

Tooele, Utah

November 23, 2004

A regular meeting of the Board of County Commissioners of Tooele County, Utah, (the "Board") was held on Tuesday, November 23, 2004, at 3:00 p.m. There were present at said meeting the following members:

Dennis Rockwell	Chair
Matt Lawrence	Commissioner
Gene D. White	Commissioner

Also present:

Marilyn K. Gillette	Deputy County Clerk
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Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Commission a Certificate of Compliance with Open Meeting Law with respect to this November 23, 2004 meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Commissioner Lawrence and seconded by Commissioner White, adopted by the following vote:

AYE:	Commissioner Lawrence
	Commissioner White
	Commissioner Rockwell

NAY:	None
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The resolution was then signed by the Chair in open meeting and recorded by the County Clerk in the official records of Tooele County, Utah. The resolution is as follows:

RESOLUTION NO. 2004-20

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$3,100,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2005, OF TOOELE COUNTY, UTAH, FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR A PLEDGE OF LOCAL SALES AND USE TAX REVENUES FOR REPAYMENT OF THE BONDS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, the County Commission (the "Commission") of Tooele County, Utah (the "Issuer"), desires to finance all or part of the acquisition and construction of certain court facilities and related improvements (the "Project"); and

WHEREAS, pursuant to the provisions of the Utah Municipal Bond Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), the Issuer has authority to issue its Sales Tax Revenue Bonds, Series 2005 (the "Series 2005 Bonds") for the purposes set forth herein; and

WHEREAS, the Act provides that prior to issuing bonds secured by sales tax moneys, an issuing entity must (i) give notice of its intent to issue such Series 2005 Bonds and (ii) hold a public hearing to receive input from the public with respect to the issuance of the Series 2005 Bonds; and

WHEREAS, the Issuer desires to call a public hearing for this purpose and to publish a notice of such hearing with respect to the Series 2005 Bonds, including a notice of bonds to be issued, in compliance with the Act;

NOW, THEREFORE, it is hereby resolved by the County Commission of Tooele County, Utah, as follows:

Section 1. The County Commission of the Issuer hereby finds and determines that it is in the best interests of the Issuer and the residents of Tooele County, Utah for the Issuer to issue not more than Three Million One Hundred Thousand Dollars (\$3,100,000) aggregate principal amount of its Sales Tax Revenue Bonds, Series 2005 (or such other series designation as the Issuer may determine) bearing interest at a rate or rates not to exceed six percent (6.0%) per annum, to mature in not more than twenty-one (21) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof for the purpose of financing all or part of the Project all pursuant to this Resolution and a final bond resolution to be adopted by the Issuer

authorizing and confirming the issuance and sale of the Series 2005 Bonds (herein referred to as the "Final Bond Resolution") and a General Indenture dated as of March 1, 2003, as previously amended and supplemented (the "General Indenture"), and as further amended and supplemented by a Second Supplemental Indenture (the "Second Supplemental Indenture" and, collectively with the General Indenture, the "Indenture") to be entered into at the time of issuance of the Series 2005 Bonds in substantially the form attached as Exhibit B, and the Issuer hereby declares its intention to issue the Series 2005 Bonds (such bonds to be issued in one or more series as directed by the Issuer) according to the provisions of this Resolution, the Final Bond Resolution and the Indenture.

Section 2. The Issuer proposes to pledge the Local Sales and Use Tax Funds received by Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated 1953, as amended, and the County Option Sales and Use Tax funds received by the Issuer pursuant to Title 59, Chapter 12, Part 11, Utah Code Annotated 1953, as amended, for repayment of the Series 2005 Bonds.

Section 3. The Issuer hereby authorizes and approves the issuance and sale of the Series 2005 Bonds, pursuant to the provisions of this Resolution, the Indenture and the Final Bond Resolution to be adopted by the Issuer authorizing and confirming the issuance and sale of the Series 2005 Bonds, with such changes thereto as shall be approved by the Issuer upon the adoption of the Final Bond Resolution. The Series 2005 Bonds may be issued in one or more series and be sold from time to time, all as the Issuer may determine.

Section 4. The Issuer shall hold a public hearing on December 14, 2004, to receive input from the public with respect to the issuance of the Series 2005 Bonds, which hearing date shall be not less than fourteen (14) days after notice of the public hearing is first published once a week for two consecutive weeks in the Tooele Transcript Bulletin, a newspaper of general circulation in the Issuer, with the Tooele Transcript Bulletin hereby designated as the Issuer's official newspaper pursuant to Sections 11-14-21 and 11-14-17.5 of the Act. The County Clerk shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Issuer's principal offices for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The Issuer directs its officers and staff to publish a Notice of Public Hearing and Bonds to be Issued in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN that on November 23, 2004, the County Commission (the "Commission") of Tooele County, Utah (the "Issuer") adopted a resolution (the "Resolution") declaring its intent to issue Sales Tax Revenue Bonds, Series 2005 (or such other designation(s) as the Issuer may determine) (the "Series 2005 Bonds") pursuant to the Utah Municipal Bond Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and to call a public hearing to receive input from the public with respect to the issuance of the Series 2005 Bonds.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on December 14, 2004, at the hour of 3:00 p.m. The location of the public hearing is at the Tooele County Courthouse, 47 South Main, Tooele, Utah. The purpose of the meeting is to receive input from the public with respect to the issuance of the Series 2005 Bonds. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING SERIES 2005 BONDS

The Issuer intends to issue the Series 2005 Bonds for the purpose of financing all or a portion of the costs of certain court facilities and related improvements and paying issuance expenses to be incurred in connection with the issuance and sale of the Series 2005 Bonds.

PARAMETERS OF THE SERIES 2005 BONDS

The Issuer intends to issue the Series 2005 Bonds in the principal amount of not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000), bearing interest at a rate or rates not to exceed six percent (6.0%) per annum, to mature in not more than twenty-one years (21) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest to the date of delivery.

EXCISE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge all the Local Sales and Use Tax funds received by Issuer pursuant to Title 59, Chapter 12, Part 2, Utah Code Annotated 1953, as amended, and the County Option Sales and Use Tax funds received by the Issuer pursuant to Title 59, Chapter 12, Part 11, Utah Code Annotated 1953, as amended, for repayment of the Series 2005 Bonds.

The Series 2005 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution a General Indenture of Trust dated as of March 1, 2003, as heretofore amended and supplemented and a Second Supplemental Indenture of Trust (collectively, the "Indenture") which were before the Commission and attached to the Resolution in substantially final form at the time of the adoption of the Resolution and said Indenture is to be approved by the Commission in such form and

with such changes thereto as shall be authorized by the Commission upon the adoption of a final bond resolution.

Copies of the Resolution and the Indenture are on file in the office of the County Clerk of Tooele County, Utah in Tooele, Utah, where they may be examined during regular business hours of the County Clerk from 8:30 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution and the Indenture (as it relates to the Series 2005 Bonds) or the Series 2005 Bonds, or any provision made for the security and payment of the Series 2005 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever, and (i) registered voters within Tooele County, Utah may sign a written petition requesting an election to authorize the issuance of the Series 2005 Bonds. If written petitions which have been signed by at least 20% of the registered voters of Tooele County, Utah, are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2005 Bonds. If fewer than 20% of the registered voters of Tooele County, Utah, file a written petition during said 30-day period, the Issuer may proceed to issue the Series 2005 Bonds without an election.

DATED this November 23, 2004.

/s/

Dennis D. Ewing

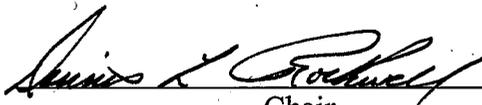
County Clerk

Publication Dates: November 24 and December 2, 2004

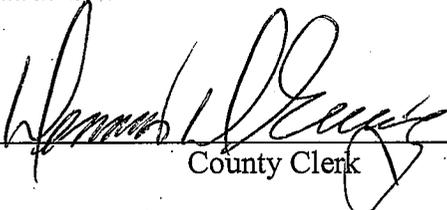
Section 5. The Commission hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the Project. The Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid.

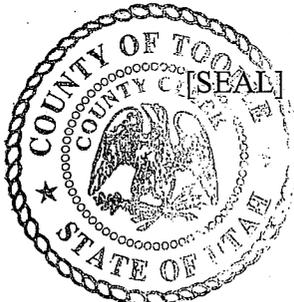
Section 6. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this November 23, 2004.


Chair

ATTEST:

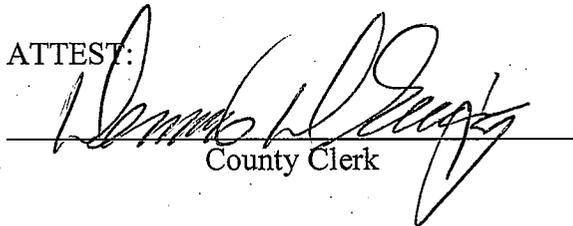

County Clerk

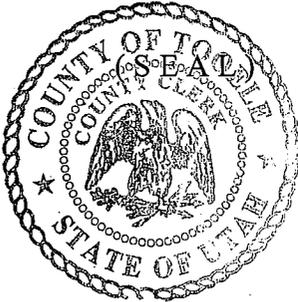


(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.


Chair

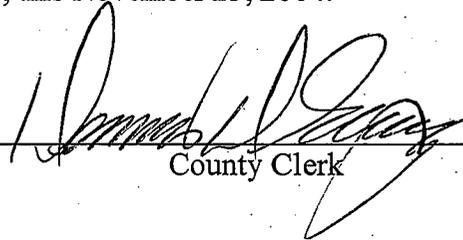
ATTEST:

County Clerk



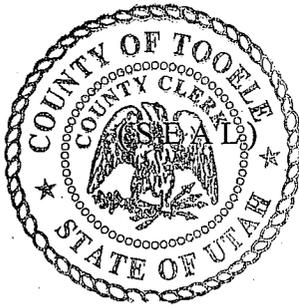
STATE OF UTAH)
 : ss.
COUNTY OF TOOELE)

I, Dennis Ewing, the duly appointed and qualified County Clerk of Tooele County, Utah, (the "Issuer") do hereby certify according to the records of said County Commission in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the County Commission held on November 23, 2004, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said Issuer, this November 23, 2004.



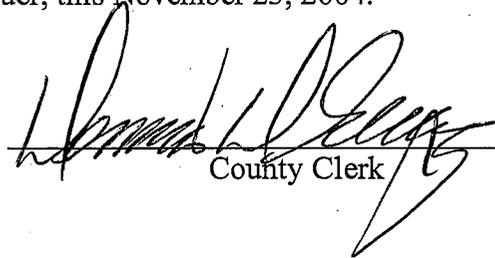
County Clerk



STATE OF UTAH)
 : ss.
COUNTY OF TOOELE)

I, Dennis Ewing, the duly appointed and qualified County Clerk of Tooele County, Utah, (the "Issuer") do hereby certify that, pursuant to the Resolution, there was published once each week for two consecutive weeks in the Tooele County Bulletin, a newspaper having general circulation in Tooele County, Utah, a Notice of Bonds to be Issued, the affidavit of which publication is hereby attached.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said Issuer, this November 23, 2004.



County Clerk



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

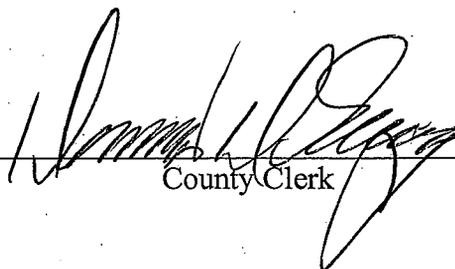
I, Dennis Ewing, the undersigned County Clerk of Tooele County, Utah (the "Issuer") do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the November 23, 2004, public meeting held by the County Commission as follows:

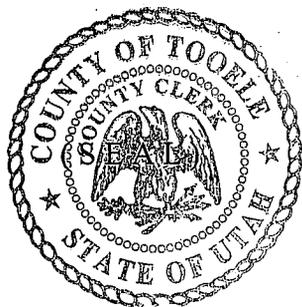
(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of Tooele County on November 17, 2004, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Tooele County Bulletin, on November 17, 2004, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2004 Annual Meeting Schedule for the County Commission (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the County Commission of the Issuer to be held during the year, by causing said Notice to be posted on FEB 3, 2004, at the principal office of the County Commission and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the geographic jurisdiction of the Issuer on FEB 3, 2004.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 23, 2004.


County Clerk



SCHEDULE 1

NOTICE OF MEETING

TOOELE COUNTY CLERK

TOOELE COUNTY COURTHOUSE

DENNIS D. EWING
Tooele County Clerk

47 South Main Street
Tooele, Utah 84074-2194
(435)843-3140/Fax (435)882-7317
www.co.Tooele.ut.us/Clerk.htm

MARILYN K. GILLETTE
Chief Deputy Clerk

NOTICE AND AGENDA

NOTICE IS HEREBY GIVEN THAT THE TOOELE COUNTY COMMISSION WILL HOLD A REGULAR MEETING ON TUESDAY, NOVEMBER 23, 2004, AT 3:00 P.M., IN ROOM 310, TOOELE COUNTY COURTHOUSE, 47 SOUTH MAIN STREET, TOOELE, UTAH. THE AGENDA IS:

1. ROLL CALL
2. MINUTES
3. TAX ADJUSTMENTS
4. BILLS
5. DESERET PEAK COMPLEX
6. PUBLIC HEARING: AMENDMENT TO THE UNIFORM ZONING ORDINANCE, ALLOWING RESIDENTS TO OPERATE COTTAGE INDUSTRIES OR HOME BASED BUSINESSES FROM ACCESSORY BUILDINGS ON RESIDENTIAL PROPERTIES
7. CONSIDERATION FOR ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF APPROXIMATELY \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2005, OF TOOELE COUNTY, UTAH; AND RELATED MATTERS.
8. HEADSTART PRESENTATION
9. GRANT APPLICATION FOR TOOELE COUNTY TO THE GOPD ON COUNTY RESOURCE MANAGEMENT PLAN
10. ROADWAY IMPROVEMENT AGREEMENT - LEUCADIA FINANCIAL CORPORATION
11. ORDINANCE 2004-33 - AMENDING TITLE 13 OF THE TOOELE COUNTY CODE, SUBDIVISIONS
12. CONTRACT REVIEW
 - A) CONTRACT #03-11-01 - PUBLIC DEFENDER CONFLICTS AGREEMENT - DOUGLAS F. WHITE
 - B) CONTRACT #03-11-13 - MEMORANDUM OF AGREEMENT - RURAL PUBLIC LANDS COUNTY COUNCIL - BOB WEIDNER
 - C) CONTRACT #99-11-05 - MUTUAL AID IN HAZARDOUS MATERIALS INCIDENT RESPONSE
 - D) CONTRACT #99-11-06 - DEVELOPMENT AGREEMENT - WATT HOMES/LEUCADIA /VILLAGES @ STANSBURY PARK
 - E) CONTRACT #02-05-03 - INTERLOCAL COOPERATION AGREEMENT FOR MUTUAL AID
13. BOARD APPOINTMENTS
14. PUBLIC CONCERNS
15. ADJOURN

DATED THIS 17th DAY OF Nov, 2004

for
M Gillette
DENNIS D. EWING
TOOELE COUNTY CLERK

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY DENNIS D. EWING, TOOELE COUNTY CLERK, AT 843-3148 PRIOR TO THE MEETING.

SCHEDULE 2

ANNUAL MEETING SCHEDULE

TOOELE COUNTY CLERK

TOOELE COUNTY COURTHOUSE

47 South Main Street
Tooele, Utah 84074-2194
(435) 843-3140
FAX (435) 882-7317

DENNIS D. EWING
Tooele County Clerk

MARILYN K. GILLETTE
Chief, Deputy Clerk

NOTICE OF ANNUAL MEETING

TO THE PUBLIC AND RESIDENTS OF TOOELE COUNTY

The Public is hereby given Notice that the Tooele County Board of Commissioners conducts its regular board of County Commissioners meeting on the first, second, third and fourth Tuesday at 3:00 P.M. of each month at the Tooele County Courthouse, Room 310, 47 South Main Street, Tooele, Utah, unless the location is specifically changed as stated on the agenda. If the meeting date is a legal holiday, then the regularly scheduled meeting will not be held.

DATED THIS 3rd DAY OF February, 2004



DENNIS D. EWING
Tooele County Clerk

(attach Proof of Publication of
Notice of Bonds to be Issued)

EXHIBIT B

INDENTURE

(See Transcript Document No. __)