

**KENOSHA COUNTY BOARD OF SUPERVISORS
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING
September 21, 2010**

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

Present: Supervisors Grady, Rose, Goebel, Hallmon, Grulich, J. Gentz, Arrington, R. Frederick, Johnson, Michel, O'Day, Singer, B. Frederick, Kohlmeier, Molinaro, Esposito, Clark, Noble, Underhill, Decker, Breunig, Elverman, Ekornaas.

Excused: Supervisors Zerban, Celebre, Kubicki, G. Gentz, Haas.

Present: 23.

Excused: 5.

CITIZEN COMMENTS

Steve LaMothe, 2211 116th St. stated he was hired by Kenosha County June 1998 and is one of the 14 laid off Highway Department employees. They've been told the State cut funding to the Highway Department and that is the reason for the lay-offs. He feels the County Executive is using these lay-offs as leverage in Local 70's contract negotiations. He stated the County Executive is playing a very dangerous game with the lives of the very people who trusted him and put him into office. Comparing this summer to previous years, the obvious neglect of the roads and ditches, and the growing amount of trash along the roadways is not only an eyesore, but creates hazardous conditions. He wonders who will be accountable when lives are lost due to improperly graveled road edges, lack of visibility at intersections, and debris on roadways. He stated he and 13 of his co-workers were blindsided and laid off last June with no notice and only 12 days of Health Insurance. They were not given severance pay or several months of Health Insurance as he understands the I.S. Employees were given when they were laid off. When he received notice of his lay-off, he asked Bob Riedl if he would be called back if anyone retired. He was told he would be called back. Someone did retire and has been off the payroll for over a month and he has not been called back. He would like straight answers from the County Executive as to what exactly is their future with Kenosha County. Some of the employees who are laid off are hurting both financially and emotionally.

Mark Montague, 7835 36th Ave., stated he is part of the Highway Department employees and President of Local 70. They were told there was some severe funding difficulties and they were instructed that when the total deficit was recouped they would be able to bring the laid off employees back to work. Several people have given him some information on the math; from June 18th to September 10th the numbers are \$268,867 the county has saved and should be able to plug that hole. He would be happy to sit down with somebody and discuss this. Local 70 has always been willing to work along with the department and with management. As an example they were asked to sign a memorandum of understanding which has to do with a prevailing wage job for repaving on Hwy 158. This memorandum of understanding was needed because the prevailing wage law is handcuffing counties like us who do our own work in and out of the county which brings in more revenue. They haven't seen the memorandum back from the county with management's signatures. This bid they were able to obtain will bring the county another \$275,000 in revenue. The union is trying, and need to get the 14 guys back to work.

Ed Sinnen, 5217 41st Ave., stated he knows that over the years of the Parks and Highways, some of the departments have been in the red quite a bit of times. There is no reason why some funding can't be moved into Highway like it has been done for other departments in the past. In his opinion this is just a way to stick it to them because of their contract. To lay-off employees to save money is one thing, but to take the Health Insurance away is taking their lives away. He begged Jim Kreuser to give them their Health Insurance back immediately since the county has already saved enough money to cover the loss. He personally has been hit the hardest because his wife is literally on her deathbed. Trying to get any Doctors to help is impossible without Health Insurance. He is not sure how much longer his wife will be able to make it and again be begged Jim Kreuser to give them their Health Insurance back as soon as possible.

ANNOUNCEMENTS OF THE CHAIRMAN

Chairman Molinaro reminded the supervisors the WCA Conference opens on Sunday evening and due to some health issues in his family he may not be in attendance. He also stated Mr. Melcher will be presented the 2010 Friend and Advocate Award for UW Colleges and UW Extension. He deserves this recognition and our recognition and appreciation goes out to George. Everyone should have received their new email address and instructions on how to access it. If anyone has any trouble they may contact the County Clerk or the I.S. Department. A week ago Thursday and Friday a contingent of Kenosha County Representatives went to Chicago on the annual bond rating trip. They made presentations to Moodys and well as Standard and Poors. Kenosha County's good bond rating has been maintained by both rating agencies. Kenosha County has made good decisions in who we partner with which includes Todd Battle, KABA and Ehlers and Associates and Mike Harrigan. He also thanked Joe Clark, Chairman of the Finance Committee and has continued confidence in all that Joe brings to the county particular to the Finance Committee. On the supervisor's desks is the schedule for the 2011 Budget Hearings. He urged all supervisors to attend as many of these hearings as possible. The county budget will be presented at the next county board meeting. They toured the new addition of the Emergency Services Center; our dispatch center is second to none in his opinion. It is everything they hoped for and more. There was not a single call lost or interrupted during their transition.

SUPERVISOR REPORTS

Supervisor Grady reported on October 2nd there will be a Fall Wheel Ride. This is a family friendly event that everyone can get together and show their interest bicycle riding. Monday October 4th 5:30 p.m. is the Committee meeting for Building & Grounds and they will be meeting at Kemper Center. They are going to tour two of the buildings on the grounds. One of them is the Children's Place and Bishop's Quarters. These are older buildings not in very good repair at the moment. He wants the committee to see these buildings to apprise themselves of the condition of these two buildings so they can be aware of what any future may hold for these. Wednesday October 6th at 11:00 a.m. there will be a walkthrough of the Public Safety Building Emergency Service Center. Any supervisor interested can attend either event.

Supervisor J. Gentz stated the Emergency Service Center transfer went off at 4:45 a.m. the day before without a hitch. He is really proud of the people that worked in making that effort possible.

Supervisor Breunig stated she attended her first SWRPC meeting on Wednesday, September 15th. They were given a briefing on the regional water supply system plan for the southeastern Wisconsin that highlighted the research that's been done over the past 10 years including the 5 year study, the recommendations and alternatives. Anyone with any questions about the plan can contact Supervisor Breunig.

Supervisor Clark stated the county executive will be making the budget presentation at the next county board meeting. After that the various different committees will have their budget hearings. Hopefully that is where the heavy lifting on the budget takes place. Recommendations and changes will then come to the Finance Committee. We will be having a very challenging budget this year. On the supervisors desk there is a general fund update. The audited fund balance at the end of the year was 6.277 million. That is higher than anticipated. They are anticipating the general fund reserves will go from 6.2 million down to 6.1 million. There has been a million dollar shortfall in sales tax; we have loss of revenue in tipping fees, dog track along with other various items. It appears we will have a surplus on our health insurance again this year. The Sheriff's Department is projecting a million dollar surplus on the federal inmate money. Another thing that went a long way to help balance this budget is the \$1,000,000 in funds that were found by either new revenues or cuts. It is quite an accomplishment that Kenosha County has been able to hold and maintain their bond ratings with everything that is happening. Last year Kenosha County acted as a conduit for the YMCA as far as bonding and funding which allowed them to get a better interest rate. One of the requirements by the county was that we receive an annual audit. They are in good financial standings based on the audit. At the last Finance meeting they received the Brookside census of the newly created Admissions Coordinator. The budget called for 25 Medicare beds, which are the highest paying beds, this

year to date the average is 26.1. Private pay was budgeted at 46 but is averaging 40.4. Medicaid was budgeted at 82 and is at 84.5. Overall the targeted revenue through June 30 should be 50% of our budget we were at 49.6 so we are very close to budget in terms of revenues. Kenosha County is required to purchase all the delinquent tax certificates from all the municipalities in Kenosha County. The certificates outstanding last year were 3600 totaling 7.9 million in delinquencies. The certificates that were issued this year were 3400 however the delinquency number has went up to 8.1 million. At the bond rating trip there was a presentation regarding the analysis of the delinquencies. What that analysis concludes is that within three years we collect approximately 98-99% of all those delinquencies. When the delinquencies turn around our general fund should increase. The Public Safety budget is within budget. They had contingency dollars available. At the last couple of county board meetings there have been reports from laid off employees. It is troubling for him to see this and hopes both sides get together and resolve this.

At this time Todd Battle from KABA gave an Economic Update.

COUNTY EXECUTIVE APPOINTMENTS

29. Carolyn Budwick to serve on the Kenosha County Library System Board.

Chairman Molinaro referred County Executive Appointment 29 to Finance Committee.

30. Cynthia Johnson to serve as the Director of the Kenosha County Division of Health.

Chairman Molinaro referred County Executive Appointment 30 to Human Services Committee.

NEW BUSINESS

Resolutions - one reading.

RESOLUTION 54

54. From Finance Committee regarding Initial Resolution Authorizing the Issuance of Taxable General Obligation Refunding Bonds in an Amount of Approximately \$7,325,000 and Providing for the Sale of the Bonds.

WHEREAS, the County Board of Supervisors of Kenosha County, Wisconsin (the "County") has determined that the County is in need of an amount of approximately \$7,325,000 for the public purpose of refunding obligations of the County, including interest on them, specifically: refunding the County's outstanding Taxable General Obligation Refunding Bonds, Series 2003A, dated March 1, 2003, maturing in the years 2013 through 2022 (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding"); and

WHEREAS, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to refund outstanding obligations; and

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation bonds should be issued in an amount of approximately \$7,325,000 for the purpose described above, and it is now necessary and desirable to authorize their sale; and

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such bonds on a taxable rather than tax-exempt basis.

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

Section 1. Authorization of the Bonds. For the purpose of paying costs of the Refunding, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, a principal amount of approximately SEVEN MILLION THREE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$7,325,000) from a purchaser to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation bonds aggregating a principal amount of approximately THREE MILLION SEVEN HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$7,325,000), which bonds shall be designated "Taxable General Obligation Refunding Bonds" (the "Bonds"). The County shall offer the Bonds for public sale at a subsequent meeting of the County Board of Supervisors.

Section 3. Notices of Sale. The County Clerk (in consultation with the County's financial advisor, Ehlers & Associates, Inc.) shall cause a Notice of Sale to be prepared and distributed and may prepare or cause to be prepared an Official Statement or other form of offering circular setting forth the details of the Bonds.

Section 4. Award of the Bonds. Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds; to award the Bonds to the lowest responsible bidder therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 5. 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 Committee

Joseph Clark

Jeff Gentz

Fred Ekornaas

David Singer

It was moved by Supervisor Clark to adopt Resolution 54. Seconded by Supervisor J. Gentz.

Roll call vote passed unanimously.

RESOLUTION 55

55. From Finance Committee regarding Resolution Awarding the Sale of \$12,325,000 Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment)

WHEREAS, on September 16, 2008, 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 Promissory Notes in an Amount Not to Exceed \$2,700,000 for Road Improvements" (the "September 2008 Initial Resolution") authorizing the issuance of general obligation promissory notes in an amount not to exceed \$2,700,000 for the public purpose of paying the cost of road improvements;

WHEREAS, on November 10, 2009, the County Board, 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 or Promissory Notes in an Amount Not to Exceed \$10,975,000 for Budgeted Capital Projects" (the "November 2009 Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$10,975,000 for public purposes, consisting of construction, acquisition and improvement projects set forth in the County's Capital Budget including constructing, extending, repairing and improving streets, roads and bridges; construction, improvement and maintenance projects at various County buildings and sites; information systems projects; and acquiring land, vehicles, equipment, furnishings and fixtures;

WHEREAS, on December 11, 2009, the County issued its Taxable General Obligation Promissory Notes, Series 2009C (Build America Bonds - Direct Payment), \$1,350,000 in principal amount of which were issued to finance projects authorized by the September 2008 Initial Resolution;

WHEREAS, on August 17, 2010, the County Board of Supervisors of the County adopted a resolution providing that general obligation promissory notes (the "Notes") in an amount not to exceed \$12,325,000 (consisting of the remaining \$1,350,000 for the purpose authorized in the September 2008 Initial Resolution and \$10,975,000 for the purposes authorized in the November 2009 Initial Resolution) be offered for public sale;

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

WHEREAS, Ehlers, in consultation with the officials of the County, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A 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 September 21, 2010;

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 Exhibit B 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;

WHEREAS, it is the finding of the County Board of Supervisors that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Notes to be qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Notes, payable to the County by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, because the County Board of Supervisors will designate the Notes to be qualified Build America Bonds, the interest on the Notes will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

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. Award of the Notes. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, 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.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment)"; shall be issued in the aggregate principal amount of \$12,325,000; shall be dated September 30, 2010; 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 September 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2011. 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 Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. (a) Optional Redemption: The Notes maturing on September 1, 2018 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on September 1, 2017 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.

(b) Extraordinary Redemption: The Notes shall be subject to redemption prior to maturity, in whole or in part, at the option of the County, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that an Extraordinary Event occurs.

An "Extraordinary Event" will have occurred if either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the County's 35% cash subsidy payment from the United States Treasury or (b) the United States Treasury fails to make a cash subsidy payment to which the County is entitled and such failure is not caused by any action or inaction by the County.

(c) Mandatory 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.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E 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 2010 through 2019 for the payments due in the years 2011 through 2020 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 \$12,325,000 Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment), dated September 30, 2010" (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 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) all Direct Payments (defined below) received by the County; 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 Code and any applicable 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 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. 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.

Section 8. Qualified Build America Bond Designation; Irrevocable Election; Compliance with Federal Tax Laws. (a) The Notes are hereby irrevocably designated qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code, and the County hereby irrevocably elects to apply Subsection 54AA(g) of the Code to the Notes. The County represents that all Note Proceeds, less costs of issuance financed with such Note Proceeds (which costs shall be in an amount not to exceed 2% of such Note Proceeds) plus all income from temporary Permitted Investments with respect to such Note Proceeds ("Available Project Proceeds") shall be used only for capital expenditures. The County acknowledges that among the requirements for the Notes to qualify and continue to qualify as qualified Build America Bonds is that the Notes, but for their qualified Build America Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Notes. The County hereby covenants to comply with such requirements.

(b) The County thus further represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes 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 qualified Build America Bond status of 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 the Notes to lose their status as qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code and the Regulations.

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.

(c) 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.

(d) 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. Qualified Build America Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Notes as provided under Subsection 54AA(g)(1) of the Code ("Direct Payments"). Bond Trust Services Corporation, Roseville, Minnesota, is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of such Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. All Direct Payments received by the County shall be promptly deposited in the Debt Service Fund Account and used for no other purpose than as provided in Section 6 of this Resolution.

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.

Section 11. Payment of the Notes; Fiscal Agent. 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.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. 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. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the proceeds of the Notes 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 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 17. 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") 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).

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.

Section 18. Record Book. 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 19. 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 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 Committee
Joseph Clark
Jeff Gentz
Fred Ekornaas
David Singer

It was moved by Supervisor Clark to adopt Resolution 55. Seconded by Supervisor Singer.

Roll call vote passed unanimously.

RESOLUTION 56

56. From Finance Committee Awarding the Sale of \$10,435,000 Taxable General Obligation Public Safety Building Bonds (Build America Bonds - Direct Payment)

WHEREAS, on July 14, 2009, 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 or Promissory Notes in an Amount Not to Exceed \$15,345,000 for Public Safety Building II Projects and Remodeling and Improvement Projects at the Existing Public Safety Building" (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes for the public purpose of paying the cost of constructing and equipping a project identified as "Public Safety Building II," building a third floor addition thereto and constructing and upgrading the mechanical systems and remodeling and improvement projects at the existing Public Safety Building (the "Project");

WHEREAS, on December 11, 2009, the County issued its \$4,910,000 Taxable General Obligation Public Safety Building Bonds, Series 2009B (Recovery Zone Economic Development Bonds) to finance a portion of the Project authorized by the Initial Resolution;

WHEREAS, on August 17, 2010, the County Board of Supervisors of the County adopted a resolution providing that general obligation bonds (the "Bonds") in an amount not to exceed the remaining \$10,435,000 for the purpose authorized in the Initial Resolution be offered for public sale;

WHEREAS, the County has directed its financial advisor, 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 Exhibit A 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 September 21, 2010;

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 Exhibit B 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;

WHEREAS, it is the finding of the County Board of Supervisors that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Bonds to be qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Bonds, payable to the County by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, because the County Board of Supervisors will designate the Bonds to be qualified Build America Bonds, the interest on the Bonds will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

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, 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.

Section 2. Terms of the Bonds. The Bonds shall be designated "Taxable General Obligation Public Safety Building Bonds (Build America Bonds - Direct Payment)"; shall be issued in the aggregate principal amount of \$10,435,000; shall be dated September 30, 2010; 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 September 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2011. 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 Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. (a) Optional Redemption: The Bonds maturing on September 1, 2019 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on September 1, 2018 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.

(b) Extraordinary Redemption: The Bonds shall be subject to redemption prior to maturity, in whole or in part, at the option of the County, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that an Extraordinary Event occurs.

An "Extraordinary Event" will have occurred if either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the County's 35% cash subsidy payment from the United States Treasury or (b) the United States Treasury fails to make a cash subsidy payment to which the County is entitled and such failure is not caused by any action or inaction by the County.

(c) Mandatory 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 Exhibit MRP and incorporated herein by this reference.

Section 4. 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 Exhibit E 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 2010 through 2029 for the payments due in the years 2011 through 2030 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 \$10,435,000 Taxable General Obligation Public Safety Building Bonds (Build America Bonds - Direct Payment), dated September 30, 2010" (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) all Direct Payments (defined below) received by the County; 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 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 Code and any applicable 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 purposes for which borrowed. 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.

Section 8. Qualified Build America Bond Designation; Irrevocable Election; Compliance with Federal Tax Laws. (a) The Bonds are hereby irrevocably designated qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code, and the County hereby irrevocably elects to apply Subsection 54AA(g) of the Code to the Bonds. The County represents that all Bond Proceeds, less costs of issuance financed with such Bond Proceeds (which costs shall be in an amount not to exceed 2% of such Bond Proceeds) plus all income from temporary Permitted Investments with respect to such Bond Proceeds ("Available Project Proceeds") shall be used only for capital expenditures. The County acknowledges that among the requirements for the Bonds to qualify and continue to qualify as qualified Build America Bonds is that the Bonds, but for their qualified Build America Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Bonds. The County hereby covenants to comply with such requirements.

(b) The County thus further represents and covenants that the projects financed by the Bonds and their ownership, management and use 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 qualified Build America Bond status of 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 the Bonds to lose their status as qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code and the Regulations. 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.

(c) 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.

(d) 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. Qualified Build America Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Bonds as provided under Subsection 54AA(g)(1) of the Code ("Direct Payments"). Bond Trust Services Corporation, Roseville, Minnesota, is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of such Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. All Direct Payments received by the County shall be promptly deposited in the Debt Service Fund Account and used for no other purpose than as provided in Section 6 of this Resolution.

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.

Section 11. Payment of the Bonds; Fiscal Agent. 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.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. 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.

Section 15. Payment of Issuance Expenses. 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") 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).

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.

Section 18. Record Book. 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 insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds 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 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 Committee

Joseph Clark

Jeff Gentz

Fred Ekornaas

David Singer

It was moved by Supervisor Clark to adopt Resolution 56. Seconded by Supervisor Singer.

Roll call vote passed unanimously.

RESOLUTION 57

57. From Highway and Parks Committee a Resolution to Approve the Appointment of Roger Johnson to the Kenosha County Traffic Safety Commission.

WHEREAS, pursuant to County Executive Appointment 2010/11-28, the County Executive has appointed Roger Johnson to serve on the Kenosha County Traffic Safety Commission, and

WHEREAS, the Highway and Parks Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the Kenosha County Traffic Safety Commission and is recommending to the County Board the approval of this appointment,

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors confirms the appointment of Roger Johnson to the Kenosha County Traffic Safety Commission. Roger Johnson's appointment shall be effective immediately and continuing until the 1st day of August, 2013 or until a successor is appointed by the County Executive and confirmed by the County Board of Supervisors. Roger Johnson will serve without pay.

SUBMITTED BY:

Highway & Parks Committee

Dennis Elverman

Gail Gentz

Michael Underhill

It was moved by Supervisor Elverman to adopt Resolution 57. Seconded by Supervisor Underhill.

Motion carried.

RESOLUTION 58

58. From Highway and Parks and Finance Committee a Resolution to Discontinue a Portion of Springbrook Court.

WHEREAS, Springbrook Court is a dead end highway classified as a County Trunk Highway Service Road and under the jurisdiction of Kenosha County, and

WHEREAS, all property adjacent to a portion of Springbrook Court is owned by one corporation and the corporation supports the discontinuance of a portion of the highway, and

WHEREAS, the Village of Pleasant Prairie has requested Kenosha County to discontinue a portion of Springbrook Court located west of 39th Avenue, which has been designated in part a public highway easement, and

WHEREAS, Village of Pleasant Prairie Board of Trustees adopted Resolution #10-32 supporting Kenosha County's discontinuance of a portion of Springbrook Court, and

WHEREAS, a Plat of Survey and legal description of the highway easement right of way encompassing a portion of Springbrook Court is attached as Exhibit 1 to this Resolution, and

WHEREAS, the Village has been working for several years to develop a Conceptual Master Plan to promote economic development in a new Village downtown referred to as the Village Green Center generally located north of State Trunk Highway 165, and west of County trunk Highway "EZ", which incorporates the referenced easement and right of way, and

WHEREAS, the proposed development includes a proposed project involving an approximately 40,352 square foot, three story Innovation Center, parking areas and plaza which are identified as major components of the Village Green Center commercial downtown. The primary function of the Innovation Center would be to accommodate start-up and early technology firms concentrating in the life science, bio-technology and bio-medical industries.

NOW, THEREFORE, BE IT RESOLVED that Kenosha County hereby discontinues and vacates the easement involving a portion of Springbrook Court as described on Exhibit 1 attached to this Resolution and the underlying property reverts to the adjacent owner of lands as required in Wisconsin Statutes 66.1005, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Kenosha County Highway Commissioner has the authority to execute any documents necessary to execute the highway discontinuance and vacation contained in this resolution.

SUBMITTED BY:

Highway & Parks Committee	Finance Committee
Dennis Elverman	Joseph Clark
Gail Gentz	Jeff Gentz
Michael Underhill	David Singer
	Fred Ekornaas

It was moved by Supervisor Elverman to adopt Resolution 58. Seconded by Clark.

Motion carried.

RESOLUTION 59

59. From Highway and Parks and Finance Committee a Resolution to Transfer Ownership of a Portion of Springbrook Court Right of Way.

WHEREAS, Kenosha County is discontinuing and vacating a portion of Springbrook Court so the highway right of way of Springbrook Court serves no useful purpose to Kenosha County, and

WHEREAS, a portion of the highway right of way of Springbrook Court is owned by Kenosha County, and

WHEREAS, the Village of Pleasant Prairie has requested Kenosha County to transfer to the Village of Pleasant Prairie fee interest of the Kenosha County owned land adjacent to Springbrook Court, and

WHEREAS, Village of Pleasant Prairie Board of Trustees adopted Resolution #10-32 supporting Kenosha County's fee interest transfer of a portion of Springbrook Court, and

WHEREAS, a Plat of Survey and legal description of the Kenosha County owned right of way encompassing a portion of Springbrook Court is attached as Exhibit 1 to this Resolution, and

WHEREAS, the Village has been working for several years to develop a Conceptual Master Plan to promote economic development in a new Village downtown referred to as the Village Green Center generally located north of State Trunk Highway 165, and west of County trunk Highway "EZ", which incorporates the referenced Kenosha County owned right of way, and

WHEREAS, the proposed development includes a proposed project involving an approximately 40,352 square foot, three story Innovation Center, parking areas and plaza which are identified as major components of the Village Green Center commercial downtown. The primary function of the Innovation Center would be to accommodate start-up and early technology firms concentrating in the life science, bio-technology and bio-medical industries.

NOW, THEREFORE, BE IT RESOLVED that the Kenosha County Board of Supervisors hereby approves the transfer of ownership of right of way to the Village of Pleasant Prairie as described on Exhibit 1 attached to this Resolution and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Kenosha County Highway Commissioner has the authority to execute any documents necessary to execute the transfer of highway right of way fee interest contained in this resolution.

SUBMITTED BY:

Highway & Parks Committee	Finance Committee
Dennis Elverman	Joseph Clark
Gail Gentz	Jeff Gentz
Michael Underhill	David Singer
	Fred Ekornaas

It was moved by Supervisor Elverman to adopt Resolution 59. Seconded by Supervisor Clark.
Motion carried.

RESOLUTION 60

60. From Land Use Committee regarding Request to Approve the Appointment of Attorney Dean R. Troyer to the Kenosha County Zoning Board of Adjustments.

WHEREAS, pursuant to County Executive Appointment 2010/11-26, the County Executive has appointed Attorney Dean R. Troyer to serve on the Kenosha County Zoning Board of Adjustments; and

WHEREAS, the Land Use Committee has reviewed the request of the County Executive for confirmation of his appointment of the above-named to serve on the Kenosha County Zoning Board of Adjustments and is recommending to the County Board the approval of the appointment.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors confirms the appointment of Attorney Dean R. Troyer to the Kenosha County Zoning Board of Adjustments. Mr. Troyer's appointment shall be effective immediately and continue until the 30th day of June 2015 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Mr. Troyer will receive a per diem along with mileage reimbursements and will be succeeding William Glembocki.

SUBMITTED BY:

Land Use Committee
Daniel Esposito
Michael Underhill
Erin Decker

It was moved by Supervisor Esposito to adopt Resolution 60. Seconded by Supervisor Decker.

COMMUNICATION

9. From George E. Melcher, Director of Planning & Development regarding future rezonings.

Chairman Molinaro referred Communication 9 to the Land Use Committee.

CLAIMS

15. Lea M. Koos - injured in motor vehicle accident.

16. Edward J. Bednar - injured in motor vehicle accident.

17. Thomas Vitrano - denied medical treatment while incarcerated

Chairman Molinaro referred Claims 15 - 17 to Corporation Counsel.

It was moved by Supervisor Noble to approve the September 7, 2010 minutes. Seconded by Supervisor Singer.

It was moved by Supervisor Clark to adjourn. Seconded by Supervisor Michel.
Motion carried.

Meeting adjourned at 8:50 p.m.

Prepared by: Edie LaMothe
Deputy Clerk

Submitted by: Mary Schuch-Krebs
County Clerk