

ORDER calling a public hearing concerning the intent of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois, to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of said School District.

* * *

WHEREAS, the Board of Education (the “*Board*”) of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois (the “*District*”), intends to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District, pursuant to, and in accordance with, Section 17-2A of the School Code of the State of Illinois, as amended; and

WHEREAS, prior to making such transfer the District is required to hold a public hearing in accordance with said Section 17-2A and to publish notice of the date, time, place and subject matter of said hearing:

NOW, THEREFORE, Be It and It Is Hereby Ordered by the undersigned President of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois, as follows:

1. I hereby call a public hearing to be held at 6:00 o’clock P.M. on the 23rd day of September, 2009, in the District Office Meeting Room, 209 South College Avenue, Geneseo, Illinois, in the District, concerning the intent of the Board to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District (the “*Hearing*”).

2. I hereby direct that the Secretary of the Board (the “*Secretary*”) shall (i) publish notice of the Hearing at least once in the *Geneseo Republic*, the same being a newspaper of general circulation in the District, not less than 7 nor more than 30 days before the date of the Hearing and (ii) post at least 48 hours before the Hearing a copy of said notice at the principal office of the Board.

3. Notice of the Hearing shall appear above the name of the Secretary and shall be in substantially the following form:

**NOTICE OF PUBLIC HEARING
COMMUNITY UNIT SCHOOL DISTRICT NUMBER 228,
HENRY AND WHITESIDE COUNTIES, ILLINOIS**

NOTICE IS HEREBY GIVEN that the Board of Education (the "*Board*") of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois (the "*District*"), will hold a public hearing on the 23rd day of September, 2009, at 6:00 P.M. in the District Office Meeting Room, 209 South College Avenue, Geneseo, Illinois, to receive public comments concerning the intent of the Board to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District.

Any interested person may appear at the hearing and will be heard regarding this matter. After the adjournment of the hearing, the Board may consider a resolution directing the School Treasurer to make such transfer of \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District.

By order of the President of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois.

DATED the 27th day of August, 2009.

Curt Frerichs
Secretary, Board of Education, Community
Unit School District Number 228, Henry
and Whiteside Counties, Illinois

4. At the Hearing, the Board shall explain the reasons for the proposed transfer and permit persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits. The Board shall not adopt a resolution directing the School Treasurer to make such transfer until after the final adjournment of the Hearing.

Ordered this 27th day of August, 2009.

President, Board of Education

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois, held in the District Office Meeting Room, 209 South College Avenue, Geneseo, Illinois, in said School District at 6:00 o'clock P.M., on the 23rd day of September, 2009.

* * *

The meeting was called to order by the President, and upon the roll being called, Doug Ford, the President, and the following members were physically present at said location:

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education 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 members were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

At 6:00 o'clock P.M., the President announced that the next agenda item for the Board of Education was a public hearing (the "*Hearing*") to receive public comments concerning the intent of the Board to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District (the "*Interfund Transfer*"), and explained that all persons desiring to be heard would have an opportunity to present written or oral testimony with respect thereto.

The President opened the discussion and explained that the reasons for the proposed Interfund Transfer were as follows: _____

_____.

Whereupon the President asked for additional comments from the members of the Board of Education. Additional comments were made by the following:

(If no additional comments were made,
please so indicate with the word "none.")

Written testimony concerning the proposed Interfund Transfer was read into the record by the Secretary and is attached hereto as *Exhibit I*.

(If no written testimony was received,
please so indicate with the word "none.")

Whereupon the President asked for oral testimony or any public comments concerning the proposed Interfund Transfer. Statements were made by the following:

(If no additional statements were made,
please so indicate with the word "none.")

The President then announced that all persons desiring to be heard had been given an opportunity to present oral and written testimony with respect to the proposed Interfund Transfer.

Member _____ moved and Member _____
seconded the motion that the Hearing be finally adjourned.

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

Upon the roll being called, the following members voted AYE: _____

The following members voted NAY: _____

Whereupon the President declared the motion carried and the Hearing was finally adjourned.

Other business not pertinent to the conduct of the Hearing was duly transacted at said meeting.

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

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF HENRY)

CERTIFICATION OF MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education (the “*Board*”) of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois (the “*District*”), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitute a full, true and complete transcript of the minutes of the meeting of the Board held on the 23rd day of September, 2009, insofar as the same relates to a public hearing concerning the intent of the Board to transfer \$650,000 from the Educational Fund to the Operations and Maintenance Fund of the District.

I do further certify that the deliberations of the Board at said meeting were conducted openly, that all votes taken at said meeting were 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 Board at least 48 hours in advance of the holding of said meeting, 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 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 the conduct of said meeting.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 23rd day of September, 2009.

Secretary, Board of Education

MINUTES of a regular public meeting of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois, held in the District Office Meeting Room, 209 South College Avenue, Geneseo, Illinois, in said School District at 6:00 o'clock P.M., on the 23rd day of September, 2009.

* * *

The President called the meeting to order and directed the Secretary to call the roll.

Upon the roll being called, Doug Ford, the President, and the following members were physically present at said location: _____

The following members were allowed by a majority of the members of the Board of Education in accordance with and to the extent allowed by rules adopted by the Board of Education 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 members were absent and did not participate in the meeting in any manner or to any extent whatsoever: _____

The President announced that the Board of Education would consider the adoption of a resolution directing the transfer of \$650,000 from Educational Fund to the Operations and Maintenance Fund of the District.

Whereupon Member _____ presented and the Secretary 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 directing the transfer of \$650,000 from the Educational Fund to the Operations and Maintenance Fund of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois.

* * *

WHEREAS, in accordance with the provisions of Section 17-2A of the School Code of the State of Illinois, as amended (the “*Code*”), the Board of Education (the “*Board*”) of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois (the “*District*”), is authorized to transfer money from (1) the Educational Fund to the Operations and Maintenance Fund or the Transportation Fund, (2) the Operations and Maintenance Fund to the Educational Fund or the Transportation Fund, or (3) the Transportation Fund to the Educational Fund or the Operations and Maintenance Fund of the District; and

WHEREAS, pursuant to and in accordance with the provisions of said Section 17-2A, the President of the Board, on the 27th day of August, 2009, executed an Order calling a public hearing (the “*Hearing*”) for the 23rd day of September, 2009, concerning the intent of the Board to transfer \$650,000 (the “*Transfer Amount*”) from the Educational Fund to the Operations and Maintenance Fund of the District; and

WHEREAS, notice of the Hearing was given (i) by publication at least once not less than seven (7) nor more than thirty (30) days before the date of the Hearing in the *Geneseo Republic*, the same being a newspaper of general circulation in the District, and (ii) by posting at least 48 hours before the Hearing a copy of said notice at the principal office of the Board; and

WHEREAS, the Hearing was held on the 23rd day of September, 2009, and at the Hearing, the Board explained the reasons for the proposed transfer and permitted persons desiring to be heard an opportunity to present written or oral testimony within reasonable time limits; and

WHEREAS, the Hearing was finally adjourned on the 23rd day of September, 2009; and

WHEREAS, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the School Treasurer of the District transfer the Transfer Amount from the Educational Fund to the Operations and Maintenance Fund of the District:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, 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. Transfer. The School Treasurer of the District is hereby directed to forthwith permanently transfer the Transfer Amount from the Educational Fund to the Operations and Maintenance Fund of the District. It is hereby found and determined that the Transfer Amount, when added to the Operations and Maintenance Fund of the District and regardless of any subsequent transfers of the Transfer Amount, will not result in an excess accumulation of assets in the Operations and Maintenance Fund.

Section 3. Outstanding Loans. If necessary to effectuate such permanent transfer, outstanding loans from the Educational Fund to any other funds of the District in an amount, together with any cash immediately transferred pursuant to Section 2 above, equal in the aggregate to the Transfer Amount shall be paid to the Educational Fund of the District, and any remaining outstanding loans shall be paid to the Educational Fund at the time and in the manner required by the Code.

Section 4. 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 5. Repealer and Effective Date. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and that this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted September 23, 2009.

President, Board of Education

Secretary, Board of Education

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

After a full and complete discussion thereof, the President directed the Secretary to call the roll for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE: _____

The following members voted NAY: _____

Whereupon the President declared the motion carried and said resolution adopted, and in open meeting approved and signed said resolution and directed the Secretary to record the same in full in the records of the Board of Education of Community Unit School District Number 228, Henry and Whiteside Counties, Illinois, which was done.

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

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

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF HENRY)

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 228, Henry and Whiteside Counties, Illinois (the “Board”), and that 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 23rd day of September, 2009, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION directing the transfer of \$650,000 from the Educational Fund to the Operations and Maintenance Fund of Community Unit School District Number 228, Henry and Whiteside Counties, 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 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 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 the conduct of said meeting and in the adoption of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 23rd day of September, 2009.

Secretary, Board of Education