

**RICH COUNTY, UTAH
RESOLUTION CREATING LOCAL BUILDING AUTHORITY**

MARCH 12, 2018

RESOLUTION NO. 18-1

A RESOLUTION PROVIDING FOR THE CREATION OF A LOCAL BUILDING AUTHORITY, AUTHORIZING OFFICIAL ACTION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Rich County, Utah (the "County"), is a political subdivision existing as such by virtue of the Constitution and laws of the State of Utah; and

WHEREAS, the County desires to create a building authority in the form of a nonprofit corporation to be known as the "Local Building Authority of Rich County, Utah" (the "Authority"), under the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the "Act") for the purpose of acquiring, improving, or extending one or more projects, as defined in the Act, and to finance their costs on behalf of the County in accordance with the procedures and subject to limitations of the Act in order to accomplish the public purposes for which the County exists; and

WHEREAS, it is in the best interests of the citizens of the County that the creation of the Authority be authorized in the manner and for the purposes hereinafter set forth; and

WHEREAS, it is necessary to authorize the establishment of the Authority under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF RICH COUNTY, UTAH, AS FOLLOWS:

1. All actions previously taken (not inconsistent with the provisions of this Resolution) by the County Commission and by other officers of the County directed toward the creation and establishment of the Authority, are hereby ratified, approved and confirmed.

2. It is hereby found and determined by the County Commission that the creation of the Authority as a nonprofit corporation under the provisions of the Utah Revised Nonprofit Corporation Act, Title 16, Chapter 6a, Utah Code Annotated 1953, as amended, and the Act is appropriate to the general welfare, order and security of the County and is in the best interests of the citizens of the County, and the organization of the Authority pursuant to the Act is hereby approved.

3. The Articles of Incorporation and the Bylaws of the Authority in the forms presented to this meeting and attached hereto as Exhibits A and B, respectively, are

hereby authorized and approved and the County Commission is hereby authorized and directed to execute and file Articles of Incorporation in substantially the form attached as Exhibit A, to hold an organizational meeting for such corporation, to adopt bylaws in substantially the form attached as Exhibit B and to elect officers for such corporation, and to take all other action necessary and appropriate to properly organize the Authority under the laws of the State of Utah.

4. The governing board of the Authority shall be comprised of the members of the County Commission.

5. The County Commission and other County officials are hereby authorized and directed to take all other action necessary or appropriate to carry out the provisions of this Resolution.

6. Upon filing of the Articles of Incorporation, the County Commission hereby appoints the Chair of the County Commissioners as the Chair/President of the Building Authority, the Chair Pro Tem of the County Commissioners as the Vice President/Chair of the Building Authority, the County Clerk/Auditor as the Secretary of the Building Authority, and the County Treasurer as the Treasurer of the Building Authority.

7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

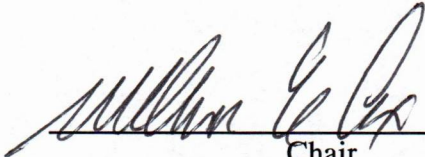
8. The County and the Authority hereby retain Eric Todd Johnson, of Blaisdell, Church & Johnson, LLC, as legal counsel in creating the Authority and financing projects thereunder.

9. The County Clerk/Auditor is authorized and directed to complete the attached Record of Proceedings to officially record the proceedings at which this Resolution was considered for adoption.


10. All acts, orders and resolutions, and parts thereof in conflict with this Resolution are hereby rescinded.

11. This Resolution becomes effective immediately after its adoption.

PASSED AND ADOPTED by the County Commission of Rich County, Utah this
March 12, 2018.


Chair

ATTEST:


County Clerk/Auditor

(SEAL)

RECORD OF PROCEEDINGS

The County Commission of Rich County, Utah met in public session at its regular meeting place, at 20 S. Main, Randolph, Utah 84064 on March 12, 2018, at the hour of 10:00 a.m. (the "Meeting"), or as soon thereafter as feasible, with the following members of the County Commission being present:

Bill Cox	Chair
Norman Weston	Commissioner
Thomas Weston	Commissioner

Also present:

Rebecca Peart	County Clerk/Auditor
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Absent:

which constituted all the members thereof.

After the Meeting had been duly called to order and after other matters were discussed, the foregoing resolution (the "Resolution") was introduced in written form and fully discussed.

A motion to adopt the Resolution was then duly made by N Weston and seconded by T Weston, and the Resolution was put to a vote and carried, the vote being as follows:

Those voting YEA:

William Cox Thomas Weston
Norman Weston

Those voting NAY:

Those Abstaining:

Other business not pertinent to the Resolution appears in the minutes of the Meeting. Upon the conclusion of all business on the Agenda and motion duly made and carried, the Meeting was adjourned.

CERTIFICATE OF COUNTY CLERK/AUDITOR

I, Rebecca Peart, the duly appointed and qualified County Clerk/Auditor for Rich County, Utah (the "County"), do hereby certify that the attached Resolution is a true, accurate and complete copy thereof as adopted by the County Commission at a public meeting duly held on March 12, 2018 (the "Meeting"). The Meeting was called and noticed as required by law as is evidenced by the attached Meeting Notice and Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above. The Resolution, with all exhibits attached, was deposited in my office on March 12, 2018, and is officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the County, this March 12, 2018.



County Clerk/Auditor



(SEAL)

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE COUNTY COMMISSION OF RICH COUNTY, STATE OF UTAH:

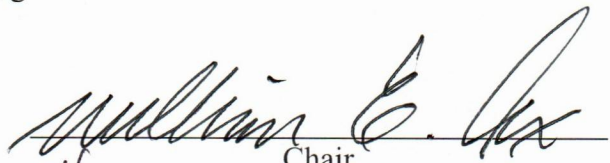
NOTICE IS HEREBY GIVEN that a special meeting (the "Special Meeting") of the County Commission of Rich County, Utah, will be held at the Commission's regular meeting place at 20 S. Main, Randolph, UT at the hour of 10:00 a.m., or as soon thereafter as feasible, on March 12, 2018, for the purpose of adopting a Creating Resolution, creating the Local Building Authority of Rich County, Utah (the "Authority"), and Authority Bylaws and Articles of Incorporation, and for the transaction of such other business incidental to the foregoing as may come before the Special Meeting.



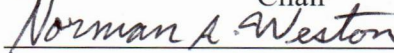
County Clerk/Auditor

ACKNOWLEDGMENT OF NOTICE.
AND CONSENT TO SPECIAL MEETING

We, the Chair and members of the County Commission of Rich County, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting (the "Notice"), and we hereby waive any and all irregularities, if any, in the Notice and in the manner of service thereof upon us, and consent and agree to the holding of the Special Meeting at the time and place specified in the Notice, and to the transaction of any and all business which may come before the Special Meeting.



Chair



Member



Member

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Rebecca Peart, the duly appointed and qualified County Clerk/Auditor for Rich County, Utah (the "County"), do certify that the County Commission of the County took action on behalf of the County and certify according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the March 12, 2018, public meeting held by the County Commission (the "Meeting") as follows:

- (a) By causing a Meeting Notice, in the form attached, to be posted at the County Commission's principal offices at least 24 hours prior to the convening of the Meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the Meeting;
- (b) By causing a copy of the Meeting Notice to be delivered to a newspaper of general circulation in the County Commission's at least 24 hours prior to the convening of the Meeting;
- (c) By causing a copy of the Meeting Notice to be posted on the Utah Public Notice Website at least 24 hours prior to the convening of the Meeting; and
- (d) By causing notice of the Meeting to be personally provided to each and every member of the County Commission at least 24 hours prior to the convening of the Meeting.

DATED: March 12, 2018.



County Clerk/Auditor



(SEAL)

EXHIBIT A

ARTICLES OF INCORPORATION

(See Transcript Document No. __)

EXHIBIT B

BYLAWS

(See Transcript Document No. __)

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