

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION ALTERNATE REVENUE SOURCE BONDS OF THE COUNTY OF JACKSON, ILLINOIS, FOR THE PURPOSE OF FINANCING VARIOUS REMODELING, REPAIRS AND REHABILITATION**

**PREAMBLES**

**WHEREAS**, the County Board (the “**Corporate Authorities**”) of the County of Jackson, Illinois (the “**County**”) by an initial authorizing ordinance, adopted November 10, 2010 determined that it was advisable, necessary and in the best interests of the County’s public health, safety and welfare to finance the acquisition, construction, and installation of facilities and improvements constituting: sheriff phone system rewiring, courthouse/jail elevator, courthouse and annex and jail lighting, jail roof, probation/public defender office, jail southeast corner rehabilitation and rehab/care windows, and related facilities, improvements and costs (the “**2010 Project**”) and determines that it is advisable, necessary and the best interests of the County’s public health, safety and welfare to revise and modify the 2010 Project to be as follows: the acquisition, construction and installation of facilities and improvements, as follows: **Jackson County Courthouse**: replacement and modernization of mechanical systems (heating and air); upgrades and improvements to lighting and elevator; exterior and site improvements for accessibility compliance (sidewalks and illumination); capital building and renovations (courtrooms); **Jackson County Jail**: upgrades and improvements to lighting, elevator and phone systems; additions and renovations to jail; **Jackson County Annex**: upgrades and improvements to lighting, and related facilities, improvements and costs (collectively, the “**Project**”); and

**WHEREAS**, the County operates in accordance with the provisions of the Counties Code [Section 5/1-1001 *et seq.* of Chapter 55 of the Illinois Compiled Statutes, as supplemented and amended, including by the Local Government Debt Reform Act (collectively, the “**Act**”)], and is entitled to receive a certain distributive revenue a share of proceeds of the: (i) Retailers’ Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes (collectively, “**General Sales Taxes**”); general property tax receipts and other general revenues (collectively, “**General Revenues**”); and (iii) under the American Recovery and Reinvestment Act of 2009 35% and/or 45% direct payment interest subsidy payments (federal “**Interest Payments**”), imposed, collected, received and distributed pursuant to applicable law; and

**WHEREAS**, on December 30, 2010 the County issued (collectively, the “**2010 Bonds**”) \$1,374,000 taxable recovery zone economic development bonds, \$1,496,000 taxable build America bonds and \$130,000 taxable bonds to finance the 2010 Project, with respect to which the County will apply the proceeds therefrom to the Project, anticipating that no new bonds are to be issued and that this ordinance, as supplements and amended, is to provide the technical authority for such application to the extent the Project differs from the 2010 Project; and

**WHEREAS**, the estimated cost of the Project, including necessary interest, design, legal, financial, bond discount, printing and publication costs and other expenses preliminary to and in connection with the Project is anticipated not to exceed the sum of \$3,000,000, which is to be paid from proceeds of the outstanding 2010 Bonds, issued as alternate bonds, being general obligation in lieu of revenue bonds as authorized by Section 15 of the Local Government Debt Reform Act; and

**WHEREAS**, costs of the Project are expected to be paid from available funds therefor and from present proceeds from the 2010 Bonds, to be payable from one or more of Sales Taxes, General Revenues and Interest Payments, and issued pursuant to the Act, and one or more ordinances supplemental to this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF JACKSON, ILLINOIS, as follows:**

**Section 1. Incorporation of Preambles and Determination to Issue Bonds.** The Corporate Authorities hereby find that all of the recitals contained in the preambles to this ordinance are true, complete and correct and hereby incorporate them into this Section 1 of this ordinance by this reference thereto. It is necessary and in the best interests of the County to undertake the Project for the public health, safety and welfare, and that for the purpose of financing the Project there were issued and sold, general obligation bonds (Sales Taxes and/or General Revenues and/or Interest Payments alternate revenue sources) of the County in an aggregate principal amount up to but in any event not to exceed \$3,000,000. The alternate revenue source to pay debt service on the 2010 Bonds is receipts of one or more of Sales Taxes, General Revenues and Interest Payments.

**Section 2. Publication and Notice.** After the adoption and approval of this ordinance by the Corporate Authorities, this ordinance, preceded by the notice hereinafter described, shall be published in a newspaper (as described in the Notice by Publication Act) published in Jackson County, Illinois, and of general circulation within the County, and if no petition, signed by not less than the number of electors of the County being equal to the greater of (i) 7.5% of the registered voters within the County or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the Project (as revised from the 2010 Project) be undertaken and of authorizing proceeds of the 2010 Bonds to pay the costs of the Project be submitted to the electors of the County, is filed with the County Clerk within thirty (30) days after the date of the publication of this ordinance, preceded by a notice conforming with the provisions of the Local Government Debt Reform Act, then this ordinance shall be in full force and effect and the Bonds shall be authorized to be issued. If such a petition is filed, an election on the question shall be held as set forth in a form of notice complying with Section 15 of the Local Government Debt Reform Act and not inconsistent with this ordinance, and this ordinance shall not become effective until such question shall have been duly approved by a majority of the votes cast on the question at the election held as set forth in such form of notice. The County Clerk shall have available and provide a form of petition to any person requesting one. The County Clerk shall give notice of the foregoing provisions as set forth in substantially the form of such notice as is presented before the meeting of the Corporate Authorities at which this ordinance is adopted, subject to completion and modification to conform with the Local Government Debt Reform Act.

**Section 3. Additional Ordinances.** If no petition meeting the requirements of applicable law is filed as provided above in Section 2, or if the question is approved as above set forth, then the Corporate Authorities in accordance with and pursuant to the Act may adopt additional ordinances or other proceedings supplemental to or amending this ordinance, at one time or from time to time, providing for the application of proceeds of the alternate 2010 Bonds as set forth above. Such additional or supplemental ordinances or other proceedings shall in all instances become effective in accordance with applicable law; and this ordinance, together with such supplemental and additional ordinances or other proceedings, shall constitute complete authority for the application of the alternate 2010 Bonds under applicable law.

**Section 4. Severability and Repealer.** If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision

shall not affect any of the other provisions of this ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Upon motion by Board Member William Alstat, seconded by Board Member Allen Cissell, adopted, this 8<sup>th</sup> day of June, 2011, by roll call vote, as follows.

Voting "yes" (names): William Alstat; Orval Rowe; Mark Holt; Will Stephens;

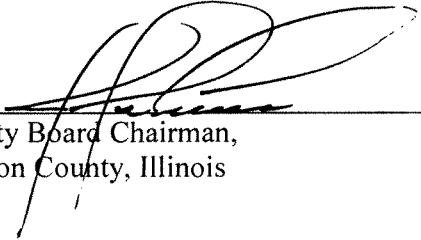
A. Darnecea Moultrie; Allen Cissell; John Rendleman; and John Evans

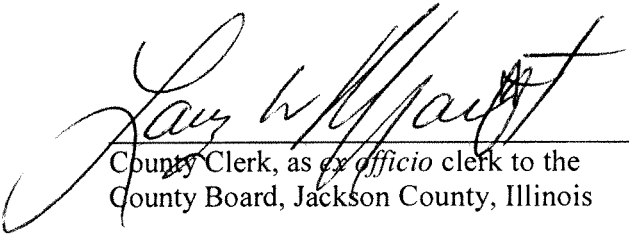
Voting "no" (names): Daniel Bost

Other (names): Frank Puttman; Julie Peterson; Gerald Compton

Approved: June 8, 2011:

Attest:

  
\_\_\_\_\_  
County Board Chairman,  
Jackson County, Illinois

  
\_\_\_\_\_  
County Clerk, as *ex officio* clerk to the  
County Board, Jackson County, Illinois

(form of notice)