December 6, 2018

Mr. Kevin Bushur, Chief Executive Officer
Membership Committee
C.E.F.S. Economic Opportunity Corporation
PO Box 928
Effingham, IL  62401-0928

RE: Public Sector Designation from Fayette County Board to the
C.E.F.S. Economic Opportunity Corporation, Board of Directors

Dear Mr. Bushur:

Per your letter of request, the Fayette County Board formally designates Glenda Bartels of the St. Elmo area to serve as the public sector representative, for Fayette County on the C.E.F.S. Board of Directors.

The Fayette County Board met on December 11, 2018 and voted to designate Glenda Bartels as a representative of the public sector from the Fayette County Board to the C.E.F.S. Economic Opportunity Corporation, Board of Directors. The public sector representative was chosen in accordance with democratic election/appointment procedures by the Fayette County Board.

Glenda Bartels is a very active member in our community and it is our privilege to recommend him/her to serve on the C.E.F.S. Board of Directors for Fayette County. Glenda is very conscientious in tasks he/she accepts and will serve the C.E.F.S. Board of Directors in that manner.

Sincerely,

Fayette County Board

Jeffrey E. Beckman, Board Chairman
Fayette County
FAYETTE COUNTY BOARD
221 South Seventh Street  P.O. Box 601  Vandalia, Illinois 62471  Phone (618) 245-5500; County Clerk

December 6, 2018

Mr. Kevin Bushor, Chief Executive Officer
Membership Committees
C.E.F.S. Economic Opportunity Corporation
PO Box 601
Effingham, IL 62401-6028

RE: Public Sector Designation from Fayette County Board to the C.E.F.S. Economic Opportunity Corporation, Board of Directors

Dear Mr. Bushor:

Per your letter of request, the Fayette County Board formally designates Glenda Bartels of the St. Elmo area to serve as the public sector representative, for Fayette County on the C.E.F.S. Board of Directors.

The Fayette County Board met on December 11, 2018 and voted to designate Glenda Bartels as a representative of the public sector from the Fayette County Board to the C.E.F.S. Economic Opportunity Corporation, Board of Directors. The public sector representative was chosen in accordance with democratic election/appointment procedures by the Fayette County Board.

Glenda Bartels is a very active member in our community and it is our privilege to recommend him/her to serve on the C.E.F.S. Board of Directors for Fayette County. Glenda is very conscientious in tasks he/she accepts and will serve the C.E.F.S. Board of Directors in that manner.

Sincerely,

Fayette County Board

[Signature]

Jeffrey E. Beckman, Board Chairman
Fayette County
(This page intentionally left blank)
RESOLUTION #2018-12-11-A

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

VILLAGE OF SHOBONIER LOTS 78 79 & 80 BLK 1 126 X 150 BK 1800 P 269

PERMANENT PARCEL NUMBER: 07-18-16-479-001

As described in certificate(s): NONE sold on November 16, 2015

Commonly known as: SMITH’S AVE.

and it appearing to the County board that it is in the best interest of the County to accept full payment of the delinquent taxes, penalties, interest, and costs from the owner of an interest in said property.

WHEREAS, Lonnie and Mary Whipple Jr., has paid $916.79 for the full amount of taxes involved and a request for surrender of the tax sale certificate has been presented to the County board and at the same time it having been determined that the County shall receive $521.48 as a return for its Certificate(s) of Purchase. The County Clerk shall receive $15.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account. Lonnie and Mary Whipple Jr. shall receive $5.66 for overpayment. The remainder is the amount due the Agent under his contract for services.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, hereby authorizes the cancellation of the appropriate Certificate(s) of Purchase on the above described real estate for the sum of $521.48 to be paid to the Treasurer of Fayette County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADMITTED by roll call vote this 12th day of December, 2018

ATTEST:
CLERK

COUNTY BOARD CHAIRMAN

SURRENDER 11-18-001
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

08-LACLEDE TOWNSHIP

PERMANENT PARCEL NUMBER: 08-21-32-288-004

As described in certificates(s) : NONE sold November 2015

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Walter Richard Morrison, has bid $1,502.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $987.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $1,502.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $987.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 12th day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER 11-18-002
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

09-LONE GROVE TOWNSHIP

PERMANENT PARCEL NUMBER: 09-20-15-454-002

As described in certificates(s) : NONE sold November 2015

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Piggy Bank Investment Properties, LLC, has bid $1,023.00 for the County’s interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $508.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $1,023.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $508.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 18th day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-02-35-400-005

As described in certificate(s): NONE sold November 2012

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, James Hale, has bid $850.00 for the County’s interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $335.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $850.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $335.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 12/14 day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER 11-18-004
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

13-RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-17-278-005

As described in certificates(s) : NONE sold November 2015

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Reynold Eller, Rhonda Eller, has bid $1,100.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $585.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $1,100.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $585.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this ___ day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
RESOLUTION  #2018-12-11-F

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

18-VANDALIA TOWNSHIP

PERMANENT PARCEL NUMBER: 18-14-16-309-005

As described in certificates(s) : NONE sold November 2015

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Diana Lynn Cole, has bid $815.00 for the County’s interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancelation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this \textit{18}th day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER

11-18-006
RESOLUTION  #2018-12-11-G

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

VANDALIA TOWNSHIP

PERMANENT PARCEL NUMBER: 18-14-17-302-005

As described in certificates(s) : NONE sold November 2012

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Walter Richard Morrison, has bid $850.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $335.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancelation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $850.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $335.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 12th day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
RESOLUTION #2018-12-11-H

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

18-VANDALIA TOWNSHIP

PERMANENT PARCEL NUMBER: 18-14-17-411-016

As described in certificates(s) : NONE sold November 2015

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Piggy Bank Investment Properties, LLC, has bid $823.00 for the County’s interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $308.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $823.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $308.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 18th day of December, 2018

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
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<th>Total Collected</th>
<th>County Clerk</th>
<th>Auctionee</th>
<th>Recorder/ Sec of State</th>
<th>Agent</th>
<th>Treasurer</th>
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Totals

$7,886.46  $15.00  $0.00  $455.00  $3,530.31  $3,879.48

Clerk Fees $15.00
Recorder/Sec of State Fees $455.00
Total to County $4,349.48

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<td>10/80132</td>
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<td>Diane Lyn Cole</td>
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</table>

Future Taxes Due Beginning

Dear Treasurer,

Please ensure the properties listed below receive tax bills no sooner than the payable date listed. Please direct any questions to our office.

ROUTE TO TREASURER

Future Taxes for Properties Sold at Auction

Perry County November 2018 Resolutions
INSTRUCTIONS FOR RESOLUTIONS
(Please keep this copy with packet until routing is complete)
Revised: March 2018

1) Agent mails to Committee for approval:
   a) Original resolution with appropriate disbursement checks attached to each
   b) Monthly Resolution List

2) Committee:
   a) Reviews resolutions and submits to full County Board
   b) Resolution List is presented to County Board Members in their monthly packet

3) County Board:
   a) Dates each resolution with date of adoption or provides a copy of the Master Resolution which indicates the date of adoption.
   b) Chairman signs each resolution
   c) County Clerk seals and attests each resolution
   d) Retains Original of each resolution and copies each executed resolution 2 times
   e) Delivers to Treasurer 2 copies of each resolution with all checks

4) County Treasurer:
   a) Signs all checks
   b) Retains one copy of each resolution
   c) Retains Treasurer's check(s) for deposit
   d) Forwards Clerk's check (if any) to clerk
   e) Returns 1 copy of each resolution with Agent, Auctioneer, Recorder and Purchaser refund check (if any) to:

   County Delinquent Tax Agent
   ATTN: RESOLUTIONS
   P. O. Box 96
   Edwardsville, IL 62025
STATE OF ILLINOIS

COUNTY OF FAYETTE

RESOLUTION

NO: 2018-12-11-I

RESOLUTION

WHEREAS; a request for County Bridge Funds for the purpose of replacing a culvert, on T.R. 386 (1700E) over an unnamed creek, in Bowling Green Township, located approximately three (3) miles southeast of Herrick, in accordance with Section 5-501, Chapter 121 of the Illinois Statutes has been filed; and

WHEREAS; the general assembly of the State of Illinois, amended Section 5-602 of the Road and Bridge Laws of Illinois, providing that any county for the purpose of administering Section 5-501, 5-502, 5-503 and 5-504 of this code and having less than 1,000,000 inhabitants may levy an additional annual tax not exceeding 0.05 percent of all the taxable property in such county, as equalized or assessed by the Department of Revenue, which tax shall be in addition to all other county taxes and shall be in excess of any other rate limitation; and

WHEREAS; Bowling Green Township has petitioned the Fayette County Board for aid in replacing a culvert under Section 5-501 and 6-508, Chapter 121 of the Illinois Statutes as specified in the petition on file with the Fayette County Clerk; and

NOW, THEREFORE BE IT RESOLVED; that the County Board shall appropriate sufficient funds to pay one-half the expense, estimated to be $4,000, to replace the requested culvert; and

BE IT FINALLY RESOLVED; that the funds necessary to furnish the county bridge aid required in the construction of the above described culvert shall be obtained from the County Bridge Fund.

Jeffrey E. Beckman,
Fayette County Board Chairman

I, Vicky L. Conder, County Clerk, in and for Fayette County, Illinois, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of the resolution approved by the County Board of Fayette County at its meeting on the ___11th___ day of December, 2018.

IN TESTIMONY WHEREOF; I have unto set my hand and seal, at my office, this ___11th___ day of December, 2018.

Vicky L. Conder,
Fayette County Clerk
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RESOLUTION
NO: 2018-12-11-J

WHEREAS; a request for County Bridge Funds for the purpose of repairing a bridge, Str. No. 026-3245, on T.R. 530 over a Tributary to Dismal Creek, in LaClede Township, located approximately four (4) miles east of Loogootee, in accordance with Section 5-501, Chapter 121 of the Illinois Statutes has been filed; and

WHEREAS; the general assembly of the State of Illinois, amended Section 5-602 of the Road and Bridge Laws of Illinois, providing that any county for the purpose of administering Section 5-501, 5-502, 5-503 and 5-504 of this code and having less than 1,000,000 inhabitants may levy an additional annual tax not exceeding 0.05 percent of all the taxable property in such county, as equalized or assessed by the Department of Revenue, which tax shall be in addition to all other county taxes and shall be in excess of any other rate limitation; and

WHEREAS; LaClede Township has petitioned the Fayette County Board for aid in repairing a bridge under Section 5-501 and 6-508, Chapter 121 of the Illinois Statutes as specified in the petition on file with the Fayette County Clerk; and

NOW, THEREFORE BE IT RESOLVED; that the County Board shall appropriate sufficient funds to pay one-half the expense, estimated to be $10,000 to perform the requested repairs; and

BE IT FINALLY RESOLVED; that the funds necessary to furnish the county bridge aid required for the repair of the above described bridge shall be obtained from the County Bridge Fund.

Jeffrey E. Beckman,
Fayette County Board Chairman

I, Vicky L. Conder, County Clerk, in and for Fayette County, Illinois, and keeper of the records and files thereof, as provided by statue, do hereby certify the foregoing to be a true, perfect and complete copy of the resolution approved by the County Board of Fayette County at its meeting on the __________ day of December, 2018.

IN TESTIMONY WHEREOF; I have unto set my hand and seal, at my office, this __________ day of December, 2018.

Vicky L. Conder,
Fayette County Clerk
RESOLUTION NO. 2018-12-11-K

RESOLUTION AUTHORIZING AGREEMENT RELATIVE TO PAYMENTS FOR SERVICES RENDERED PROPERTY OF THE UNIVERSITY OF ILLINOIS

WHEREAS, Fayette County, Illinois (the "County"), has heretofore been duly organized and is now operating as a county under the provisions of the Illinois Counties Code, and all laws amendatory thereof and supplementary thereto (the "Code"); and

WHEREAS, the University of Illinois, a tax-exempt entity, owns property within Fayette County and wishes to enter into an Agreement with Fayette County to pay the services rendered by the taxing body and districts in Fayette County to said property (see Agreement, attached hereto); and

WHEREAS, it is in the best interest of the County to approve said Agreement, which will be for the amount of $301.65 for full payment; and

NOW THEREFORE BE IT RESOLVED, by the Fayette County Board, that the County Board Chairman be authorized to enter into this agreement effective upon the approval of this resolution.

PASSED by the County Board of the Fayette County, Illinois on the ___11th___ day of December, 2018, upon yea and nay vote as follows:

Ayes ___12___
Nays ___0___
Absent ___2___

APPROVED by the Chairman of the Fayette County Board, Illinois on the ___11th___ day of December, 2018.

Jeffrey Beckman, Chairperson
Fayette County Board, Illinois

ATTEST:

Vicky Conder
Fayette County Clerk

(SEAL)
AGREEMENT RELATIVE TO PAYMENTS TO BE MADE 
TO THE COUNTY COLLECTOR OF FAYETTE COUNTY 
FOR SERVICES RENDERED PROPERTY OF THE UNIVERSITY 
OF ILLINOIS BY LOCAL TAXING BODIES DURING 
CALENDAR YEAR 2017

THIS AGREEMENT, by and between THE BOARD OF TRUSTEES OF THE 
UNIVERSITY OF ILLINOIS, a body corporate and politic of the State of Illinois, with its principal 
office in the City of Urbana, in the County of Champaign, and State of Illinois, hereinafter called 
"UNIVERSITY," and the County Board of Fayette County, Illinois, hereinafter called "COUNTY 
BOARD";

WITNESSETH:

WHEREAS, the property described in Schedule A, which schedule is attached hereto and is 
hereby incorporated herein and by this reference made a part hereof, is property of UNIVERSITY; and 

WHEREAS, title to the property described in Schedule A was acquired by UNIVERSITY 
prior to January 1, 2017 and title to said property was held by it at all times thereafter and during said 
calendar year 2017, and no other person or persons, firm or corporation has had any interest in the title, or 
any claim of title to, said property or any portion thereof, thereafter during said calendar year 2017; and 

WHEREAS, the property described in Schedule A was leased by UNIVERSITY to tenants, 
and the net income derived therefrom during the said calendar year 2017 is being used in a manner 
consistent with the terms of the bequests; and 

WHEREAS, UNIVERSITY maintains that by reason of the ownership of all of said above- 
described property by The Board of Trustees of the University of Illinois, a body corporate and politic of 
the State of Illinois, said property is property belonging to the State of Illinois, and that by reason of the 
"Property Tax Code," 35 ILCS 200/15-55, (2010), which provides that all property of every kind 
belonging to the State of Illinois shall be exempt from taxation, said property was during 2017, and is 
now, exempt from taxation and should be declared to be entirely exempt from taxation, and that the 
assessments and tax levies made against said property, as is hereinabove set forth, are in all respects 
unauthorized, illegal and void; and 

WHEREAS, an Act enacted by the General Assembly of the State of Illinois, entitled; "An 
Act to provide for the organization and maintenance of the University of Illinois," 110 ILCS 305/7 
(2010), provides as follows:
The Board of Trustees also shall have power to agree with the State's Attorney of the county in which any properties of the Board are located to pay for services rendered by the various taxing districts for the years 1944 through 1949 and to pay annually for services rendered thereafter by such district such sums as may be determined by the Board upon properties used solely for income producing purposes, title to which is held by said Board of Trustees, upon properties leased to members of the staff of the University of Illinois, title to which is held in trust for said Board of Trustees and upon properties leased to for-profit entities the title to which properties is held by the Board of Trustees. A certified copy of any such agreement made with the State's Attorney shall be filed with the County Clerk and such sums shall be distributed to the respective taxing districts by the County Collector in such proportions that each taxing district will receive therefrom such proportion as the tax rate of such taxing district bears to the total tax rate that would be levied against such properties if they were not exempt from taxation under the Property Tax Code; and

WHEREAS, the parties hereto mutually agree that the property described in Schedule A is of the nature of those types of property specified in, and covered by, said above-quoted Statute and that payment for services rendered during the calendar year 2017 to said property by the various taxing districts in Fayette County is proper under the provision of, and is authorized by, said above-quoted Statute; and

WHEREAS, no payment has been made to the County Treasurer and Ex-Officio County Collector of Fayette County, Illinois, for the services rendered by the taxing bodies and districts in Fayette County to said property during the calendar year 2017; and

WHEREAS, UNIVERSITY is willing to pay for the services rendered to the property described in Schedule A by the various taxing districts during said calendar year, a sum equivalent in amount to that which would have been payable upon said property for said year as taxes, if said property would be considered and assumed to have been fully subject to taxation instead of being tax exempt during said year; and

WHEREAS, COUNTY BOARD agrees that the payment on this basis constitutes full and proper compensation to said taxing districts for all services rendered by them to said property during calendar year 2017.

NOW THEREFORE;

1. The parties hereto mutually agree that the property described in Schedule A is of the nature of those types of property specified in, and covered by, said above-quoted Statute, and that payment for services rendered during the calendar year 2017 to said property by the various taxing
districts in Fayette County is proper under the provisions of, and is authorized by, said above-quoted Statute.

2. UNIVERSITY agrees to pay the County Collector of Fayette County the sum of Three Hundred One Dollars and Sixty-Five Cents ($301.65) in full payment for the services rendered during the calendar year 2017 to the property described in Schedule A by the various taxing districts in said County.

3. COUNTY BOARD agrees that payment of said amount shall be and is in full satisfaction and discharge of all claims and demands by each and all of said taxing districts, and constitutes full and proper compensation to them, for the services rendered by them to said property during the calendar year 2017.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed as and of the date and year first hereinabove set forth.

FAYETTE COUNTY, ILLINOIS

By ______________________________
On behalf of the County Board of Fayette County, Illinois

THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS

By ______________________________
Avijit Ghosh, Comptroller

Date

APPROVED:

____________________________________
Associate Vice President for Treasury Operation

APPROVED AS TO FORM:

____________________________________
Office of University Counsel
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RESOLUTION NO. 2018-12-11-L

AUTHORIZING THE RELEASE OF A REQUEST FOR QUALIFICATIONS FOR ASSISTANCE IN IMPLEMENTING A GUARANTEED ENERGY SAVINGS PROJECT

WHEREAS, Fayette County, Illinois (the "County"), has heretofore been duly organized and is now operating as a county under the provisions of the Illinois Counties Code, and all laws amendatory thereof and supplementary thereto (the "Code"); and

WHEREAS, the Board of Fayette County, Illinois under Illinois Local Government Energy Conservation ACT, 50 ILCS 515 is seeking proposals from qualified contractors to provide a comprehensive energy management and building-related capital improvement service to reduce utility and operating costs; and

WHEREAS, SmartWatt Energy Inc shall provide assistance in assembling the Request for Qualifications document, attached hereto as Exhibit A; and

NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS:

SECTION 1. RECITALS.

The County Board hereby finds that the recitals contained in the preambles to this Resolution are true and correct and does incorporate them into this Resolution by reference.

SECTION 2. APPROVAL OF RECOMMENDATION.

The County hereby approves release of the Request for Qualifications on behalf of Fayette County.

SECTION 3. AUTHORIZATION TO OFFICERS.

The Fayette County Board Chairman is authorized, empowered and directed to execute the Request for Qualifications. The County Clerk is hereby authorized empowered and
directed to attest the signature of the Chairman on such Request. Upon passage and signing of this Resolution, the County Clerk shall file a certified copy of such executed documents.

SECTION 4. SEVERABILITY.

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

PASSED by the County Board of the Fayette County, Illinois on the Dec 11, 2018 day of November, 2018, upon yea and nay vote as follows:

Ayes 12
Nays 0
Absent 2

APPROVED by the Chairman of the Fayette County Board, Illinois on the Dec 11, 2018 day of November, 2018.

[Signature]
Jeffrey Beckman, Chairperson
Fayette County Board, Illinois

ATTEST:
[Signature]
Vicky Conder
Fayette County Clerk

[SEAL]
REQUEST FOR PROPOSAL
FOR A GUARANTEED ENERGY SAVINGS CONTRACT

CUSTOMER NAME
STREET ADDRESS, CITY, STATE ZIP

INTRODUCTION AND PURPOSE

The objective of this Request for Proposal (RFP) is to solicit innovative solutions and proposals from qualified providers for energy conservation measures at CUSTOMER NAME (Owner) facilities in accordance with the Local Government Energy Conservation Act, 50 ILCS 515. These services and improvements are to be delivered on a guaranteed performance contracting basis which will allow Owner to: 1) incur no initial capital cost, 2) achieve significant long term savings which are measured and verified, 3) obtain an annual savings guarantee which will be equal to or greater than the total annual project costs, 4) obtain consistent levels of facility occupant comfort and system functionality, and 5) finance the project through an installment payment or a lease purchase arrangement over an extended contract term.

Owner will evaluate all proposals and select the qualified provider that best meets the needs of Owner. It is expected that guaranteed savings provided by the qualified provider selected pursuant to this RFP will fully offset the acquisition costs involved. Owner reserves the right to accept and/or reject any proposals or parts thereof.

Owner discloses that SmartWatt has participated with the preparation of this RFP. No investment grade energy audit was conducted.

DEFINITIONS

ENERGY CONSERVATION MEASURE (ECM), means any improvement, repair, alteration, or betterment of any building or facility owned or operated by Owner or any equipment, fixture, or furnishing to be added to or used in any such building or facility, subject to all applicable building codes, that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

- Insulation of the building structure or systems within the building.
- Storm windows or doors, caulking or weather-stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption.
- Automated or computerized energy control system.
- Heating, ventilating or air conditioning system modifications or replacements.
• Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made.
• Energy recovery systems.
• Energy conservation measures that provide long-term operating cost reductions.

GUARANTEED ENERGY SAVINGS CONTRACT, means a contract for: (i) the implementation of an energy audit, data collection, and other related analyses preliminary to the undertaking of energy conservation measures; (ii) the evaluation and recommendation of energy conservation measures; (iii) the implementation of one or more energy conservation measures; and (iv) the implementation of project monitoring and data collection to verify post-installation energy consumption and energy-related operating costs. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and that the savings are guaranteed to the extent necessary to pay the costs of the energy conservation measures. Energy savings may include energy reduction and offsetting sources of renewable energy funds including renewable energy credits and carbon credits.

INVESTMENT GRADE AUDIT, means a detailed energy and financial analysis of the benefits of implementing specific energy conservation measures based on implementation cost estimates, site-specific operating cost savings, and Owner’s investment criteria which are of sufficient accuracy and certainty that financing can be secured.

QUALIFIED PROVIDER, means a person or business experienced in the design, implementation, and installation of energy conservation measures. The minimum training required for any person or employee under this paragraph shall be the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures.

REQUEST FOR PROPOSALS (RFP), a competitive selection achieved by negotiated procurement.

PROCUREMENT PROCESS

SUBMISSION OF PROPOSALS. Submitted proposals must be sealed and delivered to the following address no later than **TIME on DATE**:

CUSTOMER NAME
Attn: CONTACT NAME
STREET ADDRESS
CITY, STATE ZIP

No extensions will be granted. No email, telephone, or faxed proposals will be accepted.

All qualified providers wishing to respond to this RFP must be present at the mandatory site walkthroughs to be held on **DATE**, promptly at **TIME** at the **BUILDING NAME, ADDRESS, CITY, STATE ZIP**.

SELECTION OF QUALIFIED PROVIDER. The selection of qualified provider to provide energy conservation measures through a guaranteed energy savings contract will be based solely on Owner’s evaluation of
the written information submitted in response to this RFP. Owner will notify the selected qualified provider in writing upon resolution of Owner’s governing body.

DEVELOPMENT OF INVESTMENT GRADE AUDIT AGREEMENT. Owner intends to negotiate a contract for the investment grade audit. If an acceptable investment grade audit agreement cannot be negotiated with the qualified provider selected, negotiations with the next-ranked qualified provider may be initiated.

DEVELOPMENT OF GUARANTEED ENERGY SAVINGS CONTRACT AND FINANCING DOCUMENTS. After completion and acceptance of the investment grade audit, Owner intends to negotiate a guaranteed energy savings contract with the selected qualified provider in accordance with the Local Government Energy Conservation Act, 50 ILCS 515.

OWNER CONTACT PERSON. Owner’s contact person for all questions related to this RFP is the following: CONTACT NAME, TITLE, ADDRESS, PHONE NUMBER. Contacting other staff concerning this RFP will result in disqualification.

TIMETABLE FOR SELECTION PROCESS

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<thead>
<tr>
<th>ACTION</th>
<th>DATE COMPLETED</th>
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<tbody>
<tr>
<td>Issuance of RFP</td>
<td>By ###/###/####</td>
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<tr>
<td>Mandatory Pre-Bid Meeting</td>
<td>###/###/#####</td>
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<tr>
<td>Submission of Proposals</td>
<td>###/###/#####</td>
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<tr>
<td>Selection of Qualified Provider</td>
<td>###/###/#####</td>
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<tr>
<td>Execution of Investment Grade Audit Contract</td>
<td>TBD</td>
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<tr>
<td>Investment Grade Audit</td>
<td>TBD</td>
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<tr>
<td>Execution of Contract and Financing Documents</td>
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PROPOSAL REQUIREMENTS

Interested parties are to respond with sealed proposals (1 original and # copies). Proposals should be marked "RFP for Guaranteed Energy Savings Contract."

Proposals are to be prepared simply, providing straightforward and concise answers to all questions in the format requested. Repetitions of the terms and conditions of this proposal request, without additional explanation, will not be considered sufficiently responsive. The proposal document should respond completely to the requirements indicated in this request.

Proposals must be received on or before the time and date specified at the location noted below, and sealed proposals will be publicly opened and read aloud immediately thereafter at said location:

CUSTOMER NAME
Attn: CONTACT NAME
STREET ADDRESS
CITY, STATE ZIP
Deadline: DATE by TIME
Proposals received after the time and date specified, whether delivered or mailed, will not be considered. No incomplete proposals will be considered. Proposals received from proposers that were not in attendance at the mandatory site walkthroughs will not be considered.

All submissions become the property of Owner and will not be returned to the proposer.

Contractor shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Wages of Employees on Public Works Act (820 ILCS 130/1-12).

PREPARATION OF PROPOSALS

Owner is not liable for any costs incurred by proposers in preparing or submitting a proposal.

MODIFICATION OR WITHDRAWAL OF PROPOSALS

A proposal response that is in the possession of Owner may be withdrawn by the proposer in person or by written request up to the time of the proposal opening. Responses to proposals may not be withdrawn after the opening.

CONFIDENTIAL INFORMATION

Documents meeting the requirements of 5 ILCS 140/7(1)(g) will be kept confidential. All other documents included in proposal submissions will be presumed subject to disclosure under the Freedom of Information Act.

MANDATORY ELIGIBILITY REQUIREMENTS

Owner is interested in working with an expert firm that has been thoroughly vetted by the U.S. Department of Energy (DOE) as best qualified to design and implement energy savings performance contracts. For that reason, Owner is enforcing the following mandatory eligibility requirements for qualified providers responding to this RFP:

Proposer(s) MUST have a proven track record of completing design-build energy conservation projects for a minimum of ten years.

Proposer(s) MUST be approved by the DOE and hold a 2017 DOE Indefinite Delivery, Indefinite Quantity (IDIQ) energy savings performance contract at the time of proposal submittal.

Proposer(s) MUST guarantee State, Federal, and Utility Incentives that may be available to the County, and reduce from the financed project total.

QUALIFIED PROVIDER SELECTION

Owner intends to negotiate the investment grade audit contract with the firm that best meets the needs of Owner. The exercise of this discretion will be final.

Owner hereby notifies all proposers that minority business enterprises will be afforded full opportunity to submit proposals in response to this request and will not be discriminated against on the grounds of race, religion, color, sex, national origin, or ancestry in consideration of an award. Proposer hereby
agrees that should proposer be awarded a contract, proposer will not discriminate against any person who performs work there under because of race, religion, color, sex, national origin, or ancestry.

Owner reserves the right to reject any or all proposals, and to waive any informalities or technical defects in proposals if determined to be in the best interests of Owner to do so.

**SCOPE OF SERVICES REQUESTED**

Owner is seeking to establish the specific qualifications of the responding qualified providers to provide the comprehensive array of energy services required to deliver a comprehensive guaranteed energy savings project. These services may include, but are not limited to:

- Performance of an investment grade energy audit and analysis
- Design and specification of equipment and systems to be used in providing energy efficiency improvements
- Services associated with the procurement of new equipment
- Project management of the installation
- System commissioning
- Training of facility, custodial, and administrative staff on energy efficient practices
- Services in connection with arranging financing for the project
- Measurement and verification of energy savings
- Energy savings guarantee
- Identification of available financial incentives or rate reductions

**EVALUATION CRITERIA**

Owner will select the qualified provider with the most responsive proposal, which in the judgment of Owner best meets its needs. The criteria for making this evaluation will be based on the following 100% scale:

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<thead>
<tr>
<th>Category</th>
<th>Weight Percentage</th>
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<tbody>
<tr>
<td>Cover Letter</td>
<td>Pass/Fail</td>
</tr>
<tr>
<td>Firm Profile</td>
<td>20%</td>
</tr>
<tr>
<td>Qualifications and Capability</td>
<td>50%</td>
</tr>
<tr>
<td>General Approach</td>
<td>30%</td>
</tr>
<tr>
<td><strong>Total Points in Scale</strong></td>
<td><strong>100%</strong></td>
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**PROPOSAL FORMAT**

Utilize the format provided below for proposal responses. Please number and re-state each subheading and question, followed by your response. Number all pages. Please limit your response to the size limits provided for each subheading as indicated, excluding appendices. Qualified providers that do not include all requested data or include additional unrequested data will be rejected and disqualified from the evaluation process.

1. **COVER LETTER (2 pages maximum)**

Provide a concise summary of your value proposition for this project. State that you meet all minimum requirements of the RFP, or list any applicable exceptions. Failure to list applicable exceptions will be
grounds for disqualification. Include contact information and binding signature by an authorized representative of your company.

2. FIRM PROFILE (6 pages maximum)

2.1. State your firm type (corporation, partnership, sole proprietorship, joint venture).

2.2. State the number of years your firm has been in business under its present business name.

2.3. Indicate all other names by which your organization has been known and the length of time known by each name.

2.4. State that your firm is authorized to transact business in the State of Illinois, and include evidence of authorization to transact business from the Illinois Secretary of State.

2.5. Provide an organizational chart illustrating your overall company structure, including any parent and sister companies. Indicate which branches, divisions, or business units are responsible for providing energy conservation projects.

2.6. List all projects with which your firm has entered into litigation during the past ten years associated with a guaranteed energy savings contract. Provide a brief summary detailing the litigation. Omission of any past litigation will result in disqualification.

2.7. The selected qualified provider must have the financial stability to survive a twenty year guarantee period. Provide an appendix with copies of most recent audited financials (income statement and balance sheet) as evidence of financial stability. List the name, address, and telephone number of the certified public accountant that performed the audit of your financial statement. List a banking reference, including the financial institution, address, contact person, and phone number.

2.8. If a guaranteed energy savings contract is approved, the selected qualified provider shall give a sufficient bond to Owner for the installation and faithful performance of all energy conservation measures included in the contract. List the name, address, and telephone number of a bonding reference, and attach a letter from your surety indicating current bonding capacity.

2.9. Provide a sample Certificate of Insurance as evidence of professional liability insurance of at least $5,000,000, worker’s compensation insurance of at least $1,000,000 each accident for bodily injury and $1,000,000 each employee for bodily injury by disease, auto insurance of at least $1,000,000 per accident for any automobile, and umbrella liability of at least $10,000,000 each occurrence.

2.10. Outline your company’s approach to measuring customer service, and provide your customer service results for projects completed during the previous fiscal year.

2.11. Summarize your company’s approach to safety. Include as an appendix your company’s safety policy.

3. QUALIFICATIONS AND capability (10 pages maximum)

3.1. State the number of years your firm has offered design-build energy conservation projects. Owner requires a minimum of ten years.
3.2. Owner is interested in working with a company whose focus is based primarily on energy conservation projects. State the percentage of your company’s revenues that are related to implementing design-build energy conservation projects.

3.3. Owner is interested in working with a company that will serve as an unbiased expert for energy conservation measure identification and equipment selection. State the percentage of your company’s revenues that are related to the manufacturing of particular energy conservation measure products or equipment.

3.4. Owner is interested in working with a firm that has been thoroughly vetted by the U.S. Department of Energy (DOE) as best qualified to implement energy savings performance contracts. Provide evidence that your firm holds a 2017 U.S. DOE Indefinite Delivery, Indefinite Quantity energy savings performance contract.

3.5. Conversion to LED lighting with adaptive lighting controls is anticipated to be a critical component of project scope. Provide evidence that your firm is capable of designing and self-performing the installation of all lighting-related energy conservation measures using in-house staff. Owner reserves the right to require the lighting-related measures be installed by in-house staff during contract negotiations if it is determined to be in the best interests of Owner to do so.

3.6. Indicate the types of full-time, in-house personnel employed by your firm that provide professional services related to energy conservation projects.

3.7. Identify all full-time employees that will serve as key personnel for this project. Provide an organizational chart for the Project Team and indicate the project phases in which each key personnel member will be involved.

3.8. Describe three projects completed or under contract with county governments in the United States that exemplify the ability to provide the technical and financial services for a project similar to this one. Include the county’s name, description of services provided, project start/end dates, contract value, and contact information for the project reference.

4. GENERAL APPROACH (15 pages maximum)

4.1. Executive Summary: in one page or less, describe your firm’s general approach to energy savings performance contracts, including differentiating characteristics.

4.2. Describe your approach for project financing and obtaining other sources of funding for energy conservation projects.

4.3. Describe your recommended approach to the investment grade audit. Include in the appendix a sample investment grade audit report that was prepared by your company in the past 12 months for a similar project.

4.4. Describe your approach for material specifications and subcontractor selection.

4.5. Describe your approach for construction management. Include any in-house software tools that can be used for project management and reporting.

4.6. Describe your approach for commissioning of new systems.
4.7. Describe your approach for providing training on new equipment and systems.

4.8. Describe your approach for managing warranties and maintenance of new equipment.

4.9. Describe your approach for ongoing M&V services over the course of the guarantee period. Owner requires budget neutrality each and every year of the guarantee term, and does not intend on including capital cost avoidance in the savings guarantee.
COUNTY OF FAYETTE, ILLINOIS

ORDINANCE NUMBER 2018-12-11-M

AN ORDINANCE APPROVING THE FAYETTE COUNTY FOOD SANITATION ORDINANCE

ADOPTED BY THE FAYETTE COUNTY BOARD
OF THE COUNTY OF FAYETTE, ILLINOIS
THIS _______ 11th _______ DAY OF DECEMBER, 2018

PUBLISHED BY THE AUTHORITY OF
THE COUNTY BOARD OF FAYETTE COUNTY
THIS ___________________ DAY OF DECEMBER, 2018
Ordinance No. 2018-12-11-M

An Ordinance Approving the Fayette County Food Sanitation Ordinance

WHEREAS, the Fayette County Health Department was established in accordance with Illinois State statute, 55 ILCS 5/5 as amended; and,

WHEREAS, local health departments are subject to the provisions of 77 Illinois Administrative Code, Part 615; and,

WHEREAS, said Administrative Code allows local health departments to conduct a food sanitation program in accordance with a local ordinance that incorporates by reference or includes provisions at least as stringent as the Illinois Department of Public Health Food Code; and,

WHEREAS, the Fayette County Board desires to enact ordinances, in accordance with State statutes that regulate the activities of its local health department; and,

WHEREAS, it is the desire of the Fayette County Board to protect the citizens of Fayette County from transmitting or contracting foodborne disease;

NOW THEREFORE, BE IT RESOLVED by the Fayette County Board that the following ordinance defining, permitting, and regulating food establishments, seasonal, and temporary food establishments within the county townships served by the Fayette County Health Department, whether or not said establishments are located within the corporate limits of any municipality, be hereby adopted.

GENERAL PROVISIONS

Sect. 01 Adoption by Reference - In addition to those provisions set forth herein, this Ordinance hereby adopts by reference the current edition and subsequent revisions of the “Illinois Department of Public Health Food Code”

Sect. 02 Definitions - Words and phrases shall be taken in their plain, or ordinary and usual sense, except where used in a technical sense or where context or the intent of the County Board of Health indicates or requires a different meaning.

Adulterated shall mean the condition of any food:

a) If it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; or
b) If it bears or contains any added poisonous or deleterious substance for which no safe
tolerance has been established by regulation or in excess of such tolerance if one has been
established; or

c) If it consists in whole or in part of any filthy, putrid or decomposed substance or it is
otherwise unfit for human consumption; or

d) If it has been processed, prepared, packed, or held under unsanitary conditions whereby it
may have been contaminated with filth or whereby it may have been rendered injurious to
health; or

e) If it is in whole or in part the product of a diseased animal or animal which has died
otherwise than by slaughter; or

f) If its containers are composed in whole or in part of any poisonous or deleterious
substance which may render the contents injurious to health, (410 ILCS 620/10).

Core Item shall mean a provision in the Code that is not designated as a priority item or a
priority foundation item. Core item includes an item that usually relates to general sanitation,
operational controls, sanitation standard operating procedures (SSOPs), facilities or structures,
equipment design, or general maintenance.

Food shall mean any raw, cooked or processed edible substance, ice, beverage or ingredient used
or intended for use or for sale in whole or in part for human consumption, or chewing gum.

Food Establishment shall mean an operation that stores, prepares, packages, serves, vends food
directly to the consumer, or otherwise provides food for human consumption, such as a
restaurant, satellite or catered feeding location, catering operation if the operation provides food
directly to a consumer or to a conveyance used to transport people, market, vending location,
conveyance used to transport people, institution, or food pantry, and relinquishes possession of
food to a consumer directly, or indirectly, through a delivery service such as home delivery of
grocery orders or restaurant takeout orders, or delivery service that is provided by common
carriers.

Food establishment includes:

   An element of the operation such as a transportation vehicle or a central preparation
facility that supplies a vending location or satellite feeding location unless the vending or
feeding location is permitted by the regulatory authority; and

   An operation that is conducted in a mobile, stationary, temporary, or permanent facility
or location; where consumption is on or off the premises; and regardless of whether there
is a charge for the food.

Food establishment does not include:

   An establishment that offers only prepackaged foods that are not time/temperature
controlled for safety;
A produce stand that only offers whole, uncut fresh fruits and vegetables;

A food processing plant; including those that are located on the premises of a food establishment;

A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests;

A private home that receives catered or home-delivered food; a closed family function where food is prepared or served for individual family consumption; or

A cottage food operation.

**Health Department** shall mean the Fayette County Health Department.

**Health Officer** shall mean the Administrator of the Fayette County Health Department or the Director of Environmental Health or their authorized representative.

**Misbranded** shall mean the presence of any written, printed, or graphic matter upon or accompanying food or containers of food which is false or misleading.

**Permit Holder** shall mean any person or his agent who makes application for a permit to operate a food establishment, seasonal, or temporary food establishment pursuant to this Ordinance.

**Person** shall mean an individual, firm, partnership, co-partnership, company, corporation, trustee, lessee, receiver, association, municipality, or any political subdivision or department thereof, or any other entity, or its agent.

**Priority Foundation Item** shall mean a provision in the Code whose application supports, facilitates or enables one or more priority items. Priority foundation item includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling.

**Priority Item** shall mean a provision in the Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard. Priority item includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, or handwashing.

**Seasonal Food Establishment** shall mean a food establishment which operates less than 6
months (183 days/year) at a fixed location or for more than 2 single events of 14 or less consecutive days.

**Time/Temperature Control for Safety Food** (formerly "potentially hazardous food") shall mean a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

**Temporary Food Establishment** shall mean a food establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

**PERMITS**

**Sect. 03 Permit Required** - It shall be unlawful for any person to operate a food establishment, seasonal, or temporary food establishment, within the County of Fayette, State of Illinois, who does not possess a valid permit issued by the Fayette County Health Department. Only a person who complies with the requirements of this Ordinance shall be entitled to receive and retain such a permit. Permits shall not be transferable from one person to another person nor shall said permit be transferable to any location, building, or place other than that which it was originally issued. A valid permit shall be posted in every food establishment so as to be clearly visible to all customers. A valid permit is one that is not suspended, revoked or expired.

**Sect. 04 Permit Issuance** - Any person desiring to operate a food establishment must first:

a) Comply with any existing county or city zoning provisions;

b) Must have all plumbing installed by a licensed plumber, subject to approval by a state plumbing inspector;

c) Make written application for a permit on forms provided by the Health Department;

d) Submit a detailed drawing plan of a new or majorly renovated food establishment and; 

e) Receive and pass a pre-opening inspection by the Health Department.

**Sect. 05 Permit Length** - The permit for food establishments shall be issued annually by the Health Department and should be displayed in the establishment in public view. Temporary establishment permits shall be for a period of no longer than fourteen (14) days, at any given location and will be issued at time of inspection.

**Sect. 06 Permit Renewal** - Annual renewal of a permit for food establishments shall be required for continued operation of the establishment. The permit year is from April 1st to March 31st of
the following year.

All permit fees for the annual renewal of a permit are due no later than fifteen (15) days prior to the permit expiration date. Persons failing to submit the appropriate fee by April 1\textsuperscript{st} shall be assessed a late payment penalty fee of $50.00 in addition to the appropriate permit fee. Failure to submit the fee may result in suspension or revocation of the permit.

**Sect. 07 Permit Update** - The permit holder has an affirmative and continuing requirement to update any changes to the application. As a result, the permit holder must inform the Health Officer of any changes in the information listed in the application within thirty (30) days.

Failure to comply with the requirements of this section, or knowingly furnishing false information on the application may be grounds for immediate suspension or revocation of any permit issued pursuant to this Ordinance.

**Sect. 08 Permit Suspension** - Permits for food establishments, seasonal, or temporary food establishments may be temporarily suspended by the Health Officer upon notice to the permit holder of same. Reasons for suspending the permit include, but are not limited to, the following:

a) Failure to comply with the provisions of this Ordinance;

b) Failure to comply with the provisions of this Ordinance after notification by the Health Officer;

c) Failure to comply with the provisions of this Ordinance within the time established by the Health Officer;

d) Interference with the performance of duties conducted by the Health Officer, including, but not limited to, failure to allow the Health Officer access to the permit holder’s building or records;

e) Failure to update information on the application, as required by this Ordinance; or,

f) Knowingly furnishing false information on the application.

Upon making a determination that a suspension is appropriate, the Health Officer shall advise the permit holder, or his managing or registered agent, in writing of the intended suspension. The notice shall be delivered in person by the Health Officer or sent via certified mail. The permit holder may make a written request for a hearing with the Health Officer before imposition of the period of suspension according to the procedures set out in the Hearing Procedure section.

Permits for food establishments, seasonal or temporary food establishments may be suspended by the Health Officer without notice to the permit holder when, in the judgment of the Health Officer, a condition exists that will result in an imminent health hazard to the public.
Upon making a determination that a suspension without notice is appropriate, the Health Officer shall immediately, without warning or notice notify the permit holder, or his managing or registered agent, of said condition and all food service operation shall be immediately discontinued.

**Sect. 09 Permit Revocation** - Permits for food establishments, seasonal, or temporary food establishments may be revoked by the Health Officer upon notice to the permit holder of same. Reasons for revoking the permit include, but are not limited to, the following:

a) Serious violations of the provisions of this Ordinance;

b) Repeatedly failing to comply with the provisions of this Ordinance;

c) Interference with the performance of duties conducted by the Health Officer, including, but not limited to, failure to allow the Health Officer access to the permit holder's building or records;

d) Failure to update the original and renewal applications, as required by this Ordinance;

e) Knowingly furnishing false information on the original or renewal applications;

f) Failure to apply for re-inspection within 30 days of the end of a suspension period imposed for violations of the provisions of this Ordinance.

Upon making a determination that a revocation is appropriate, the Health Officer shall advise the permit holder, or his managing or registered agent, in writing of the intended revocation. The notice shall be delivered in person by the Health Officer or sent via certified mail. The permit holder may make a written request for a hearing with the Health Officer before imposition of the period of revocation according to the procedures set out in the Hearing Procedure section.

Whenever a permit is removed, revoked, or suspended; the establishment shall be posted as “Closed by Order of the Fayette County Health Department”. Only the Regulating Authority can remove such sign. Removal of any posted signs other than by the Regulating Authority is a violation of this Ordinance.

**Sect. 10 Permit Classification** – The Fayette County Health Department shall annually conduct a category assessment for every food establishment operating in Fayette County, pursuant to the Local Health Protection Grant Rules established by the Illinois Department of Public Health.

**Sect. 11 Permit Fees** - The Board of Health shall have the authority to establish and determine permit fees. Annual permit fees shall be assessed for each permitted establishment and collected by the Health Department and deposited into the Health Department fund.
STANDARDS OF OPERATION

Sect. 12 Embargo and Condemnation - Food may be examined or sampled by the Health Officer to determine freedom from adulteration or misbranding. The Health Officer may condemn or embargo (detain) equipment or food when there is probable cause to believe that any food or piece of equipment may be unwholesome or unfit for use. Such conditions include but are not limited to:

a) Food that has been adulterated,

b) Food that has been misbranded,

c) Any time/temperature control for safety food with an internal temperature found to be in the optimal temperature range for the growth of pathogenic food-borne bacteria as defined in the Illinois Food Code,

d) Where equipment used in the preparation of food products is found to be in a state of disrepair, unsafe, unsanitary, or unsuitable for use in the preparation, display or service of food,

e) In the event that food is contaminated as a result of fire, flood, sewage backup, power outage, insect or animal infestation, or similar events,

Condemned or embargoed food, food containers, or equipment may be suitably stored by the permit holder unless said storage would pose a risk to the public health. If a risk exists, immediate destruction shall be ordered by the Health Officer, or voluntary destruction may be accomplished by the permit holder. If the permit holder refuses to voluntarily destroy the condemned food, food containers, or equipment, same shall be held under embargo until they have been proved satisfactory for human consumption or use by a certified laboratory at the expense of the permit holder.

No person shall remove or alter a condemnation or embargo order, notice, or tag placed on food, food containers or equipment by the Health Officer. Said food, food containers or equipment shall not be relabeled, replaced, reprocessed, repackaged, altered, disposed of, destroyed, or placed back in service without the permission of the Health Officer, except on order by a Court of competent jurisdiction. The permit holder may make a written request for a hearing with the Health Officer before imposition of condemnation according to the procedures set out in the Hearing Procedure section.

Sect. 13 Construction and Remodeling - Whenever any establishment regulated by the provisions of this Ordinance is constructed or remodeled, or whenever an existing structure is converted to use as an establishment to be regulated by this Ordinance, plans and specifications
for such construction, remodeling, or conversion shall be submitted to the Health Officer for review and approval before construction, remodeling, or conversion may begin.

ADMINISTRATION AND ENFORCEMENT

Sect. 14 Inspection Schedule - The Health Department shall conduct unannounced, routine onsite inspections for each food establishment, seasonal, and temporary food establishment operation in Fayette County in accordance with the guidelines established by the Illinois Department of Public Health, 77 Ill. Adm. Code, Part 615.

Sect. 15 Inspection Report - Whenever an inspection of an establishment is made, the findings shall be recorded on an inspection report approved by the Illinois Department of Public Health. One copy of the completed inspection report form will be furnished to the permit holder or his agent at the time of inspection. If violations of this Ordinance exist, the inspection report shall serve as official notice to the permit holder that the establishment is in violation of the provisions of this Ordinance. The completed inspection report form shall specify the violations found by the Health Officer, and shall establish a reasonable time period within which said violations must be corrected.

Sect. 16 Correction of Violations - The completed inspection report form shall establish a specific and reasonable period of time for the corrections of the violations found; and correction of the violations shall be accomplished within the period specified, in accordance with the following provisions:

a) If an imminent health hazard exists, such as lack of potable water supply, complete lack of refrigeration, sewage backup into the establishment, major insect or animal infestation, or a foodborne illness suspected to have originated from the establishment, the operations shall immediately cease. Operations shall not be resumed until authorized by the Health Officer.

b) All violations designated as Priority, or Priority Foundation items shall be corrected immediately or at a time designated by the Health Officer. A follow-up inspection shall be conducted to confirm correction.

c) All violations designated as Core items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection.

d) In the case of a temporary food establishment, all violations shall be corrected within 24 hours. If violations are not so corrected, the establishment shall immediately cease food service operations until authorized to resume by the Health Officer.

The inspection report shall state that failure to comply with any time limits for correction may
result in permit suspension. An opportunity for appeal from the inspection findings will be provided if a request for a hearing is filed with the Health Officer within five (5) days. The permit holder may make a written request for a hearing with the Health Officer according to the procedures set out in the Hearing Procedure section.

**Sect. 17 Right of Entry** - The Health Officer, after proper identification, shall have access at any reasonable time to any establishment regulated by this Ordinance. Reasonable time for the purposes of this section shall mean at all times the establishment is open to the public, food preparation, or when food contact utensils are being cleaned. The Health Officer shall be permitted to examine all areas and records of the establishment which are reasonably necessary to the inspection or investigation. Denial of access as herein provided shall be deemed as interference with the performance of duties of the Health Officer, including but not limited to denial of access to the permit holder's building or records.

**Sect. 18 Hearings before the Health Officer** - Any person affected by any order or notice issued by the Health Department in connection with the enforcement of any section of this Ordinance, may file in the office of the Health Department written request for a hearing before the Health Officer. Unless stated elsewhere in this Ordinance, the Health Officer shall hold the hearing at a time and place designated by him within fourteen (14) days from the date on which the written request was filed.

The petitioner for the hearing shall be notified of the time and place of hearing not less than five (5) days prior to the date on which the hearing is to be held.

If, as a result of the hearing, the Health Officer finds that strict compliance with the order or notice would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by varying or withdrawing the order of notice, the Health Officer may modify or withdraw the order or notice as a condition for such action may, where deemed necessary, make requirements which are additional to those prescribed in this Ordinance for the purpose of properly protecting the public health.

The Health Officer shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and placed on file in the office of the authorized representative as a matter of public record. Any person aggrieved by the decision of the Health Officer may seek relief wherefrom through a hearing before the Fayette County Board of Health.

**Sect. 19 Hearing before the Board of Health** - Any person aggrieved by the decision of the Health Officer as the result of a hearing held in accordance with this Section may file in the office of the Health Officer a written request for a hearing at a time and place designated by the Chairperson of the Board of Health within thirty (30) days of the date on which the written request was filed. The petitioner for the hearing shall be notified of the time and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held.

If, as a result of facts elicited as a result of the hearing, the Board of Health finds that strict
compliance with the decision of the Health Officer would cause undue hardship on the petitioner, and that the public health would be adequately protected and substantial justice done by granting a variance from the decision of the Health Officer, the Board of Health may grant a variance and as a condition for such variance, may, where it deems necessary, make requirements which are additional to those prescribed by this Ordinance.

The Board of Health shall render a decision within thirty (30) days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Health Officer and a copy thereof shall be served on the petitioner personally or by delivery to the petitioner by certified mail. A certified transcript of the record shall be provided at the expense of the person requesting the hearing. All witnesses called shall be required to testify under oath. An appeal from a decision of the Board of Health may be made to the Circuit Court of Fayette County, pursuant to the Illinois Administrative Review Act, 735 ILCS 5/3-101 et seq., as amended.

**Sect. 20 Severability** - If any provision of this Ordinance is declared unconstitutional or invalid by a Court of competent jurisdiction, that decision shall not affect the validity of the remainder of the Ordinance.

**PASSED AND ADOPTED**

by the Fayette County Board this 11th day of December, 2018, upon yea and nay vote as follows:

Ayes 12

Nays 0

Absent 2

Effective January 1, 2019

Attest:

Vicky Conder
Fayette County Clerk

Jeffrey Beckman
Fayette County Board Chairman