

# Lake Land College Board of Trustees



**RESOLUTION NUMBER:** \_\_\_\_\_

**DATE:** December 10, 2018

## **RESOLUTION APPROVING PARTICIPATION IN THE COLES COUNTY ENTERPRISE ZONE**

**WHEREAS**, the County of Coles, the City of Charleston, The City of Mattoon and the City of Oakland, (herein after referred to as “the Designating Units of Government”) have expressed a desire to apply for a new Illinois Enterprise Zone designation; and,

**WHEREAS**, the Illinois General Assembly passed Senate Bill 3616 as amended on May 31, 2012, and, which was signed into law by the Governor on August 7, 2012, thereby amending the Illinois Enterprise Zone Act (20 ILCS 655/1 et. seq.), hereafter referred to as “the Act,” under the provisions of Public Act 97-905; and,

**WHEREAS**, the Illinois General Assembly also passed Senate Bill 20 as amended on May 31, 2013, and, which was signed into law by the Governor on July 25, 2013, as Public Act 98-109, portions of which clarified Enterprise Zone related legislation contained in Public Act 97-905 and the Act; and,

**WHEREAS**, the Act provides for a new Illinois Enterprise Zone designation application process administered by the Illinois Department of Commerce and Economic Opportunity (hereafter referred to as “the Department”) subject to the approval and concurrence of the state Enterprise Zone Board, hereafter referred to as “the Board;” and

**WHEREAS**, once approved by the Board, the Enterprise Zone designation will be in effect for 15 years beginning on the date the Zone is certified by the Department, subject to review by the Board after the 13th year of existence for an additional ten-year designation beginning on the expiration date of the Zone; and,

**WHEREAS**, Enterprise Zones provide state and local incentives used to promote the economic growth of the area; to reduce unemployment; and to encourage expansion, rehabilitation, and new construction of structures within the Enterprise Zone; and,

**WHEREAS**, the Designating Units of Government have determined and concur that it is desirable and necessary for the Coles County region to apply for a new Enterprise Zone designation for the long-term benefit and economic viability of the area; and,

**WHEREAS**, the Designating Units of Government are seeking agreement with the taxing bodies located within the boundaries of the Coles County Enterprise Zone, subject to certification by the Department, to abate real property taxes pursuant to requirements in 35 ILS 200/18-170; and

**WHEREAS**, certain boundaries of the **LAKE LAND COLLEGE #517** taxing district lie or will lie in an area within an Enterprise Zone as outlined in the attached “ADDENDUM A,” subject to the certification of the Zone by the Department in accordance with the Act; and

**WHEREAS**, the real property tax abatements will apply only to economic development projects meeting specific criteria outlined below; and

**WHEREAS**, reimbursement provisions will be implemented if recipients of real property tax abatement fail to meet the job creation and/or retention and/or capital investment goals, as outlined below, and

**WHEREAS**, **LAKE LAND COLLEGE #517** wishes to participate in the Coles County Enterprise Zone real property tax abatement program, subject to certification of the Zone by the Department in accordance with the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE LAKE LAND COLLEGE #517 BOARD OF TRUSTEES:**

That **Lake Land College #517** hereby abates real property taxes, subject to its jurisdiction, on those properties within the boundaries of the Coles County Enterprise Zone on which improvements have been constructed, as outlined below:

**Section 1 – TERM.** The term of the Zone will be for 15 years commencing on the date as certified by the Department, or until such time as the Zone has expired, been decertified by the Department or repealed by the General Assembly or by ordinance of the participating governmental entities, whichever is sooner. After the 13th year, the zone is subject to review by the state Enterprise Zone Board for an additional 10-year designation beginning on the expiration date of the Coles County Enterprise Zone. During the review process, the state Enterprise Zone Board shall consider the costs incurred by the State and units of local government as a result of tax benefits received by the enterprise zone before granting the extension. Upon approval of the state Enterprise Zone Board, the Zone may further be in effect for an additional 10 years.

**Section 2 – PROPERTY TAX ABATEMENT.** That, with the adoption of this Resolution and commencing on or after the Zone’s Certification date by the Department, taxes on real property levied by the **LAKE LAND COLLEGE #517** shall be abated on property located within the boundary of the Coles County Enterprise Zone as certified by the Department, and upon which new improvements meeting certain qualifying criteria have been constructed as outlined below. In no event shall any abatement of taxes on any parcel exceed the amount attributable to the construction of the improvements or the renovation or rehabilitation of existing improvements on such parcel. Land value increases as a result of the development are also included in said abatement.

A) DEFINITIONS

- 1) “Project Application” as defined herein is the written application for Coles County Enterprise Zone benefits for job development and capital investment projects. The application must be completed by the company seeking benefits (or the company’s designated representative) and submitted to the Coles County Enterprise Zone Administrator prior to the initiation of construction for said project. The Application provides information necessary for the Administrator to verify eligibility for Enterprise Zone benefits including, but not limited to, Property Tax Abatement and Sales Tax Exemption for Building Materials in conjunction with the Illinois Department of Revenue processes and procedures in effect at the time of the Application.
- 2) “Memorandum of Understanding” or “MOU” as defined herein is the written agreement between the Coles County Enterprise Zone Administrator, on behalf of the Taxing Bodies participating in the Coles County Enterprise Zone property tax abatement program, and the Applicant receiving tax abatement. The MOU defines the terms and conditions by which abatement of real estate property tax is authorized.

- 3) “Industrial/Manufacturing Projects” as defined herein, are enterprises where the manufacturing or assembling of goods takes place.
  - 4) “Logistic(s)/Distribution Center Projects” as defined herein, are warehousing and distribution enterprises that are engaged in the storage and/or packaging of goods and/or information and the transfer or transportation of products from a point of origin to a point of consumption. Data Centers supporting Information Storage and Distribution are included in this category.
  - 5) “Retail/Service/Commercial Projects” as described herein, are enterprises in the business of selling products or services to the general public or wholesale customers as well as restaurants, hotels/motels, assisted living and related concerns, and enterprises that are research oriented and/or provide professional services such as accounting, engineering, architecture, finance, law and telemarketing companies.
  - 6) Exclusions - Retail/Service/Commercial Companies engaged in the following categories of business below shall be ineligible for any property tax abatement as provided herein:
    - a) self-storage (mini warehouse facilities)
    - b) cash-advance, pay day loan, and title loan stores
    - c) adult entertainment venues including adult bookstores
    - d) apartments
    - e) solar energy systems, and wind towers and turbines
    - f) auto salvage yard
    - g) commercial feed lots
    - h) hides, skins, and raw furs processing
    - i) junk yards
    - j) landfills
    - k) refuse incinerators
    - l) slaughter houses, meat packing, processing plant, stockyards
  - 7) Additional Exclusions – All residential projects shall be ineligible for any benefits herein established in the Coles Enterprise Zone including sales tax exemption on building materials.
- B) Project Application Approval – No project shall be granted property tax abatement until or unless a Project Application has been submitted to the Administrator of the Coles County Enterprise Zone, to insure eligibility and qualifying criteria have been met.

Enterprise Zone Property Tax Abatement will not be granted if a project has begun construction prior to receiving approval of an Abatement request from the Administrator.

Applicants requesting Building Materials Exemption Certificates (BMEC) from the Administrator and the Illinois Department of Revenue will not receive benefits for materials purchased prior to the issuance of a BMEC by the Illinois Department of Revenue.

- C) That commencing on or after the Zone’s Certification date by the Department, taxes on land and real property levied by the **LAKE LAND COLLEGE #517** shall be abated on property located within the Zone and upon which new improvements have been constructed according to the following schedule:

|     |  |      |
|-----|--|------|
| 1)  | For taxes levied in the first year of abatement:   | 100% |
| 2)  | For taxes levied in the second year of abatement:  | 100% |
| 3)  | For taxes levied in the third year of abatement:   | 100% |
| 4)  | For taxes levied in the fourth year of abatement:  | 100% |
| 5)  | For taxes levied in the fifth year of abatement:   | 100% |
| 6)  | For taxes levied in the sixth year of abatement:   | 100% |
| 7)  | For taxes levied in the seventh year of abatement: | 100% |
| 8)  | For taxes levied in the eighth year of abatement:  | 100% |
| 9)  | For taxes levied in the ninth year of abatement:   | 100% |
| 10) | For taxes levied in the tenth year of abatement:   | 100% |

Said abatements shall be for ten (10) consecutive years beginning with the real estate taxes payable in the year following the first full year of a facility's commercial operation after which said improvements have been made.

Abatements shall be made on the new tax increment created by said improvements according to the aforementioned schedule. Abatements for a specific project will cease after the tenth year or upon expiration, termination or decertification of the Coles County Enterprise Zone, whichever is sooner.

- D) The above property tax abatements shall be applicable for eligible **INDUSTRIAL, MANUFACTURING AND LOGISTICS/DISTRIBUTION CENTER PROJECTS** for increases in land values and improvements to real property upon which new construction, improvements, renovation or rehabilitation has been completed by the Zone’s Certification date by the Department, and before the expiration, termination or decertification of the Coles County Enterprise Zone, whichever is sooner. Abatement shall only apply to the incremental increase in taxes assessed as a result of the project

and its related improvements. Further, if a building permit is required, then its issuance is also a condition of abatement approval.

Questions as to the eligibility of a project and resulting improvements will be decided by the Coles County Enterprise Zone Administrator, with advice and consent of the local Enterprise Zone Advisory Board.

- E) That, with the adoption of this Ordinance, taxes on land and real property levied by the **LAKE LAND COLLEGE #517** shall be abated on **RETAIL/SERVICE/COMMERCIAL** property developments located within the Zone with the exception of those projects outlined in SECTION "2.A.6." above, and upon which new improvements have been constructed according to the following schedule:

|    |   |      |
|----|---|------|
| 1) | For taxes levied in the first year of abatement:  | 100% |
| 2) | For taxes levied in the second year of abatement: | 75%  |
| 3) | For taxes levied in the third year of abatement:  | 50%  |

Said abatements shall be for three (3) consecutive years beginning with the real estate taxes payable in the year following the first full year of a facility's commercial operation after which said improvements have been made. Abatements shall be made on the new tax increment created by said improvements according to the aforementioned schedule. Abatement for a specific project will cease after the third year or upon expiration, termination or decertification of the Coles County Enterprise Zone, whichever is sooner.

- F) The above property tax abatements shall be applicable for eligible retail, service, and commercial projects involving real property upon which construction, improvements, renovation or rehabilitation has been completed after the Zone's Certification date by the Department and prior to the expiration, termination or decertification of the Coles County Enterprise Zone. Further, if a building permit is required then its issuance is also a condition of abatement approval.

Questions as to the eligibility of a project will be decided by the Enterprise Zone Administrator, with the advice and consent of the Enterprise Zone Advisory Board.

- G) Regulatory and Legal Compliance. The Companies receiving Coles County Enterprise Zone property tax abatement shall comply with all federal, state and local environmental laws and regulations. Failure to comply shall be as determined by the Taxing Bodies and shall not require formal action or findings by any governmental agency or court.

- H) Entities meeting abatement qualification criteria outlined above must enter into a Memorandum of Understanding with the Coles County Enterprise Zone through its Enterprise Zone Administrator, outlining projected job creation and/or job retention numbers and capital investment for the eligible projects as defined in Section 2.A above. Said Administrator is hereby authorized to enter such agreements on behalf of the Coles County Enterprise Zone.
- 1) Entities receiving property tax abatement for eligible projects must agree to maintain a minimum of 75% of the employment levels at that location as described in the Memorandum of Understanding for the term of abatement. At the discretion of the Coles County Enterprise Zone Administrator, with the advice and consent of the local Enterprise Zone Advisory Board, failure to maintain a minimum of 75% of the employment levels during the agreement period may result in the immediate termination of remaining abatement and/or the pro-rata repayment of previously abated real property taxes to the applicable taxing districts.
  - 2) The Administrator of the Coles County Enterprise Zone will annually monitor the performance of the eligible recipients of property tax abatement in order to ensure that job and investment projections outlined in the Memorandum of Understanding are being met.
  - 3) The Coles County Enterprise Zone Administrator will also inform the entity of required state of Illinois reporting requirements. Failure to report Enterprise Zone benefits as required by the Illinois Department of Revenue, and/or other state agencies, as may be dictated by state statute, may result in termination of all locally designated Coles County Enterprise Zone benefits.
  - 4) The Administrator of the Coles County Enterprise Zone, with advice and consent of the local Enterprise Zone Advisory Board, may elect to waive enforcement of any performance measures outlined in the Memorandum of Understanding based on a finding that the waiver is necessary to avert an imminent, demonstrable, and material hardship to the entity that may result in such entity's insolvency or discharge of workers.

**Section 3 – BENEFIT ENTITLEMENT** - Upon the effective date of this ordinance, all incentives and benefits previously offered and in effect in the Coles County Enterprise Zone granted before the termination of the original Coles County Enterprise Zone, shall continue as originally implemented for the term of the new Coles County Enterprise Zone, subject to approval and certification of said Zone by the Department, for the following groups:

- A) Business enterprises which are receiving benefits or incentives in the original Coles County Enterprise Zone on the effective date of this designating resolution;
- B) Business enterprises or expansions which are proposed or under development on the effective date of this designating resolution:
  - 1) If the business enterprise demonstrates that the proposed business enterprise or expansion has committed to locating or expanding in the zone; or
  - 2) Substantial or binding financial obligations have been made; and such commitments have been made in reasonable reliance on the benefits and programs which would have previously been available because of the Enterprise Zone.

**Section 4 – NO ASSIGNMENT OR TRANSFER.** Coles County Enterprise Zone property tax abatement shall be specifically granted to the Applicant and may not be re-assigned or transferred without a Written Notice of Transfer Request being submitted to the Coles County Enterprise Zone Administrator. In the event that the Applicant desires to transfer or assign any or all of its ownership of the subject property where the business located thereon, the transferee shall submit correspondence to the Coles County Enterprise Zone Administrator requesting transfer of the abatement to the new owner for the time remaining on the abatement.

The Coles County Enterprise Zone Administrator, with the advice and consent of the local Enterprise Zone Advisory Board, shall review the taxpayer’s request to transfer said abatement, and determine the taxpayer’s eligibility for such transfer, subject to the terms and conditions of Section 2 above as well as compliance with the Act. The Coles County Enterprise Zone Administrator shall notify the affected taxing bodies that such a request has been made and the action taken by the Administrator to address the transfer request.

**Section 5 – ADMINISTRATION.** By agreement of the joint applicants of the County Board of Coles County, the City of Charleston, the City of Mattoon and the City of Oakland, the Administrator of the Coles County Enterprise Zone will be the President of Coles Together or other qualified party as determined from time to time by completing a Request For Qualifications process conducted by the Enterprise Zone Advisory Board in accordance with the Illinois Enterprise Zone Act and Regulations. Administration of the Zone will be carried out as described in the Enterprise Zone Intergovernmental Agreement between the County of Coles, the City of Charleston, the City of Mattoon and the City of Oakland.

**Section 6 – ADMINISTRATION FEES. Applicant Fees** - As allowed by the Act, the Administrator of the Coles County Enterprise Zone is hereby authorized to collect a Zone Administration Fee from the Applicant for the issuance of Building Material Exemption Certificates in order to



offset the management and operational costs associated with the Administration of the Zone. Said fee shall be equal to .5 percent (1/2%) of the documented cost of building materials for each project up to a maximum of \$50,000 per Certificate (20 ILCS 655/8.2c). The Zone Administrator, with the advice and consent of the Enterprise Zone Advisory Board, may also elect to collect a processing fee for related Enterprise Zone activities such as boundary amendment applications, technical correction applications, and/or other applications resulting in an amendment to the Zone or Zone operating procedures, which may change from time to time. At no time will all fees combined, related to a single project, exceed \$50,000 or such amount as may be stipulated in state statute. The **LAKE LAND COLLEGE #517** shall have no liability for payment of such fee on behalf of the Applicant.

**Section 7 – TAX INCREMENT FINANCING DISTRICT OR REDEVELOPMENT AREA OVERLAY.** In the event that a Tax Increment Financing (TIF) District or redevelopment district or project area (20 ILCS 655/5.4.1) is, will be, or has been created by a municipality under Division 74.4 of the Illinois Municipal Code, and said redevelopment project area contains property that is located in an enterprise zone, and the municipality adopts an enterprise zone designating ordinance pursuant to Section 5.4 of the Act specifically concerning the abatement of taxes on property, as in Section 2 above, located within a redevelopment project area created pursuant to Division 74.4 of the Illinois Municipal Code, and the Department certifies the Ordinance, then the property that is located in both the enterprise zone and the redevelopment project area or TIF District shall not be eligible for the abatement of taxes under Section 18-170 of the Illinois Property Tax Code.

**Section 8 – BUSINESS ENTERPRISE FOR MINORITIES, WOMEN, AND PERSONS WITH DISABILITIES.** The Designating Units of Government are committed to the development of businesses owned by minorities, women and disabled persons, as defined in the Business Enterprise for Minorities, Women and persons With Disabilities Act (30 ILCS 575), in the Coles County Enterprise Zone. Further, as described in the Illinois Enterprise Zone Act (20 ILCS 655/4.e.11), the Designating Units of Government are committed to encouraging employers located within the boundaries of the Coles County Enterprise Zone to hire minorities, women and disabled persons in accordance with the intent of the Act and the regional economic development strategy.

**Section 9 – LOCAL SOURCING STATEMENT.** The Designating Units of Government encourage companies receiving Coles County Enterprise Zone benefits, as provided herein, to utilize local labor and to purchase building materials locally.

**Section 10 – CONFLICTING LANGUAGE.** All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance shall be and are hereby repealed.

**Section 11 – EFFECTIVE DATE.** This Ordinance shall be in effect from the date of and after its passage, approval and recording and upon certification of the new Enterprise Zone designation by the Illinois Department of Commerce and Economic Opportunity, according to law. Failure to receive certification of the Zone by the Department will render this Ordinance null and void.

**ADOPTED** this 10<sup>th</sup> day of December, 2018 by the following vote:

AYES:

NAYS:

ABSENT:

BOARD OF TRUSTEES  
LAKE LAND COLLEGE  
COMMUNITY COLLEGE DISTRICT NO. 517  
COUNTIES OF CHRISTIAN, CLARK, CLAY,  
COLES, CRAWFORD, CUMBERLAND,  
DOUGLAS, EDGAR, EFFINGHAM, FAYETTE,  
JASPER, MACON, MONTGOMERY,  
MOULTRIE, AND SHELBY  
STATE OF ILLINOIS

By: \_\_\_\_\_

Chair

Attest: \_\_\_\_\_

Secretary

**SECRETARY'S CERTIFICATE**

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

I do further certify that the foregoing Resolution to authorize participation in the abatement of real property tax in the Coles County Enterprise Zone in the City of Charleston, the City of Mattoon and the City of Oakland, Illinois, is a true, correct and complete copy of that Resolution as adopted by the Board of Trustees of the College District at a meeting held on the 10<sup>th</sup> day of December, 2018.

I do further certify that the deliberations of the members of the Board of Trustees on the adoption of the Resolution were taken openly; that the vote on the adoption of the Resolution was taken openly; that the meeting was held at a specified time and place convenient to the public; that notice of the meeting was duly given to all newspapers, radio or television stations, and other news media requesting notice; and that the meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended, and the applicable provisions of the Public Community College Act of the State of Illinois, and that this Board of Trustees has complied with all of the applicable provisions of said Acts and with all the procedural rules of the Board of Trustees.

**IN WITNESS WHEREOF**, I hereunto affix my official signature, this 10<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Secretary, Board of Trustees

# Lake Land College Board of Trustees



RESOLUTION NUMBER: 1218-005

DATE: 12-10-18

## RESOLUTION TO AUTHORIZE PREPARATION OF TENTATIVE BUDGET

**WHEREAS**, the statutes (Illinois Revised Statutes, Chapter 122, Section 103.20.1) require that the board of each community college district shall within or before the first quarter of each fiscal year, adopt an annual budget which it deems necessary to defray all necessary expenses and liabilities of the district, and in such annual budget shall specify the objects and purposes of each item and amount needed for each object or purpose; and

**WHEREAS**, the board of each community college district shall fix a fiscal year. If the beginning of the fiscal year of a district is subsequent to the time that the tax levy for such fiscal year shall be made, then such annual budget shall be adopted prior to the time such tax levy shall be made; and

**WHEREAS**, such budget shall be prepared in tentative form by some person or persons designated by the Board, and in such tentative form shall be made conveniently available to public inspection for at least 30 days prior to final action thereon.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Community College #517 hereby authorizes and directs the President and such other members of the administrative staff as he designates to prepare a tentative budget for the Fiscal Year 2020 which begins on July 1, 2019, and ends on June 30, 2020, providing it in such form as conforms to the statutes and making such budget conveniently available for public inspection.

**IT IS FURTHER RESOLVED** that the Board authorizes and directs that the President may maintain the current rate of expenditures beyond July 1, 2019, until such time as the new budget for Fiscal Year 2020 is presented to and adopted by the Board of Trustees.

**ADOPTED** this 10th day of December, 2018 by the following vote:

AYES:

NAYS:

ABSENT:

BOARD OF TRUSTEES  
LAKE LAND COLLEGE  
COMMUNITY COLLEGE DISTRICT NO. 517  
COUNTIES OF CHRISTIAN, CLARK, CLAY,  
COLES, CRAWFORD, CUMBERLAND,  
DOUGLAS, EDGAR, EFFINGHAM, FAYETTE,  
JASPER, MACON, MONTGOMERY,  
MOULTRIE, AND SHELBY  
STATE OF ILLINOIS

By: \_\_\_\_\_

Chair

Attest: \_\_\_\_\_

Secretary

## SECRETARY'S CERTIFICATE

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

I do further certify that the foregoing Resolution to Authorize Preparation of Tentative Budget is a true, correct and complete copy of that Resolution as adopted by the Board of Trustees of the College District at a meeting held on the 10th day of December, 2018.

I do further certify that the deliberations of the members of the Board of Trustees on the adoption of the Resolution were taken openly; that the vote on the adoption of the Resolution was taken openly; that the meeting was held at a specified time and place convenient to the public; that notice of the meeting was duly given to all newspapers, radio or television stations, and other news media requesting notice; and that the meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended, and the applicable provisions of the Public Community College Act of the State of Illinois, and that this Board of Trustees has complied with all of the applicable provisions of said Acts and with all the procedural rules of the Board of Trustees.

**IN WITNESS WHEREOF**, I hereunto affix my official signature, this 10th day of December, 2018.

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Secretary, Board of Trustees

# MEMO

**TO:** Dr. Jonathan Bullock, President  
Bryan Gleckler, Vice President for Business Services

**FROM:** Madge Shoot, Comptroller

**CC:**

**DATE:** November 29, 2018

**RE:** Alternative Revenue Bond Abatement

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At the time of the \$1,450,000 General Obligation Refunding Bonds (Alternative Revenue Source) issue a levy was filed with the County Clerks. This bond issue was for the construction of the new Fitness Center and will be repaid with a \$1.50 per credit hour service fee.

This Alternate Bond levy needs to be abated in its entirety prior to the County Clerk's deadline in March. I recommend the Trustees approve the attached resolution. Should you have questions I am available.

Attachment

MINUTES of a regular public meeting 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, held in the Board Room, Board and Administration Center, 5001 Lake Land Boulevard, Mattoon, Illinois, in said Community College District at 6:00 o'clock P.M., on the 10<sup>th</sup> day of December, 2018.

\* \* \*

The meeting was called to order by the Chairman and upon the roll being called, Dave Storm, the Chairman, and the following Trustees were physically present at said location: \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_ (non-voting student trustee).

The following Trustees were allowed by a majority of the members of the Board of Trustees in accordance with and to the extent allowed by rules adopted by the Board of Trustees to attend the meeting by video or audio conference: \_\_\_\_\_

No Member was not permitted to attend the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: \_\_\_\_\_

The Chairman announced that the next item of business before the Board of Trustees was the consideration of a resolution abating the tax heretofore levied for the



year 2018 to pay debt service on the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B, of the District.

Whereupon Member \_\_\_\_\_ presented and the Secretary read by title a resolution as follows, copies of which were made available to all in attendance at said meeting who requested a copy:

# Lake Land College Board of Trustees



RESOLUTION ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2018 TO PAY DEBT SERVICE ON GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2016B, 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.

RESOLUTION NUMBER: 1218-006

DATE: 12-10-18

\* \* \*

WHEREAS, 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"), by resolution adopted on the 14th day of December, 2015, as supplemented by a direction for abatement of taxes (the "Bond Resolution"), did provide for the issue of \$1,450,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B (the "Bonds"), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Board has determined and does hereby determine that Pledged Revenues (as defined in the Bond Resolution) or other funds have been deposited in the Alternate Bond and Interest Fund of 2016 (as defined in the Bond Resolution) in an amount sufficient to pay the principal of and interest on the Bonds when due in the next bond year, so as to enable the abatement of the Pledged Taxes (as defined in the Bond Resolution) levied for the same; and

WHEREAS, it is necessary and in the best interests of the District that the tax heretofore levied for the year 2018 to pay principal and interest on the Bonds be abated:

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. Abatement of Tax.* The tax heretofore levied for the year 2018 in the Resolution is hereby abated in its entirety.

*Section 3. Filing of Resolution.* Forthwith upon the adoption of this Resolution, the Secretary of the Board shall file a certified copy hereof with the County Clerks of the Counties of Coles, Christian, Clark, Clay, Crawford, Cumberland, Douglas, Edgar, Effingham, Fayette, Jasper, Macon, Montgomery, Moultrie and Shelby, Illinois, and it shall be the duty of said County Clerks to abate said tax levied for the year 2018 in accordance with the provisions hereof.

*Section 4. Effective Date.* This resolution shall be in full force and effect forthwith upon its adoption.

Adopted December 10, 2018.

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Chairman, Board of Trustees

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Secretary, Board of Trustees

Member \_\_\_\_\_ moved and Member \_\_\_\_\_ seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the Chairman directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following Trustees voted AYE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

NAY: \_\_\_\_\_

Whereupon the Chairman declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records 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, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

\_\_\_\_\_  
Secretary, Board of Trustees

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF COLES            )

**CERTIFICATION OF RESOLUTION AND MINUTES**

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 am the keeper of the records and files of the District and 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 10<sup>th</sup> day of December, 2018, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION abating the tax heretofore levied for the year 2018 to pay debt service on General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B, 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.

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 called and 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 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48-hour period preceding said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said resolution, 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 Acts and with all of the procedural rules of the Board in the passage of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 10<sup>th</sup> day of December, 2018.

\_\_\_\_\_  
Secretary, Board of Trustees

Copy Sent to Each County Clerk

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COLES     )

**FILING CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of Coles County, Illinois, and as such official I do further certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION abating the tax heretofore levied for the year 2018 to pay debt service on General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B, 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.

duly adopted 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, on the 10<sup>th</sup> day of December, 2018, and that the same has been deposited in the official files and records of my office.

I do further certify that the tax heretofore levied for the year 2018 for the payment of General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016B, as described in said resolution will be abated in its entirety as provided in said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
County Clerk of The County of Coles, Illinois