

ORDINANCE NUMBER 2012-9

AN ORDINANCE authorizing the issuance of Water Revenue Bonds of the Village of Chapin, Morgan County, Illinois, in an aggregate principal amount not to exceed \$2,700,000.

WHEREAS the Village of Chapin, Morgan County, Illinois (the "*Village*"), operates its municipally-owned waterworks system (the "*System*") in accordance with the provisions of Division 129 of Article 11 of the Illinois Municipal Code, as supplemented and amended, and in particular as supplemented by the Local Government Debt Reform Act, as amended (collectively, the "*Act*"); and

WHEREAS the President and Board of Trustees of the Village (the "*Corporate Authorities*") have determined that it is advisable, necessary and in the best interests of public health, safety and welfare to construct improvements to the existing System, including, but not limited to improvements to and/or upgrades at the existing water treatment plant, addition of membrane filtration system and appurtenances, extension of water mains, and providing for valving and metering for interconnects to enhance supply reliability, together with the acquisition of all land or rights in land and all mechanical, electrical and other services necessary, useful or advisable to the construction program, and, incidental to such construction, to pay bond discount, bond interest, capitalized interest, bond reserve account, original issue discount, underwriting discount, funding, legal, financing, and administrative expense (all of which said construction, services, and incidental expenses may be referred to as the "*Project*"), all in accordance with the plans and specifications therefor prepared by consulting engineers to the Village; and

WHEREAS the estimated cost of constructing and installing the Project is not less than \$2,700,000 and there are insufficient funds on hand and lawfully available to pay such costs; and

WHEREAS such costs are expected to be paid for from the proceeds of bonds payable from the revenues of the System; and

WHEREAS pursuant to and in accordance with the provisions of the Act, the Village is authorized to borrow funds and may issue its Water Revenue Bonds in the aggregate principal amount of not to exceed \$2,700,000 in evidence thereof for the purpose of providing funds to pay the costs of the Project:

NOW THEREFORE Be It Ordained by the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Corporate Authorities hereby find that the recitals contained in the preambles to this Ordinance are true and correct and do incorporate them into this Ordinance by this reference.

Section 2. Determination To Issue Bonds. It is necessary and in the best interests of the Village to construct the Project for the public health, safety and welfare, in accordance with the plans and specifications, as described, that the System continue to be operated in accordance with the provisions of the Act, and that for the purpose of constructing the Project, there are hereby authorized to be issued and sold Water Revenue Bonds of the Village in an aggregate principal amount not to exceed \$2,700,000.

Section 3. Publication. This Ordinance, accompanied by a Notice in the statutory form, shall be published once within ten (10) days after passage hereof by the Corporate Authorities in the *Jacksonville Journal Courier*, being a newspaper of general circulation in the Village. If, within 30 days after the publication of this Ordinance, accompanied by a notice in the statutory form, a petition is filed with the Village Clerk signed by 33 or more electors of the Village, being that number of electors numbering ten percent (10%) or more of the number of registered voters in the Village, asking that the question of improving the System, as provided in this Ordinance, and the issuance of revenue bonds to pay the cost thereof, be submitted to the electors of the Village, the Village Clerk shall certify the question for submission at an election. If no valid

petition is filed with the Village Clerk as so provided, this Ordinance shall be in effect after the expiration of that 30 day period. A petition form shall be provided by the Village Clerk to any individual requesting one.

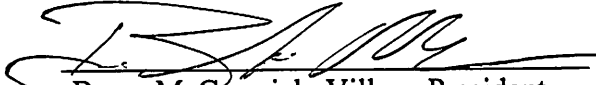
Section 4. Additional Ordinances. If no petition meeting the requirements of the Act and other applicable law is filed during the petition period hereinabove referred to, then the Corporate Authorities may adopt additional ordinances or proceedings supplementing or amending this Ordinance providing for the issuance and sale of the Water Revenue Bonds, prescribing all the details of said Water Revenue Bonds, and providing for the collection, segregation and distribution of the revenues of the System, so long as the maximum amount of said Water Revenue Bonds as set forth in this Ordinance is not exceeded and there is no material change in the Project or purposes described herein. Such additional ordinances or proceedings shall in all instances become effective in accordance with the Act and other applicable law. This Ordinance, together with such additional ordinances or proceedings, shall constitute complete authority for the issuance of said Water Revenue Bonds under applicable law.

Section 5. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 6. Repealer. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

PASSED by the President and Board of Trustees on August 20, 2012.

Approved August 20, 2012.


Bryce McCormick, Village President
Village of Chapin
Morgan County, Illinois

AYES: Kenneth Drake, Loren Hamilton, Rex Brockhouse, Michael Newell and President Bryce McCormick.

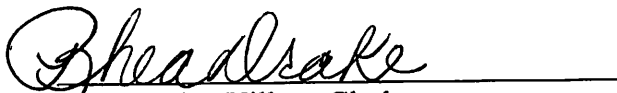
NAYS: None

ABSENT: Robert Luttrell and Casey Hummer

PUBLISHED in the *Jacksonville Journal Courier* on August ____, 2012.

RECORDED in the Village Records on August 20, 2012.

ATTEST:


Rhea Drake, Village Clerk
Village of Chapin
Morgan County, Illinois

STATE OF ILLINOIS)
) SS
COUNTY OF MORGAN)

CERTIFICATION OF ORDINANCE AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chapin, Morgan County, Illinois (the "*Village*"), and as such officer I am the keeper of the books, records, files, and journal of proceedings of the Village and of the President and Board of Trustees thereof (the "*Corporate Authorities*").

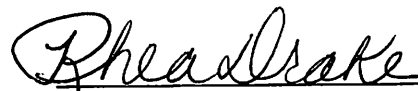
I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the legally convened meeting of the Corporate Authorities held on the 20th day of August, 2012 insofar as same relates to the adoption of Ordinance Number 2012-9 entitled:

AN ORDINANCE authorizing the issuance of Water Revenue Bonds of the Village of Chapin, Morgan County, Illinois in an aggregate principal amount not to exceed \$2,700,000.

(the "*Ordinance*") a true, correct and complete copy of which Ordinance 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 Corporate Authorities on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance 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 Corporate Authorities at least 48 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 said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as amended; and that the Corporate Authorities have complied with all of the applicable provisions of said Act and their procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of the Village this 20th day of August, 2012.



Rhea Drake, Village Clerk
Village of Chapin
Morgan County, Illinois

[SEAL]

EXTRACT OF MINUTES of a special public meeting of the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois, held at Village Hall, Chapin, Illinois, in said Village at 6:00 p.m., on the 20th day of August, 2012.

The President called the meeting to order and directed the Village Clerk to call the roll. Upon roll call, Bryce McCormick, the President, and the following Trustees were physically present at said location: Kenneth Drake, Loren Hamilton, Rex Brockhouse and Michael Newell. 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: None

No Trustee 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: Robert Luttrell and Casey Hummer.

The President announced that the Village Board would now discuss the proposed improvements to the Village's waterworks system, and the issuance of the Village's waterworks revenue bonds therefor, and that the Village Board would now consider the adoption of an ordinance authorizing the issuance of said revenue bonds.

Whereupon Trustee Michael Newell presented and the Village Clerk read by title an ordinance as follows, a copy of which was provided to each Trustee prior to said meeting and to everyone in attendance at said meeting who requested a copy:

AN ORDINANCE authorizing the issuance of Water Revenue Bonds of the Village of Chapin, Morgan County, Illinois in an aggregate principal amount not to exceed \$2,700,000.

Trustee Rex Brockhouse moved and Trustee Kenneth Drake seconded the motion that said Ordinance as presented and read by title be adopted.

After a full and complete discussion thereof, including a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, the President directed that the roll be called for a vote upon the motion to adopt the Ordinance.

Upon the roll being called, the following voted AYE: Kenneth Drake, Loren Hamilton, Rex Brockhouse, Michael Newell and President Bryce McCormick.

NAY: None

Whereupon the President declared the motion carried and the Ordinance adopted, and henceforth approved and signed the same in open meeting and directed the Village Clerk to record the same in full in the records of the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois.

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

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



Rhea Drake, Village Clerk

EXHIBIT A

[Attach Meeting Agenda]

Village of Chapin
510 Everett Street
Chapin, IL. 62628
(217)-472-3111

Notice of Special Meeting and Agenda

The Board of Trustees of the Village of Chapin will hold a special meeting on August 20, 2012 at 6:00 p.m. at the Chapin Village Hall located at 510 Everett Street. This meeting is open to the public; the agenda is set forth below.

1. Meeting called to order.
2. Pledge of Allegiance.
3. Recognition of guests.

Discussion of the improvements being made to the village's water distribution system.

Action Item:

Adoption of an ordinance authorizing repairs and improvements to the village's water distribution system and authorizing the issuance of Water Revenue Bonds in an aggregate amount not to exceed \$2,700,000.00.

4. Adjourn.

**NOTICE OF INTENT TO ISSUE BONDS
AND RIGHT TO FILE PETITION**

NOTICE IS HEREBY GIVEN that pursuant to Ordinance Number 2012-9, adopted on August 20, 2012 (the "*Ordinance*"), the Village of Chapin, Morgan County, Illinois (the "*Village*"), intends to issue its Water Revenue Bonds (the "*Bonds*"), in an aggregate principal amount not to exceed \$2,700,000, and bearing interest per annum at a rate not to exceed the maximum rate authorized by law at the time the Bonds are sold, for the purpose of paying the costs to construct improvements to the existing water system of the Village, including, but not limited to improvements to and/or upgrades at the existing water treatment plant, addition of membrane filtration system and appurtenances, extension of water mains, and providing for valving and metering for interconnects to enhance supply reliability. A complete copy of the Ordinance accompanies this notice.

NOTICE IS HEREBY FURTHER GIVEN that if, within 30 days after the publication of this Notice, accompanied by publication of the Ordinance, a petition is filed with the Village Clerk signed by 33 or more electors of the Village, being that number of electors numbering ten percent (10%) or more of the number of registered voters in the Village, asking that the question of improving the System, as provided in the Ordinance, and the issuance of the Bonds to pay the cost thereof, be submitted to the electors of the Village, the Village Clerk shall certify the question for submission at the election to be held on February 26, 2013, unless no voters in the Village are scheduled to cast votes for any candidates for nomination for, election to or retention in public office at said election, in which case an election on the proposition to issue said bonds shall be held on the April 9, 2013, for the purpose of voting upon such question. The Circuit Court may declare that an emergency referendum should be held prior to either of said election dates pursuant to the provisions of Section 2A-1.4 of the Election Code of the State of Illinois, as amended. A petition form shall be provided by the Village Clerk to any individual requesting one. If no valid petition is filed with the Village Clerk as so provided, said Ordinance shall be in effect after the expiration of that 30-day period.

BY ORDER OF the President and Board of Trustees of the Village of Chapin, Morgan County, Illinois.

DATED the 20th day of August, 2012.



Rhea Drake, Village Clerk
Village of Chapin
Morgan County, Illinois

Note to Publisher: Please be certain that this notice appears over the name of the Clerk of the Board.

STATE OF ILLINOIS)
) SS
COUNTY OF MORGAN)

NO REFERENDUM CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified, and acting Village Clerk of the Village of Chapin, Morgan County, Illinois (the "*Village*"), and as such officer I am the keeper of the books, records, files and journal of proceedings of the Village and of the President and Board of Trustees thereof. I do further certify that Ordinance Number 2012-9, being the Ordinance entitled:

AN ORDINANCE authorizing the issuance of Water Revenue Bonds of the Village of Chapin, Morgan County, Illinois in an aggregate principal amount not to exceed \$2,700,000.

(the "*Ordinance*") was presented to and passed by the President and Board of Trustees of the Village at its legally convened meeting held on the 20th day of August, 2012 and signed by the Village President on said day.

I do further certify that the Ordinance was duly and properly published in the *Jacksonville Journal Courier*, a newspaper of general circulation within the Village, there being no newspaper published therein, on the ____ day of August, 2012, being a date within ten (10) days from the date of passage of the Ordinance.

I do further certify that publication of the Ordinance was accompanied by a separate publication of notice of (1) the specific number of voters required to sign the petition requesting the question of constructing improvements to the waterworks system as provided in the Ordinance; (2) the time in which such petition must have been filed; and (3) the date of the prospective referendum.

I do further certify that I did make available and provide to any individual so requesting a petition form, in the form as attached hereto, which petition form provided for submission to the

electors of the Village of the question as set forth therein. Copies of such petition form were available from me continuously from _____, 2012, up to and including _____, 2012.

I do further certify that no Petition has been filed in my office within 30 days after publication of the Ordinance or as of the time of the signing hereof as provided by statute asking that the question of improving the waterworks sewerage system as provided in the Ordinance, and the issuance of revenue bonds to pay the costs thereof be submitted to the electors of the Village.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the corporate seal of the Village at Morgan County, Illinois, this ____ day of _____, 2012.

Rhea Drake, Village Clerk
Village of Chapin
Morgan County, Illinois

[SEAL]

[Attach Petition Form]

PETITION

To the Village Clerk of the Village of Chapin, Morgan County, Illinois:

We, the undersigned, being registered voters of the Village of Chapin, Morgan County, Illinois, do hereby petition you to cause the following question to be certified to the County Clerk of The County of Morgan, Illinois, and submitted to the electors of said Village at the next election at which said proposition lawfully may be submitted to said voters: "Shall the Village of Chapin, Morgan County, Illinois improve the waterworks system of said Village, as provided in Ordinance Number 2012-9 of said Village, and issue the Village's Water Revenue Bonds therefor, in an amount not to exceed \$2,700,000 as provided in said Ordinance?"

Table with 2 columns: NAME, ADDRESS. Multiple rows of blank lines for signatures and addresses, with the address 'Chapin, Morgan County, Illinois' repeated in the right column.

The undersigned, being first duly sworn, deposes and certifies that he or she is at least 18 years of age, that he or she is a citizen of the United States of America, his or her residence address is _____ (street address or rural route number), _____ (city, village or town), _____ (state), and that the signatures on the foregoing petition were signed in his or her presence and are genuine, that to the best of his or her knowledge and belief the persons so signing were at the time of signing said petition registered voters of said Village and that their respective residences are correctly stated therein.

/s/ _____

Subscribed and sworn to before me this _____ day of _____ 2012.

Illinois Notary Public

[SEAL]