

August 18, 2009

A regular meeting of the Board of County Commissioners of Tooele County, Utah, (the "Board") was held on Tuesday, August 18, 2009, at 3:00 p.m. There were present at said meeting the following members:

Colleen S. Johnson
J. Bruce Clegg
Jerry Hurst

Chair *absent*
Commissioner, *Chair*
Commissioner

Also present:

Marilyn Gillette
Doug Hogan

County Clerk
County Attorney

Absent: *Colleen S. Johnson* *Commissioner*

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 Board a Certificate of Compliance With Open Meeting Law with respect to this August 18, 2009 meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Resolution was introduced in written form, discussed in full, and pursuant to motion made by Commissioner Hurst and seconded by Commissioner Clegg, adopted by the following vote:

AYE: *Commissioner Hurst*
Commissioner Clegg

NAY:

RESOLUTION NO. 2009-16

DECLARATION OF OFFICIAL INTENT OF THE BOARD OF COUNTY COMMISSIONERS (THE "COMMISSION") OF TOOELE COUNTY, UTAH (THE "COUNTY"), TO REIMBURSE THE COUNTY FROM THE PROCEEDS OF TAX-EXEMPT BONDS FOR CERTAIN CAPITAL EXPENDITURES ADVANCED BY THE COUNTY TO FINANCE THE CONSTRUCTION OF ROAD IMPROVEMENTS AND EXPENSES; ESTABLISHING THE MAXIMUM PRINCIPAL AMOUNT OF SUCH EXPENDITURES; AND RELATED MATTERS.

WHEREAS, Tooele County (the "County"), expects to incur significant costs in connection with constructing road improvements and other related improvements (collectively, the "Project") and intends to issue tax-exempt bonds to finance said Project; and

WHEREAS, no costs of the Project to be reimbursed will have been paid more than sixty (60) days prior to the date of this Resolution, other than preliminary expenditures (not exceeding twenty percent (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 AS FOLLOWS:

Section 1. Declaration of Official Intent to Finance Capital Expenditures; Maximum Authorized Debt. The County hereby declares its intention and reasonable expectation to use proceeds of Tax-Exempt Bonds to reimburse itself for expenditures for a portion of the costs of the Project including preliminary expenses. The Tax-Exempt Bonds are to be issued, and the reimbursements made, by the later of eighteen (18) months after (a) the payment of the costs or (b) the date the Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid. The maximum principal amount of the Tax-Exempt Bonds which are expected to be issued to finance the Project is not expected to exceed \$4,466,507.

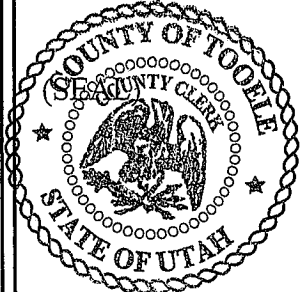
Section 2. Nature of Project Costs. The costs of the Project consist entirely of capital expenditures or costs of issuance of the Tax-Exempt Bonds, and no cost of the Project to be reimbursed with the proceeds of the Tax-Exempt Bonds is a cost of working capital.

Section 3. Incidental Action. The Chair and County Clerk 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 County to facilitate the financing of the Project in accordance with the federal tax regulations and this Resolution.

Section 4. No Replacement Proceeds. The County will not, at any time within one year after any allocation of proceeds of the Tax-Exempt Bonds to reimburse any expenditure, use the reimbursed funds to create a sinking fund for any issue of Tax-Exempt Bonds, or to otherwise replace the proceeds of any issue of Tax-Exempt Bonds.

Section 5. Effective Date: Repeal. This Resolution shall take effect immediately. All prior resolutions or portions thereof inconsistent herewith are hereby repealed.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY, UTAH THIS AUGUST 18, 2009.



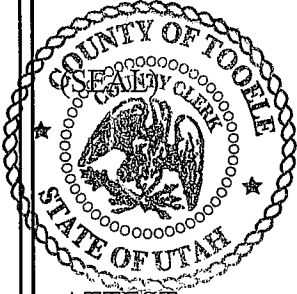
By: *J. Ann Clay*
Chair

ATTEST:

By: *Marilyn K. Gillette*
County Clerk

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board of County Commissioners adjourned.



ATTEST:

By: *A. Bruce Clapp*
Chair

By: *Marilyn K. Sillette*
County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF TOOELE)

I, Marilyn Gillette, the duly qualified County Clerk of Tooele County, Utah (the "County"), do hereby certify according to the records of the County in my possession that the foregoing constitutes a true, correct and complete copy of the proceedings of the regular meeting of the County Commission held on August 18, 2009, as it pertains to a reimbursement resolution (the "Resolution") adopted by the Commission at said meeting, including the Resolution, 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 the County this August 18, 2009.



By: Marilyn K. Gillette
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Marilyn Gillette, the duly qualified County Clerk of Tooele County, Utah (the "County"), do hereby 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 August 18, 2009, public meeting held by the Board of County Commissioners as follows:

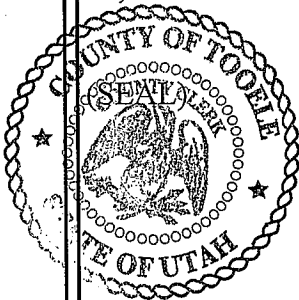
(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of Tooele County on August 12, 2009, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Tooele Transcript Bulletin on August 12, 2009, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2009 Annual Meeting Schedule for the Board of County Commissioners (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Board of the Issuer to be held during the year, by causing said Notice to be (i) posted on Jan 5, 2009, at the principal office of the Issuer; (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the Issuer on Jan. 5, 2009; and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my signature this August 18, 2009.



By: Marilyn K. Gillette
County Clerk

SCHEDULE 1

NOTICE OF MEETING

TOOELE COUNTY CLERK

TOOELE COUNTY

MARILYN K. GILLETTE
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

DEBBIE SMART
Chief Deputy Clerk

NOTICE AND AGENDA

NOTICE IS HEREBY GIVEN THAT THE TOOELE COUNTY COMMISSION WILL HOLD A REGULAR MEETING ON TUESDAY, AUGUST 18, 2009, 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. INVOICES
5. DESERET PEAK COMPLEX
6. RECOGNITION AND THANK YOU FROM TOOELE COUNTY SCHOOL BOARD TO TOOELE COUNTY SHERIFF'S DEPARTMENT
7. TCEM EQUIPMENT REPLACEMENT
8. TCEM PLANNED MAINTENANCE AGREEMENT FOR GENERATORS
9. INTERLOCAL AGREEMENT BETWEEN TOOELE COUNTY, DESERET PEAK SPECIAL SERVICE DISTRICT, AND TOOELE CITY CORPORATION, REGARDING CONNECTION OF DESERET PEAK FACILITIES TO TOOELE CITY SEWER SYSTEM
10. RESOLUTION 2009-16 - CONSIDERATION FOR ADOPTION OF A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY, UTAH (THE "COUNTY"), TO REIMBURSE THE COUNTY FROM THE PROCEEDS OF TAX-EXEMPT BONDS FOR CERTAIN CAPITAL EXPENDITURES ADVANCED BY THE COUNTY TO FINANCE THE CONSTRUCTION OF ROAD IMPROVEMENTS AND EXPENSES; AND RELATED MATTERS
11. FISHER MONUMENT ON JOHNSON PASS - PRESENTED BY ROLLIN SOUTHWELL
12. MEMORANDUM OF UNDERSTANDING BETWEEN TOOELE COUNTY AND JACK TOMLIN
13. MEMORANDUM OF UNDERSTANDING BETWEEN U.S. ARMY DUGWAY PROVING GROUND AND TOOELE COUNTY SHERIFF'S OFFICE
14. CONTRACT REVIEW
 - A) 93-06-04 - INTERLOCAL AGREEMENT SOLID WASTE COLLECTION, TOOELE COUNTY AND VERNON
 - B) 93-07-09 - INTERLOCAL AGREEMENT MUNICIPAL SOLID WASTE COLLECTION, TOOELE COUNTY AND OPHIR
 - C) 93-07-10 - INTERLOCAL AGREEMENT MUNICIPAL SOLID WASTE COLLECTION, TOOELE COUNTY AND RUSH VALLEY
 - D) 95-09-14 - USE OF 800 MHZ FREQUENCY, TOOELE COUNTY EMERGENCY MANAGEMENT AND TOOELE CITY
 - E) 01-08-09 - COOPERATIVE LAW ENFORCEMENT AGREEMENT, TOOELE COUNTY SHERIFF AND UNTA NATIONAL FOREST SERVICE
 - F) 02-09-01 - AGING AND ADULT MEDICAL SERVICES; TOOELE COUNTY AND BENJAMIN W. KROGH

SCHEDULE 2

ANNUAL MEETING SCHEDULE

TOOELE COUNTY CLERK

TOOELE COUNTY COURTHOUSE

MARILYN K. GILLETTE
Tooele County Clerk

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DEBBIE SMART
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 5th DAY OF JANUARY, 2009



MARILYN K. GILLETTE
Tooele County Clerk