Ogden, Utah

September 22, 2020

The regular meeting of the Board of County Commissioners (the “Board”) of Weber County, Utah (the “Issuer”), was held on Tuesday, the 22nd day of September, 2020 at the hour of 10:00 a.m., at the regular meeting place of the Board at 2380 Washington Boulevard, in Ogden, Utah at which meeting there were present and answering roll call the following members who constituted a quorum:

|  |  |
| --- | --- |
| Gage Froerer | Chair |
| James Harvey | Commissioner |
| Scott Jenkins | Commissioner |

Also present:

|  |  |
| --- | --- |
| Ricky Hatch | County Clerk/Auditor |
|  |  |

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this September 22, 2020 meeting was presented to the Board, 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 \_\_\_\_\_\_\_\_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, adopted by the following vote:

AYE:

NAY:

This resolution was then signed by the Chair in open meeting and recorded by the County Clerk/Auditor. The resolution is as follows:

RESOLUTION NO. \_\_\_\_\_\_\_\_\_\_\_\_

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN $28,700,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020, OF WEBER 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; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, Weber County, Utah (the “Issuer”) has previously issued its General Obligation and Refunding Bonds, Series 2013 (the “Series 2013 Bonds”); and

WHEREAS, pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (the “Act”), the Issuer has authority to issue, and desires to issue, its Taxable General Obligation Refunding Bonds, Series 2020 (the “Bonds”) for the purpose of refunding all or a portion of the outstanding Series 2013 Bonds; and

WHEREAS, the Board of County Commissioners desires to authorize the preparation and distribution of a Preliminary Official Statement with respect to the Bonds for use in marketing the Bonds; and

WHEREAS, the Act provides for the publication of a Notice of Bonds to be Issued, and the Issuer desires to publish such a notice at this time in compliance with the Act with respect to the Bonds;

NOW, THEREFORE, it is hereby resolved by the Board of County Commissioners of Weber County, Utah, as follows:

## The Board of County Commissioners of the Issuer hereby finds and determines that it is in the best interests of the Issuer and the residents thereof for the Issuer to issue not more than $28,700,000 aggregate principal amount of its Taxable General Obligation Refunding Bonds, Series 2020 (the “Bonds”), to bear interest at a rate or rates of not to exceed five and one-half percent (5.5%) per annum, to mature in not more than fifteen (15) years from their date or dates, and to be sold at a price of not less than ninety-eight percent (98%) of the total principal amount thereof for the purpose of (i) refunding all or a portion of the Issuer’s outstanding Series 2013 Bonds (the “Refunded Bonds”) and (ii) paying costs of issuance, all pursuant to this Resolution and a resolution to be adopted by the Board of County Commissioners authorizing and confirming the issuance and sale of the Bonds (herein referred to as the “Final Bond Resolution”), and the Board of County Commissioners hereby declares its intention to issue the Bonds according to the provisions of this Section and the Final Bond Resolution, when adopted, in substantially the form attached hereto as Exhibit B.

## The Issuer has appointed Zions Public Finance, Inc. to act as municipal advisor and hereby directs officers and staff of the Issuer to work with said municipal advisor, in the preparation of a Preliminary Official Statement or other offering material, for the sale of the Bonds and to make other necessary preparations for sale of the Bonds.

## In accordance with the provisions of the Act, the Issuer shall cause the following “Notice of Bonds to be Issued” to be (i) published one (1) time in The Standard Examiner, a newspaper published and of general circulation within the Issuer, (ii) posted on the Utah Public Notice Website (http://pmn.utah.gov) and (iii) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, and shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Issuer’s offices, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of such publication. The Issuer directs its officers and staff to publish a “Notice of Bonds to be Issued” in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended, that on September 22, 2020, the Board of County Commissioners (the “Commission”) of Weber County, Utah (the “Issuer”) adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s Taxable General Obligation Refunding Bonds, Series 2020 (the “Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer).

The Bonds will be issued for the purpose of (i) refunding all or a portion of the Issuer’s outstanding General Obligation and Refunding Bonds, Series 2013 in order to achieve a debt service savings and (ii) paying issuance expenses to be incurred in connection with the issuance and sale of the Bonds. The Bonds are to be general obligations of the Issuer secured by the full faith and credit and taxing power of the Issuer.

The Issuer intends to issue the Bonds in the aggregate principal amount of not to exceed Twenty-Eight Million Seven Hundred Thousand Dollars ($28,700,000), to bear interest at a rate or rates of not to exceed five and one-half percent (5.5%) per annum, to mature in not more than fifteen (15) 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.

The Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution the draft of a Final Bond Resolution which was before the Commission at the time of the adoption of the Resolution (collectively, the “Bond Resolution”), and said Final Bond Resolution is to be adopted by the Commission in such form and with such changes thereto as shall be approved by the Board of County Commissioners upon the adoption thereof.

A copy of the Resolution and the Final Bond Resolution are on file in the office of the County Clerk/Auditor at 2380 Washington Blvd., Ogden, Utah, where they may be examined during regular business hours of the County Clerk/Auditor from 8:00 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 Bond Resolution or the Bonds, or any provision made for the security and payment of the 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.

DATED this 22nd day of September, 2020.

/s/ Ricky Hatch

County Clerk/Auditor

## It is hereby declared that all parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

## 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 22nd day of September, 2020.

(SEAL)

Chair

ATTEST:

County Clerk/Auditor

(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.

(SEAL)

Chair

ATTEST:

County Clerk/Auditor

STATE OF UTAH )

: ss.

COUNTY OF WEBER )

I, Ricky Hatch, the duly qualified and acting County Clerk/Auditor of Weber County, Utah (the “Issuer”), do hereby certify according to the records of the Issuer in my official possession that the foregoing constitutes a true and correct copy of the minutes of the meeting of the Issuer’s Board of County Commissioners held on September 22, 2020 including a resolution (the “Resolution”) adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on September 22, 2020, and pursuant to the Resolution, a Notice of Bonds to be Issued will be published in the Standard Examiner, a newspaper having general circulation within the County, the affidavit of which publication will be attached upon availability, posted on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended and posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said County, this September 22, 2020.

County Clerk/Auditor

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH

OPEN MEETING LAW

I, Ricky Hatch, the undersigned County Clerk/Auditor of Weber 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 September 22, 2020, public meeting held by the Board of County Commissioners of the County (the “Commission”) as follows:

## By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County 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;

## By causing a copy of such Notice, in the form attached hereto as Schedule 1, 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; and

## By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Standard Examiner pursuant to its subscription to 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 2020 Annual Meeting Schedule for the Commission (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Commission to be held during the year, by causing said Notice to be posted in December 2019 at the principal office of the County, published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year and provided to at least one newspaper of general circulation within the geographic jurisdiction of the County pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this September 22, 2020.

County Clerk/Auditor

(SEAL)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE

EXHIBIT B

FINAL BOND RESOLUTION

(See Transcript Document No. \_\_\_)

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