KENOSHA COUNTY BOARD OF SUPERVISORS COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING June 19, 2012

The Regular Meeting was called to order by Chairman Gentz at 7:30 p.m., in the County Board Room located in the Administration Building.

Roll call was taken.

Present: Supervisors Grady, Rose, Gentz, Montemurro, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, R. Frederick, Nudo, Kohlmeier, B. Frederick, Molinaro, Esposito, Noble, A. Johnson, Skalitzky, Underhill, Breunig, Decker, Elverman.

Excused: Supervisor Arrington.

Present: 22. Excused: 1.

CITIZEN COMMENTS

Aaron Petroski, 1709 69th St, Josh Tammayo, 1138 87th Ave., Greg Retzlaff, 3919 4th St., Jackie Plauck, 8722 Lakeshore Dr., Dan Hunt, Pleasant Pr., Ron Dahlaberg, 5703 Sprinbrook Rd., Glenn E.L. Petroski, 6829 23rd Ave, Mike Wilbourn, 7904 104th Ave., all spoke against Resolution 19 regarding the advisory tax levv.

There were no Announcements of the Chairman.

SUPERVISOR REPORTS

Supervisor Rose reported a group from the county went to Chicago to appear before committees of Standard & Poors and Moodys regarding the county's bond ratings. The group was headed by our County Executive, Finance Director, Budget Director, President of Kenosha Area Business Alliance, County Executive's Assistant, County Board Chairman and Himself. Both agencies continued the previous rating; Standard & Poors: AA and Moodys:Aa1. These are right below the top rating of each agency. Kenosha County has the best rating of all governments in Kenosha County. The reports have been distributed to the board and are available to the general public. We should be proud of how good the ratings are.

Supervisor Breunig reported the Department of Administration, Division of Housing is changing the distribution method of the 2012 Block Grant Housing Funds. The Southeast Wisconsin Regional Consortium will consist of Sauk, Columbia, Dodge, Washington, Ozaukee, Jefferson, Rock, Walworth, Racine and Kenosha Counties with Columbia being the lead county. Planning, Development and Extension Education will bring forward a resolution to authorize Kenosha County to cooperate in this consortium. These funds are used to purchase homes that are in the Fox River floodplain. She also stated Planning, Development and Extension Education had their first paperless meeting and would like the County Board meetings to also become paperless. The post office doesn't always deliver the packets on time.

Supervisor Skalitzky stated he did not get his packet so was unable to review it. He agrees with Supervisor Breunig regarding paperless packets for the county board.

NEW BUSINESS

Resolutions - one reading

RESOLUTION 14

14. From Human Services Committee and Finance/Administration Committee a Resolution To Modify Division of Aging & Disability Services 2012 Budget to Add Office of Justice Assistance Award.

WHEREAS, the Kenosha County Department of Human Services, Division of Aging and Disability Services has received an award of \$35,493 from the State of Wisconsin Office of Justice Assistance to provide Crises Intervention Team training for local law enforcement officials to help de-escalate interventions involving persons with mental illness; and

WHEREAS, the Division of Aging and Disability Services will reimburse trainers and those attending to the extent approved in the award: and

WHEREAS, no additional County Levy is required;

NOW, THEREFORE, BE TI RESOLVED that the kenosha County Department of Human Services, Division of Aging and Disability Services 2012 budget be modified as follows: Authorize increase of expenditures of \$35,493 and to increase revenues by \$35,493, per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Human Services Committee	Finance/Administration Committee
Dayvin Hallmon	Terry Rose
Boyd Frederick	Ronald Frederick
Anita Johnson	John O'Day
Erin Decker	Aaron Kohlmeier
Angelina Montemurro	Edward Kubicki
Gabe Nudo	Mark Molinaro, Jr
	William Grady

It was moved by Supervisor Hallmon to adopt Resolution 14. Seconded by Supervisor Rose. Roll call vote passed unanimously.

RESOLUTION 15

From Finance/Administration Committee a Resolution Awarding the Sale of \$2,810,000 General 15 Obligation County Building Bonds, Series 2012A.

WHEREAS, on November 10, 2010, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-fourths of the members-elect, adopted a resolution entitled "Initial Resolution Authorizing the Issuance of General Obligation Bonds in an Amount Not to Exceed \$5,620,000 for County Building Improvements" (the "Initial Resolution") authorizing the issuance of general obligation bonds for the public purpose of financing restoration, repair and improvement projects at the Molinaro Building and Courthouse and acquiring furnishings, fixtures and equipment (the "Project"); and

WHEREAS, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such purpose; and

WHEREAS, on August 9, 2011, the County issued its \$2,810,000 General Obligation County Building Bonds, Series 2011B, for the purpose authorized in the Initial Resolution; and

WHEREAS, on May 15, 2012, the County Board of Supervisors of the County adopted a resolution providing that the remaining general obligation bonds authorized by the Initial Resolution (the "Bonds") in an amount not to exceed \$2,810,000 be offered for public sale; and

WHEREAS, the County has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as <u>Exhibit A</u> and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on June 19, 2012;

WHEREAS, the County Clerk (in consultation with Ehlers) caused notice of the sale of the Bonds to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as <u>Exhibit B</u> and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County that the Bonds be issued in the aggregate principal amount of \$2,810,000.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

<u>Section 2. Terms of the Bonds</u>. The Bonds shall be designated "General Obligation County Building Bonds, Series 2012A"; shall be issued in the aggregate principal amount of \$2,810,000; shall be dated July 11, 2012; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as <u>Exhibit D-1</u> and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2013. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as <u>Exhibit D-2</u> and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on June 1, 2021 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2020 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as <u>Exhibit MRP</u> and incorporated herein by this reference.

<u>Section 4.</u> Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as <u>Exhibit E</u> and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2012 through 2031 for the payments due in the years 2013 through 2032 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$2,810,000 General Obligation County Building Bonds, Series 2012A, dated July 11, 2012" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates,

circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

<u>Section 11. Payment of the Bonds; Fiscal Agent</u>. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

<u>Section 14. Utilization of The Depository Trust Company Book-Entry-Only System</u>. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

<u>Section 15. Payment of Issuance Expenses</u>. The County authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

<u>Section 18. Record Book</u>. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

SUBMITTED BY: Finance/Administration Committee Terry Rose Ronald Frederick John O'Day William Grady Edward Kubicki Mark Molinaro, Jr. It was moved by Supervisor Rose to

It was moved by Supervisor Rose to adopt Resolution 15. Seconded by Vice-chair Kubicki. Roll call vote passed unanimously.

RESOLUTION 16

16. From Finance/Administration Committee a Resolution Awarding the Sale of \$16,075,000 General Obligation Promissory Notes, Series 2012B.

WHEREAS, on November 10, 2010, the County Board of Supervisors of Kenosha County, Wisconsin (the "County"), by a vote of more than three-fourths of the members-elect, adopted resolutions entitled: (i) "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$14,100,000 for Road and Highway Improvements" (the "Highway Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$14,100,000 for the public purpose of acquiring property or interests in property and constructing, improving and extending roads and highways, and (ii) "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$1,825,000 for Fiber Optic Communications System" (the "Communications System Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$1,825,000 for the public purpose of acquiring property or interests in property or interests in property and installing and extending a fiber optic communications system; and

WHEREAS, on August 9, 2011, the County issued its \$10,030,000 General Obligation Promissory Notes, Series 2011A, which consisted in part of \$1,350,000 for the purpose authorized in the Highway Initial Resolution and \$915,000 for the purpose authorized in the Communications System Initial Resolution; and

WHEREAS, on November 8, 2011, the County Board of Supervisors, by a vote of more than threefourths of the members-elect, adopted a resolution entitled: "Initial Resolution Authorizing the Issuance of General Obligation Promissory Notes in an Amount Not to Exceed \$8,651,259 for Budgeted Capital Projects and Kenosha Area Business Alliance Grant" (the "Capital Projects Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$8,651,259 for public purposes, consisting of acquisition, demolition, construction, repair and improvement projects included in the County's Capital Improvement Budget and financing a grant to the Kenosha Area Business Alliance revolving Ioan program; and

WHEREAS, on May 15, 2012, the County Board of Supervisors of the County adopted a resolution providing that general obligation promissory notes in an amount not to exceed \$12,740,000 (consisting of an amount not to exceed \$3,188,741 for the purpose authorized in the Highway Initial Resolution, in an amount not to exceed \$900,000 for the purpose authorized in the Communications System Initial Resolution and an amount not to exceed \$8,651,259 for the purposes authorized in the Capital Projects Initial Resolution) be offered for public sale;

WHEREAS, the projects authorized by the Highway Initial Resolution, the Communications System Initial Resolution and the Capital Projects Initial Resolution are collectively referred to herein as the "Projects";

WHEREAS, on May 15, 2012, the County Board of Supervisors also adopted a resolution authorizing the issuance and providing for the sale of general obligation promissory notes in an amount of approximately \$3,350,000 for the public purpose of refunding obligations of the County, including interest on them, specifically, the 2016 through 2018 maturities of the General Obligation Promissory Notes, Series 2008B, dated December 18, 2008 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the County has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the County's general obligation promissory notes (the "Notes") to pay costs of the Projects and the Refunding;

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as <u>Exhibit A</u> and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on June 19, 2012;

WHEREAS, the County Clerk (in consultation with Ehlers) caused notice of the sale of the Notes to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as <u>Exhibit B</u> and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the County. Ehlers has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the County now deems it to be necessary, desirable and in the best interests of the County that the Notes be issued in the aggregate principal amount of \$16,075,000, consisting of \$3,188,741 for the purpose authorized in the Highway Initial Resolution, \$885,000 for the purpose authorized in the Communication Systems Initial Resolution, \$8,651,259 for the purposes authorized in the Capital Projects Initial Resolution, and \$3,350,000 for the Refunding.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers in connection with the preparation and distribution of the Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying costs of the Projects and the Refunding, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SIXTEEN MILLION SEVENTY-FIVE THOUSAND DOLLARS (\$16,075,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue,

and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

<u>Section 2. Terms of the Notes</u>. The Notes shall be designated "General Obligation Promissory Notes, Series 2012B"; shall be issued in the aggregate principal amount of \$16,075,000; shall be dated July 11, 2012; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as <u>Exhibit D-1</u> and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2013. Interest shall be computed upon the basis of a 360-day year of twelve 30day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as <u>Exhibit D-2</u> and incorporated herein by this reference (the "Schedule").

Section 2A. Designation of Maturities. For purposes of State law, the Notes of this issue which mature first are designated as being issued to refund the Refunded Obligations in the order in which the debt evidenced by said obligations was incurred so that the Notes of the earliest maturities are considered to refund the debt which was incurred first, and the remaining balance of the Notes is designated as being issued to pay costs of the Projects.

Section 3. Redemption Provisions. The Notes maturing on June 1, 2020 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2019 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

<u>Section 4. Form of the Notes</u>. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as <u>Exhibit E</u> and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2012 through 2021 for the payments due in the years 2013 through 2022 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$16,075,000 General Obligation Promissory Notes, Series 2012B, dated July 11, 2012" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in

time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. In order to accomplish the purposes for which the Notes are issued, proceeds of the Notes shall be transferred to the Escrow Account, as provided in Section 17 hereof. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Notes or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing

disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

<u>Section 11. Payment of the Notes; Fiscal Agent</u>. The principal of and interest on the Notes shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

<u>Section 14. Utilization of The Depository Trust Company Book-Entry-Only System</u>. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

<u>Section 17. Escrow Agent; Escrow Agreement; Escrow Account</u>. Associated Trust Company, National Association, Green Bay, Wisconsin, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the Refunded Obligations (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form attached hereto as <u>Exhibit F</u> (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Note Proceeds allocable to refunding the Refunded Obligations shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Note Proceeds and any other necessary funds allocable to refunding the Refunded Obligations to the Escrow Account, the taxes heretofore levied to pay debt service on the Refunded Obligations shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Refunded Obligations, but such abatement shall not affect the County's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking)

fund account for the Refunded Obligations. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

<u>Section 18. SLGS Subscriptions</u>. The Escrow Agent and Ehlers are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and to purchase other U.S. government securities on behalf of the County in such amount as is necessary in order to carry out the Refunding.

<u>Section 19. Redemption of the Refunded Obligations</u>. The Refunded Obligations are hereby called for prior payment and redemption on December 1, 2014 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the Escrow Agent appointed above to cause timely notice of redemption, in substantially the form attached to the Escrow Agreement (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

<u>Section 20. Record Book</u>. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 21. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 22. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

SUBMITTED BY: Finance/Administration Committee Terry Rose Ronald Frederick John O'Day William Grady Edward Kubicki Mark Molinaro, Jr.

It was moved by Supervisor Rose to adopt Resolution 16. Seconded by Supervisor Grady.

Roll call vote passed unanimously

RESOLUTION 17

17. From Finance/Administration Committee a Resolution to defund and leave unfilled the position of Sanitarian Aide and add and fund a Public Health Technician in the Division of Health.

WHEREAS, The Division of Health proposed a division reorganization which was approved in the 2012 budget resolution; and

WHEREAS, in that reorganization the position Public Health Technician was included in the Non-Classified Employee Pay Plan as an entry level position placed in wage range AA; and

WHEREAS, the incumbent Sanitarian Aide, a position in the health department is included in the 990 Clerical collective bargaining agreement, has left county employment; and

WHEREAS, replacing the Sanitarian Aid with a Public Health Technician will result increase management flexibility and reduce employment costs; and

WHEREAS, the Finance/Administration Committee of the Kenosha County Board of Supervisors has reviewed and endorses defunding and leaving vacant the Sanitarian Aide position and replacing that position with a Public Health Technician;

NOW, THEREFORE BE IT RESOLVED, that the position Sanitarian Aid be defunded and unfilled and replaced in the Division of Health by a Public Health Technician.

SUBMITTED BY: Finance/Administration Committee Terry Rose Ronald Frederick John O'Day William Grady Aaron Kohlmeier Edward Kubicki

Mark Molinaro, Jr.

It was moved by Supervisor rose to adopt Resolution 17. Seconded by Vice-chair Kubicki. Motion carried.

RESOLUTION 18

18. From Finance/Administration Committee a Resolution to Change Health Benefit Policy for Registered Nurses.

It was moved by Supervisor Rose to adopt Resolution 18. Seconded by Supervisor R. Frederick.

It was moved by Supervisor Elverman to defer Resolution 18 to the next county board meeting. Seconded by Supervisor Breunig. It was agreed by Supervisors Elverman and Breunig to instead refer Resolution 18 back to committee.

It was moved by Supervisor Grady to call the question on the referral of Resolution 18. Seconded by Supervisor O'Day.

Motion carried.

Motion carried on referral of Resolution 18 back to committee.

RESOLUTION 19

19. From Finance/Administration Committee an Authorizing Resolution 2013 Kenosha County Budget – Advisory Levy Objective.

It was moved by Supervisor Rose to adopt Resolution 19. Seconded by Supervisor Molinaro.

It was moved by Supervisor Skalitzky to amend Resolution 19 replace "property tax levy shall increase in an amount not to exceed 2.5%" with "property tax levy shall decrease by 2.5%". Seconded by Supervisor Decker.

It was moved by Supervisor Rose to refer Resolution 19 back to committee. Seconded by Vice-chair Kubicki.

Roll call vote.

Aye: Supervisors Grady, Rose, Gentz, Dodge, Kubicki, Hallmon, R. Johnson, O'Day, R. Frederick, B. Frederick, Molinaro, A. Johnson, Underhill, Breunig, Elverman.

Nay: Supervisors Montemurro, Nudo, Kohlmeier, Esposito, Noble, Skalitzky, Decker.

Aye: 15. Nay: 7.

Motion carried

RESOLUTION 20

20. From Finance/Administration Committee a Resolution to Approve the Appointment of Ronald Johnson to Serve on the Kenosha County Library System Board.

WHEREAS, pursuant to County Executive Appointment 2012/13-4, the County Executive has appointed Ronald Johnson to serve on the Kenosha County Library System Board; and

WHEREAS, the Finance & Administration Committee has reviewed the County Executive request review and approval of his appointment of the above named to serve in this position and is recommending to the County Board the approval of this appointment; and

NOW, **THEREFORE**, **BE IT RESOLVED**, that the Kenosha County Board of Supervisors approve the appointment of Ronald Johnson to serve on the Kenosha County Library System Board immediately upon passage of this resolution and continuing until the 31st day of December, 2013 or until a successor is appointed and confirmed by the County Board of Supervisors. Mr. Johnson will serve without pay. Mr. Johnson will be succeeding himself and has attended 4 out of 6 meetings during his last term. The 2 meetings he missed were excused.

SUBMITTED BY:

Finance/Administration Committee Terry Rose Ronald Frederick John O'Day William Grady Edward Kubicki Mark Molinaro, Jr.

It was moved by Supervisor Rose to adopt Resolution 20. Seconded by Supervisor O'Day. Motion carried.

RESOLUTION 21

21. From Judiciary & Law Committee a Resolution regarding the Activity Control License – Country Thunder East, LLC.

WHEREAS, pursuant to Chapter 8.01 of the Municipal Code of Kenosha County, the Sheriff's Department received the application from Kent Underwood, for an Activity Control License for Country Thunder East, LLC, 2305 Lance Drive, Twin Lakes, Wisconsin, in the Town of Randall, made during the month of May, 2012 and

WHEREAS, the Sheriff's Department has reviewed the documentation of the applicant, and

WHEREAS, an actual physical inspection of said property indicates that all items that could be, have been complied with pursuant to Chapter 8.01 of the Municipal Code of Kenosha County.

NOW, THEREFORE BE IT RESOLVED, by the Kenosha County Board of Supervisors that an Activity Control License for Country Thunder East, LLC be granted to Kent Underwood for the dates of July 19th, 2012 through July 22nd, 2012.

SUBMTTED BY: Judiciary & Law Committee Daniel Esposito Ronald Johnson

Boyd Frederick David Arrington

Anita Johnson

Angelina Montemurro

Douglas Noble

It was moved by Supervisor Esposito to adopt Resolution 21. Seconded by Supervisor B. Frederick.

Motion carried. COMMUNICATION

3. Communication from George E. Melcher regarding future items scheduled before the Planning, Development & Extension Education Committee.

Chairman Gentz referred Communication 3 to the Planning, Development, Extension Education Committee. It was moved by Supervisor Decker to adjourn. Seconded by Supervisor A. Johnson. Meeting adjourned at 8:04 p.m.

Prepared by: Edie LaMothe Deputy Clerk Submitted by: Mary Schuch-Krebs **County Clerk**