

**KENOSHA COUNTY BOARD OF SUPERVISORS  
COUNTY BOARD CHAMBERS COUNTY ADMINISTRATION BUILDING  
April 8, 2008**

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

Present: Supervisors Grady, Rossow, Rose, Kessler, Huff, Kubicki, Marrelli, Booth, Carbone, Arrington, Faraone, Ronald Johnson, Michel, O'Day, Singer, Nudo, Moore, Molinaro, Jackson, Clark, Noble, West, Roger Johnson, Breunig, Haas, Elverman, Ekornaas.

Excused:

Present: 27. Excused: 0.

**CITIZEN COMMENTS**

Bob Danbeck, 7626 27<sup>th</sup> Avenue, stated that at the last meeting a supervisor commented on the fact that the Interim County Executive's niece is running one of the golf courses. Mr. Danbeck feels that Tammy Wisnefski is the hardest worker and is the only one that knows anything about the golf courses. He also stated that he thinks it was unconscionable that a certain individual who was in office for four days disbanded things that the former County Executive put in place. From his stand point he feels all he wanted was power. He hopes that within the next six weeks these things are reversed and put back to how they were when the county executive, that the people elected, had it when he was in office.

**ANNOUNCEMENTS OF THE CHAIR**

Chairman Rose stated that Supervisor Carbone's term on the Brookside Board of Trustees terminates coinciding with his term as a County Board Supervisor. If any supervisor is interested in serving as the next trustee as a representative of this county board can talk to Chairman Rose or Vice-chair Clark.

Chairman Rose recognized those supervisors whose terms are ending, for their services rendered to this board and more importantly to their constituents that they represent. The following Supervisors were given a plaque: Supervisor Judith Rossow - District 2, Supervisor Janice Marrelli, District 7, Supervisor Ruth Booth, District 8, Supervisor Robert Carbone, District 9, Supervisor David Arrington, District 10 and Supervisor Mark Wisnefski, District 19.

At this time, Vice-chair Clark presented Chairman Rose with a plaque for his service as Chairman for the past two years.

**SUPERVISOR REPORTS**

Supervisor Molinaro thanked and congratulated all of those whom are departing the County Board or stepping down as Chairman for their years of service. He also stated that it was because of Supervisor Carbone that he is on the County Board today. Fourteen years ago when Supervisor Carbone was Chairman, he appointed him as supervisor of the 6<sup>th</sup> District. He wishes Supervisor Carbone the best in his retirement and good health in the many years ahead. He thanks him for not only what he has done for him, but also for what he has done for the County Board.

Supervisor Molinaro also announced that he is a candidate for County Board Vice-chair. He left here on Thursday with comments from many supervisors in support of his dedication to county government, bringing accountability to county government and bringing a voice to county government. He is doing this because of a significant amount of feedback from many of the supervisors and asks for their support.

Supervisor Noble reported that effective today construction of the bike path will begin to connect UW Parkside to the existing bike trail which connects to Carthage College. This project should be done by June.

Supervisor Elverman stated that he was also appointed to the County Board fourteen years ago by the then Chairman Carbone. He also reported that the Non-Rep Pay Plan still has obvious flaws that they are working on solutions for. So far, every review has been positive. He hopes that the new committee will keep up on this to get it right and continue to work with the personnel department.

**OLD BUSINESS**

**RESOLUTION 114**

114. From the Legislative Committee a Resolution in support of Senate Bill 523; The Great Lakes St. Lawrence River Basin Water Resource Compact.

**WHEREAS**, Kenosha County is located on the shores of Lake Michigan and enjoys the benefits of the Great Lakes through boating, fishing and transit of products and travel, and

**WHEREAS**, Kenosha County is determined to defend our great lakes heritage, economic growth and the balance of the two for the benefit of Kenosha residents and businesses, and

**WHEREAS**, a strong Great Lakes Compact as proposed in Senate Bill 523 would be beneficial to the State of Wisconsin, Kenosha County and neighboring counties to help determine and record water usage and return flow so as to ensure protection of the Great Lakes, and

**WHEREAS**, unchecked access and use of this resource would eventually significantly and adversely impact our environment, economy and human welfare for all who live in the Great Lake states region if a regional compact is not ratified, and

**WHEREAS**, the State of Wisconsin has the right and duty to manage, protect, conserve and restore the Great Lakes as an equal partner with other states on the Great Lakes through pursuit of a strong, unified, and cooperative compact that will legally and responsibly ensure that our Lakes are preserved and protected for generations to come as set forth by Senate Bill 523.

**NOW THEREFORE BE IT RESOLVED** that the Kenosha County Board of Supervisors does hereby support Senate Bill 523 as passed on 3/6/08, and

**BE IT FURTHER RESOLVED** that the Kenosha County Board call upon the United States Congress to give its approval of the Great Lakes, and

**BE IT FURTHER RESOLVED** that the County Clerk of Kenosha County forward copies of this Resolution to Governor Doyle, members of the Wisconsin State Legislature, Governors of Great Lakes Border States and our neighboring counties.

SUBMITTED BY:

Legislative Committee

James Huff

James Moore

Ronald Johnson

Gordon West

Jennifer Jackson

It was moved by Supervisor Grady to adopt Resolution 114. Seconded by Supervisor Jackson.

Motion carried.

**NEW BUSINESS**

Resolution - one reading.

**RESOLUTION 131**

131. From the Administration and Finance Committees a Resolution to approve the Successor Labor Agreement Between Kenosha County and AFSCME - Local 70 Highway Department.

**WHEREAS**, negotiations for a successor labor agreement between Kenosha County and AFSCME Local 70, Highway Department, were recently concluded, and

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 31, 2010, said agreement has since been ratified by the union, and

**WHEREAS**, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations, and

**WHEREAS**, the Administration Committee and Finance Committees of the County Board have reviewed said labor agreement,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve and adopt said labor agreements, the originals of which are herewith attached and on file in the County Clerk's Office.

**BE IT FURTHER RESOLVED** that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

SUBMITTED BY:

Administration Committee

Dennis Elverman

Janice Marrelli

Kimberly Breunig

Anita M. Faraone

James Moore

Finance Committee

Robert Carbone

Mark Wisnefski

Anita M. Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Elverman to adopt Resolution 131. Seconded by Supervisor Carbone.  
Motion carried.

**RESOLUTION 132**

132. From the Administration and Finance Committees a Resolution to approve the Successor Labor Agreement between Kenosha County and AFSCME Local 1090 - Parks Employees.

**WHEREAS**, negotiations for a successor labor agreement between Kenosha County and AFSCME Local 1090-Parks were recently concluded, and

**WHEREAS**, the negotiations have culminated in a three-year labor agreement ending on December 31, 2010, which agreement has since been ratified by the union, and

**WHEREAS**, Kenosha County is desirous of maintaining and promoting a sound and stable relationship with its employee organizations, and

**WHEREAS**, the Administration Committee and Finance Committees of the County Board have reviewed said labor agreement,

**NOW, THEREFORE, BE IT RESOLVED** that the Kenosha County Board of Supervisors approve and adopt said labor agreement, the originals of which are herewith attached and on file in the County Clerk's Office.

**BE IT FURTHER RESOLVED** that the County Executive be directed and empowered for and on behalf of this body to make, sign, and execute all documents necessary to implement this directive.

SUBMITTED BY:

Administration Committee	Finance Committee
Dennis Elverman	Robert Carbone
Janice Marrelli	Mark Wisnefski
Kimberly Breunig	Anita M. Faraone
Anita M. Faraone	Joseph Clark
James Moore	John O'Day

It was moved by Supervisor Elverman to adopt Resolution 132. Seconded by Supervisor Clark.  
Motion carried.

**RESOLUTION 133**

133. From Brookside Trustees, Human Services and Finance Committees a Resolution to modify Brookside Care Center 4<sup>th</sup> Quarter, 2007 Budget.

**WHEREAS**, The Kenosha County Department of Human Services, Brookside Care Center requires additional appropriation to closeout 2007, and

**WHEREAS**, The Kenosha County Department of Human Services, Brookside Care Center received additional revenue, and

**WHEREAS**, The Kenosha County Department of Human Services, Brookside Care Center has sufficient Brookside reserves to fund the requested additional appropriation for 2007, and

**WHEREAS**, no additional county levy is required, and

**NOW, THEREFORE, BE IT RESOLVED** That the Kenosha County Department of Human Services, Brookside Care Center, budget be modified as per the attached budget modification incorporated herein by reference.

SUBMITTED BY:

Brookside Trustees	Human Services Committee	Finance Committee
Robert Pitts	Judy Rossow	Robert Carbone
Nancy Principe	Edward Kubicki	Mark Wisnefski
Gordon West	David Arrington	Anita M. Faraone
Frank Santapalo		John O'Day
		Joseph Clark

It was moved by Supervisor Rossow to adopt Resolution 133. Seconded by Supervisor Faraone.  
Roll call vote passed unanimously.

**RESOLUTION 134**

134. From the Finance Committee regarding Appointment 2007-08-34, Appointment of Laurie Paddock to the Kenosha County Library Committee.

**WHEREAS**, Pursuant to County Executive Appointment 2007/08-34, the County Executive as appointed Laurie Paddock to serve on the Kenosha County Library Committee, and

**WHEREAS**, the Finance Committee has reviewed the request of the County Executive for confirmation of his appointment of the above named to serve on the

Kenosha County Library Committee and is recommending to the County Board the approval of this appointment, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors confirm the appointment of Laurie Paddock to serve on the Kenosha County Library Committee. Ms. Paddock's appointment shall be effective immediately upon the confirmation of the County Board and continuing until the 31<sup>st</sup> day of December, 2010 or until a successor is appointed by the County Executive and confirmed by the Kenosha County Board of Supervisors. Ms. Paddock will serve without pay as defined under Resolution 65 (1982-83). Ms. Paddock will be succeeding Ms. Shirley Boening.

SUBMITTED BY:

Finance Committee:

Robert Carbone

Anita M. Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 134. Seconded by Supervisor O'Day.

Roll call vote passed unanimously.

**RESOLUTION 135**

135. From the Finance Committee regarding 2008 Carryover and Annual Closeout Resolution for Public Works and Golf.

**WHEREAS**, The Department of Public Works, Golf Courses fund requires additional appropriation to closeout 2007, and

**WHEREAS**, the Golf Fund experienced a cash deficit of \$573,691 at year end 2007, and

**WHEREAS**, the 2008 Golf Budget included \$343,310 of funding from General Fund reserves, and

**WHEREAS**, the General Fund undesignated fund balance for year end 2007 is below the statutory requirement, and

**NOW THEREFORE BE IT RESOLVED**, that the Golf Course budget be modified as per the budget modification which is attached and incorporated by reference, and

**BE IF FURTHER RESOLVED**, that the cash deficit within the Golf Fund (\$573,691) be funded by a transfer from the Highway Find in the amount of \$573,691, and

**BE IF FURTHER RESOLVED**, that the General Fund carryover amount of \$343,310 adopted in the 2008 budget to be used to pay for debt service in the Golf Course Fund be rescinded.

SUBMITTED BY:

Finance Committee:

Robert Carbone

Mark Wisnefski

Anita M. Faraone

John O'Day

Joseph Clark

It was moved by Supervisor Carbone to adopt Resolution 135. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

**RESOLUTION 136**

136. From the Finance Committee regarding 2008 Carryover and Annual Closeout Resolution.

**WHEREAS**, certain projects were authorized by the County Board in the prior year's budget, and

**WHEREAS**, it is necessary to carryover these funds to complete these projects, and

**NOW, THEREFORE BE IT RESOLVED**, that these funds be carried over from 2007 to 2008, and that the 2008 budget be adjusted as shown in the attached fiscal notes which are incorporated by reference, and

**BE IT FURTHER RESOLVED**, that the attached fiscal notes details the source and application of funds to be carried forward, and

**BE IT FURTHER RESOLVED**, that is the policy, desire, and intent of the Kenosha County Board that each appropriation unit of this budgetary amendment for which monies have been appropriated be carried out as if adopted by separate resolution and as necessary to carry out the public intent. The funds are made

available and, unless amended by law or action by the County Board through budgetary transfers, no monies appropriated for any one purpose in any one appropriation unit can be used for any other purpose in any other appropriation unit without prior approval of the Kenosha County Board. The Finance Committee is authorized to approve transfers not to exceed \$1,000.00 and

**BE IT FURTHER RESOLVED**, that all expenditures appropriated are not to exceed funded monies in the budget or this amount without prior approval of the County Board.

SUBMITTED BY:

Finance Committee:  
Robert Carbone  
Mark Wisnefski  
Anita M. Faraone  
John O'Day  
Joseph Clark

It was moved by Supervisor Carbone to adopt Resolution 136. Seconded by Supervisor Faraone.  
Roll call vote passed unanimously.

**RESOLUTION 137**

137. From the Finance Committee a Resolution awarding the sale of \$7,805,000 General Obligation Refunding Bonds; Providing the Form of the Bonds; and Levying a Tax in Connection therewith.

**WHEREAS**, pursuant to a resolution adopted on March 18, 2008 (the "Initial Resolution"), the County Board of Supervisors of Kenosha County, Wisconsin (the "County") authorized the issuance of not to exceed \$7,805,000 General Obligation Refunding Bonds for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Refunding Bonds, dated March 1, 1999 (the "1999 Bonds") (hereinafter the refinancing of the County's outstanding obligations shall be referred to as the "Refunding");

**WHEREAS**, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 1999 Bonds for the purpose of achieving debt service cost savings;

**WHEREAS**, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds for the purpose of refinancing their outstanding obligations;

**WHEREAS**, pursuant to the Initial Resolution, the County Clerk, in consultation with its financial advisor, Ehlers & Associates, Inc., has caused a Notice of Sale (a copy of which is attached hereto as Exhibit A, and incorporated herein by this reference) to be prepared and distributed setting forth the details of and the bid requirements for the County's General Obligation Refunding Bonds (the "Bonds") and indicating that the Bonds would be offered for public sale; and

WHEREAS, the following bids were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
	\$	%

**(SEE BID TABULATION ATTACHED AS EXHIBIT B)**

**WHEREAS**, it has been determined that the bid (the "Bid") submitted by the institution listed first on the attached 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 & Associates, Inc. has recommended that the County accept the Bid. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

**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 the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of SEVEN MILLION SIX HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$7,645,000).

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 other offering materials prepared and circulated by Ehlers & Associates, Inc. are hereby ratified and approved in all respects. All actions taken by officers of the County and Ehlers & Associates, Inc. in connection with the preparation and distribution of the Notice of Sale are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Bid of the Purchaser offering to purchase the Bonds for the sum set forth on the Bid, plus accrued interest to the date of delivery, is hereby accepted. The Bonds bear interest at the rates set forth on the Bid.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be dated April 24, 2008; shall be issued in the aggregate principal amount of \$7,645,000, in denominations of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature on September 1 of each year, in the years and principal amounts set forth on the debt service schedule attached hereto as Exhibit D (the "Schedule"). Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2008.

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

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. 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 2008 through 2012 for the payments due in the years 2009 through 2013 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll 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. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

The County hereby appropriates from funds on hand a sum sufficient to be irrevocably transferred and deposited into the Debt Service Fund Account for the Bonds created below on or before receipt of the proceeds of the Bonds. Said sum shall be used solely to pay the interest on the Bonds coming due on September 1, 2008 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for Kenosha County General Obligation Refunding Bonds, dated April 24, 2008", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. 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 an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Bonds.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants; Six Month Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. 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 as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(B) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the County and that 100% of the proceeds of the Bonds will be expended for the governmental purposes of the issue within six months of the Closing. If for any reason the County did not qualify for the six month exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 10. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, 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. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 11. Payment of the Bonds. The principal of and interest on the Bonds shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 11A. Persons Treated as Owners; Transfer of Bonds. The County shall keep books for the registration and for the transfer of the Bonds. 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 County Clerk, 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 County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk 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.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. 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 corresponding record date.

Section 12. 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 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (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 holders of the Bonds or by the Purchaser on behalf of such holders (provided that the rights of the holders 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 14. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds 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, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 15. Redemption of the 1999 Bonds. The County Board of Supervisors hereby calls the 1999 Bonds due on and after September 1, 2008 for redemption on May 15, 2008. The County hereby directs its financial advisor, Ehlers &

Associates, Inc., to cause a notice of redemption, in substantially the form attached hereto as Exhibit F to be provided at the times, to the parties and in the manner provided thereon.

Section 16. Payment of Issuance Expenses. The County authorizes the Purchaser to forward the amount of the Bond Proceeds allocable to the payment of issuance expenses to Bank of America, N.A., New York, New York, on the closing date for further distribution as directed by the County's financial advisor, Ehlers & Associates, Inc.

Section 17. Official Statement. The County Board of Supervisors hereby approves the Official Statement with respect to the Bonds including addenda to it and deems the Official Statement and addenda as "final" for purposes of SEC Rule 15c2-12. All actions taken by officers of the County in connection with the preparation of such Official Statement and addenda are hereby ratified and approved. In connection with the closing for the Bonds, the appropriate County official shall certify the Official Statement and addenda. The County Clerk shall cause copies of the Official Statement and addenda to be distributed to the Purchaser.

Section 18. 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:

Robert Carbone

Anita M. Faraone

Joseph Clark

John O'Day

It was moved by Supervisor Carbone to adopt Resolution 137. Seconded by Supervisor Clark.

Roll call vote passed unanimously.

**COMMUNICATION**

25. From Michael K. Higgins, Kenosha City Clerk-Treasurer, to Annex 59.018 Acres of Land, more or less, in the Town of Paris.

Chairman Rose referred Communication 25 to the Land Use Committee

**CLAIMS**

37. Amy N. Lowry - vehicle damage due to pothole

38. State Farm Mutual Automobile Ins. Co. - vehicle damage

39. Timothy Maiter - mailbox damage

Chairman Rose referred Claims 37, 38 & 39 to Corporation Counsel.

It was moved by Supervisor Haas to approve the March 18, 2008 and April 3, 2008 minutes. Seconded by Supervisor Arrington.

Motion carried.

It was moved by Supervisor Kessler to adjourn sine die. Seconded by Supervisor Nudo.

Motion carried.

Meeting adjourned at 9:00 P.M.

Prepared by: Edie LaMothe

Deputy Clerk

Submitted by: Edna R. Highland

County Clerk