RESOLUTION NO. 04-00

Eagle Mountain, Utah

February 1, 2000

A regular meeting of the Town Council (the "Council") of the Town of Eagle Mountain, Utah County, Utah, was held on Tuesday, February 1, 2000, at the hour of 7:00 p.m. at its regular meeting place in the Town of Eagle Mountain, Utah with the following members present:

Paul R. Bond, Jr.	Mayor
David A. Albrecht	Councilmember
Greg D. Kehl	Councilmember
Brigham S. Morgan	Councilmember
Daniel A. Valentine	Councilmember

Also present:

John D. Newman	Town Administrator
Janet B. Valentine	Town Clerk

Absent:

After the meeting was duly called to order and after other matters not pertinent to this resolution had been discussed, the Town Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this February 1, 2000 meeting, a copy of which is attached hereto as Exhibit "A".

The following resolution was then introduced and Councilmember GREG D. KEHL moved its adoption. Councilmember DAVID A. ALBRECHT seconded the motion to adopt the Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

After the meeting was duly called to order and after other matters not pertinent to this resolution had been discussed, the Town Clerk presented to the Town Council a Certificate of Compliance with Open Meeting Law with respect to this February 1, 2000 meeting, a copy of which is attached hereto as Exhibit "A".

Thereupon the following proceedings, among others, were duly had and taken:

The following resolution was then introduced and Councilmember GREG D. KEHL moved its adoption. Councilmember DAVID A. ALBRECHT seconded the motion to adopt the Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote:

YEA:

PAUL R. BOND, JR., MAYOR
DAVID A. ALBRECHT, COUNCILMEMBER
GREG D. KEHL, COUNCILMEMBER
BRIGHAM S. MORGAN, COUNCILMEMBER
DANIEL A. VALENTINE, COUNCILMEMBER

NAY:

The resolution reads as follows:

RESOLUTION NO. 04-00

DECLARATION OF OFFICIAL INTENT OF EAGLE MOUNTAIN, UTAH COUNTY, UTAH TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES BY INCURRING DEBT RELATING TO THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE TOWN'S TELECOMMUNICATIONS SYSTEM; TO PROVIDE FOR THE MAXIMUM PRINCIPAL AMOUNT OF DEBT AND THE NATURE OF PROJECT COSTS; TO AUTHORIZE INCIDENTAL ACTION; AND TO REPEAL PRIOR INCONSISTENT RESOLUTIONS.

WHEREAS, Eagle Mountain, Utah County, Utah (the "Town") expects to incur significant costs with respect to the construction of additions and improvements to its telecommunication system (the "Project"); and

WHEREAS, the Town has determined that it intends to finance the cost of the Project with the proceeds of obligations, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt bonds"); and

WHEREAS, no costs of the Project were paid more than 60 days prior to the date of this Resolution, other than preliminary expenditures (not exceeding 20% of the aggregate issue price of the tax-exempt bonds issued to finance the Project), provided that such preliminary expenditures shall not include costs of land acquisition or site preparation or other costs of construction or acquisition of the Project;

NOW THEREFORE, BE IT RESOLVED by the Town Council of Eagle Mountain, Utah County, Utah:

Section 1. Declaration of Intent. This declaration is intended to be a declaration of official intent under Treasury Regulation § 1.103-18(1).

Section 2. Improvements to be Financed. The Project to which this declaration pertains consists of additions and improvements to the Town's telecommunications system including switches, lines and facilities to house said additions and improvements.

Section 3. Declaration of Official Intent to Finance Capital Expenditures; Maximum Authorized Debt. The Town hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds (the "Reimbursement Bonds") to be issued by the Town to reimburse itself for expenditures for costs of the Project. The Town intends that the Reimbursement 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. The Town anticipates that the maximum principal amount of Bonds issued to finance the Project including Reimbursement Bonds, will not exceed $3,000,000.

Section 4. Nature of Project Costs. The costs of the Project consists entirely of capital expenditures or costs of issuance of tax-exempt bonds, and no cost of the Project to be reimbursed with the proceeds of the Reimbursement Bonds is a cost of working capital.

Section 5. Incidental Action. The appropriate officers of the Town are hereby authorized and directed to take or approve the taking of such actions as may be necessary or appropriate in order to preserve the ability of the Town to finance its capital expenditures in accordance with the federal tax regulations and this Resolution.

Section 6. No Replacement Proceeds. The Town will not, at any time within one year after any allocation of proceeds of the Reimbursement Bonds to reimburse any expenditure, use the reimbursed funds to create a sinking fund for any issue of tax-exempt bonds to otherwise replace the proceeds of any issue of tax-exempt bonds.

Section 7. Effective Date; Repeal. This Resolution shall take effect immediately. All prior resolutions or portions thereof inconsistent herewith are hereby repealed.

ADOPTED AND APPROVED this 1st day of February, 2000.

Paul R. Bond, Jr.
Mayor

ATTEST:

Janet B. Valentine
Town Clerk

(SEAL)

After conduct of other business not pertinent to the above, on motion duly made, seconded and carried, the meeting was adjourned.

Paul R. Bond, Jr.
Mayor

ATTEST:

Janet B. Valentine
Town Clerk

STATE OF UTAH)
: ss.
COUNTY OF UTAH)

I, Janet B. Valentine, the duly appointed, qualified and acting Town Clerk of Eagle Mountain, Utah County, Utah, do hereby certify that the foregoing is a full, true and correct copy of the minutes of a regular meeting of the Town Council of Eagle Mountain, Utah, held at its regular meeting place in Eagle Mountain, Utah, on Tuesday, the 1st day of February, 2000, at the hour of 7:00 p.m. as recorded in the regular official book of minutes as kept in my official office, that said proceedings were duly had and taken as therein shown, and that all the members were given due, legal and timely notice of said meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Eagle Mountain, Utah, this 1ST day of February, 2000.

Janet B. Valentine
Town Clerk

(SEAL)

EXHIBIT "A"

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Janet B. Valentine, the undersigned Town Clerk of Eagle Mountain, Utah (the "Town"), do hereby certify, according to the records of the Town 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 February 1, 2000, public meeting held by the Town as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "1", to be posted at the Town's principal offices in Eagle Mountain, Utah on ~~February~~ JANUARY 31, 2000, 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 New Utah, on ~~February~~ JANUARY 31, 2000, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2000 Annual Meeting Schedule for the Town Council (attached hereto as Schedule "2") was given specifying the date, time and place of the regular meetings of the Town Council to be held during the year, by causing said Notice to be posted on ~~February~~ JANUARY 5, 2000, at the principal office of the Town Council and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the Town on ~~February~~ JANUARY 12, 2000.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 3RD day of February, 2000.

Janet B. Valentine
Town Clerk

EAGLE MOUNTAIN, UTAH
SEAL
Eagle Mountain, Utah
INCORPORATED 3 DECEMBER 1996

SCHEDULE "1"

NOTICE OF MEETING

REVISED AGENDA
TOWN COUNCIL MEETING
Tuesday, February 1, 2000 at 7:00 p.m.
Eagle Mountain Community Center, 1668 East Heritage Drive
Eagle Mountain, Utah 84043

WORK SESSION - No Action Taken – 4:30 to 6:30 p.m. – Town Offices, Conference Room, 1680 E. Heritage Dr., Eagle Mountain

1. Warrant Register/John Newman, Jalaire Taylor
2. Contract Change Order/Korey Walker
   a. 1999 Telephone Building Expansion Improvements CO#1
   b. 1999 Telephone Building Expansion Improvements CO#2
3. Partial Bond Releases/Korey Walker
   a. Meadow Ranch Phases 1, 2 & 3 Landscaped Park Bond
4. Final Payment Requests/Korey Walker
   a. CSI for the Eagle Mountain Properties 6" Steel Gas Line
5. Proposed Officers for Fire Department
6. Public Notices: Public Works Board request to hold a public hearing on the Town's intent to spilt into two service districts for Impact Fee Purposes/John Newman
7. Preliminary Report from Staff on SID 99-1and Alternatives (Tabled from 01-12-00)/John Newman, Jerry Kinghorn, Korey Walker
8. Resolution of Appreciation for a Land Donation/Jerry Kinghorn
9. Public Works Department Truck purchase/John Newman
10. Proposal to engage PAYCHEX to perform payroll services for the Town/John Newman, Janet Valentine
11. Enforcement of Dogs being left to roam in Eagle Mountain without being constrained by a leash/Council
12. Development Agreement-Eagle Mountain Properties Convenience Store/Jerry Kinghorn
13. Waiver of Impact Fees for the Convenience Store/Jerry Kinghorn
14. Reimbursement Resolution/John Newman, Jerry Kinghorn
15. Town Attorneys recommendation on allowing Religious Activities in buildings owned by the Town of Eagle Mountain/Council
16. Ranches request for Impact Fee Waiver – 20,000 sq. ft office building/John Newman
17. Proposed Amendments to the Ranches Community Design Guideline/Ken Leetham, Shawn Warnke

Eagle Mountain, Utah

INTERMISSION – CHANGE OF VENUE
(Continued on the following pages)

POLICY SESSION – 7:00 TO 10:30 p.m. – Eagle Mtn. Community, 1668 E. Heritage Drive, Eagle Mountain

1. Roll Call
2. Pledge of Allegiance
3. Approval of Minutes (January 12, 2000 & January 18, 2000)
4. General Discussion/Questions/Announcements
   a. Eagle Mountain Community Arts interest in newspaper recycling bin being located by the Town Office (no costs to the town)
5. Appointments:
   a. Proposed Officers for Eagle Mountain Fire Department
   b. Other Appointments

6. Public Notices
   a. Public Works Board recommendation to the Town Council to schedule a public hearing on the Town's intent to spilt into two-service districts for Impact Fee Purposes
   b. Other Public Notices
7. Public Comment
8. Preliminary Report from Staff on SID 99-1and Alternatives (Tabled from 01-12-00)
9. Consideration and Approval of a Resolution of Appreciation for Land Donation
10. Public Works Department Truck Purchase
11. Consideration and Approval to engage PAYCHEX to perform payroll services for the Town of Eagle Mountain
12. Enforcement of Dogs being left to roam in Eagle Mountain without being constrained by a leash
13. Consideration and Approval of a Development Agreement with Eagle Mountain Properties for a Convenience Store
14. Consideration of waiver of Impact Fees for Convenience Store
15. Consideration and Approval of a Reimbursement Resolution – Telecommunications Revenue Bonds
16. Town Attorneys recommendation on allowing Religious Activities in buildings owned by the Town of Eagle Mountain/Council
17. Consideration of "The Ranches, LC" request for an Impact Fee Waiver – 20,000 sq. ft. Office building – Ranches Business Park
18. Consideration and Approval to proposed amendments to the Ranches Community Design Guidelines
19. Motion to approve Consent Agenda items as follows: (Refer to Work Session)
    a. Warrant Register
    b. Contract Change Orders
    c. Partial Bond Release
    d. Final Payment Request
20. Other Business
21. Motion to adjourn into a Closed Executive Session for the purpose of discussing personnel issues and potential litigation
22. Motion to adjourn the Closed Executive Session and Return to Open Session
23. Any Actions from the Closed Executive Session
24. Adjournment

Eagle Mountain, Utah

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, PERSONS NEEDING AUXILIARY COMMUNICATIVE AIDS AND SERVICES FOR THESE MEETINGS SHOULD CONTACT JANET VALENTINE (801) 766-5988, GIVING AT LEAST 48 HOURS ADVANCE NOTICE.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL TOWN COUNCIL MEETINGS

CERTIFICATE OF POSTING

THE UNDERSIGNED, DULY APPOINTED TOWN CLERK, DOES HEREBY CERTIFY THAT THE ABOVE NOTICE AND AGENDA WAS POSTED IN THREE PUBLIC PLACES WITHIN EAGLE MOUNTAIN TOWN LIMITS ON THIS 31st DAY OF JANUARY, 2000 AT 3:45 P.M.. THESE PUBLIC PLACES BEING 1) THE TOWN OFFICES, 1680 E. HERITAGE DR., EAGLE MOUNTAIN, UTAH; 2) CEDAR PASS RANCH BULLETIN BOARD, 9155 NO. #B CEDAR PASS ROAD, EAGLE MOUNTAIN; AND 3) THE BULLETIN BOARD LOCATED AT MEADOW RANCH SUBDIVISION, HWY 73, EAGLE MOUNTAIN, UTAH.

Janet B. Valentine

JANET B. VALENTINE, TOWN CLERK

SCHEDULE "2"

NOTICE OF ANNUAL MEETING SCHEDULE

AFFIDAVIT OF PUBLICATION

STATE OF UTAH
ss.
County of Utah

Eagle Mountain lists meeting schedule

The Town Council of Eagle Mountain, at the first Town Council Meeting held on Tuesday, Jan. 4, 2000, voted to approve the meeting schedule for the year 2000.

Eagle Mountain Town Council Meetings will be held every first and third Tuesday of each month with the exception of Tuesday, July 4, 2000.

Meeting time and place are as follows:

4:30 to 6:30 p.m. - Work session, Eagle Mountain Town Offices (Conference Room), 1680 E. Heritage Drive, Eagle Mountain, Utah.

7 p.m. - Policy session, Eagle Mountain Community Center, 1668 E. Heritage Drive, Eagle Mountain, Utah.

The 2000 Town Council Meetings are as follows:

Jan. 4 and 18; Feb. 1 and 15; March 7 and 21; April 4 and 18; May 2 and 16; June 6 and 20.

July 18; Aug. 1 and 15; Sept. 5 and 19; Oct. 3 and 17; Nov. 7 and 21; Dec. 5 and 19.

Janet Valentine
Town Clerk

Published in New Utah! Jan. 12, 2000.

I, Brett R. Bezzant, being first duly sworn, depose and say that I am the publisher of New Utah!, a newspaper of general circulation published once a week at Utah County, Utah; that the notice attached hereto and which is a:

EAGLE MOUNTAIN LISTS MEETING SCHEDULE

was published in said newspaper for one consecutive issue(s), the first publication having been made on the 12th day of January, 2000, and the last on the 12th day of January, 2000, that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication and the same was published in the newspaper proper and not in the supplement.

Brett R. Bezzant

Subscribed and sworn before me this 28th day of January, 2000.

Barbara Christiansen
Notary Public

My commission expires 4/15/02.

NOTARY PUBLIC
BARBARA CHRISTIANSEN
59 W Main
American Fork, UT 84003
My Commission Expires
April 15th, 2002
STATE OF UTAH

FM698

BALLARD, SPAHR, ANDREWS & INGERSOLL - SALT LAKE OFFICE

Document Information Form

PLEASE KEEP THIS SHEET WITH YOUR DOCUMENT.

DOCUMENT DATA

DOCUMENT NO. __□ 1031746
ATTORNEY NAME _□Carlton_____

INDAAX PROFILE INFORMATION

TITLE □**Reimbursement Resolution**

AUTHOR □**Blaine L. Carlton**

FILE # □**868211**

CLIENT/MATTER **Eagle Mountain 99-1**

ABST □**DR** 1025263

Res No. 04-00 - Approved TC Mtg. 02-01-00

Exhibit 1
UTILITY IMPROVEMENTS AND TIMING COSTS SEPERATED IN MONTHLY FUNDING CATEGORIES

Note - The utilities, funding, and associated timing are based on the projected growth rate as identified in the Capital Facility Plan. This Exhibit will be updated periodically as required

NSA UTILITY REQUIREMENTS

Service Area	Project	Task	Estimated Cost	Timing of Funds
MARCH FUNDING				
NSA	Well Line Connection	Pre-Engineering	$ 1,792	3/8/00
NSA	Reservoir and Associated Line Improvements	Pre-Engineering	$ 2,200	3/8/00
NSA	Well Equip and Housing	Pre-Engineering	$ 2,800	3/8/00
NSA	Right of Way	Pre-Engineering	$ 10,000	3/8/00
NSA	1 MG Reservoir and related piping	Pre-Engineering	$ 14,640	3/8/00
NSA	Permanent Generation	Pre-Engineering	$ 18,000	3/8/00
	SUB TOTAL		$ 49,432	
NSA	Reservoir and Associated Line Improvements	Design	$ 6,600	3/8/00
NSA	Well Line Connection	Design	$ 5,376	3/8/00
NSA	Well Equip and Housing	Design	$ 8,400	3/8/00
NSA	Permanent Generation	Design	$ 54,000	3/8/00
	SUB TOTAL		$ 74,376	
	MARCH TOTAL		*$ 123,808*	
APRIL FUNDING				
NSA	1 MG Reservoir and related piping	Design	$ 43,920	4/22/00
	SUB TOTAL		$ 43,920	
NSA	Well Line Connection	Construction	$ 82,432	4/22/00
NSA	Well Equip and Housing	Construction	$ 128,800	4/22/00
NSA	Permanent Generation	Construction	$ 828,000	4/7/00
NSA	Reservoir and Associated Line Improvements	Construction	$ 101,200	4/22/00
	SUB TOTAL		$ 1,140,432	
	APRIL TOTAL		*$ 1,184,352*	
JUNE FUNDING				
NSA	Right of Way	Design	$ 30,000	6/6/00
	JUNE TOTAL		*$ 30,000*	
JUNE THROUGH AUGUST FUNDING				
NSA	Right of Way	Construction	$ 460,000	8/5/00
NSA	1 MG Reservoir and related piping	Construction	$ 673,440	7/21/00
	JUNE THROUGHT AUGUST TOTAL		*$ 1,133,440*	
	TOTAL		$ 2,471,600	

RESOLUTION NO. 17-00

Eagle Mountain, Utah

August 15, 2000

The Town Council of the Town of Eagle Mountain, Utah County, Utah (the "Council"), met in regular public session at the regular meeting place of the Council in Eagle Mountain, Utah, on August 15, 2000, at the hour of 7:00 p.m. with the following members of the Council being present:

Paul Bond	Mayor
David A. Albrecht	Councilmember
Greg Kehl	Councilmember
Bert Ankrom	Councilmember

Also present:

John D. Newman	Town Administrator
Fionnuala Kofoed	Town Deputy Recorder

Absent:

Brigham S. Morgan	Councilmember
Janet B. Valentine	Town Recorder

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Town Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this August 15, 2000 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 Councilmember Bert Ankrom and seconded by Councilmember Greg Kehl adopted by the following vote:

YEA:

Paul Bond	Mayor
David A. Albrecht	Councilmember
Greg Kehl	Councilmember
Bert Ankrom	Councilmember

NAY:

NONE

The resolution was then signed by the Mayor in open meeting and recorded by the Town Recorder in the official records of the Town of Eagle Mountain, Utah County, Utah. The resolution is as follows: