek Prairie Maintenance for the Mill Creek Special Service Area District at a cost of Thirty-Two Thousand Nine Hundred Twenty Dollars (\$32,920). Funding shall be paid from the Special Service Area Fund 520.690.730.50150.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
520.690.730.50150	Contractual/consulting services	Yes	Yes	N/A

###

RESOLUTION #13-53

2013 MILL CREEK SSA LANDSCAPE MAINTENANCE SERVICES

COUNTY BOARD MINUTES – March 12, 2013

WHEREAS, bids have been solicited and received for the landscape maintenance of selected areas of the Mill Creek Subdivision which the Mill Creek Special Service Area is responsible to maintain; and

WHEREAS, Cornerstone Partners Horticultural Services Company submitted the appropriate documents within the invitation to bid and supplied additional detailed information supporting the number of onsite man hours per week that would be sufficient in performing the required services for both sections A and B of Mill Creek for a total cost of Sixty-Three Thousand Three Hundred Twenty-Four Dollars (\$63,324.00); and

WHEREAS, appropriate funds have been budgeted and are available in the FY2013 budget for this expense.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chair thereof is authorized to enter into a contract with Cornerstone Partners Horticultural Company for the landscape maintenance for the selected areas of the Mill Creek subdivision, at a cost of Sixty-Three Thousand Three Hundred Twenty-Four Dollars (\$63,324.00) Dollars. Funding shall be paid from the Special Service Area Fund 520.690.730.52120.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
520.690.730.52120	Repair & Maintenance – Building & Grounds	Yes	Yes	N/A

###

RESOLUTION #13-54

AUTHORIZING EXCEPTION TO THE COUNTY FINANCIAL POLICIES REGARDING PERSONNEL HIRING AND REPLACEMENT (Planner)

WHEREAS, the statutory mission of the Kane County Regional Planning Commission is to cooperate in the preparation and recommendation to the County Board of a Comprehensive Plan for the County as a whole (currently the 2040 Plan); to give aid to the municipal and County officials charged with the direction of projects for improvements embraced within the 2040 Plan (currently through the Kane County Planning Cooperative) and to further the implementation of these projects and generally to promote the realization of the 2040 Plan (currently through the cooperation with the Chicago Metropolitan Agency for Planning and with the use of grant funds); and

WHEREAS, the Kane County Development & Community Services Department provides professional planning staff in support to the Regional Planning Commission, the Farmland Protection Commission, and the Kane County Planning Cooperative as well as other County and municipal departments and programs; and

COUNTY BOARD MINUTES – March 12, 2013

WHEREAS, the Kane County Development & Community Services Department professional planning staff are currently engaged in grant funded and cooperative projects where contractual grant agreements and memorandums have been executed; and

WHEREAS, the current staffing level has recently been reduced by one, creating a vacancy for a currently budgeted position; and

WHEREAS, on September 9, 2008 the Kane County Board had deemed it necessary to adopt by Resolution a moratorium on the hiring of new County personnel and the replacement of existing or future personnel vacancies; and

WHEREAS, the exempt Planner position with a salary range of \$42,000 to \$52,000 has been included in the adopted FY2013 budget; and

WHEREAS, the Director of the Development & Community Services Department is requesting the Kane County Board to allow an exception to the hire moratorium, as the reduction of full time planner by one would have negative impacts on the County’s ability to provide professional planning support to the Regional Planning Commission, the Farmland Protection Commission, and the Kane County Planning Cooperative as well as other County and municipal departments and programs, and to meet obligations for current grant funded and cooperative projects.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof allow the Kane County Development & Community Services department to hire a replacement to fill the Planner position within the Department.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
001.690.690.4000	Salaries & Wages	Yes	Yes	n/a

###

RESOLUTION #13-56

AMENDING OFFICE OF EMERGENCY MANAGEMENT SERVICES BUDGET (NACCHO)

WHEREAS, the OEM received a multi-year Capacity Building grant from the National Association of County and City Health Officials in 2012; and

WHEREAS, Eight Thousand Eight Hundred and Twenty Six Dollars (\$8,826) from said grant remained in the OEM FY2012 budget at the end of the budget year; and

WHEREAS, said funds need to be rolled over into the OEM FY 2013 budget.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the following budget adjustment be made to the OEM FY2013 budget to reflect the remaining NACCHO grant funds:

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001.000.000.39900 Cash on Hand

+ \$8,826

001.510.510.50400 Community Action Program

+ \$8,826

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.510.510.50400	Community Action Program	No	No	001.000.000.39900 Cash on Hand

###

RESOLUTION #13-58

**ACCEPTING HAVA GRANTS
VIA THE STATE OF ILLINOIS BOARD OF ELECTIONS**

WHEREAS, the County Clerk’s office has applied for Kane HAVA Phase III Grant funds administered by the Illinois State Board of Elections; and

WHEREAS, the grant amounts are reimbursement for the purchase of 120 Hart Intercivic Pollbooks and related items; and

WHEREAS, the total amount of this received HAVA Phase III Grant reimbursement is One Hundred Thirty Three Thousand, Two Hundred Eighty Two Dollars and Fifty Nine Cents (\$133,282.59).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the following budget adjustment be made to reflect the grant money received:

001.190.000.32270	HAVA Grant	\$78,851.59
001.190.191.60320	Voting Systems & Accessories	\$78,851.59
001.190.000.32270	HAVA Grant	\$54,431.00
001.190.191.50340	Software Licensing	\$54,431.00

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
001.190.191.60320	Voting Systems and Accessories	N/A	No	001.190.000.32270 (HAVA Phase III Grant)
001.190.191.50340	Software Licensing	N/A	No	001.190.000.32270 (HAVA Phase III Grant)

###

RESOLUTION #13-59

**AUTHORIZING EXCEPTION TO THE COUNTY FINANCIAL POLICIES REGARDING
PERSONNEL HIRING AND REPLACEMENT**

COUNTY BOARD MINUTES – March 12, 2013

(KaneComm)

WHEREAS, the Kane County Emergency Communications (KaneComm) provides telecommunications to Subscribers and Departments; and

WHEREAS the Kane County Emergency Communications (KaneComm) utilizes Employee resources to accomplish its goals and missions; and

WHEREAS, current staffing level for support operations, due to employee terminations, resignations and job changes, has fallen below the level needed to provide for and sustain the necessary level of required support for subscribers and departments in Kane County; and

WHEREAS, on September 9, 2008, the Kane County Board had deemed it necessary to adopt by Resolution a moratorium on the hiring of new County personnel and the replacement of existing or future personnel vacancies; and

WHEREAS, the Interim Director of the Kane County Emergency Communications (KaneComm) has requested the Kane County Board to allow exception to the hiring moratorium as the continuance of a shortage of staff will have a negative operational impact on the Department’s ability to efficiently and effectively conduct the operations of telecommunications and support for Kane County offices and departments.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Kane County Emergency Communications (KaneComm) is authorized to hire and re-organize replacements to fill the support vacancies as they are within the budget (2 Dispatchers) at a starting salary of \$34,820 each plus benefits.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
269.425.426.40000	Salaries & Wages	Yes	N/A	N/A

###

RESOLUTION #13-60

ACCEPTING ADULT REDEPLOY PLANNING GRANT FY13

WHEREAS, Kane County Court Services has submitted a grant request for an Adult Redeploy Planning Grant in the amount of \$11,500 to the Illinois Criminal Justice Information Authority to support research on diversion for non-violent offenders from state prisons by providing community based services; and

WHEREAS, Kane County Court Services has been notified by the Illinois Criminal Justice Information Authority that the Adult Redeploy Planning Grant has been accepted and the funds will be used to convene key criminal justice stakeholders and to engage consultants in data collection and analysis; and

WHEREAS, these amounts need to be reflected in revenue and expense General Ledger accounts; and

COUNTY BOARD MINUTES – March 12, 2013

WHEREAS, receipt of said grant will require an amendment to the Adult Court Services Fiscal Year 2013 budget.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that upon receipt of the Adult Redeploy Planning Grant, the Chairman thereof be, and hereby is, authorized to accept the Adult Redeploy Planning Grant and enter into a contract with the Illinois Criminal Justice Information Authority to implement the Adult Redeploy Planning Grant for the contract period of January 1, 2013 through April 3, 2013. The Adult Court Services budget be amended as follows:

001.430.000.32250	Illinois Criminal Justice Authority Grant	+\$11,500
001.430.431.55050	Grant Expenses	\$11,500

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
001.430.431.55050	Grant Expenses	NO	NO	001.430.000.32250 (Illinois Criminal Justice Authority Grant)

###

ORDINANCE #13-61

ORDINANCE AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF UP TO \$32,000,000 GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE), SERIES 2013, OF THE COUNTY OF KANE, ILLINOIS, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE COUNTY’S OUTSTANDING (i) GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2002, (ii) DEBT CERTIFICATES, SERIES 2005, AND (iii) DEBT CERTIFICATES, SERIES 2006; AND PAYING RELATED COSTS AND EXPENSES; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES RECEIVED BY THE COUNTY; PROVIDING FOR THE LEVY OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE SERIES 2013 BONDS; PROVIDING PROCEDURES FOR THE ABATEMENT OF SUCH TAX BASED ON THE AVAILABILITY OF ALTERNATE REVENUES; DELEGATING TO AUTHORIZED OFFICERS THE AUTHORITY TO DETERMINE CERTAIN TERMS OF THE SERIES 2013 BONDS WITHIN PARAMETERS ESTABLISHED IN THIS ORDINANCE; AND PROVIDING FOR THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE SERIES 2013 BONDS; AND CONCERNING RELATED MATTERS.

**Adopted by
the County Board
of
The County of Kane, Illinois**

On March 12, 2013

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STATE OF ILLINOIS
COUNTY OF KANE

ORDINANCE #13-61

ORDINANCE AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF UP TO \$32,000,000 GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE), SERIES 2013, OF THE COUNTY OF KANE, ILLINOIS, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE COUNTY’S OUTSTANDING (i) GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2002, (ii) DEBT CERTIFICATES, SERIES 2005, AND (iii) DEBT CERTIFICATES, SERIES 2006; AND PAYING RELATED COSTS AND EXPENSES; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES RECEIVED BY THE COUNTY; PROVIDING FOR THE LEVY OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE SERIES 2013 BONDS;

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PROVIDING PROCEDURES FOR THE ABATEMENT OF SUCH TAX BASED ON THE AVAILABILITY OF ALTERNATE REVENUES; DELEGATING TO AUTHORIZED OFFICERS THE AUTHORITY TO DETERMINE CERTAIN TERMS OF THE SERIES 2013 BONDS WITHIN PARAMETERS ESTABLISHED IN THIS ORDINANCE; AND PROVIDING FOR THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE SERIES 2013 BONDS; AND CONCERNING RELATED MATTERS.

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KANE, ILLINOIS, AS FOLLOWS:

Section 1. Findings and Determinations. It is found and declared by the County Board (the “**County Board**”) of The County of Kane, Illinois (the “**County**”), as follows:

(a) The County is a duly organized and existing county created under the provisions of the laws of the State of Illinois operating under the provisions of the Counties Code, as amended, 55 ILCS 5/1-1001 et seq. (the “**Counties Code**”), and is a “governmental unit” as defined in Section 2(i) of the Local Government Debt Reform Act of the State of Illinois, as amended, 30 ILCS 350/1 et seq. (the “**Debt Reform Act**”).

(b) On August 29, 2002 the County issued its General Obligation Refunding Bonds (Alternate Revenue Source), Series 2002 (the “Series 2002 Bonds”), in the original aggregate principal amount of \$7,000,000, of which \$2,320,000 remains outstanding.

(c) On December 29, 2005, the County issued its Debt Certificates, Series 2005 (the “Series 2005 Debt Certificates”), in the original principal amount of \$9,995,000, of which \$6,320,000 remains outstanding.

(d) On July 6, 2006, the County issued its Debt Certificates, Series 2006 (the “Series 2006 Debt Certificates”), in the original aggregate principal amount of \$24,995,000, of which \$21,495,000 remains outstanding.

(e) The County Board has determined that it is advisable, necessary and in the best interests of the County and its residents to refund all or a portion of the Series 2002 Bonds, the Series 2005 Debt Certificates and the Series 2006 Debt Certificates (collectively, the “Refunded Bonds”) in advance of their maturity and to pay bond discount, legal and other financing costs for the purpose of restructuring debt service and achieving debt service savings. The Refunded Bonds will be identified in the Determination Certificate Defined Below.

(f) The Series 2002 Bonds are currently subject to optional redemption from any available funds, in whole or in part, on any date. The Series 2005 Debt Certificates are subject to optional redemption from any available funds, in whole or in part, on any date on or after December 15, 2013. The Series 2006 Debt Certificates are subject to optional redemption from available funds, in whole or in part, on any date on or after December 15, 2015. The redemption price of the Refunded Bonds is equal to their principal amount plus in each case accrued interest to the date of redemption, without redemption premium.

(g) The County does not have sufficient funds on hand or lawfully available from other sources with which to pay the costs of refunding the Refunded Bonds and the County’s costs in connection with such refunding and the borrowing of money provided for in this Bond Ordinance.

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(h) It is necessary and in the best interests of the County to borrow the sum of not to exceed \$32,000,000 to pay the costs of refunding the Refunded Bonds and the County's costs incurred in connection with such refunding and the borrowing of money provided for in this Bond Ordinance and, to evidence its obligation to repay that borrowing, to issue alternate bonds in the principal amount not to exceed \$32,000,000 (the "Series 2013 Bonds") as provided in this Bond Ordinance.

(i) The County Board has determined that there exists for the County two "revenue sources" as defined in Section 3 of the Debt Reform Act consisting of (i) state income tax revenues deposited in the Local Government Distribution Fund and allocated and disbursed to the County from time to time (the "Revenue Sharing Revenues") pursuant to Section 1 and 2 of the State Revenue Sharing Act, as amended, 30 ILCS 115/0.1 et seq. (the "State Revenue Sharing Act"), and (ii) revenues derived from ad valorem property taxes levied by the County for its general corporate purposes (the "General Corporate Tax Revenues" and, together with the Revenue Sharing Revenues, the "Alternate Revenues")

(j) Alternate Revenues are revenue sources that are not limited in their purposes and applications.

(k) In accordance with the provisions of the Debt Reform Act, the County Board, on January 15, 2013, adopted Ordinance No. 13-03 (the "**Alternate Bond Authorizing Ordinance**") entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE) OF THE COUNTY OF KANE, ILLINOIS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$32,000,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING IN ADVANCE OF THEIR MATURITY ALL OR A PORTION OF THE COUNTY'S OUTSTANDING (i) GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2002, (ii) DEBT CERTIFICATES, SERIES 2005, AND (iii) DEBT CERTIFICATES, SERIES 2006 AND PAYING RELATED THE COSTS AND EXPENSES

authorizing the issuance of General Obligation Bonds (Alternate Revenue Source), Series 2013 (the "Series 2013 Bonds") as provided in the Debt Reform Act in an amount not to exceed \$32,000,000.

(l) On February 8, 2013, the Alternate Bond Authorizing Ordinance, together with a notice of intent to issue the Series 2013 Bonds, was published in the Daily Herald, a daily secular newspaper that is (i) qualified to publish legal notices under Section 5 of the Notice by Publication Act, (ii) published in the County, and (iii) of general circulation in the County.

(m) More than thirty (30) days elapsed after the date of publication of the Alternate Bond Authorizing Ordinance and the notice, and no petitions with the requisite number of valid signatures on them were filed with the County Clerk requesting that the question of the issuance of the Series 2013 Bonds be submitted to referendum. The County is therefore authorized to issue the Series 2013 Bonds for the purposes described above in an aggregate principal amount not exceeding \$32,000,000 in accordance with the provisions of the Debt Reform Act.

(n) Pursuant to the requirements of the Bond Issue Notification Act, 30 ILCS 352/1 et seq., as amended, on January 25, 2013, notice of a public hearing concerning the intention of the County to issue the Series 2013 Bonds was published in the Daily Herald.

(o) The County Board held the public hearing for which published public notice was given as described in paragraph (n) of this Section 1 on February 13, 2013, beginning at 9:45 o'clock a.m., at the

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Kane County Government Center, Second Floor Board Room at 719 South Batavia Avenue, Geneva, Illinois. At the public hearing, the County Board explained the reasons for the proposed financing and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits, and all persons desiring to be heard were heard. At least seven days have passed since the public hearing was held and the County Board is now authorized under the Bond Issue Notification Act to adopt this Bond Ordinance.

(p) The County has a statutory debt limit of \$776,924,725.

(q) Section 15 of the Debt Reform Act provides that the Series 2013 Bonds shall not be regarded as or included in any computation of indebtedness of the County for the purpose of any statutory provision or limitation except as expressly provided in said Section 15. None of the conditions set forth in said Section 15, the existence of which would require the outstanding principal amount of the Series 2013 Bonds to be included in the computation of indebtedness of the County, exists or has occurred.

(r) The Series 2013 Bonds authorized to be issued by this Bond Ordinance will not, when issued, cause the aggregate indebtedness of the County to exceed the limit set forth in subsection (p) above.

(s) The County will pledge the Alternate Revenues to pay the principal of and interest on the Series 2013 Bonds. The pledge of the Alternate Revenues to the payment of the Series 2013 Bonds will be on a parity with the pledge of the Alternate Revenues to the payment of any series of alternate bonds issued in the future in accordance with the provisions of the Debt Reform Act on a parity with and sharing ratably and equally in the Alternate Revenues with the outstanding Series 2013 Bonds ("Additional Bonds").

(t) The Series 2013 Bonds will be payable from the Alternate Revenues. The County has not previously issued any other obligations to the payment of which the Alternate Revenues have been. The County Board determines that the Alternate Revenues will be sufficient to provide or pay in each year to the final maturity of the Series 2013 Bonds an amount not less than 1.25 times aggregate debt service of the Series 2013 Bonds now proposed to be issued.

(u) The County through its financial consultant distributed copies of the Official Statement (defined below) including the Official Notice of Sale for the Series 2013 Bonds to prospective purchasers. The County will receive bids for the purchase of the Series 2013 Bonds at the time and place and utilizing the electronic bidding system specified in such Official Notice of Sale. The County will accept the bid received from a responsible bidder that produces the lowest true interest costs computed as provided in the Official Notices of Sale.

(v) The ability of the County to issue the Series 2013 Bonds and sell them at a competitive sale without further action by the County Board at the time, in the amounts, bearing interest at the rate or rates, maturing in the years and in the amounts, subject to mandatory sinking fund redemption upon the terms and having the other terms established by the Authorized Officers (defined below) in the Determination Certificate (defined below) within the limits established in this Bond Ordinance will enhance the County's opportunities to obtain financing upon the most favorable terms possible.

(w) In connection with the refunding of the Refunded Bonds, it is necessary for the County Board to (i) authorize and approve the form of an Escrow Agreement pursuant to which all or a portion of the refunding will be effected, and (ii) direct the Escrow Agent under the Escrow Agreement to give

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notice of redemption of all or a portion of the Refunded Bonds in accordance with the provisions of this Ordinance and the Escrow Agreement.

Section 2. Definitions; Rules of Interpretation.

(a) In addition to terms defined in Section 1 or elsewhere in this Bond Ordinance, the following capitalized terms have the following meanings when used in this Bond Ordinance, unless the context or use indicates otherwise:

“Abatement Ordinance” means as provided in Section 21.

“Additional Bonds” means any alternate bonds issued in the future in accordance with the provisions of the Debt Reform Act on a parity with and sharing ratably and equally in the Alternate Revenues with the Series 2013 Bonds.

“Administrative Costs” means administrative costs associated with the Series 2013 Bonds, including but not limited to expenses incurred by the County to employ and pay fiscal agents, financial advisers, rebate consultants, attorneys, and other persons to assist the County in the administration of the Series 2013 Bonds.

“Administrative Expense Account” means the account of that name created in the Bond Fund in Section 17.

“Alternate Bond Authorizing Ordinance” means as provided in Section 1(k).

“Alternate Revenues” means as provided in Section 1(i).

“Alternate Revenues Subaccount” means the subaccount of that name established in the Principal and Interest Account in Section 17.

“Authenticating Agent” means the Bond Registrar acting in the capacity of Authenticating Agent under this Bond Ordinance, or any successors to it appointed in accordance with Section 27.

“Authorized Officers” means (a) the County Board Chairman, or (b) the County Clerk and the County Treasurer.

“Bond Fund” means the “General Obligation Bonds (Alternate Revenue Source), Series 2013 Bond and Interest Fund” created in Section 17.

“Bond Ordinance” means this Ordinance No. 13-_____ adopted by the County Board on March 12, 2013 and the Determination Certificate.

“Bond Register” means the bond registration books of the County maintained by the Bond Registrar pursuant to Section 10.

“Bond Registrar” means U.S. Bank National Association, Chicago, Illinois, appointed in Section 8, or any successors to it appointed in accordance with Section 27.

“Bondholder” means the registered owner of any Series 2013 Bond as shown on the Bond Register.

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“**Code**” means the Internal Revenue Code of 1986, as amended.

“**Continuing Disclosure Undertaking**” means as provided in Section 36.

“**Counties Code**” means as provided in Section 1(a).

“**County**” means The County of Kane, Illinois.

“**County Board**” means the County Board, the governing body of the County.

“**County Board Chairman**” means the Chairman of the County Board.

“**County Clerk**” means the County Clerk of the County elected or appointed as provided in the Counties Code.

“**County Treasurer**” means the County Treasurer of the County elected or appointed as provided in the Counties Code.

“**Dated Date**” means the date on which a Series 2013 Bond is issued.

“**Debt Reform Act**” means as provided in Section 1(a).

“**Determination Certificate**” means the certificate of the Authorized Officers with respect to the Series 2013 Bonds addressed to the County Board, executed by the Authorized Officers and filed with the office of the County Clerk, as provided in Section 16 of this Bond Ordinance.

“**Escrow Account**” means the account of that name established with the Escrow Agent under the Escrow Agreement.

“**Escrow Agent**” means the Escrow Agent under the Escrow Agreement appointed in Section 8, and any successors in that capacity pursuant to the Escrow Agreement.

“**Escrow Agreement**” means the Escrow Agreement dated as of the Dated Date entered into by the County and the Escrow Agent in order to effect the refunding of the Refunded Bonds.

“**Expense Fund**” means the fund of that name established in Section 19.

“**Fiscal Year**” means the twelve month period beginning on January 1 of any calendar year and ending on December 31 of that calendar year.

“**Official Statement**” means as provided in Section 16(g).

“**Outstanding**” means as provided in Section 25.

“**Paying Agent**” means the Bond Registrar acting as Paying Agent under this Bond Ordinance, or any successors to it appointed pursuant to Section 27.

“**Pledged Taxes**” means the direct annual ad valorem tax levied upon all of the taxable property within the County in Section 19.

“**Pledged Taxes Subaccount**” means the subaccount of that name established in the Principal and Interest Account in Section 17.

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“Principal and Interest Account” means the account of that name established in the Bond Fund in Section 17.

“Purchaser” means the winning bidder at the sale of the Series 2013 Bonds.

“Rule” means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended.

“Serial Bonds” means Series 2013 Bonds that are not subject to mandatory sinking fund redemption in advance of maturity by operation of the Bond Fund as identified in the Determination Certificate.

“Series 2013 Bonds” means the General Obligation Bonds (Alternate Revenue Source), Series 2013, of the County authorized by the Alternate Bond Authorizing Ordinance and this Bond Ordinance.

“Tax Exempt” means, with respect to the Series 2013 Bonds, the status of interest paid and received on such bonds as not includible in the gross income of their owners under the Code for federal income tax purposes except to the extent that such interest will be taken into account in computing the federal alternative minimum tax for certain corporations and the “branch profits tax” imposed on certain foreign corporations.

“Term Bonds” means Series 2013 Bonds that are subject to mandatory sinking fund redemption in advance of maturity by operation of the Bond Fund as identified in the Determination Certificate.

(b) The headings of this Bond Ordinance are for convenience of reference only and shall not define or limit the provisions of this Bond Ordinance.

(c) Unless another document is identified, references to Sections and other subdivisions are to the designated Sections and subdivisions of this Bond Ordinance. Unless otherwise specified, references to Sections and other subdivisions of this Bond Ordinance are to the designated Sections and other subdivisions of this Bond Ordinance as amended from time to time.

(d) References to the masculine include the feminine and neuter and vice versa and references to the singular include the plural and vice versa, unless the context or use indicates otherwise.

Section 3. Authorization of the Series 2013 Bonds. The sum of not more than \$32,000,000 shall be borrowed by the County to finance the costs of refunding the Refunded Bonds and to pay costs in connection with the issuance of the Series 2013 Bonds. In evidence of such borrowing, negotiable bonds of the County in an aggregate principal amount not exceeding \$32,000,000 to be established in the Determination Certificate shall be issued as provided in this Bond Ordinance under the authority of the Debt Reform Act. The Series 2013 Bonds shall be issued without referendum under the authority of Section 15 of the Debt Reform Act.

Section 4. Principal Amounts, Denominations, Numbers, Designations and Date.

(a) The Series 2013 Bonds shall be designated “General Obligation Bonds (Alternate Revenue Source), Series 2013”. The Series 2013 Bonds shall be issued in the aggregate principal amount not exceeding \$32,000,000 to be established in the Determination Certificate.

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(b) The Series 2013 Bonds shall be issued only in fully registered form without coupons in the denominations of \$5,000 and integral multiples of that sum. The Series 2013 Bonds shall be numbered consecutively from R-1 upward but need not be authenticated or delivered in consecutive order. Series 2013 Bonds authenticated and delivered prior to June 15, 2013, shall be dated as of their Dated Date. Series 2013 Bonds authenticated after June 15, 2013, shall be dated as of the June 15th or December 15th next preceding the date of their authentication and delivery to which interest has been paid, except Series 2013 Bonds authenticated and delivered on a June 15th or December 15th to which interest has been paid, which Series 2013 Bonds shall be dated as of that June 15th or December 15th.

Section 5. Terms of the Series 2013 Bonds. Each of the Series 2013 Bonds shall initially be dated as of its Dated Date, and shall bear interest from the Dated Date until paid. Interest on the Series 2013 Bonds shall be payable on June 15th and December 15th in each year, with the first interest payment date being June 15, 2013. Interest shall be computed on the basis of a 360-day year of twelve 30-day months. The Series 2013 Bonds shall mature on December 15th in the years and the amounts and shall bear interest at the rates per year, all as set forth in the Determination Certificate.

Section 6. Redemption.

(a) Optional Redemption. The Determination Certificate may provide that the Series 2013 Bonds be subject to redemption prior to maturity at the option of the County, in whole or in part on any date, at such times and at such redemption prices not to exceed 103 percent of the principal amount of the Series 2013 Bonds to be redeemed plus accrued interest to the date of redemption.

(b) Bonds Subject to Mandatory Sinking Fund Redemption. The Determination Certificate may provide that some or all of the Series 2013 Bonds are Term Bonds and are subject to mandatory redemption by operation of the Bond Fund at a price of par and accrued interest, without redemption premium, on December 15th of the years and in the amounts set forth in the Determination Certificate.

The County covenants that it will redeem any Term Bonds pursuant to the mandatory redemption required for such Term Bonds. Proper provision for mandatory redemption having been made, the County covenants that the Term Bonds so selected for redemption shall be payable as at maturity.

If the County purchases Term Bonds and cancels the same either from moneys in the Principal and Interest Account which were deposited in such account to pay principal of such Term Bonds or from other legally available moneys, then an amount equal to the principal amount of Term Bonds so redeemed or purchased shall be deducted from the mandatory redemption requirement as provided for the Term Bonds of such maturity (i) in such order of years of such requirement as then remaining as the County may specify or, if the County does not specify, then (ii) in the inverse order of years of such requirement as then remaining, fully reducing the requirement for each year before applying any amount to the requirement for the next year.

(c) Procedures for Redemption. If less than all of the Series 2013 Bonds of any maturity are to be redeemed on any redemption date, the Bond Registrar appointed in this Bond Ordinance shall assign to each Series 2013 Bond of the maturity to be redeemed a distinctive number for each \$5,000 of principal amount of that Series 2013 Bond. The Bond Registrar shall then select by lot from the numbers so assigned, using such method as it shall deem proper in its discretion, as many numbers as, at \$5,000 per number, shall equal the principal amount of Series 2013 Bonds of that maturity to be redeemed; provided, that the method selected shall be such that any \$5,000 Series 2013 Bond or \$5,000 portion of a Series 2013 Bond of that maturity is as likely to be called for redemption as any other \$5,000 Series 2013 Bond or \$5,000 portion of a Series 2013 Bond of that maturity.

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The Bond Registrar shall promptly notify the County and the Paying Agent in writing of the Series 2013 Bonds or portions of Series 2013 Bonds selected for redemption and, in the case of any Series 2013 Bond selected for partial redemption, the principal amount of such Series 2013 Bond to be redeemed.

Upon the payment of the redemption price of Series 2013 Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Series 2013 Bonds being redeemed with the proceeds of such check or other transfer.

(d) Notice of Redemption. Unless waived by the Bondholder of Series 2013 Bonds to be redeemed, notice of the redemption of any Series 2013 Bonds which by their terms shall have become subject to redemption shall be given to the Bondholder of each Series 2013 Bond or portion of a Series 2013 Bond called for redemption not less than 30 or more than 60 days before any date established for redemption of Series 2013 Bonds, by the Bond Registrar on behalf of the County, by registered or certified mail sent to the Bondholder's last address, if any, appearing on the registration books kept by the Bond Registrar.

All official notices of redemption shall include at least the following information:

- (i) the redemption date;
- (ii) the redemption price;
- (iii) the maturity or maturities of the Series 2013 Bonds being redeemed and, if less than all of the Series 2013 Bonds of a maturity are to be redeemed, the identification (and, in the case of partial redemption of any Series 2013 Bonds, the respective principal amounts) of the Series 2013 Bonds of such series to be redeemed;
- (iv) a statement that on the redemption date the redemption price will become due and payable upon each such Series 2013 Bond or portion of a Series 2013 Bond called for redemption and that interest shall cease to accrue on the Series 2013 Bonds so called for redemption from and after said date; and
- (v) the place where such Series 2013 Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Bond Registrar.

Prior to any redemption date, the County shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Series 2013 Bonds or portions of Series 2013 Bonds which are to be redeemed on that date.

(e) Effect of Notice of Redemption; Waivers. Except as provided in paragraph (f) of this Section, official notice of redemption having been given as prescribed above, the Series 2013 Bonds or portions of Series 2013 Bonds so to be redeemed shall, on the redemption date, become due and payable at the applicable redemption price, and from and after such date (unless the County defaults in the payment of the redemption price), such Series 2013 Bonds or portions of Series 2013 Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular Bondholder, shall affect the sufficiency of such notice with respect to other Series 2013 Bonds. Notice having been properly given, failure of a Bondholder to receive such notice shall not invalidate, limit or delay the effect of the notice or redemption action described in the notice.

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Such notice may be waived in writing by the Bondholder entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice. Waivers of notice by Bondholders shall be filed with the Bond Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

(f) Conditional Optional Redemption. Notice of redemption given to redeem Series 2013 Bonds prior to redemption at the option of the County may state that said redemption shall be conditional upon receipt of monies sufficient to pay the redemption price of the Series 2013 Bonds to be redeemed by the Paying Agent on or prior to the date fixed for such redemption. If such moneys are not received, such notice shall be of no force and effect, the County shall not redeem such Series 2013 Bonds, and the Bond Registrar shall give notice in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Series 2013 Bonds will not be redeemed. Otherwise, prior to any such redemption date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Series 2013 Bonds or portions of Series Bonds which are to be redeemed on that date.

(g) Payment of Redemption Price. Upon surrender of such Series 2013 Bonds for redemption in accordance with said notice, such Series 2013 Bonds shall be paid by the Bond Registrar at the redemption price. The procedure for payment of interest due on or prior to the redemption date shall be as provided in this Bond Ordinance for payment of interest otherwise due. Upon surrender for the partial redemption of any Series 2013 Bond, there shall be prepared for the Bondholder a new Series 2013 Bond or Series 2013 Bonds of like tenor, of authorized denominations, of the same series and maturity and bearing the same rate of interest in the amount of the unpaid principal. If any Series 2013 Bond or portion of a Series 2013 Bond called for redemption shall not be so paid upon its surrender for redemption, the principal and premium (if any) shall, until paid or duly provided for, bear interest from the redemption date at the rate borne by the Series 2013 Bond or portion of Series 2013 Bond so called for redemption. All Series 2013 Bonds which have been redeemed shall be canceled and destroyed by the Bond Registrar and shall not be reissued.

(h) Further Notice of Redemption. In addition to the foregoing notice, if the Series 2013 Bonds are no longer held in the book-entry only system as provided in Section 11, further notice of redemption ("**Further Notice**") shall be given by the Bond Registrar on behalf of the County as set out in this subsection. No defect in the Further Notice nor any failure to give all or any portion of such Further Notice shall in any manner invalidate, limit or delay the redemption action if notice of redemption is given as above prescribed.

Each Further Notice shall contain the information required above for an official notice of redemption plus (a) the CUSIP numbers of all Series 2013 Bonds being redeemed; (b) the date of issue of the Series 2013 Bonds as originally issued; (c) the rate of interest borne by each Series 2013 Bond being redeemed; (d) the maturity date of each Series 2013 Bond being redeemed; and (e) any other descriptive information needed to identify accurately the Series 2013 Bonds being redeemed.

Each Further Notice shall be sent at least 35 days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Series 2013 Bonds (such depositories now being The Depository Trust Company, of New York, New York), and to one or more national information services, chosen in the discretion of the Bond Registrar, that disseminate notice of redemption of obligations such as the Series 2013 Bonds.

Each Further Notice shall be published one time in The Bond Buyer, a financial newspaper published in New York, New York or, if such publication is impractical or unlikely to reach a substantial

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number of the Bondholders, in some other financial newspaper or journal which regularly carries notices of redemption of obligations similar to the Series 2013 Bonds, such publication to be made at least 30 days prior to the date fixed for redemption.

Section 7. Execution and Authentication of Series 2013 Bonds.

(a) Execution. Each Series 2013 Bond shall be executed by the manual or facsimile signature of the County Board Chairman and the manual or facsimile signature of the County Clerk and shall have the corporate seal of the County affixed to or impressed on it (or a facsimile of that seal printed on it).

(b) Facsimile Signatures. The County Board Chairman and the County Clerk (if they have not already done so) are authorized to file with the Illinois Secretary of State their manual signatures certified by them pursuant to the Uniform Facsimile Signatures of Public Officials Act, as amended, which shall authorize the use of their facsimile signatures to execute the Series 2013 Bonds. Each Series 2013 Bond so executed shall be as effective as if manually executed. In case any officer of the County whose signature or a facsimile of whose signature appears on the Series 2013 Bonds ceases to be such officer before authentication and delivery of any of the Series 2013 Bonds, that signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until authentication and delivery.

(c) Authentication. No Series 2013 Bond shall be valid for any purpose unless and until a certificate of authentication on that Series 2013 Bond substantially in the form set forth in the bond form attached as **Exhibit A** and incorporated in Section 13 of this Bond Ordinance has been duly executed by an authorized officer of the Authenticating Agent. That certificate upon any Series 2013 Bond shall be conclusive evidence that the Series 2013 Bond has been authenticated and delivered under this Bond Ordinance. It is not necessary that the same officer sign the certificate of authentication on all of the Series 2013 Bonds.

Section 8. Appointment of Paying Agent, Authenticating Agent, Bond Registrar and Escrow Agent. U.S. Bank National Association, Chicago, Illinois, is appointed as Paying Agent, Bond Registrar and Authenticating Agent under this Bond Ordinance and as Escrow Agent under the Escrow Agreement.

Section 9. Payment of Principal and Interest. The Series 2013 Bonds shall be payable in lawful money of the United States of America at the principal office of the Paying Agent. The principal of each Series 2013 Bond shall be payable at maturity upon presentment of the Series 2013 Bond at the principal office of the Paying Agent. Interest on each Series 2013 Bond shall be payable on each interest payment date by check or draft of the Paying Agent mailed to the person in whose name that Series 2013 Bond is registered on the books of the Bond Registrar at the close of business on the 1st day of the month in which that interest payment date falls.

Section 10. Registration, Transfer and Exchange of Series 2013 Bonds. The Series 2013 Bonds shall be negotiable, subject to the following provisions for registration and registration of transfer. The County shall maintain or cause to be maintained books for the registration of the Series 2013 Bonds at the principal office of the Bond Registrar. Each Series 2013 Bond shall be registered on those books. Transfer of each Series 2013 Bond shall be registered on those books only upon surrender of that Series 2013 Bond to the Bond Registrar by the Bondholder or his or her attorney duly authorized in writing together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Bondholder or his or her duly authorized attorney. Upon surrender of a Series 2013 Bond for registration of transfer, the County shall execute and the Authenticating Agent shall authenticate and

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deliver, in the name of the transferee, one or more new Series 2013 Bonds of the same series, of the same aggregate principal amount and of the same maturity as the Series 2013 Bonds surrendered.

Series 2013 Bonds may be exchanged, at the option of the Bondholder, for an equal aggregate principal amount of Series 2013 Bonds of any other authorized denominations upon surrender of those Series 2013 Bonds at the principal corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Bondholder or his or her duly authorized attorney.

In all cases in which the privilege of exchanging or transferring Series 2013 Bonds is exercised, the County shall execute, the Authenticating Agent shall authenticate, and the Bond Registrar shall deliver, Series 2013 Bonds in accordance with the provisions of this Bond Ordinance. All Series 2013 Bonds surrendered in any exchange or transfer shall be canceled immediately by the Bond Registrar. The County is authorized to prepare, and if it does so the Bond Registrar (or such other agent as the County Board may from time to time designate) is authorized to maintain custody of, multiple blank Series 2013 Bonds executed on behalf of the County as provided in Section 7 for use in connection with the transfer and exchange of Series 2013 Bonds.

For every exchange or registration of transfer of Series 2013 Bonds, the County or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge, other than one imposed by the County, required to be paid with respect to that exchange or transfer, and payment of that charge by the person requesting exchange or registration of transfer shall be a condition precedent to that exchange or registration of transfer. No other charge may be made by the County or the Bond Registrar as a condition precedent to exchange or registration of transfer of any Series 2013 Bond.

The Bond Registrar shall not be required to exchange or register the transfer of any Series 2013 Bond (a) during the period from the close of business on the 15th day preceding an interest payment date on the Series 2013 Bonds to the opening of business on such interest payment date, or (b) after notice of redemption of that Series 2013 Bond or any portion of that Series 2013 Bond has been mailed, or (c) during the 15 days next preceding mailing of a notice of redemption of Series 2013 Bonds.

Section 11. Book – Entry Only System for the Series 2013 Bonds.

(a) General. The Series 2013 Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities. Upon initial issuance, the ownership of each such Series 2013 Bond shall be registered in the Bond Register in the name of Cede & Co., as nominee of The Depository Trust Corporation (“**DTC**”), and except as provided in subsections (d) and (e) of this Section, all of the outstanding Series 2013 Bonds shall be registered in the Bond Register in the name of Cede & Co., as nominee of DTC.

(b) Limitations on Obligations. With respect to Series 2013 Bonds registered in the Bond Register in the name of Cede & Co., as nominee of DTC, the County, the Paying Agent and the Bond Registrar shall have no responsibility or obligation to any participating member of DTC (“**DTC Participant**”) or to any person on behalf of whom such a DTC Participant holds an interest in the Series 2013 Bonds. Without limiting the immediately preceding sentence, the County, the Paying Agent and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Series 2013 Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Bondholder, as shown in the Bond Register, of any notice with respect to the Series 2013 Bonds, including any notice

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of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Bond Register, of any amount with respect to principal of, premium, if any, or interest on the Series 2013 Bonds.

(c) Persons Treated as Owners Under Book-Entry System. Notwithstanding any other provision of this Bond Ordinance to the contrary, the County, the Bond Registrar and the Paying Agent shall be entitled to treat and consider the person in whose name such Series 2013 Bond is registered in the Bond Register as the absolute owner of such Series 2013 Bond for the purpose of payment of principal, premium, if any, and interest on such Series 2013 Bond, for the purpose of giving notices of redemption and other matters with respect to such Series 2013 Bond, for the purpose of registering transfers with respect to such Series 2013 Bond, and for all other purposes whatsoever. The Bond Registrar and the Paying Agent shall pay all principal of, premium, if any, and interest on the Series 2013 Bonds only to or upon the order of the respective Bondholders, as shown in the Bond Register as provided in this Bond Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to satisfy and discharge the County's obligations fully with respect to payment of principal of, premium, if any, and interest on the Series 2013 Bonds to the extent of the sum or sums so paid. No person other than a Bondholder, as shown in the Bond Register, shall receive a Series 2013 Bond certificate evidencing the obligation of the County to make payments of principal, premium, if any, and interest pursuant to this Bond Ordinance.

(d) Substitution of DTC Nominee. Upon delivery by DTC to the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Bond Ordinance, with respect to interest checks or drafts being mailed to the registered owner as of the close of business on the Record Date, the words "Cede & Co." in this Bond Ordinance shall refer to such new nominee of DTC; and upon receipt of such a notice the Bond Registrar shall promptly deliver a copy of the same to the Paying Agent.

(e) Successor Securities Depository; Transfers Outside Book-Entry Only System. If the County or the Bond Registrar determines that DTC is incapable of discharging its responsibilities described in this Bond Ordinance or that it is in the best interest of the beneficial owners of the Series 2013 Bonds that they be able to obtain certificated Series 2013 Bonds, the County or the Bond Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Series 2013 Bond certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Series 2013 Bond certificates and transfer one or more separate Series 2013 Bond certificates to DTC Participants having Series 2013 Bonds credited to their DTC accounts. In such event, the Series 2013 Bonds shall no longer be restricted to being registered in the Bond Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Bondholders transferring or exchanging Series 2013 Bonds shall designate, in accordance with the provisions of this Bond Ordinance.

(f) Payments and Notices to DTC Nominee. Notwithstanding any other provision of this Bond Ordinance to the contrary, so long as any of the Series 2013 Bonds is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Series 2013 Bond and all notices with respect to such Series 2013 Bond shall be made and given, respectively, in the manner provided in the blanket issuer letter of representations referred to below and in the DTC Operational Arrangements from time to time in effect as provided in the blanket issuer letter of representations. The Bond Registrar shall request in each notice sent to Cede & Co. pursuant to the terms of this Bond Ordinance that Cede & Co. forward or cause to be forwarded such

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notice to the DTC Participants, but neither the Bond Registrar nor the County shall be liable if the Bond Registrar fails to make such request or if Cede & Co. fails to honor such request.

(g) Blanket Letter of Representations. The County Board Chairman or, in his or her absence, the County Clerk or the County Treasurer are each authorized to execute and deliver to DTC and the Paying Agent DTC's standard form of "Blanket Issuer Letter of Representations".

Section 12. Persons Treated as Owners of Series 2013 Bonds. The County, the Paying Agent and the Bond Registrar may treat the Bondholder of any Series 2013 Bond as its absolute owner, whether or not that Series 2013 Bond is overdue, for the purpose of receiving payment of the principal of or interest on that Series 2013 Bond and for all other purposes, and neither the County, the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary. Payment of the principal of and interest on each Series 2013 Bond shall be made only to its Bondholder, and all such payments shall be valid and effective to satisfy the obligation of the County on that Series 2013 Bond to the extent of the amount paid.

Section 13. Form of the Series 2013 Bonds. The Series 2013 Bonds shall be in substantially the form set forth in **Exhibit A** to this Bond Ordinance, with appropriate insertions and changes. **Exhibit A** is incorporated by reference in this Section 13 and shall for all purposes be a part of this Bond Ordinance.

Section 14. Nature of Obligation. The Series 2013 Bonds shall constitute general obligations of the County. The Alternate Revenues, the Pledged Taxes and the full faith and credit of the County are pledged to the payment of the principal of and interest on the Series 2013 Bonds.

Section 15. Treatment of Series 2013 Bonds As Indebtedness. The Series 2013 Bonds shall be payable from the Alternate Revenues and the Pledged Taxes, as provided in Section 15 of the Debt Reform Act, and shall not constitute indebtedness of the County within the meaning of any constitutional or statutory limitation unless the Pledged Taxes shall have been extended pursuant to the County's pledge of its full faith and credit in Section 14 and the general obligation tax levy made in Section 19. In that event, as provided in Section 15 of the Debt Reform Act, the amount of the Series 2013 Bonds then Outstanding shall be included in the computation of indebtedness of the County for purposes of all statutory provisions or limitations until such time as an audit of the County shows that the Series 2013 Bonds have been paid from the Alternate Revenues for a complete Fiscal Year, in accordance with the Debt Reform Act.

Section 16. Sale of Series 2013 Bonds; Determination of Terms of the Series 2013 Bonds; Ratification of Certain Actions; Approval of Official Statement; Authentication and Delivery of Series 2013 Bonds.

(a) The Authorized Officers are authorized to determine the terms of the Series 2013 Bonds and to sell the Series 2013 Bonds on such terms as the Authorized Officers may deem to be in the best interests of the County within the limitations set forth in this Bond Ordinance.

(b) The Authorized Officers may in the Determination Certificate make such changes to the terms of the Series 2013 Bonds and the form of the Series 2013 Bonds from those provided in this Bond Ordinance as they shall determine but which shall result in the Series 2013 Bonds having substantially the terms and being in substantially the form provided by this Bond Ordinance.

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(c) Any one of the Authorized Officers is authorized to accept the best bid received by the County at the sale of the Series 2013 Bonds and to execute and deliver the bid or any related bond purchase agreement submitted by the Purchaser on behalf of the County.

(d) Upon a finding by the Authorized Officers that the purchase of a policy of municipal bond insurance for all or any portion of the Series 2013 Bonds is likely to facilitate the marketing and sale of the Series 2013 Bonds and permit completion of such sale in a timely fashion, and that such policy is available at an acceptable premium, the Authorized Officers are authorized to cause the County to purchase a policy of municipal bond insurance for all or any portion of the Series 2013 Bonds, payable from amounts received from the sale of the Series 2013 Bonds, and (i) to include in the Determination Certificate such customary terms, covenants and administrative provisions relating to the insurance for such Series 2013 Bonds as the provider of such municipal bond insurance policy may require or (ii) to execute any related agreements with the provider of such municipal bond insurance policy containing such terms, covenants and administrative provisions. Such policy shall be provided by a bond insurance company or association approved by the Authorized Officers.

(e) Subsequent to the sale of the Series 2013 Bonds, the Authorized Officers shall file in the office of the County Clerk, addressed to the County Board,

(i) a Determination Certificate setting forth the terms and terms of sale of the Series 2013 Bonds, including, without limitation, the aggregate principal amount of the Series 2013 Bonds (*provided* that the aggregate principal amount of the Series 2013 Bonds may not exceed the lesser of (A) \$32,000,000 and (B) the amount necessary to accomplish the public purposes for which the Series 2013 Bonds are being issued), the interest rate or rates per year payable on each maturity of the Series 2013 Bonds (*provided* that the rate per year for any maturity of and any maturity of the Series 2013 Bonds may not exceed six percent), the maturities of the Series 2013 Bonds (*provided* that (A) the final maturity of the Series 2013 Bonds may not be later than December 15, 2024, and (B) the amounts of principal of and interest due on the Series 2013 Bonds in any calendar year, including principal scheduled to fall due pursuant to mandatory sinking fund redemptions applicable to Term Bonds, may not exceed the amounts of the *ad valorem* taxes levied to pay such amounts in Section 19 of this Bond Ordinance), the issuance of the Series 2013 Bonds as Serial Bonds, Term Bonds, or any combination of Serial Bonds and Term Bonds, the amount of any net original issue discount or net original issue premium upon the sale of the Series 2013 Bonds (which shall not exceed in the aggregate an amount equal to 10% of the face amount of the Series 2013 Bonds), the sale price of the Series 2013 Bonds (which shall be in the aggregate not less than 98 percent of the original principal amount net of any net original issue discount or premium), and the amounts of the proceeds of sale of the Series 2013 Bonds to be applied to the purposes as provided in Section 18 all as provided in and subject to the limitations expressed in this Bond Ordinance, and approving the final form of the Official Statement and any addenda to it as provided in subsection (g) below;

(ii) an executed copy of the winning bid; and

(iii) the Official Statement (defined below) and any addenda to it.

The Determination Certificate shall be deemed a part of this Bond Ordinance. The determinations made by the Authorized Officers in the Determination Certificate shall be final, conclusive, and binding upon the County, the Bond Registrar, the Purchaser and the subsequent holders from time to time of the Series 2013 Bonds if within the limitations set forth in this Section 16(e). The Determination Certificate shall be filed by the County Clerk in the official record of the proceedings of the County Board along with this Bond Ordinance.

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(f) If the Series 2013 Bonds are sold so as to require the levy of taxes in 2013 or any subsequent year less than the aggregate amount levied pursuant to Section 19 of this Bond Ordinance, then the Authorized Officers shall include, in the Determination Certificate, the amount of any reduction in the amount levied pursuant to Section 19 for 2013 and any subsequent year resulting from the sale of Series 2013 Bonds with lesser maturities (after taking into account mandatory redemptions) or lesser payments of interest, and, in addition, the County Treasurer shall file in the office of the County Clerk a certificate of tax abatement for such years. Any certificate of tax abatement delivered pursuant to this paragraph shall refer to the amount of taxes levied pursuant to Section 19, shall indicate the amount of reduction in the amount of taxes levied pursuant to Section 19 resulting from the sale of the Series 2013 Bonds, which reduced amount is to be abated from such taxes, and shall further indicate the remainder of such taxes which is to be extended for collection by the County Clerk if not abated pursuant to Section 21.

(g) All actions of the County and its officers and employees relating to the authorization, offering, issuance and sale of the Series 2013 Bonds, including the adoption and publication of the Alternate Bond Authorizing Ordinance, the publication of public notice for and the holding of the public hearing described in Section 1(o), and the preparation of an Official Notice of Sale and an Official Statement pertaining to the Series 2013 Bonds (the “**Official Statement**”) in the form attached as **Exhibit B**, are ratified, confirmed and approved.

(h) The Authorized Officers shall provide written assurance to the Purchaser, in the Determination Certificate or in a separate certificate to be delivered in connection with the issuance of the Series 2013 Bonds, that the Official Statement is “deemed final” by the County for purposes of the Rule except for information that the Rule permits to be omitted.

(i) The Authorized Officers are authorized to cause to be prepared, and any one of the Authorized Officers is authorized to execute and deliver, any necessary addenda to the Official Statement on behalf of the County pertaining to the Series 2013 Bonds setting forth such information as is necessary to supplement the Official Statement to reflect accurately the terms of the Series 2013 Bonds. In the Determination Certificate, the Authorized Officers shall approve the final version of any necessary addenda to the Official Statement.

(j) The Series 2013 Bonds shall be executed as provided in this Bond Ordinance and shall be delivered to the County Treasurer. The County Treasurer is authorized to deliver the Series 2013 Bonds to the Authenticating Agent and the Authenticating Agent is authorized and directed to authenticate the Series 2013 Bonds and deliver them to the Purchaser upon receipt by the County of the purchase price specified in the Determination Certificate.

(k) The Authorized Officers are further authorized to take the actions and execute and deliver the documents and instruments specified in this Bond Ordinance and to execute and deliver such other documents and take such other actions as may be necessary or desirable in connection with the issuance, sale and delivery of the Series 2013 Bonds, including, but not limited to, the exercise following the delivery date of the Series 2013 Bonds of any power or authority delegated to the Authorized Officers under this Bond Ordinance upon original issuance, but subject to any limitations on or restrictions of such power or authority set forth in this Bond Ordinance.

Section 17. Bond Fund - Accounts. There is created a special fund of the County, which fund shall be held separate and apart from all other funds and accounts of the County and shall be known as the “General Obligation Bonds (Alternate Revenue Source), Series 2013 Bond and Interest Fund” (the “Bond Fund”). All of the Alternate Revenues and Pledged Taxes designated to pay principal of, interest on and premium, if any, with respect to the Series 2013 Bonds shall be set aside as

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collected and deposited by the County Treasurer into the Bond Fund, which shall be a trust fund established for the purpose of carrying out the covenants, terms and conditions imposed upon the County by this Bond Ordinance. The Series 2013 Bonds are secured by a pledge of all of the moneys from time to time on deposit in the Bond Fund, and such pledge is irrevocable until the obligations of the County are discharged under this Bond Ordinance.

The Alternate Revenues and Pledged Taxes are to be paid to the County Treasurer by the officers who collect or receive the Alternate Revenues or Pledged Taxes. Whenever the County Treasurer receives (i) any of the Alternate Revenues designated to pay principal of, interest on and premium, if any, with respect to the Series 2013 Bonds or (ii) Pledged Taxes, he shall promptly deposit the same into the Bond Fund. The moneys on deposit in the Bond Fund shall be used by the County solely and only for the purpose of carrying out the terms and conditions of this Bond Ordinance and shall be deposited as provided below to the separate accounts created within the Bond Fund to be known as the “**Principal and Interest Account**” and the “**Administrative Expense Account.**” As moneys are deposited by the County into the Bond Fund, they shall be credited on or before the first business day of each month’ by the County Treasurer, without any further official action or direction, in the following accounts in the following order: ‘

(a) Principal and Interest Account. There are established within the Principal and Interest Account separate subaccounts to be known as the “**Alternate Revenues Subaccount**” and the “**Pledged Taxes Subaccount.**” Except as provided below, moneys to the credit of the Alternate Revenues Subaccount and the Pledged Taxes Subaccount shall be used only for the purpose of paying principal of and interest on the Series 2013 Bonds as the same become due. Beginning immediately upon the issuance and delivery of the Series 2013 Bonds, the County Treasurer shall credit to and shall immediately deposit the Alternate Revenues and Pledged Taxes into the Principal and Interest Account as follows:

(i) From the Alternate Revenues, the County Treasurer, from time to time but not less often than monthly, shall first credit to and shall immediately deposit into the Alternate Revenues Subaccount (A) a fractional amount of the interest coming due on the next succeeding interest payment date on all Outstanding Series 2013 Bonds and (B) a fractional amount of the principal coming due on the next succeeding principal maturity date or mandatory sinking fund redemption date on all Outstanding Series 2013 Bonds, until there shall have been accumulated in the Principal and Interest Subaccount on or before the first day of the month in which such maturity date of principal, mandatory sinking fund redemption date or interest payment date occurs, an amount sufficient to pay (A) such principal or redemption price or (B) such interest, or both, with respect to all Outstanding Series 2013 Bonds due on such date.

(ii) In computing the fractional amounts to be set aside each month in the Principal and Interest Subaccount, the fraction shall be computed so that sufficient funds will be set aside in this Subaccount and will be available for the prompt payment of interest on and principal or mandatory sinking fund redemption price of all Outstanding Series 2013 Bonds as the same shall become due. The fraction shall be not less than one-fifth of the interest coming due on the next succeeding interest payment date and not less than one-eleventh of the principal or principal portion of the mandatory sinking fund redemption price coming due on the next succeeding principal maturity date or mandatory sinking fund redemption date on all Outstanding Series 2013 Bonds. Such deposits shall be made until there is sufficient money in this Subaccount to pay such interest or principal or both.

(iii) Credits to the Principal and Interest Subaccount may be suspended in any Fiscal Year at such time as there is a sufficient sum in this Subaccount, held in cash and investments,

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to meet all principal, mandatory sinking fund redemption and interest requirements for the balance of that Fiscal Year, but such credits shall be resumed at the beginning of the next Fiscal Year.

(iv) The County Treasurer shall immediately deposit the Pledged Taxes as received to the credit of the Pledged Taxes Subaccount. Pledged Taxes are irrevocably pledged and shall be used only for the purpose of paying principal of and interest on the Series 2013 Bonds.

If there are moneys to the credit of both the Alternate Revenues Subaccount and the Pledged Taxes Subaccount on any maturity date of principal, mandatory sinking fund redemption date or interest payment date for the Series 2013 Bonds, moneys to the credit of the Pledged Taxes Subaccount shall be used first to pay principal or mandatory sinking fund redemption price of and interest on the Series 2013 Bonds and the Pledged Taxes Subaccount shall be fully depleted before moneys to the credit of the Pledged Revenues Subaccount are used to pay principal or mandatory sinking fund redemption price of or interest on the Series 2013 Bonds.

(b) Administrative Expense Account. After crediting the required amounts to the Principal and Interest Account, there shall be credited to the Administrative Expense Account from Pledged Revenues an amount sufficient to pay for Administrative Costs for the then-current month. Moneys on deposit in the Administrative Expense Account shall first be transferred by the County Treasurer, if necessary, to remedy any deficiencies in the Principal and Interest Account in the Bond Fund; and, thereafter, shall be applied to pay Administrative Costs for the then current month.

All moneys remaining in the Bond Fund, after crediting the required amounts to the Principal and Interest Account and the Administrative Expense Account as provided above and after making up any deficiency in those accounts, shall be credited to the Rebate Account in the amounts required by subsection (c) below. Remaining moneys in the Bond Fund (i) derived from Alternate Revenues may be transferred to such other fund or account of the County as may be directed by the County Board and used for proper corporate purposes, and (ii) derived from Pledged Taxes on deposit in the Pledged Taxes Subaccount shall be used only to pay principal of and interest on the Series 2013 Bonds.

(c) Rebate Account. There is created by this Bond Ordinance a separate and special account within the Bond Fund known as the "Rebate Account," into which there shall be deposited from time to time (i) investment earnings in the Principal and Interest Account and the Administrative Expense Account and (ii) Alternate Revenues, to the extent required under the Code to pay rebates, special impositions or taxes payable to the United States of America (Internal Revenue Service). All rebates, special impositions or taxes for such purpose shall be payable from the Rebate Account, and moneys in the Rebate Account may be used only for this purpose.

(d) Investments. Moneys on deposit in the Bond Fund and the various accounts in it may be invested from time to time pursuant to any authorization granted to municipalities by Illinois statute or court decision.

Any such investments may be sold from time to time by the County as moneys are needed for the purposes for which the Bond Fund and such accounts have been created. In addition, the County Treasurer shall sell such investments when necessary to remedy any deficiency in the Bond Fund or such accounts created in it. Any investment earnings shall be attributed to the account within the Bond Fund for which the investment was made.

Investments in the various accounts shall mature or be subject to redemption at the option of the holder prior to the time when needed, and, in any event, within the times as follows:

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<u>Account</u>	<u>Time</u>
Principal and Interest	6 Months
Administrative Expense	6 Months
Rebate Account	6 Months

Moneys in any of the various accounts shall be invested by the County Treasurer and any depository authorized to make investments pursuant to a Depository Agreement, if necessary, in investments restricted as to yield, which investments may be in United States Treasury Obligations - State and Local Government Series, if available, and to such end the County Treasurer shall refer to any investment restrictions covenanted by the County or any of its officers as part of the transcript of proceedings for the issuance of the Series 2013 Bonds, and to appropriate opinions and written advice of counsel.

The deposits of moneys in the Bond Fund (other than the Rebate Account) and investments of moneys on deposit in the Bond Fund (other than the Rebate Account) may be commingled for deposit and investment purposes with other funds of the County established solely for paying principal of and interest on other general obligation bonds of the County. Moneys in the Bond Fund shall never be commingled with or loaned to any other funds of the County which were not established for such a purpose or which are used for any other purpose, as long as any Series 2013 Bonds are outstanding and unpaid. Moneys in the Rebate Account and investments of moneys on deposit in the Rebate Account shall never be commingled with or loaned to any other funds of the County.

(e) Transfers. Any amounts to the credit of the various accounts in the Bond Fund in excess of the then current requirement may be transferred by the County Board to such other accounts in the Bond Fund as the County Board may in its sole discretion designate; provided, that Pledged Taxes on deposit in the Pledged Taxes Subaccount may be used only to pay principal of and interest on the Series 2013 Bonds.

(f) Appropriation and Pledge. Amounts deposited in the Principal and Interest Account of the Bond Fund, including amounts deposited in it pursuant to Section 21 of this Bond Ordinance, are appropriated for and irrevocably pledged to, and shall be used only for the purpose of, paying the principal of and interest on the Series 2013 Bonds, or reimbursing general funds of the County expended for those purposes as provided in Section 18 of this Bond Ordinance, or for making transfers from the Bond Fund of interest and other investment earnings as allowed by the preceding subsections of this Section.

Section 18. Application of Series 2013 Bond Proceeds.

(a) The proceeds derived from the sale of the Series 2013 Bonds shall be applied as follows:

(i) Accrued interest received by the County upon the sale of the Series 2013 Bonds, if any, shall be deposited by the County Treasurer into the Pledged Taxes Subaccount and used to pay the first interest coming due on the Series 2013 Bonds on the First Interest Payment Date.

(ii) An amount of the proceeds of sale of the Series 2013 Bonds specified in the Determination Certificate shall be deposited with the Escrow Agent to be held in the Escrow Account and invested as provided in the Escrow Agreement and shall be applied to redeem and retire the Refunded Bonds. The County directs the Escrow Agent to give timely notice of

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redemption of the Refunded Bonds in accordance with the provisions of the ordinances applicable to the Refunded Bonds and the Escrow Agreement.

(iii) An amount of the proceeds of sale of the Series 2013 Bonds specified in the Determination Certificate shall be set aside in a separate fund which is created by this Bond Ordinance and designated as the “Series 2013 Bonds Expense Fund” (the “**Expense Fund**”), which the County shall maintain as a separate and segregated account. Money in said fund shall be withdrawn from time to time as needed for the payment of costs of issuance of the Series 2013 Bonds, and said money is appropriated for that purpose. Moneys on deposit in the Expense Fund shall be disbursed by the County from time to time upon submission to the County Treasurer of a duplicate copy of the order signed by an officer of the County, stating specifically the purposes for which the order is issued and indicating that the payment for which the order is issued has been approved by the County.

(b) All amounts on deposit on the Dated Date in (i) the “General Obligation Refunding Bonds (Alternate Revenue Source), Series 2002 Debt Service Fund” established by the bond ordinance applicable to such Series 2002 Bonds shall be transferred to the Escrow Agent and deposited into the Escrow Account to be held, invested and applied as are other moneys on deposit in the Escrow Account.

(c) All amounts received upon the sale of the Series 2013 Bonds, together with all interest and other investment earnings on those amounts, are appropriated and set aside for the purposes for which the Series 2013 Bonds are being issued as set forth in this Bonds Ordinance.

Section 19. Tax Levy. There is levied a direct annual *ad valorem* tax (the “**Pledged Taxes**”) upon all taxable property within the County sufficient to pay and discharge the principal of the Series 2013 Bonds at maturity and to pay interest on the Series 2013 Bonds due for each year, including specifically the following amounts for the following years:

<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>	<u>Year of Levy</u>	<u>An Amount Sufficient to Produce the Sum of:</u>
2013	\$2,600,000 for principal and interest	2020	\$3,600,000 for principal and interest
2014	3,600,000 for principal and interest	2021	3,600,000 for principal and interest
2015	3,600,000 for principal and interest	2022	3,600,000 for principal and interest
2016	3,600,000 for principal and interest	2023	3,600,000 for principal and interest
2017	3,600,000 for principal and interest		
2018	3,600,000 for principal and interest		
2019	3,600,000 for principal and interest		

The Pledged Taxes shall be in addition to and in excess of all other taxes levied by the County. If at any time following the extension of any Pledged Taxes sufficient funds are not on hand from amounts derived from the Pledged Taxes to make a payment of interest or principal on the Series 2013 Bonds as it becomes due, that payment shall be made from the general funds of the County. Those general funds shall be reimbursed from the amounts derived from the Pledged Taxes when those amounts shall be on hand (and not needed for paying other payments of interest or principal then coming due on the Series 2013 Bonds). The County pledges the Pledged Taxes irrevocably to the

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payment of the Series 2013 Bonds, subject to the County's right to abate the Pledged Taxes provided in Section 16(f) and in Section 21.

Section 20. Filing of Tax Levy; Duties of County Clerk. A certified copy of this Bond Ordinance shall be filed after the effective date of this Bond Ordinance and prior to the issuance and delivery of the Series 2013 Bonds with the County Clerk. It shall be the duty of the County Clerk in each year to ascertain the rate necessary to produce the tax levied in Section 19 and to extend that tax for collection on the tax books against all of the taxable property situated within the County, without limitation as to rate or amount, in connection with other taxes levied in such year for general County purposes. Such taxes shall be computed, extended and collected in the same manner as is now or may subsequently be provided for the computation, extension and collection of taxes for general purposes of the County. The taxes levied and extended pursuant to this Bond Ordinance shall be in addition to and in excess of all other taxes levied by the County.

Section 21. Abatement of Pledged Taxes. Prior to the deadline for the timely annual abatement of the Pledged Taxes for the Series 2013 Bonds, but in no event *earlier* than December 1st of the year in which such Pledged Taxes are levied (i.e. the year prior to extension and collection), the County Treasurer shall deposit Alternate Revenues into the Alternate Revenues Subaccount of the Principal and Interest Account of the Bond Fund in an amount necessary to provide for the payment of interest and principal coming due on the Series 2013 Bonds in the following calendar year otherwise payable from the proceeds of such tax levy. Upon (but in no event prior to) the deposit of such moneys, the County Board, or the officers of the County acting with proper authority, shall direct the abatement of the Pledged Taxes and proper notification of such abatement shall be filed with the County Clerk in a timely manner to effect such abatement.

In abating taxes, the County Board shall adopt an ordinance or ordinances (the "**Abatement Ordinance**") setting forth the following items.

(a) The amount of funds available from Alternate Revenues or other lawfully available sources or the reduction in debt service attributable to purchases by the County of the Series 2013 Bonds to enable the abatement of the Pledged Taxes.

(b) An appropriation of such funds to pay principal of and interest on the Series 2013 Bonds.

(c) A direction to the County Treasurer to deposit such funds not already held in the Bond Fund into the Bond Fund or to reimburse a fund or account from which advances to the Bond Fund in anticipation of Pledged Taxes were made and thereupon to notify the County Clerk of such deposit;

(d) A statement of the year and the amount of abatement of Pledged Taxes, which amount to be abated shall not exceed the amount of such available funds; and

(e) A direction to file a certified copy of the Abatement Ordinance in the offices of the County Clerk.

Upon notification from the County Treasurer that any deposits required by the Abatement Ordinance to be made into the Bond Fund have been made, a certified copy of the Abatement Ordinance shall be filed with the County Clerk.

The filing of such Abatement Ordinance shall be complete authority to the County Clerk to cause such abatement.

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Section 22. Pledge of Alternate Revenues. The County pledges irrevocably the Alternate Revenues to the payment of the Series 2013 Bonds and any Additional Bonds.

As provided in Section 15 of the Debt Reform Act, the County Board covenants, to the extent it is empowered to do so, to provide for, collect and apply the Alternate Revenues to the payment of the Series 2013 Bonds and the provision of not less than an additional .25 times debt service on the Series 2013 Bonds. As provided in Section 15 of the Debt Reform Act, this Bond Ordinance shall constitute a continuing appropriation of the Alternate Revenues as received for deposit in the Alternate Revenues Subaccount of the Principal and Interest Account of the Bond Fund.

Section 23. Additional Obligations Payable From Alternate Revenues. The County reserves the right to issue additional alternate bonds (“**Additional Bonds**”) from time to time payable from the Alternate Revenues, subject to the requirements of the Debt Reform Act pertaining to the authorization and issuance of alternate bonds, and such Additional Bonds shall share ratably and equally in the Alternate Revenues with the Series 2013 Bonds.

Any such additional bonds and other obligations which may be issued in compliance with this Section shall be payable as to principal on December 15th and as to interest on June 15th and December 15th in each year in which principal and/or interest come due.

Section 24. Refunding Bonds. Refunding bonds issued to refund Series 2013 Bonds, whether at or in advance of maturity, may be issued by the County subject to the limitations of and in accordance with the provisions of the Counties Code and the Debt Reform Act.

Section 25. Defeasance. Series 2013 Bonds which are no longer Outstanding as defined in this Bond Ordinance shall cease to have any lien on or right to receive or be paid from Alternate Revenues and Pledged Taxes and shall no longer have the benefits of any covenant made in this Bond Ordinance for the Bondholders of Outstanding Series 2013 Bonds.

The term “**Outstanding**” means Series 2013 Bonds or refunding Series 2013 Bonds or Additional Bonds which have been issued and delivered, which remain unpaid, and for the full and punctual payment of which when due no provision has been made by the County. The term “Outstanding” does not include Series 2013 Bonds or refunding Series 2013 Bonds or Additional Bonds (a) which have matured or have been duly called for redemption and for which moneys are irrevocably on deposit with a Paying Agent sufficient to pay all interest due on such Bonds and all principal of such Bonds through the date of maturity or redemption, or (b) the provision for payment of which has been made by the County by the deposit in an irrevocable trust or escrow of any combination of cash and non-callable direct, full faith and credit obligations of the United States of America, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of and interest on such bonds.

Section 26. This Bond Ordinance a Contract; Amendments. Upon the issuance of the Series 2013 Bonds, the provisions of this Bond Ordinance shall constitute a contract between the County and the Bondholders of the Series 2013 Bonds, and no changes, additions or alterations of any kind shall be made to this Bond Ordinance, except as provided in this Bond Ordinance. This Bond Ordinance may be amended from time to time without the consent of the Bondholders to pledge additional sources of revenue to the payment of the Series 2013 Bonds.

Section 27. Bond Registrar Covenants. If requested by the Bond Registrar, the County Board Chairman and County Clerk of the County are authorized to execute the Bond Registrar’s standard form of agreement between the County and the Bond Registrar with respect to the obligations

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and duties of the Bond Registrar under this Bond Ordinance. Subject to modification by the express terms of any such agreement, such duties shall include the following:

- (A) to act as bond registrar, authenticating agent, paying agent and/or transfer agent as provided in this Bond Ordinance;
- (B) to maintain a list of Bondholders as set forth in this Bond Ordinance and to furnish such list to the County upon request, but otherwise to keep such list confidential to the extent permitted by law;
- (C) to cancel and/or destroy Series 2013 Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer;
- (D) to furnish the County at least annually a certificate with respect to Series 2013 Bonds cancelled and/or destroyed; and
- (E) to furnish the County at least annually an audit confirmation of Series 2013 Bonds paid, Series 2013 Bonds Outstanding and payments made with respect to interest on the Series 2013 Bonds.

The County Clerk is directed to file a certified copy of this Bond Ordinance with the Bond Registrar.

The County covenants with respect to the Bond Registrar, and the Bond Registrar further covenants and agrees, as follows:

- (A) The County shall at all times retain a Bond Registrar with respect to the Series 2013 Bonds; it will maintain at the designated office(s) of such Bond Registrar a place or places where Series 2013 Bonds may be presented for payment, registration, transfer or exchange; and it will require that the Bond Registrar properly maintain the Bond Register and perform the other duties and obligations imposed upon it as Bond Registrar and Authenticating Agent by this Bond Ordinance in a manner consistent with the standards, customs and practices of the municipal securities industry.
- (B) The Bond Registrar and Authenticating Agent shall signify its acceptance of the duties and obligations imposed upon it by this Bond Ordinance by executing the certificate of authentication on any Series 2013 Bond, and by such execution the Bond Registrar and Authenticating Agent shall be deemed to have certified to the County that it has all requisite power to accept and has accepted such duties and obligations not only with respect to the Series-2013 Bond so authenticated but with respect to all the Series 2013 Bonds. The Bond Registrar and Authenticating Agent shall be the agent of the County and shall not be liable in connection with the performance of its duties except for its own negligence or willful wrongdoing. The Bond Registrar and Authenticating Agent shall, however, be responsible for any representation in its certificate of authentication on Series 2013 Bonds.

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- (C) The County may remove the Bond Registrar and Authenticating Agent at any time. If at any time the Bond Registrar and Authenticating Agent resigns, is removed by the County, becomes incapable of acting, or is adjudicated a bankrupt or insolvent, or if a receiver, liquidator, or conservator of the Bond Registrar and Authenticating Agent or of its property is appointed, or if any public officer takes charge or control of the Bond Registrar and Authenticating Agent or of its property or affairs, the County shall promptly appoint a successor Bond Registrar and Authenticating Agent. The County shall give notice by certified mail of any such appointment made by it to each Bondholder of any Series 2013 Bond within twenty days after such appointment. Any successor Bond Registrar and Authenticating Agent appointed under the provisions of this Section shall be a bank, trust company, or national banking association authorized to conduct a trust business in and maintaining a corporate trust office in Illinois, having capital and surplus and undivided profits in excess of \$50,000,000, and having substantial experience in serving in those capacities in connection with municipal bond issues.

Section 28. General Covenants. The County covenants with the Purchaser and the Bondholders that, so long as any Series 2013 Bonds remain Outstanding:

- (A) it will take all actions, if any, which shall be necessary in order further to provide for the levy, extension, collection and application of the Pledged Taxes;
- (B) it will not take any action or fail to take any action which would in any way adversely affect (1) the levy, extension, collection and application of the Pledged Taxes, except to abate those taxes to the extent that money is on hand and irrevocably set aside in the Bond Fund to pay principal of and interest on the Series 2013 Bonds, or (2) the ability of the County to collect the Alternate Revenues;
- (C) it will comply with all applicable present and future laws concerning (1) the levy, extension and collection of the Pledged Taxes in order to ensure that the Pledged Taxes will be levied, extended and collected as provided in this Bond Ordinance and deposited into the Bond Fund, and (2) the Alternate Revenues in order to ensure that the Alternate Revenues will be available and deposited into the Bond Fund; in each case so that the County is able to pay the principal of and interest on the Series 2013 Bonds as they come due;
- (D) it will punctually pay or cause to be paid from the Bond Fund the principal of, interest on and premium, if any, to become due in respect to the Series 2013 Bonds in strict conformity with the terms of the Series 2013 Bonds and this Bond Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements of the Series 2013 Bonds and this Bond Ordinance;
- (E) it will pay and discharge, or cause to be paid and discharged, from the Bond Fund any and all lawful claims which, if unpaid, might become a lien or charge upon the Alternate Revenues or Pledged Taxes, or any part of

COUNTY BOARD MINUTES – March 12, 2013

them, or upon any funds in the hands of the Paying Agent, or which might impair the security of the Series 2013 Bonds. This covenant does not require the County to make any such payment so long as the County in good faith contests the validity of said claims;

- (F) it will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the County, in which complete and correct entries shall be made of all transactions relating to the Alternate Revenues, to the Pledged Taxes, and to the Bond Fund, and which shall be subject at all times during business hours to inspection and copying by Bondholders or beneficial owners of Series 2013 Bonds owning at least ten percent (10%) of the principal amount of the Series 2013 Bonds or their representatives duly authorized in writing;
- (G) it will preserve and protect the security of the Series 2013 Bonds and the rights of the Bondholders, and will warrant and defend their rights against all claims and demands of all persons. From and after the sale and delivery of any of the Series 2013 Bonds by the County, the Series 2013 Bonds will be incontestable by the County;
- (H) it will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, this Bond Ordinance, and for the better assuring and confirming unto the Bondholders of the rights and benefits provided in this Bond Ordinance;
- (I) as long as any Series 2013 Bonds are Outstanding, it will continue to deposit the Alternate Revenues and, if applicable, the Pledged Taxes to the Bond Fund as provided in this Bond Ordinance. So long as any Series 2013 Bonds remain Outstanding, the County will take no action or fail to take any action which in any way would adversely affect the ability of the County to collect the Alternate Revenues and the Pledged Taxes; and
- (J) once issued, the Series 2013 Bonds will be and will forever remain until paid or defeased the general obligations of the County, for the payment of which its full faith and credit are pledged, and will be payable, in addition to the Alternate Revenues, from the levy of the Pledged Taxes as provided in the Debt Reform Act.

Section 29. Not Private Activity Bonds. None of the Refunded Bonds was, and none of the Series 2013 Bonds will be a “private activity bond” as defined in Section 141 (a) of the Code. In support of such conclusion, the County certifies, represents and covenants as follows:

- (A) Not more than five percent of the proceeds of the Refunded Bonds was used and not more than five percent of the proceeds of the Series 2013 Bonds is to be used, directly or indirectly, in any trade or business carried on by any person other than a state or local governmental unit other than as a member of the general public.

COUNTY BOARD MINUTES – March 12, 2013

- (B) The payment of more than five percent of the principal of or the interest on the Refunded Bonds, considered separately, was not and the payment of more than five percent of the principal of or the interest on the Series 2013 Bonds, considered separately will not be, directly or indirectly (i) secured by any interest in (A) property used or to be used in any activity carried on by any person other than a state or local governmental unit or (B) payments in respect of such property or (ii) on a present value basis, derived from payments (whether or not by or to the County) in respect of property, or borrowed money, used or to be used in any activity carried on by any person other than a state or local government unit.
- (C) None of the proceeds of the Refunded Bonds Series 2013 Bonds will be used, directly or indirectly, to make or finance loans to persons other than a state or local governmental unit.
- (D) Facilities financed and refinanced by the Refunded Bonds have been, since they were placed in service, and will continue to be available for use by the general public. No user of such facilities other than the County has used, since they were placed in service, or will use such facilities on any basis other than the same basis as the general public; and no person other than the County has been, since such facilities were placed in service, or will be a user of such facilities as a result of (i) ownership or (ii) actual or beneficial use pursuant to a lease or a management, service or incentive payment contract or output contract, of (iii) any other similar arrangement, whether written or oral, that confers special legal entitlements or special economic benefits.

Section 30. General Arbitrage Covenants. The County represents and certifies as follows with respect to the Series 2013.

- (A) The County has not been notified of any disqualification or proposed disqualification of it by the Commissioner of the Internal Revenue Service as a bond County which may certify bond issues under Treasury Regulations Section 1.103-13 (a)(2)(ii)(1979).
- (B) Moneys on deposit in any fund or account in connection with the Series 2013 Bonds, whether or not such moneys were derived from the proceeds of the sale of the Series 2013 Bonds or from any other source, will not be used in a manner which will cause the Series 2013 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and any lawful regulations promulgated under that Section, as the same presently exist or may from time to time be amended, supplemented or revised.
- (C) Proceeds of the Refunded Bonds were not used, directly or indirectly, to reimburse the County for expenditures made prior to the date of issuance and delivery of the respective series of the Refunded Bonds, except as (i) architectural or engineering costs and other “preliminary expenditures” (as defined in the regulations promulgated under Section 150 of the Code) incurred prior to commencement of any project financed to the Refunded Bonds in an amount not greater than twenty percent (20%) of

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the aggregate principal amount of the respective series of the Refunded Bonds or (ii) expenditures for which an intent to reimburse was properly declared under Treasury Regulations Section 1.150-2.

- (D) Proceeds of the Series 2013 Bonds will not be used, directly or indirectly, to reimburse the County for expenditures made prior to the date of issuance and delivery of the Series 2013 Bonds.

Section 31. Arbitrage Rebate. The County recognizes that the provisions of Section 148 of the Code require a rebate of “excess arbitrage profits” to the United States of America in certain circumstances. The County covenants to make such rebate payments in accordance with the Code, if required. Investment earnings on amounts held under this Bond Ordinance are appropriated to the purpose of paying such rebate to the extent necessary.

Section 32. Registered Form. The County recognizes that Section 149 of the Code requires the Series 2013 Bonds to be issued and to remain in fully registered form in order for the interest on them to be and remain exempt from federal income taxes. County agrees that it will not take any action to permit the Series 2013 Bonds to be issued in, or converted into, bearer or coupon form.

Section 33. Additional Tax Covenants. The County covenants with and for the benefit of the Bondholders of the Series 2013 Bonds that it (i) will take all actions which are necessary to be taken (and avoid any actions which it is necessary to avoid being taken) so that interest on the Series 2013 Bonds will not be or become included in gross income for federal income tax purposes under existing law including, without limitation, the Code, to an extent greater than that contemplated in the Official Statement; (ii) will take all actions reasonably within its power to take which are necessary to be taken (and avoid taking any actions which are reasonably within its power to avoid taking and which it is necessary to avoid) so that interest on the Series 2013 Bonds will not be or become included in gross income for federal income tax purposes under the federal income tax laws as in effect from time to time, to an extent greater than that contemplated in the Official Statement; and (iii) will take no action in the investment of the proceeds of the Series 2013 Bonds, the Bond Fund, or any other fund of the County which would result in making interest on the Series 2013 Bonds subject to federal income taxes by reason of causing the Series 2013 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code. In furtherance of the foregoing provisions, but without limiting their generality, the County agrees:

- (A) through its officers, to make such further specific covenants, certifications and representations as shall be truthful, and assurances as may be necessary or advisable;
- (B) to comply with all representations, covenants and assurances contained in certificates or agreements as may be prepared by counsel approving the Series 2013 Bonds;
- (C) to consult with such counsel and to comply with such advice as may be given;
- (D) to file in a timely manner such forms, statements and supporting documents as may be required; and

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- (E) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the County in such compliance.

Section 34. Opinion of Counsel Exception. The County reserves the right to use or invest proceeds of the Series 2013 Bonds or moneys on deposit in the funds and accounts created by this Bond Ordinance in any manner, notwithstanding the covenants in this Bond Ordinance, if it shall first have received an opinion from an attorney or a firm of attorneys of nationally recognized standing as municipal bond counsel to the effect that use or investment of such moneys as contemplated is lawful and will not adversely affect the tax-exempt status of interest on the Series 2013 Bonds.

Section 35. Municipal Bond Insurance. If the payment of principal of and interest on the Series 2013 Bonds is insured pursuant to a municipal bond insurance policy (the “**Municipal Bond Insurance Policy**”) issued by a bond insurer (the “**Bond Insurer**”), and as long as such Municipal Bond Insurance Policy shall be in full force and effect, the County and the Bond Registrar shall comply with such usual and reasonable provisions regarding presentment and payment of the Series 2013 Bonds, subrogation of the rights of the Bondholders to the Bond Insurer when holding Series 2013 Bonds, amendment of this Bond Ordinance, or other terms, as are included in the Determination Certificate pursuant to Section 16(d), their inclusion in the Determination Certificate to constitute full and complete acceptance by the County of such terms and provisions under authority of this section.

Section 36. Continuing Disclosure.

(a) So long as any Series 2013 Bonds are Outstanding, and to the extent required by the Rule or necessary to permit a secondary trading market for the Series 2013 Bonds to exist, the County will provide continuing disclosure of information concerning its financial condition and the Pledged Taxes and Alternate Revenues to Bondholders, either directly or through a designated repository or by similar means.

(b) The County Board Chairman or the County Clerk is authorized, empowered and directed to execute and deliver the Continuing Disclosure Undertaking (the “**Continuing Disclosure Undertaking**”) in substantially the same form as now before the County Board, or with such changes as the officer executing the Continuing Disclosure Undertaking on behalf of the County shall approve, his or her execution to constitute conclusive evidence of his or her approval of such changes.

(c) When the Continuing Disclosure Undertaking is executed and delivered on behalf of the County, the Continuing Disclosure Undertaking will be binding on the County and the officers, employees and agents of the County. The officers, employees and agents of the County are authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Rule and the Continuing Disclosure Undertaking as executed.

(d) Notwithstanding any other provision of this Bond Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the beneficial owner of any Series 2013 Bond to seek mandamus or specific performance by court order, to cause the County to comply with its obligations under the Continuing Disclosure Undertaking.

Section 37. Escrow Agreement. The County, to provide for the refunding of the Refunded Bonds, authorizes, approves and directs the appropriate officers of the County to execute the Escrow Agreement, if required. The Escrow Agreement shall be executed on behalf of the County by the County Board Chairman and shall be attested by the County Clerk or such other officers of the County

COUNTY BOARD MINUTES – March 12, 2013

named therein. The Escrow Agreement shall be in substantially the same form as those used in connection with prior refunding bond issues of the County, subject to such modifications as may be deemed necessary or advisable by the officers of the County executing the Escrow Agreement, their signatures on the Escrow Agreement constituting their approval of any such modifications and to be deemed conclusive and binding approval under this Bond Ordinance.

Section 38. Abatement Ordinance for Series 2002 Bonds. In accordance with the provisions of bond ordinance applicable to the Series 2002 Bonds, the County Board shall adopt an “Abatement Ordinance” abating the taxes levied for the Series 2002 Bonds for the levy years 2013 and 2014. A certified copy of the Abatement Ordinance so adopted shall be filed with the County Clerk on or before December 31, 2013.

Section 39. Additional Authority. The County Board Chairman, the County Treasurer, the County Clerk and the other officers and employees of the County are authorized to execute and deliver on behalf of the County such other documents, agreements and certificates and to do such other things consistent with the terms of this Bond Ordinance as such officers and employees shall deem necessary or appropriate in order to effectuate the intents and purposes of this Bond Ordinance, including without limitation to make any representations and certifications they deem proper pertaining to (a) the Official Statement and (b) the use of the proceeds of the Series 2013 Bonds and moneys in the Bond Fund in order to establish that the Series 2013 Bonds shall not constitute arbitrage bonds as defined in Section 30 above.

Section 40. Repeal of Conflicting Ordinances, Etc. All ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Bond Ordinance are repealed to the extent of such conflict.

Section 41. Severability. If any section, paragraph, clause or provision of this Bond Ordinance is held invalid, the invalidity of such section, paragraph, clause or provision will not affect any of the other provisions of this Bond Ordinance.

Section 42. Effective Date. As provided in Section 15 of the Debt Reform Act, this Bond Ordinance will be in full force and effect immediately upon its adoption. This Bond Ordinance shall be published in pamphlet form as soon as possible after its adoption.

EXHIBIT A

[FORM OF SERIES 2013 BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“**DTC**”), to the County or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA

STATE OF ILLINOIS

THE COUNTY OF KANE

THE COUNTY OF KANE
GENERAL OBLIGATION BONDS
(ALTERNATE REVENUE SOURCE),
SERIES 2013

Bond NO. R_ _

PRINCIPAL AMOUNT: \$ _____

DATE OF BOND: _____

INTEREST RATE: _____

REGISTERED OWNER: Cede & Co.

_____%
DATE OF MATURITY: December 15, 20____

CUSIP NO. _____

The County of Kane, Illinois (the “**County**”), for value received, promises to pay to the Registered Owner specified above or that person’s registered assigns, upon presentation and surrender of this bond at the principal corporate trust office of U.S. Bank National Association, Chicago Illinois, or its successors as paying agent (the “**Paying Agent**”), the Principal Amount of this bond specified above on the Date of Maturity specified above and to pay to the Registered Owner of this bond interest on that sum at the Interest Rate per year specified above from the Date of Bond specified above to the date of payment of this bond, payable semi-annually on June 15th and December 15th of each year, with the first interest payment date being June 15, 2013. Interest shall be computed on the basis of a 360-day year of twelve 30-day months. Interest on this bond shall be payable on each interest payment date by check or draft of the Paying Agent mailed to the person in whose name this bond is registered at the close of business on the 1st day of the month in which that interest payment date occurs. The principal of and interest on this bond are payable in lawful money of the United States of America. No interest shall accrue on this bond after its Date of Maturity unless this bond shall have been presented for payment at maturity and shall not then have been paid.

This bond is one of an authorized issue of bonds in the aggregate principal amount of \$ _____ which are designated, “General Obligation Bonds (Alternate Revenue Source), Series 2013” (the “**Series 2013 Bonds**”). The proceeds of the Series 2013 Bonds are

to be used to refund and redeem all or a portion of the County's Outstanding (i) General Obligation Refunding Bonds (Alternate Revenue Source), Series 2002, (ii) Debt Certificates, Series 2005, (iii) Debt Certificates, Series 2006 (collectively the "Refunded Bonds"), and to pay bond discount, interest, bond reserve requirements, and legal, other financing and related administrative fees and costs as described in the ordinance of the County adopted on March 12, 2013, authorizing the issuance of the Series 2013 Bonds and the related determination certificate of authorized officers of the County (together, the "Ordinance"). This bond was issued under the authority of the Illinois Constitution, the Local Government Debt Reform Act, and the Illinois Counties Code, and pursuant to the Ordinance of the County. The Series 2013 Bonds have been issued by the County upon full payment for them as provided in the Ordinance. The full faith and credit of the County and the tax levy and revenues referred to below are irrevocably pledged to the punctual payment of the principal of and the interest on this bond. This bond is a general obligation of the Issuer.

For the purpose of punctually paying the principal of and interest on the Series 2013 Bonds, the County has in the Ordinance (i) levied *ad valorem* taxes against all of the taxable property in the Issuer without limitation as to rate or amount (the "**Pledged Taxes**"), and (ii) pledged the Alternate Revenues (as defined in the Ordinance) irrevocably to the payment of the Series 2013 Bonds, all as authorized by the Local Government Debt Reform Act. As provided in, and subject to the conditions and limitations specified in, the Ordinances, the Alternate Revenues may be pledged to pay additional series of alternate bonds of the County. Under the Local Government Debt Reform Act and the Ordinances, the Alternate Revenues and Pledged Taxes will be deposited as received in the Bond Fund created by the Ordinance and in similar bond funds created by the ordinances authorizing parity bonds (if any). Moneys on deposit in the Bond Fund are pledged to and shall be used first for the payment of principal of, premium, if any, and interest on the Series 2013 Bonds and then to make deposits into certain funds and accounts established under the Ordinance. The Ordinance provides that the Pledged Taxes may be abated to the extent that the County has money on hand (from the Alternate Revenues or other legally available funds) and has irrevocably set aside in the Bond Fund money to pay principal of and interest on the Series 2013 Bonds.

This bond does not constitute an indebtedness of the County within the meaning of any constitutional or statutory provision or limitation, unless the Pledged Taxes shall have been extended pursuant to the general obligation full faith and credit promise supporting the Series 2013 Bonds. In that event, the amount of the Series 2013 Bonds then outstanding shall be included in the computation of indebtedness of the County for purposes of all statutory provisions or limitations until such time as an audit of the County shall show that the Series 2013 Bonds have been paid from the Alternate Revenues for a complete fiscal year.

The issuance of the Series 2013 Bonds does not cause the indebtedness of the County to exceed any limitation under the laws of the State of Illinois.

Series 2013 Bonds maturing on and after December 15, 2022 are subject to optional redemption from any available funds, in whole or in part on any date on or after December 15, 2021, at a price equal to their principal plus in each case accrued interest to the date of redemption, without redemption premium. If less than all of the outstanding Series 2013 Bonds are to be redeemed, they may be redeemed in any order of maturity as determined by the Issuer.

[Series 2013 Bonds maturing on December 15, 20__, are subject to mandatory sinking fund redemption on December 15th of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Ordinance.]

[Series 2013 Bonds maturing on December 15, 20__, are subject to mandatory sinking fund redemption on December 15th of each of the years 20__ through 20__, inclusive, and at maturity in the respective amounts provided in the Ordinance.]

Except as provided in the next paragraph with respect to optional redemption, unless waived by the registered owner of this bond, notice of the redemption of Series 2013 Bonds which by their terms shall have become subject to redemption shall be given to the registered owner of each Series 2010 Bond or portion of a Series 2013 Bond called for redemption not less than 30 or more than 60 days before any date established for redemption of Series 2013 Bonds, by the Bond Registrar (defined below) on behalf of the County, by registered or certified mail sent to the registered owner's last address, if any, appearing on the registration books kept by the Bond Registrar. Official notices of redemption will contain the information specified in the Ordinances. Prior to any redemption date, the County is required to deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all of the Series 2013 Bonds or portions of Series 2013 Bonds which are to be redeemed on that date.

At the option of the County, notice of redemption to redeem Series 2013 Bonds at the option of the County may state that such optional redemption shall be conditional upon the receipt of such moneys by the Paying Agent on or prior to the date fixed for redemption. If such moneys are not received, such notice shall be of no force and effect, the County shall not redeem such Series 2013 Bonds, and the Bond Registrar shall give notice, in the same manner in which the notice of redemption shall have been given, that such moneys were not so received and that such Bonds will not be redeemed. Otherwise, prior to any such optional redemption date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Series 2013 Bonds or portions of such Bonds which are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the Series 2013 Bonds or portions of Series 2013 Bonds so to be redeemed shall, subject in the case of conditional notice of optional redemption to the receipt of moneys by the Paying Agent on or prior to the date fixed for optional redemption in an amount sufficient to pay the redemption price as stated in the preceding paragraph, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price), such Series 2013 Bonds or portions of Series 2013 Bonds shall cease to bear interest. Neither the failure to mail such redemption notice, nor any defect in any notice so mailed, to any particular registered owner, shall affect the sufficiency of such notice with respect to other Series 2013 Bonds. Notice having been properly given, failure of a registered owner to receive such notice shall not be deemed to invalidate, limit or delay the effect of the notice or redemption action described in the notice.

This bond is negotiable, subject to the following provisions for registration and registration of transfer. The County maintains books for the registration and registration of transfer of Series 2013 Bonds at the principal corporate trust office of U.S. Bank National Association, Chicago Illinois, the Bond Registrar and Authenticating Agent appointed in the Ordinance (the "**Bond Registrar**" and "**Authenticating Agent**"). This bond is registered on those books and transfer of this bond may be registered on those books only upon surrender of

this bond to the Bond Registrar by the registered owner or his or her attorney duly authorized in writing together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his or her duly authorized attorney. Upon surrender of this bond for registration of transfer, a new bond or bonds in the same aggregate principal amount will be issued to the transferee as provided in the Ordinance.

This bond may be exchanged, at the option of the registered owner, for an equal aggregate principal amount of bonds of any other authorized denominations upon surrender of this bond at the principal office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or his or her duly authorized attorney.

For every exchange or registration of transfer of this bond, the County or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge, other than one imposed by the County, required to be paid with respect to that exchange or transfer, and payment of that charge by the person requesting exchange or registration of transfer shall be a condition precedent to that exchange or registration of transfer. No other charge may be made by the County or the Bond Registrar as a condition precedent to exchange or registration of transfer of this bond.

The Bond Registrar will not be required to exchange or register the transfer of this bond (a) during the period from the close of business on the 15th day preceding an interest payment date on this bond to the opening of business on such interest payment date, or (b) after notice of redemption of this bond or any portion of this bond has been mailed, or (c) during the 15 days next preceding mailing of a notice of redemption of Series 2013 Bonds.

The County, the Paying Agent and the Bond Registrar may treat the registered owner of this bond as its absolute owner, whether or not this bond is overdue, for the purpose of receiving payment of the principal of or interest on this bond and for all other purposes, and neither the County, the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary. Payment of the principal of and interest on this bond shall be made only to its registered owner, and all such payments shall be valid and effective to satisfy the obligation of the County on this bond to the extent of the amount paid.

All conditions which by law must have existed or must have been fulfilled in the issuance of this bond existed and were fulfilled in compliance with law. Provision has been made for the levy and collection of a direct annual tax, in addition to all other taxes, sufficient to pay and discharge the principal of this bond at maturity and to pay interest on this bond as it falls due. The issuance of the Series 2013 Bonds by the County will not cause the County to exceed or violate any applicable limitation or condition respecting the issuance of bonds imposed by the laws of Illinois or by any ordinance or resolution of the County. The Series 2013 Bonds are issued for purposes for which the County is authorized by law to issue bonds.

This bond shall not be valid for any purpose unless and until the certificate of authentication on this bond shall have been duly executed by the Authenticating Agent.

IN WITNESS WHEREOF, The County of Kane, Illinois, by its County Board, has caused this bond to be executed by the manual signature of its County Board Chairman and the manual signature of its County Clerk and has caused its corporate seal to be affixed to or impressed on this bond (or a facsimile of its seal to be printed on this bond), all as of the Date of Series 2013 Bond specified above.

ILLINOIS

THE COUNTY OF KANE,

President

By: _____
County Board

[SEAL]

ATTEST:

County Clerk

[FORM OF CERTIFICATE OF AUTHENTICATION]

This bond is one of the bonds described in the Ordinance authorizing the issuance of General Obligation Bonds (Alternate Revenue Source), Series 2013, of The County of Kane, Illinois.

as Authenticating Agent

By: _____

Authorized Officer

[FORM OF ASSIGNMENT]

The following abbreviations, when used in the inscription on this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

UNIF GIFT MIN ACT - _____ Custodian
(Cust)
(Minor)

under Uniform Gifts to Minors Act

(State)

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with right of survivorship and not as
tenants in common

Additional abbreviations may also be used though not in the above list.

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does irrevocably constitute and appoint _____
attorney to transfer the said Bond on the books kept for registration thereof with full power of
substitution in the premises.

—

Dated:

Signature guaranteed:

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

NOTICE: The signature(s) should be guaranteed by an eligible guarantor institution (banks, stockbrokers, savings and loan associations and credit unions with membership in approved Signature Guarantee Medallion Program).

STATE OF ILLINOIS)
)
COUNTY OF KANE)

CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting County Clerk of The County of Kane, Illinois (the “**County**”), and that as such official I am the keeper of the records and files of the County Board (the “**County Board**”) of the County.

ORDINANCE AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF UP TO \$32,000,000 GENERAL OBLIGATION BONDS (ALTERNATE REVENUE SOURCE), SERIES 2013, OF THE COUNTY OF KANE, ILLINOIS, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE COUNTY’S OUTSTANDING (I) GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2002, (II) DEBT CERTIFICATES, SERIES 2005, AND (III) DEBT CERTIFICATES, SERIES 2006; AND PAYING RELATED COSTS AND EXPENSES; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES RECEIVED BY THE COUNTY; PROVIDING FOR THE LEVY OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE SERIES 2013 BONDS; PROVIDING PROCEDURES FOR THE ABATEMENT OF SUCH TAX BASED ON THE AVAILABILITY OF ALTERNATE REVENUES; DELEGATING TO AUTHORIZED OFFICERS THE AUTHORITY TO DETERMINE CERTAIN TERMS OF THE SERIES 2013 BONDS WITHIN PARAMETERS ESTABLISHED IN THIS ORDINANCE; AND PROVIDING FOR THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE SERIES 2013 BONDS; AND CONCERNING RELATED MATTERS.

which ordinance was duly adopted at that meeting by a roll call vote of ____ in favor and ____ against, with ____ abstentions and ____ absent. At said meeting a quorum was present and acting throughout. Said ordinance has not been amended or repealed and remains in full force and effect.

I further certify that: (a) the deliberations of the County Board on the adoption of said ordinance were conducted openly; (b) the vote on the adoption of said ordinance was taken openly; (c) the meeting was held at a specified time and place convenient to the public; (d) notice of said meeting was duly given to all of the news media requesting such notice; (e) said meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended, and the Illinois Counties Code, as amended; (f) the agenda for said meeting was posted publicly in compliance with the Open Meetings Act at least 48 hours prior to the convening of the meeting; and (g) in the adoption of said ordinance, the County Board has complied with all of the provisions of the Act and said Code and with all of the procedural rules of the County Board.

IN WITNESS WHEREOF, I affix my official signature and the official seal of the County as of this ____ day of March, 2012.

County Clerk,
The County of Kane, Illinois

[SEAL]

###

RESOLUTION #13-62

**ACCEPTING OBLIGATION DUE IMRF
(Makfire Azemi)**

WHEREAS, Makfire Azemi applied for and was granted a leave of absence from December 7, 2012 to February 1, 2013; and

WHEREAS, this employee desires to purchase 1 month of service credit with the Illinois Municipal Retirement Fund by paying her contribution plus interest.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that it agrees to accept the obligation due IMRF for employer contributions with interest thereon payable after the employee purchases the service credit.

BE IT FURTHER RESOLVED that the County's IMRF authorized agent is hereby directed to file a certified copy of this resolution with the Illinois Municipal Retirement Fund.

###

RESOLUTION #13-63

AUTHORIZING CONTRACT WITH ATTORNEYS FOR TRIAL CASES

WHEREAS, it is required by law that when the court determines the Public Defender would have a conflict of interest when representing certain indigent defendants, private counsel may be appointed to represent the defendants; and

WHEREAS, it is determined to be economically advantageous to enter into a contract at a fixed sum for legal assistance in defending such cases; and

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chief Judge of the Sixteenth Judicial Circuit is hereby authorized to contract with and appoint not less than three attorneys who are licensed to practice law in the State of Illinois to conduct trial work in felony, misdemeanor, and juvenile trial and juvenile appeal cases.

BE IT FURTHER RESOLVED that the compensation for each attorney be based upon their prior experience as prior trial counsel. The monthly salaries for each attorney for the calendar year 2013 are as follows: one at Two Thousand Six Hundred Ninety Dollars (\$2,690.00), one at Two Thousand Five Hundred Sixty Five Dollars (\$2,565.00), one at Two Thousand Three Hundred Fifty Dollars (\$2,350.00), and one at One Thousand Dollars (\$1,000.00).

BE IT FURTHER RESOLVED that there shall be an additional amount of Two Thousand Two Hundred Thirty Five Dollars (\$2,235.00) available for trial expenses to be paid to each attorney during the contract period subject to the approval of the Chief Judge.

BE IT ALSO FURTHER RESOLVED that the total of said contracts shall be paid from the General Fund 001, Department 240, Division 240, Line Item 50190 (Court Appointed Counsel Fees).

Line item	Line Item Description	Was personnel/item service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001-240-240-50190	Court Appointed Counsel	yes	yes	N/A

###

RESOLUTION #13-66

**APPROVING THE PURCHASE OF FOUR (4) SOLAR POWERED
CHANGEABLE MESSAGE BOARD SIGNS
KANE COUNTY DIVISION OF TRANSPORTATION**

WHEREAS, bids have been solicited and received for four (4) solar powered changeable message board signs for the Kane County Division of Transportation through the Joint Purchasing Program for the State of Illinois, Message Boards Contract; and

WHEREAS, KDOT utilizes changeable message board signs for roadway maintenance and construction; and

WHEREAS, the State of Illinois Message Board Contract for 2013 is with Signalisation Ver-Mac Inc. of Quebec, Canada at a cost of \$14,500.00 for each changeable message board sign; and

WHEREAS, KDOT desires to purchase four (4) changeable message board signs from the State of Illinois Joint Purchasing Program.

NOW, THEREFORE, BE IT RESOLVED that the Kane County Board authorizes the purchase of four changeable message board signs from Signalisation Ver-Mac, Inc. in the amount of Fourteen Thousand Five Hundred Dollars (\$14,500) each for a total price of Fifty Eight Thousand Dollars (\$58,000.00).

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Fifty Eight Thousand Dollars (\$58,000.00) to be paid from County Highway Fund # 300, Line Item #70110 (Machinery & Equipment) to pay for said equipment.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
300.520.520.70110	Machinery & Equipment	Yes	Yes	

###

RESOLUTION #13-67

**APPROVING A LICENSE AGREEMENT WITH CHICAGO CENTRAL & PACIFIC
RAILROAD
FOR KIRK ROAD / DUNHAM ROAD INTERCONNECT
KANE COUNTY SECTION NO. 10-00403-00-TL**

WHEREAS, the County of Kane is authorized by law, pursuant to Illinois Compiled Statutes, 605 ILCS 5/5-801 (1998), to acquire real property or other interests therein for highway purposes by negotiated purchase or eminent domain proceedings; and

WHEREAS, the County of Kane has developed plans for an electronic traffic signal interconnect system along Dunham Road (Section No. 10-00403-00-TL) which system needs to be installed across the railroad right of way of the Chicago Central and Pacific Railroad; and

WHEREAS, the Chicago Central and Pacific Railroad, the owner of the railroad right of way over which the County of Kane desires to install its signal interconnect system has agreed to grant to the County of Kane a license for said purpose for the sum of seven thousand dollars (\$7,000.00) and on the terms and conditions as contained and otherwise set forth in the License Agreement that is attached hereto as Exhibit "A" (a copy of which is on file in the office of the Kane County Clerk).

NOW, THEREFORE, BE IT RESOLVED that the County Board of Kane County approves the one-time license fee of Seven Thousand Dollars (\$7,000.00) be paid to Chicago Central and Pacific Railroad from Transportation Capital Fund No. 540, Line Item #73000 (Road Construction) and hereby authorizes the County Board Chairman to enter into a license agreement for the installation of the traffic signal interconnect system at the above stated sum with Chicago Central and Pacific Railroad.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
540.520.525.73000	Road Construction	Yes	Yes	

###

RESOLUTION #13-69

**APPROVING AN ENGINEERING SERVICES AGREEMENT
WITH COLLINS ENGINEERS, INC. FOR THE
2013 STRUCTURE SAFETY INSPECTIONS**

WHEREAS, engineering services are necessary to perform annual on-going inspections of various in-service bridge structures throughout Kane County (herein referred to as the "Project"); and

WHEREAS, the Project was developed through the Kane County Division of Transportation to ensure the safety of in-service bridges and is mandated by the Federal Surface Transportation Assistance Act of 1978; and

WHEREAS, in order to complete the Project, it is necessary to retain the services of a professional engineering firm to perform the mandated bridge inspections; and

WHEREAS, Collins Engineers, Inc. of 123 North Wacker Drive, Suite 900, Chicago, IL 60606 (hereinafter the "Engineer") has experience and professional expertise in bridge inspections and is willing to perform the required services needed for the Project for an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00), upon the terms and conditions as set forth in the Bridge Structures Inspection Services Agreement (a copy of which is on file with the County Clerk's Office); and

WHEREAS, the County has determined that it is in the County's best interest to enter into an agreement for the bridge inspection services Project with the Engineer.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Bridge Structures Inspection Services Agreement be awarded to Collins Engineers, Inc. of 123 North Wacker Drive, Suite 900, Chicago, Illinois 60606 and that the County Board Chairman is hereby authorized to execute said Agreement.

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Four Hundred Thousand Dollars (\$400,000.00) to pay for said bridge inspections services and that said funds be paid from County Bridge Fund No. 301, Line Item # 52100 (Bridge Inspection)

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
301.520.521.52100	Bridge Inspection	Yes	Yes	

###

RESOLUTION #13-70

**APPROVING CONTRACT FOR CONSTRUCTION
2013 COUNTY RESURFACING
KANE COUNTY SECTION NO. 13-00427-00-RS**

WHEREAS, the Kane County Division of Transportation has solicited and received bids for the work and/or construction described as:

**KANE COUNTY SEC. NO. 13-00427-00-RS
2013 COUNTY RESURFACING
(hereinafter the "Project")**

WHEREAS, the lowest responsible bidder for the Project is:

CURRAN CONTRACTING COMPANY OF CRYSTAL LAKE, ILLINOIS

with a low bid of
\$6,398,346.35

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that a contract for the Project described hereinabove shall be awarded to the lowest responsible bidder in the amount as indicated hereinabove and that the County Board Chairman is hereby authorized and directed to execute a contract and contractor's bond therefor.

BE IT FURTHER RESOLVED that there is hereby appropriated the sum of Six Million Three Hundred Ninety Eight Thousand Three Hundred Forty Six and 35/100 Dollars (\$6,398,346.35) from Local Option Fund #304, Line Item #52080 (Repairs & Maint. - Resurfacing) to pay for the Project.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
304.520.524.52080	Repairs & Maint. – Resurfacing	Yes	Yes	

###

RESOLUTION #13-71

**APPROVING SUPPLEMENTAL APPROPRIATION FOR CONSTRUCTION
NEW STEARNS ROAD OVER NORTH ARM OF BREWSTER CREEK
KANE COUNTY SECTION NO. 06-00214-08-BR**

WHEREAS, pursuant to Resolution No. 08-54, the Kane County Board previously appropriated Three Hundred Fifty Seven Thousand One Hundred Twenty Five and 95/100 Dollars (\$357,125.95) for the County's share of the construction costs of a new Stearns Road bridge over north arm of Brewster Creek, (hereinafter the "Project") which total cost therefor was estimated to be \$1,785,629.75; and

WHEREAS, due to an increase in construction costs to address foundation issues for the bridge, additional funds are required to complete the Project; and

WHEREAS, the County's share of said additional costs is Four Thousand One Hundred Eighty Four and 03/100 Dollars (\$4,184.03).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that there is hereby appropriated the additional sum of Four Thousand One Hundred Eighty Four and 03/100 Dollars (\$4,184.03) from Transportation Capital Fund #540, Line Item #73010 (Bridge Construction), Purchase Order No. 2008-272 for a total appropriation not to exceed Three Hundred Sixty One Thousand Three Hundred Nine and 98/100 (\$361,309.98).

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
540.520.525.73010	Bridge Construction	Yes	Yes	

###

RESOLUTION #13-72

**ACQUISITION OF HIGHWAY RIGHT-OF-WAY
STEARNS ROAD BRIDGE CORRIDOR – STAGE 3A
PARCEL NO. 1ST0241
KANE COUNTY SECTION NO. 98-00214-02-BR**

WHEREAS, the County of Kane is authorized by law, pursuant to Illinois Compiled Statutes, 605 ILCS 5/5-801 (1998), to acquire real property for highway purposes by negotiated purchase or eminent domain proceedings; and

WHEREAS, the County of Kane has developed right-of-way plans for the Stearns Road Bridge Corridor, Stage 3A, Kane County Section No. 98-00214-02-BR (now 06-00214-18-RP), (hereinafter the "Project") part of which is located on a state highway, namely Illinois State Route 25; and

WHEREAS, to successfully complete the Project, the Illinois Department of Transportation has filed an eminent domain action (IDOT v. Gary Steinhofer and Kevin Coll D/B/A K&G Properties et al, Gen No. 12 ED 31) in the Circuit Court of the Sixteenth Judicial Circuit to acquire Parcel No.1ST0241, legally described on Exhibit "A" attached hereto (a copy of which is on file in the office of the Kane County Clerk) and has entered a preliminary just compensation order in the amount of Two Hundred Seventy One Thousand Dollars (\$271,000.00) for said parcel which sum is required to be deposited with the Kane County Treasurer in order to acquire fee simple title thereto.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the County of Kane deposit with the Treasurer of Kane County under the case captioned IDOT v. Gary Steinhofer and Kevin Coll D/B/A K&G Properties et al, Gen No.12 ED 031 the sum of Two Hundred Seventy One Thousand Dollars (\$271,000.00) as preliminary just compensation for the acquisition of Parcel No. 1ST0241 to be paid from the Transportation Sales Tax Fund No. 305, Line Item No. 74010 (Highway Right-of-Way).

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.74010	Highway Right-of-Way	Yes	Yes	

EXHIBIT "A"

KANE COUNTY SECTION #98-00214-02-BR
PARCEL NO.: 1ST0241

That part of the West Half of Section 1, Township 40 North, Range 8 East of the Third Principal Meridian, more particularly described as: Commencing at the center of Section 1, according to the Monument Record 2003K125751; thence on an assumed bearing of South 88 degrees 18 minutes 05 seconds West, along the north line of the Southwest Quarter of said Section 1, a distance of 1268.39 feet to the centerline of an abandoned road formerly known as Clintonville Road; thence South 88 degrees 14 minutes 36 seconds East, along said centerline, a distance of 47.26 feet to the Point of Beginning; thence South 88 degrees 14 minutes 36 seconds East, along said centerline, a distance of 95.31 feet to southerly line of lands described in Document 93595; thence South 61 degrees 56 minutes 03 seconds West, along the easterly and southerly line of lands described in Document 93595, a distance of 111.95 feet; thence South 24 degrees 55 minutes 21 seconds West, continuing along said easterly and southerly line, a distance of 198.02 feet to the easterly Right of Way line of the railroad formerly known as the Chicago and Northwestern Transportation Company; thence North 45 degrees 45 minutes 50 seconds West, along said line, a distance of 352.02 feet to said centerline; thence South 88 degrees 14 minutes 36 seconds East along said centerline 208.53 feet; thence South 5 degrees 22 minutes 12 seconds East 59.25 feet; thence South 56 degrees 15 minutes 43 seconds East 30.87 feet; thence North 88 degrees 03 minutes 38 seconds East 33.14 feet; thence North 73 degrees 22 minutes 17 seconds East 34.16 feet; thence North 28 degrees 49 minutes 12 seconds East 69.88 feet to the Point of Beginning, all in the Township of St. Charles, Kane County, Illinois.
Said part contains 0.858 acres, more or less, of which 0.509 acres, more or less, were previously dedicated or used for highway purposes.

###

RESOLUTION #13-73

ACQUISITION OF HIGHWAY RIGHT-OF-WAY STEARNS ROAD BRIDGE CORRIDOR – STAGE 3A PARCEL NO. 1ST0066 AND PARCEL NO. 1ST0066TE KANE COUNTY SECTION NO. 98-00214-02-BR

WHEREAS, the County of Kane is authorized by law, pursuant to Illinois Compiled Statutes, 605 ILCS 5/5-801 (1998), to acquire real property for highway purposes by negotiated purchase or eminent domain proceedings; and

WHEREAS, the County of Kane has developed right-of-way plans for the Stearns Road Bridge Corridor, Stage 3A, Kane County Section No. 98-00214-02-BR (now 06-00214-18-RP) (hereinafter the "Project"), part of which is located on a state highway, namely Illinois State Route 25; and

WHEREAS, to successfully complete the part of the Project on the state highway, the Illinois Department of Transportation has filed an eminent domain action (IDOT v. Salvador Hernandez and Elvira Hernandez, Gen No. 12 ED 023) in the Circuit Court of the Sixteenth Judicial Circuit to acquire fee simple title to Parcel No. 1ST0066 and a temporary easement on Parcel No. 1ST0066TE, both legally described on Exhibit "A" attached hereto (a copy of which is on file in the office of the Kane County Clerk) and the Court has entered a preliminary just compensation order in the amount of Seventy Five Thousand Three Hundred Dollars

(\$75,300.00) for said parcels which sum is required to be deposited with the Kane County Treasurer in order to acquire the fee simple title thereto and the temporary easement thereon.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the County of Kane deposit with the Treasurer of Kane County under the case captioned IDOT v. Salvador Hernandez and Elvira Hernandez, Gen No.12 ED 023, the sum of Seventy Five Thousand Three Hundred Dollars (\$75,300.00) as preliminary just compensation for the fee simple acquisition of Parcel No. 1ST0066 and the temporary easement on Parcel No. 1ST0066TE to be paid from the Transportation Sales Tax Fund No. 305, Line Item No. 74010 (Highway Right-of-Way).

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.74010	Highway Right-of-Way	Yes	Yes	

EXHIBIT "A"

KANE COUNTY SECTION #98-00214-02-BR

PARCEL NO.: 1ST0066

That part of the Southwest Quarter of Section 1, Township 40 North, Range 8, East of the Third Principal Meridian, described as follows:

Commencing at the southwest corner of said Section 1; thence easterly along the South line of the Southwest Quarter of said Section 1 on an assumed bearing of North 88 degrees 16 minutes 35 seconds East, 895.99 feet (record 902 feet); thence North 32 degrees 39 minutes 13 seconds West, 894.19 feet to a point on the existing centerline of Illinois Route 25, said point also being the point of beginning; thence North 8 degrees 42 minutes 38 seconds East, 175.19 feet to the northerly line of lands described in Trustee's Deed recorded as Document Number 2001K107761; thence South 72 degrees 00 minutes 10 seconds East along said line, 77.84 feet; thence South 7 degrees 09 minutes 03 seconds West, 257.95 feet to the southerly line of land described in said Trustee's Deed; thence North 32 degrees 39 minutes 13 seconds West along said line, 126.88 feet to the point of beginning, in Kane County, Illinois.

Said part contains 0.395 acre, more or less, of which 0.145 acre, more or less, was previously dedicated or used for highway purposes.

PARCEL NO.: 1ST0066TE

That part of the Southwest Quarter of Section 1, Township 40 North, Range 8, East of the Third Principal Meridian, described as follows:

Commencing at the southwest corner of said Section 1; thence easterly along the South line of the Southwest Quarter of said Section 1 on an assumed bearing of North 88 degrees 16 minutes 35 seconds East, 895.99 feet (record 902 feet); thence North 32 degrees 39 minutes 13 seconds West, 894.19 feet to a point on the existing centerline of Illinois Route 25; thence North 8 degrees 42 minutes 38 seconds East, 175.19 feet to the northerly line of lands described in Trustee's Deed recorded as Document Number 2001K107761; thence South 72 degrees 00 minutes 10 seconds East along said line, 77.84 feet to the point of beginning; thence continuing South 72 degrees 00 minutes 10 seconds East along said line, 30.55 feet;

thence South 7 degrees 09 minutes 03 seconds West, 77.28 feet; thence South 82 degrees 50 minutes 57 seconds East, 30.00 feet; thence North 7 degrees 09 minutes 03 seconds East, 83.02 feet to the point of beginning, in Kane County, Illinois.
Said part contains 0.055 acre, more or less.

###

ROLL CALL on Consent Agenda as follows: (#13-50, #13-51, #13-52, #13-53, #13-54, #13-56, #13-58, #13-59, #13-60, #13-61, #13-62, #13-63, #13-66, #13-67, #13-69, #13-70, #13-71, #13-72, #13-73) **AYES:** Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Scheflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None
AYES: 24 NAYS: 0 ABSTENTIONS: 0
CONSENT AGENDA IS ADOPTED.

###

RESOLUTION #13-49

Motion by Kenyon, seconded by Smith that Resolution #13-49 be adopted.

AUTHORIZING NATURAL GAS UTILITY CONTRACT

WHEREAS, the current natural gas service contract is set to expire March 2013; and

WHEREAS, the utility company will not hold any quoted prices longer than the same business day; and

WHEREAS, the best method to purchase natural gas that has daily price fluctuations in a commodity market is through a process that allows real-time submittal and acceptance of the successful bid; and

WHEREAS, the established pricing model would provide the utility company with a standard format that would allow the County to determine its actual cost per therm, based on the "NYMEX Index" plus fixed basis.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Board is hereby authorized to award the contract for the purchase of natural gas, charging the costs thereof to various departments operational accounts consistent with the approved budget, for the period of April 2013 through March 2014.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
Various Budgeted Line Items	Natural Gas	Yes	Yes	N/A

Discussion by Kenyon to pull this Resolution from the Consent Agenda to show the 4-H members the process by which the County negotiates contracts. Discussion followed by Chris Rossman, Director of Purchasing.

AYES: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None **AYES:** 24 **NAYS:** 0
RESOLUTION #13-49 IS ADOPTED.

###

RESOLUTION #13-55

Motion by Castro, seconded by Kojzarek that Resolution #13-55 be adopted.

ACCEPTING ILLINOIS DEPARTMENT OF PUBLIC HEALTH VACCINE FOR CHILDREN COMPLIANCE VISIT GRANT

WHEREAS, the Illinois Department of Public Health has awarded the Kane County Health Department a FY13 grant in the amount of \$45,000 for the term January 1, 2013 to thru December 31, 2013; and

WHEREAS, the purpose of the grant is to help assure the appropriate stewardship of vaccines for children.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to enter into said grant with Illinois Department of Public Health.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
350.580.000.33900	Miscellaneous Grants	No	No	
350.580.581.40000	Salaries & Wages	Yes	Yes	
350.580.581.45000	Healthcare	Yes	Yes	
350.580.581.45010	Dental	Yes	Yes	
350.580.581.45100	FICA	Yes	Yes	
350.580.581.45200	IMRF	Yes	Yes	
350.580.581.53000	Liability Insurance	Yes	Yes	
350.580.581.53010	Workers' Comp	Yes	Yes	
350.580.581.53020	Unemployment	Yes	Yes	
350.580.581.53120	Employee Mileage	Yes	Yes	

Health Department Fund

350.580.000.33900	Miscellaneous Grant Revenue	\$45,000.00
350.580.581.40000	Salaries & Wages	32,029.30
350.580.581.45000	Health	3,235.68
350.580.581.45010	Dental	1,060.80
350.580.581.45100	FICA	2,450.24
350.580.581.45200	IMRF	3,817.07
350.580.581.53000	Liability Insurance	768.70
350.580.581.53010	Worker's Comp	800.73
350.580.581.53020	Unemployment	92.88
350.580.581.53120	Employee Mileage	744.60

Discussion by Kenyon to pull this Resolution from the Consent Agenda to educate the 4-H members about Health grants. Discussion by Barbara Jeffers, Director of the Kane County

Health Department. **AYES:** Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None **AYES:** 24 **NAYS:** 0

RESOLUTION #13-55 IS ADOPTED.

###

ORDINANCE #13-57

Motion by Allen, seconded by Taylor that Ordinance #13-57 be ordained.

**REPEALING SEC. 2-196(a) OF THE KANE COUNTY CODE
AND REPLACING IT WITH A NEW SEC. 2-196 (a)
(DEPOSITORIES FOR FUNDS OF COUNTY TREASURER/COLLECTOR)**

WHEREAS, David J. Rickert, Treasurer and ex-officio Collector of the County of Kane, State of Illinois, pursuant to Statutory authority, has requested this County Board to designate a bank, banks or other depository in which the funds or monies in his custody as County Treasurer and ex-officio Collector of this County may be deposited:

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Section 2-196(a) of the Kane County Code shall be repealed and that it is hereby replaced with a new Sec. 2-196(a) which shall read as follows:

Sec. 2-196. Depositories for funds of the County Treasurer/Collector.

- (a) The following are hereby designated depositories for County Funds and monies which are in custody of David J. Rickert, Treasurer and ex-officio County collector of the County of Kane:

AURORA TOWNSHIP

- Associated Bank
- Bank of America
- Bank of Montgomery
- BMO Harris Bank
- Earthmovers Credit Union
- Fifth Third Bank
- First American Bank
- First Merit Bank
- First State Bank
- Fox Valley Credit Union
- JP Morgan Chase Bank
- Kane County Teacher’s Credit Union
- Marquette Bank
- MB Financial
- Old Second Bank Corp
- PNC Bank
- Popular North America
- U.S. Bank
- West Suburban Bank

BATAVIA TOWNSHIP

- American Bank & Trust

- Bank of America
- BMO Harris Bank
- Fifth Third Bank
- First State Bank
- JP Morgan Chase Bank
- Old Second Bank Corp
- PNC Bank

GENEVA TOWNSHIP

- American Bank & Trust
- Bank of America
- BMO Harris Bank
- Fifth Third Bank
- First American Bank
- First State Bank
- Inland Bank & Trust
- JP Morgan Chase Bank
- Kane County Teachers Credit Union
- Old Second Bank Corp
- St. Charles Bank & Trust
- State Bank of Geneva
- The Private Bank & Trust
- U.S. Bank

ST. CHARLES TOWNSHIP

American Bank & Trust
Bank of America
BMO Harris Bank
Fifth Third Bank
First American Bank
First State Bank
JP Morgan Chase Bank
MB Financial
Old Second Bank Corp
PNC Bank
RBS Citizens Charter One
St. Charles Bank & Trust
The Private Bank & Trust Co.
U. S. Bank
West Suburban Bank

BLACKBERRY TOWNSHIP

American Bank & Trust
Fifth Third Bank
National Bank & Trust of Sycamore
Old Second Bank Corp

ELGIN TOWNSHIP

American Eagle Bank
Associated Bank
Bank of America
BMO Harris Bank
Fifth Third Bank
First American Bank
First Community Bank
First Federal Savings Bank
JP Morgan Chase Bank
Kane County Teachers Credit Union
Old Second Bank Corp
PNC Bank
RBS Citizens Charter One
St. Charles Bank & Trust
State Bank of Illinois
THE National Bank
U.S. Bank
West Suburban Bank

DUNDEE TOWNSHIP

Bank of America
BMO Harris Bank
Fifth Third Bank
First American Bank
JP Morgan Chase Bank
PNC Bank
Parkway Bank

U.S. Bank

HAMPSHIRE TOWNSHIP

Fifth Third Bank
First American Bank
Old Second Bank Corp

SUGAR GROVE TOWNSHIP

Castle Bank
JP Morgan Chase Bank
Old Second Bank Corp
West Suburban Bank

RUTLAND TOWNSHIP

BMO Harris Bank
Castle Bank
JP Morgan Chase Bank
PNC Bank

KANEVILLE/VIRGIL TOWNSHIP

American Bank & Trust
Old Second Bank Corp

BURLINGTON TOWNSHIP

Old Second Bank Corp

OTHERS

Suburban Bank & Trust Company
Vining Sparks IBG, L.P.
The Illinois Funds
The National Bank & Trust
Zing Card Payment Systems

AYES: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Taylor, Vazquez, Wojnicki **NAYS:** None **ABSTENTIONS:** Hoscheit, Kenyon

AYES: 22 **NAYS:** 0 **ABSTENTIONS:** 2

ORDINANCE #13-57 IS ORDAINED.

###

ORDINANCE #13-64

Motion by Smith, seconded by Frasz that Ordinance #13-64 be ordained.

AMENDING APPENDIX C OF THE KANE COUNTY CODE - LIQUOR LICENSES

WHEREAS, it is necessary to amend Appendix C of the Kane County Code to add a new Class AR liquor license for Weddings, Parties & Banquets, Inc. in Dundee Township.

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that the allowable number of liquor licenses in Kane County be fixed as follows:

Township	CLASS AR	CLASS AP	CLASS AW	CLASS C	CLASS C-1	CLASS D	CLASS D-1	CLASS E	CLASS G
Aurora	0	0	0	1	0	0	0	4	0
Batavia	0	0	0	1	0	0	0	0	0
Big Rock	0	0	0	0	0	0	0	0	0
Blackberry	1	1	0	0	0	0	0	0	3
Burlington	0	0	0	0	0	0	0	0	0
Campton	0	0	1	0	0	0	0	0	0
Dundee	0 1	0	0	0	0	0	0	0	0
Elgin	0	0	0	0	0	0	0	1	0
Geneva	1	0	0	1	0	1	1	0	0
Hampshire	0	0	0	0	0	0	0	0	0
Kaneville	0	0	0	0	0	0	0	0	0
Plato	0	0	0	0	0	0	0	0	0
Rutland	0	0	0	0	0	0	0	1	0
St. Charles	0	1	0	0	0	0	0	0	1
Sugar Grove	1	1	0	0	0	0	0	0	1
Virgil	1	0	1	0	0	0	0	3	0

This Ordinance shall be in full force and effect from and after its passage.

Smith requested the name of the establishment. Barbara Garza indicated the name is: Weddings, Parties & Banquets, Inc., the Old Milk Pail.

COUNTY BOARD MINUTES – March 12, 2013

AYES: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None **AYES:** 24 **NAYS:** 0
ORDINANCE #13-64 IS ORDAINED.

###

RESOLUTION #13-65

Motion by Laesch, seconded by Taylor that Resolution #13-65 be adopted.

DESIGNATING ILLINOIS POISON PREVENTION MONTH

WHEREAS, all citizens of Kane County should be made aware of the ever-present dangers posed by potentially harmful substances in their home, work and play environments; and

WHEREAS, children too often have access to over the counter and prescription medications and potentially harmful household products; and

WHEREAS, for more than 50 years, the nation has been observing National Poison Prevention Week (NPPW), the Illinois Poison Center celebrates March as Illinois Poison Prevention Month (IPPM) to help prevent unintentional poisonings and to share tips for promoting community involvement in poison prevention; and

WHEREAS, in 2013, the Illinois Poison Center, the oldest and one of the largest poison centers in the nation, will be celebrating its 60th year of providing poison prevention and treatment recommendations to the people of Illinois; and

WHEREAS, the Illinois Poison Center is a mainstay in the emergency medical care system of the State of Illinois and is recognized nationally for its contributions to poison treatment and prevention; and

WHEREAS, nearly 50 percent of the 77,000 poisonings reported last year to the Illinois Poison Center involved children under the age of five and which most could have been prevented; and

WHEREAS, more than 90 percent of the exposure calls received from the public are treated over the phone, quickly and safely by experienced, expert staff of the poison center rather than in an emergency room.

NOW, THEREFORE, BE IT RESOLVED that we, the Kane County Board, urge all to recognize March 2013 as POISON PREVENTION MONTH IN KANE COUNTY, and congratulates the Illinois Poison Center for providing outstanding public education and treatment advice to the State of Illinois and Kane County for 60 years.

Discussion by Frasz to elaborate on poison prevention. Barbara Jeffers comments that we have the oldest Poison Control Centers in the country, celebrating its 60th year.

AYES: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None **AYES:** 24 **NAYS:** 0
RESOLUTION #13-65 IS ADOPTED.

COUNTY BOARD MINUTES – March 12, 2013

RESOLUTION #13-68

Motion by Kenyon, seconded by Haimann, that Resolution #13-68 be adopted.

**APPROVING A PHASE II ENGINEERING
AND PHASE III CONSTRUCTION ENGINEERING SERVICES AGREEMENT
WITH HANSON PROFESSIONAL SERVICES, INC. FOR
WAYSIDE HORN SYSTEMS
KANE COUNTY SECTION NO. 12-00426-00-FL**

WHEREAS, Phase II Engineering and Phase III Construction Engineering services are needed for the proposed construction of Wayside Horn System installation at the Union Pacific Railroad at grade intersections with County Highway No. 81 (commonly known as LaFox Road) and Brundige Road in Blackberry Township (herein referred to as the "Improvement"); and

WHEREAS, in order to accomplish the Improvement, it is necessary to retain the services of a professional engineering firm to provide Phase II and Phase III Engineering services therefor; and

WHEREAS, Hanson Professional Services, Inc., 815 Commerce Drive, Suite 200, Oak Brook, IL 60523-8750, has experience and professional expertise in Phase II and Phase III Engineering and is willing to perform the required services for an amount not to exceed Sixty Three Thousand Dollars (\$63,000.00) as set forth in the Phase II and Phase III Engineering services agreement (a copy of which is on file with the County Clerk's Office).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute a Phase II and Phase III Engineering services agreement with Hanson Professional Services, Inc.

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Sixty Three Thousand Dollars (\$63,000.00) from County Highway Fund #300, Line Item #50140 (Engineering Services) to pay for said Phase II and Phase III Engineering services for the Improvement with \$63,000 thereof to be reimbursed to the County from a Department of Commerce and Economic Opportunity grant

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
300.520.520.50140	Engineer Services	Yes	Yes	

Discussion by Kenyon and Frasz.

COUNTY BOARD MINUTES – March 12, 2013

AYES: Allan, Auger, Barreiro, Castro, Davoust, Donahue, Ford, Frasz, Gillam, Haimann, Hoscheit, Kenyon, Kojzarek, Laesch, Lewis, Molina, Pollock, Schefflow, Silva, Smith, Starrett, Taylor, Vazquez, Wojnicki **NAYS:** None **AYES:** 24 **NAYS:** 0

RESOLUTION #13-68 IS ADOPTED.

APPOINTMENTS

- Request for Candidates

Chairman Lauzen requested recommendations from the Board Members for individuals for various appointments. Vasquez asked if the Chairman will have a task force to implement the process. Chairman Lauzen responded by stating he will be appointing a selection panel, establishing criteria, going through an open collection of resumes, interviewing finalists and then making a recommendation.

Discussion by Ford that Carl Schoedel, P.E., Director of Transportation, Kane County, was named County Engineer of the Year.

EXECUTIVE SESSION – (None)

SPEAKERS: (Non-Agenda Items)

Wojnicki discussed how the 4-H Government Day Program will progress after the adjournment of the County Board Meeting. The County Board members will become part of the audience and the 4-H members will have a “mock” Board Meeting. Under discussion will be the topic: Should local government manage large predators, such as the coyote? A short luncheon will be held at the University of Illinois Extension Office.

10:55 Hoscheit leaves.

ADJOURNMENT

There being no further business, motion by Haimann, seconded by Kojzarek, that the meeting stand adjourned until the April, 2013 scheduled meeting. Motion carried unanimously by voice vote. Chairman Lauzen adjourned the meeting at 11:04 a.m.