

MINUTES of a **Special Public Meeting** of the Board of Education of Community Unit School District Number 5, Whiteside and Lee Counties, Illinois, held in the Sterling High School Building Choir Room, 1608 Fourth Avenue, Sterling, Illinois, in said School District at 6:00 P.M., on the **sixth day of August, 2008.**

The meeting was called to order at 6:01 P.M. by President Jim Brotheridge, and upon the roll being called, the President, and the following members were physically present at said location: Bob Allen, Gail Dancey, Jim McPherson, Frank Rausa, and Gonzalo Steven Reyes.

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

The following member was absent and did not participate in the meeting in any manner or to any extent whatsoever: Jay Van Horn.

The President announced that the Board of Education would consider the adoption of a resolution requesting the County Board of The County of Whiteside, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the general election to be held on the fourth day of November, 2008.

Whereupon Member Dancey, Board Secretary, presented and read by title a resolution as follows, a copy of which was provided to each member of the Board of Education prior to said meeting and to everyone in attendance at said meeting who requested a copy:

RESOLUTION requesting the County Board of The County of Whiteside, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the general election to be held on the 4th day of November, 2008.

* * *

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the "*County School Facility Occupation Tax Law*"), authorizes the County Board (the "*County Board*") of The County of Whiteside, Illinois (the "*County*"), to impose a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in the County on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged, in the County, in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes (the "*County School Facility Occupation Taxes*") if a proposition for the County School Facility Occupation Taxes (the "*Proposition*") is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, "*school facility purposes*" means the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities, and also includes fire prevention, safety, energy

conservation, disabled accessibility, school security, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon a resolution by school district boards that represent at least 51% of the student enrollment within the County, the County Board must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"); and

WHEREAS, the Board of Education (the "*School Board*") of Community Unit School District Number 5, Whiteside and Lee Counties, Illinois (the "*District*"), deems it necessary, advisable and in the best interest of the District that the County Board certify the Proposition to the County Clerk of the County (the "*County Clerk*") for submission to the electors of the County at the general election to be held on the 4th day of November, 2008 (the "*Election*");

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Community Unit School District Number 5, Whiteside and Lee Counties, Illinois, as follows:

Section 1. Incorporation of Preambles. The School 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. Request to County Board. The County Board is hereby requested to certify the Proposition to the County Clerk, in accordance with the Election Code, for submission to the electors of the County at the Election.

Section 3. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. Repeal. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted August 6, 2008.

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

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

Upon the roll being called, the following members voted AYE: Allen, Brotheridge, Dancey, McPherson, Rausa, and Reyes.

The following members voted NAY: None

Whereupon the President 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 Education of Community Unit School District Number 5, Whiteside and Lee Counties, Illinois, which was done.

No other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made by Member Reyes, seconded by Member Allen, and carried, the meeting was adjourned at 6:20 P.M..

STATE OF ILLINOIS)
) SS
COUNTY OF WHITESIDE)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of Community Unit School District Number 5, Whiteside and Lee Counties, Illinois (the “Board”), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 6th day of August, 2008, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION requesting the County Board of The County of Whiteside, Illinois, to certify to the County Clerk of said County the question of imposing a retailers’ occupation tax and a service occupation tax to be used exclusively for school facility purposes for submission to the electors of said County at the general election to be held on the 4th day of November, 2008.

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 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 compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 6th day of August, 2008.

Secretary, Board of Education