

RESOLUTION NO. 2005-33

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, KANSAS AUTHORIZING AND DIRECTING THE REPAIR OF CERTAIN ROADS WITHIN THE COUNTY AND THE PAYMENT THEREFORE, PURSUANT TO *KSA §68-1101 ET SEQ.***

**Whereas**, the Board of County Commissioners (the "Board") of Jefferson County, Kansas, (the "County"), pursuant to *KSA §68-1101 et seq.*, (the "Act"), is vested with the discretionary authority to determine that it is necessary to build or repair any road, bridge or culvert, and, the Board may:

- (1) Either appropriate the necessary funds therefore or issue general obligation bonds to pay for the costs for the construction, repair or reconstruction of any bridge or culvert; or
- (2) In the case of costs related to the repair, construction or reconstruction of a road, no general obligation bonds may be issued until the Board Resolution authorizing the repair, reconstruction or construction of such roads shall have been published once each week for three consecutive weeks and within 60 days following the last publication a petition in opposition to the issuance of bonds for such road repair is not filed; and

**Whereas**, based upon discussions between the Board and the County Engineering Department, the Board, pursuant to the Act, hereby determines that in order to meet the demands of present day traffic and otherwise provide for the public's health, safety and welfare, it is necessary to repair and reconstruct the various roads within the County set forth on Exhibit A attached hereto and incorporated herein (the "Project") at the costs specified on said Exhibit A (the "Project Costs"); and

**Whereas**, the County does not have sufficient unencumbered funds to pay the County's share of the Project Costs, therefore the Board deems it necessary and prudent to issue County general obligation bonds to pay for the County's share of the Project Costs not otherwise paid from other legally available and unencumbered funds.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, KANSAS, THAT:**

**SECTION 1.** The Project, is hereby authorized and approved. The County Engineer and the County Engineering Department shall proceed to cause to be prepared such specifications and plans are necessary to initiate the contemplated construction of the Project. The letting of contracts for the construction of the Project or the various parts thereof shall be subject to the provisions of **Section 6** herein, and following the expiration of the 60 days following the last publication of this Resolution, shall, unless a sufficient protest is filed as provided by the Act, proceed in such manner as is deemed prudent to the expeditious completion of the Project.

**SECTION 2.** In order for the County to have sufficient unencumbered and lawfully available funds to pay the County's share of the Project Costs, the Board, the County staff, the County Counselor, Robert J. Perry, Esq., the County's Bond Counsel, and Oppenheimer & Co., Inc., are, subject to the provisions of **Section 6** herein, hereby authorized and directed to initiate the steps necessary to market the sale of the County's general obligation bonds or temporary notes to pay for the County's share of the Project Costs.

**SECTION 3.** The County Clerk, County staff, County Counselor, Bond Counsel and Oppenheimer & Co., Inc., are hereby also authorized and directed to take such steps as are deemed prudent to cause to be prepared the Preliminary Official Statement for the County general obligation bonds or temporary notes authorized herein and to analyze the County's outstanding general obligation bond debt structure to ascertain if refunding any portion or all of the County's outstanding general obligations in connection with the bonds authorized herein will result in debt service savings to the County or otherwise benefit the County's debt service requirements.

**SECTION 4.** The Board Chairman, County Clerk, County staff, County Counselor, Bond Counsel and Oppenheimer are hereby authorized to prepare and distribute a Preliminary Official Statement in connection with the proposed sale, issuance and delivery of the proposed bonds authorized herein, including but limited to any refunding bonds of the County.


**SECTION 5.** All previous actions heretofore taken by the officers or representatives of the County relating to the Project, payment of Project Costs, including the refunding of outstanding County general obligation bonds as part of the bonds to pay the County's share of the Project Costs as contemplated by this Resolution are hereby approved and ratified in all respects. The Chairman, the County Clerk, and any other proper officials or agents of the County, be and each of them is hereby authorized and directed to execute and deliver any and all documents, certificates and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transaction contemplated by this Resolution, including performing such acts as may be reasonably necessary to secure a commitment for municipal bond insurance.

**SECTION 6.** This Resolution shall take effect and be in force from and after its passage and approval. However, no bonds or temporary notes may be issued hereunder until this Resolution has been published once a week for three consecutive weeks in the official County newspaper and within 60 days following the last publication no petition as is specified by the Act is filed with the County election officer.

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ADOPTED by the Board of County Commissioners of Jefferson County, Kansas September 26,  
2005.

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:


  
County Clerk  
(SEAL)



Exhibit A

**JEFFERSON COUNTY  
ROAD DEPARTMENT**

P.O. BOX 322  
OSKALOOSA, KS 66066  
PHONE (785) 863-2211  
FAX (785) 863-3026

**RICHARD L. TEAFORD, P.E. L.S.  
COUNTY ENGINEER**

**GEORGE W. POGGE  
ROAD SUPERINTENDENT**

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**BOND PROJECTS & NEEDED FUNDS  
ROADS**

**Bituminous Surface Treatment Projects:**

Halfmound Rd from Coal Creek Rd to Finney Rd & Finney Rd North to County line		
	2 miles	\$ 92,000
Butler Rd from 62 <sup>nd</sup> Rd to Wyandotte Rd		
	2 miles	\$ 92,000
Union Rd from McLouth City Limits South to 62 <sup>nd</sup> Rd		
	2.2 miles	\$101,200

**Overlay Projects:**

Rogers Rd from Wise Rd East to County line		
	1.5 miles	\$113,265
Wellman Rd from 54 <sup>th</sup> Rd South to County line		
	7 miles	\$528,570
Lecompton Rd from US 24 South to Bridge		
	2 miles	<u>\$113,265</u>

**Total: \$1,040,300**

EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
JEFFERSON COUNTY, KANSAS  
HELD ON September 26, 2005

The governing body of Jefferson County, Kansas (the "County"), met in regular session at the usual meeting place in the County, at 9:00 AM o'clock with the following members present and participating:

Commissioners: Francis Grollmes, Lynn Luck, David Christy

Absent: Ø

A Resolution was presented entitled:

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**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
JEFFERSON COUNTY, KANSAS AUTHORIZING AND DIRECTING  
THE REPAIR OF CERTAIN BRIDGES WITHIN THE COUNTY AND  
THE PAYMENT THEREFORE, PURSUANT TO KSA §68-1101 ET SEQ.**

Commissioner Christy moved that the Resolution be adopted. The motion was seconded by Commissioner Luck. The Resolution was read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: 3

Nay: Ø

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(Other Proceedings)

On motion made and seconded, the meeting was adjourned.



Arda M. Butcher  
County Clerk