

# Lake Land College Board of Trustees



RESOLUTION NUMBER: 0117-038

DATE: 1-9-17

RESOLUTION setting forth and describing in detail claims heretofore authorized and allowed for proper community college purposes which are presently outstanding and unpaid, declaring the intention to avail of the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended, and to issue bonds for the purpose of paying claims against Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois, and directing that notice of such intention be published as provided by law.

\* \* \*

WHEREAS, pursuant to the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended (the “Act”), the Board of Trustees (the “Board”) of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois (the “District”), is authorized to issue bonds to pay claims against the District; and

WHEREAS, the District has presently outstanding and unpaid claims in the aggregate amount of \$1,330,000 (the “Claims”), all of the Claims having been heretofore authorized and allowed for proper community college purposes; and

WHEREAS, there are not sufficient funds on hand and available with which to pay the Claims, and the Board of Trustees of the District has determined and does hereby determine that

it is necessary and in the best interests of the District that the Claims be paid from proceeds of bonds in the principal amount of \$1,330,000 (the “*Bonds*”); and

WHEREAS, before the Bonds can be issued pursuant to the Act, the Board must examine and consider the Claims and must adopt a resolution declaring the Claims to be authorized and allowed for proper community college purposes, set forth and describe in detail the Claims, declare its intention to issue the Bonds for the purpose of paying the Claims and direct that notice of such intention to issue the Bonds be given as provided by law; and

WHEREAS, the Board has examined and considered the Claims:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Trustees of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois, as follows:

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

*Section 2. The Claims.* The Claims are attached hereto as *Exhibit A*, and it is hereby found, determined and declared that the Claims are presently outstanding and unpaid, were heretofore authorized and allowed for proper community college purposes and constitute valid and binding obligations of the District.

*Section 3. Declaration of Intent.* The Board does hereby determine and declare its intention to avail the provisions of Article 19 of the Code and to issue Bonds in the amount of \$1,330,000 for the purpose of paying the Claims.

*Section 4. Notice of Intent.* In accordance with the provisions of Section 5 of the Local Government Debt Reform Act of the State of Illinois, as amended, notice of said intention

to avail of the provisions of Article 3A of the Act and to issue the Bonds shall be given by publication of such notice once in *Journal Gazette-Times Courier*, the same being a newspaper of general circulation in the District.

*Section 5. Form of Notice.* The notice of intention to issue the Bonds shall be in substantially the following form:

**NOTICE OF INTENTION OF  
COMMUNITY COLLEGE DISTRICT NO. 517  
COUNTIES OF COLES, CHRISTIAN, CLARK, CLAY, CRAWFORD,  
CUMBERLAND, DOUGLAS, EDGAR, EFFINGHAM, FAYETTE, JASPER, MACON,  
MONTGOMERY, MOULTRIE AND SHELBY AND STATE OF ILLINOIS  
TO ISSUE \$1,330,000 FUNDING BONDS**

PUBLIC NOTICE is hereby given that on the 9th day of January, 2017, the Board of Trustees (the "*Board*") of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois (the "*District*"), adopted a resolution declaring its intention and determination to issue bonds in the aggregate amount of \$1,330,000 for the purpose of paying presently outstanding and unpaid claims against the District, all of which unpaid claims have been heretofore authorized and allowed for proper community college purposes and it is the intention of the Board to avail of the provisions of Article 3A (Sections 3A-6 to 3A-9, inclusive) of the Public Community College Act of the State of Illinois, and all laws amendatory thereof and supplementary thereto, and to issue said bonds for the purpose of paying such unpaid claims.

A petition may be filed with the Secretary of the Board (the "*Secretary*") within thirty (30) days after the date of publication of this notice, signed by not less than 12,193 voters of the District, said number of voters being equal to ten per cent (10%) of the registered voters of the District, requesting that the proposition to issue said bonds as authorized by the provisions of said Article 20 be submitted to the voters of the District. If such petition is filed with the Secretary within thirty (30) days after the date of publication of this notice an election on the proposition to issue said bonds shall be held on the 20th day of March, 2018. The Circuit Court may declare that an emergency referendum should be held prior to said election date pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. If no

such petition is filed within said thirty (30) day period, then the District shall thereafter be authorized to issue said bonds for the purpose hereinabove provided.

By order of the Board of Trustees of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois.

DATED this 9th day of January, 2017.

Doris Reynolds  
Secretary, Board of Trustees,  
Community College District No. 517,  
Counties of Coles, Christian, Clark, Clay,  
Crawford, Cumberland, Douglas, Edgar,  
Effingham, Fayette, Jasper, Macon,  
Montgomery, Moultrie and Shelby and State  
of Illinois

Gary Cadwell  
Chair, Board of Trustees,  
Community College District No. 517,  
Counties of Coles, Christian, Clark, Clay,  
Crawford, Cumberland, Douglas, Edgar,  
Effingham, Fayette, Jasper, Macon,  
Montgomery, Moultrie and Shelby and State  
of Illinois

*Section 6. Further Proceedings.* If no petition signed by the requisite number of voters is filed with the Secretary of the Board within thirty (30) days after the date of the publication of such notice of intention to issue the Bonds, the Board shall, by appropriate proceedings to be hereafter taken, fix the details concerning the issue of the Bonds and provide for the levy of a direct annual tax to pay the principal and interest on the same.

*Section 7. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

*Section 8. Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed and that this Resolution be in full force and effect forthwith upon its adoption.

Adopted January 9, 2017.

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Chair, Board of Trustees

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Secretary, Board of Trustees

**EXHIBIT A**

**CLAIMS**

\$1,300,000 Debt Certificates, Series 2016, dated December 21, 2016.

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COLES     )

**CERTIFICATION OF MINUTES AND RESOLUTION**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois (the “Board”), and that as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 9th day of January, 2017, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION setting forth and describing in detail claims heretofore authorized and allowed for proper community college purposes which are presently outstanding and unpaid, declaring the intention to avail of the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended, and to issue bonds for the purpose of paying claims against Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois, and directing that notice of such intention be published as provided by law.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 72 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A*, that at least one copy of said agenda was continuously available for public review during the entire 72-hour period preceding said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Public Community College Act of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Act and with all of the procedural rules of the Board in the conduct of said meeting and in the adoption of said resolution.



IN WITNESS WHEREOF, I hereunto affix my official signature, this 9th day of January,  
2017.

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Secretary, Board of Trustees

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COLES     )

**NO PETITION CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Trustees (the “*Board*”) of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois (the “*District*”), and as such official I do further certify that pursuant to a resolution entitled:

RESOLUTION setting forth and describing in detail claims heretofore authorized and allowed for proper community college purposes which are presently outstanding and unpaid, declaring the intention to avail of the provisions of Article 3A of the Public Community College Act of the State of Illinois, as amended, and to issue bonds for the purpose of paying claims against Board of Trustees of Community College District No. 517, Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby and State of Illinois, and directing that notice of such intention be published as provided by law.

(the “*Resolution*”) duly adopted by the Board on the 9th day of January, 2017, notice of intention of the District to issue \$1,330,000 Funding Bonds (the “*Notice*”) was published on the \_\_\_\_ day of January, 2017, in the *Journal Gazette-Times Courier*, the same being a newspaper of general circulation in the District, and was not posted electronically on the District’s World Wide Web pages.

I do further certify that no petition has ever been filed in my office as Secretary of the Board or has ever been presented to me as such official requesting that the proposition to issue said bonds be submitted to the voters of the District, but that I provided a petition form regarding the same to every individual requesting one.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 9th day of January,  
2017.

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Secretary, Board of Trustees

