

**RESOLUTION NO. 18-44**

**A RESOLUTION AUTHORIZING THE PUBLIC SALE OF APPROXIMATELY \$3,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2019-A, OF FRANKLIN COUNTY, KANSAS.**

**WHEREAS**, Franklin County, Kansas (the "County"), is a duly organized county, created, organized and existing under the laws of the State of Kansas (the "State");

**WHEREAS**, pursuant to K.S.A. 19-101a *et seq.*, and upon completion of the procedures set forth in Charter Resolution No. 2012-01 of the County, all as amended or supplemented, and other provisions of the laws of the State applicable thereto, by proceedings had, the Board of County Commissioners (the "Board") is authorized to issue general obligation bonds of the County to provide funds for the purpose of paying the costs of the design, improvement and construction of Kingman Road from US-59 to Montana Road; the intersection of Kingman and Montana Roads; and Montana Road from Kingman Road to the I-35 overpass, with all necessary stormwater enhancements and related appurtenances (the "Improvements");

**WHEREAS**, the Board has determined it is desirable to issue general obligation bonds to (1) finance a portion of the costs of the Improvements; and (2) pay the costs of issuance of the bonds; and

**WHEREAS**, the Board desires to authorize the firm of George K. Baum & Company (the "Financial Advisor") to serve as Financial Advisor in connection with the issuance of the bonds;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, KANSAS, AS FOLLOWS:**

**Section 1.** The General Obligation Bonds, Series 2019-A (the "Bonds"), in the approximate principal amount of \$3,000,000, shall be offered at competitive public sale on January 8, 2019, at 1:00 p.m., Central Time, or at such other date and time approved by the Chairman.

**Section 2.** The County Administrator is authorized and directed to receive bids for the purchase of the Bonds on behalf of the County at the specified time and place and to deliver all bids so received to the Board at its next occurring meeting, at which meeting the Board shall review the bids and act on the acceptance of the best bid. Such bids may be received electronically through an experienced municipal bond electronic bid provider and through other means determined by the County Clerk, in consultation with Kutak Rock LLP, the County's Bond Counsel, and the Financial Advisor, to be in the best interest of the County.

**Section 3.** The Chairman and County Clerk are authorized to cause to be prepared and executed a preliminary official statement and notice of bond sale for use in connection with the public sale of the Bonds.

**Section 4.** The County Clerk is authorized and directed to give, or cause to be given, notice of the bond sale by publishing a summary of the notice of bond sale not less than six days before the date of the sale in the official County newspaper and in the *Kansas Register* and by making copies of the notice of bond sale and preliminary official statement available to prospective purchasers of the Bonds through such means as determined by the County Clerk, in consultation with the Financial Advisor, to be in the best interest of the County.

**Section 5.** For the purpose of enabling the purchaser of the Bonds (the "Original Purchaser") to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the appropriate officers of the County are authorized, if requested, to provide the Original Purchaser a letter or certification to the effect that the County deems the information contained in the preliminary official statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Original Purchaser to comply with the requirements of such Rule.

**Section 6.** The County agrees to provide to the Original Purchaser within seven business days of the date of the sale of the Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Original Purchaser, whichever is earlier, sufficient copies of the final official statement to enable the Original Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

**Section 7.** The County agrees to enter into a written agreement or contract on or before the date of delivery of the Bonds to provide ongoing disclosure about the County for the benefit of the holders of the Bonds as required by Rule 15c2-12(b)(5)(i) of the Securities and Exchange Commission. The County may designate Kutak Rock LLP, upon request, to act as an agent of the County for the purpose of obtaining and disseminating information in connection with such Rule.

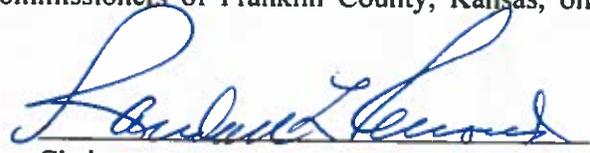
**Section 8.** The County Administrator, the County Clerk, the County's Bond Counsel, the Financial Advisor, and the other officers and representatives of the County are authorized and directed to take such other action as may be necessary to carry out the public sale of the Bonds including, but not limited to, the execution of the Fiduciary Engagement Agreement between the County and the Financial Advisor with respect to the Bonds in the form on file with the County Clerk.

**Section 9.** This Resolution shall be in full force and effect from and after its adoption.

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**ADOPTED** by the Board of County Commissioners of Franklin County, Kansas, on November 28, 2018.

(Seal)



Chairman

ATTEST:



County Clerk

