

**COMMITTEE OF THE WHOLE
GENESEE COUNTY LEGISLATURE
OLD COURTHOUSE
WEDNESDAY, JANUARY 5, 2022
FOLLOWING THE ORGANIZATIONAL MEETING**

The Genesee County Legislature met in person, with ZOOM video available on Wednesday, January 5, 2022 following the Organizational Meeting at 5:30 p.m.

Legislature Chair Stein called the meeting to order at 6:00 p.m.

Legislature Chair Stein requested approval of the COW minutes from December 15, 2021. Motion by Legislator Maha and seconded by Legislator Klotzbach, carried.

Legislature Chair Stein asked County Manager, Matt Landers to discuss the Jail Bond:

County Manager Landers described opportunities of the jail bonding. Treasurer has determined there are reserves available to reduce jail construction borrowing if bids are lower than project manager estimates. Conservatively, Treasurer Scott German has time once bids are received to reduce jail bond if in the County's best interest. To move forward with bidding process, bidding must be authorized by legislature.

The Clerk proceeded with the resolutions:

RESOLUTION NO. 7

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW JAIL IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$70,000,000. AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$70,000,000 BONDS OF SAID COUNTY TO PAY COSTS THEREOF

Legislator Clattenburg offered the following resolution:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; **NOW**,

THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Genesee, New York, as follows:

Section 1. The construction of a new jail on County owned land in the Town of Batavia, is hereby authorized in and for the County of Genesee, New York, including parking lots,

driveway improvements, utilities and various other site improvements, as well as incidental costs in connection therewith.

Section 2. The plan for the financing of the aforesaid purpose shall be by the issuance of \$70,000,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Genesee, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Legislator Maha seconded the resolution which passed by 420 votes, as under the two-thirds majority weighted voting plan of the Genesee County Legislature.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:	9
NAYS:	0
ABSENT:	0
EXCUSED:	0

At 6:05 p.m. the meeting adjourned upon motion of Legislator Yunker seconded by Legislator Dibble, carried.

Rochelle M. Stein

Approved on 1-12-2022: Motioned by Legislator and Seconded by Legislator, Carried.