



November 4, 2016

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **BUDGET WORKSHOP** and **REGULAR MEETING** in the Cache County Historic Courthouse, County Council Chambers, 199 North Main, Logan, Utah 84321 at **3:00 p.m. Budget Workshop** and **5:00 p.m. Regular Meeting** on **TUESDAY, NOVEMBER 8, 2016**

AGENDA

3:00 p.m. BUDGET WORKSHOP

1. CALL TO ORDER
 2. REVIEW OF 2017 BUDGET
 3. ADJOURN
-

- 5:00 p.m.**
1. CALL TO ORDER
 2. OPENING / PLEDGE – Kathy Robison
 3. REVIEW AND APPROVAL OF AGENDA
 4. REVIEW AND APPROVAL OF MINUTES (October 25, 2016)
 5. MINUTES FOLLOW-UP
 6. REPORT OF COUNTY EXECUTIVE
 - a. Appointments
 - b. Warrants
 - c. Other Items
 - d. **Set 1st CDBG Public Hearing for November 22, 2016 at 5:15 p.m.**

7. CONSENT AGENDA

8. ITEMS OF SPECIAL INTEREST

9. UNIT OR COMMITTEE REPORTS

10. BUDGETARY MATTERS

11. PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

- a. **Set Public Hearing for November 22, 2016 at 5:30 p.m. – Resolution 2016-23**

Consideration for adoption of a resolution of the Cache County Council (the “County”) setting a public hearing regarding the issuance by the county of its business development revenue refunding bonds in an amount not to exceed \$3,000,000; ratifying the publication of a notice of bonds to be issued and a notice of public hearing; ratifying the running of a contest period; and related matters

- b. **Set Public Hearing for November 22, 2016 at 6:00 p.m. – Open 2016 Budget**

12. **PENDING ACTION**

13. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**

- a. **Ordinance 2016-17 – Amendments to Title 17**
An ordinance amending and superseding Chapters 7 & 9 of Title 17 of the Cache County Ordinance regarding crematoriums
- b. **Resolution 2016-23** - Consideration for adoption of a resolution of the Cache County Council (the “County”) setting a public hearing regarding the issuance by the county of its business development revenue refunding bonds in an amount not to exceed \$3,000,000; ratifying the publication of a notice of bonds to be issued and a notice of public hearing; ratifying the running of a contest period; and related matters
- c. **Resolution 2016-26** – A resolution providing for the conduit financing by Cache County, Utah (the “Issuer”) for refinancing the costs of the expansion of the existing building and the furnishing and equipping of such building for use as a rehabilitation facility (the “project”) and land to be located in Logan, Utah in order that Sunshine Terrace Foundation, Inc. (the “Borrower”) may be provided with facilities to promote the general health and welfare within the state of Utah; authorizing and providing for the issuance by the issuer of its not to exceed \$3,000,000 business development revenue refunding bonds (Sunshine Terrace Foundation, Inc. project) series 2016 which will be payable solely from the revenues arising from the pledge of a loan agreement with the borrower; authorizing the execution and delivery of a loan agreement among the issuer, the borrower and ZB, National Association (the “lender”) and related documents; and related matters.
- d. **Resolution 2016-27** – A resolution approving the re-appointment of a trustee to the Cache Mosquito Abatement District Board of Trustees
- e. **Property Tax Relief Requests**

14. **OTHER BUSINESS**

- a. UAC Annual Convention – November 16-18, 2016 – Dixie Convention Center, St. George
All Council Members
- b. Cache County Employees Christmas Dinner – Wednesday, December 14, 2016 at 6:30 p.m.
Riverwoods Conference Center

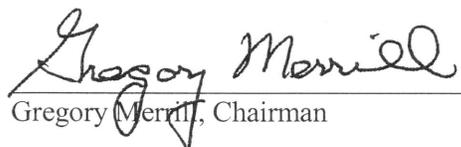
15. **COUNCIL MEMBER REPORTS**

16. **ADJOURN TO CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY**

CACHE COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

1. **CALL TO ORDER**
 2. **SET PUBLIC HEARING FOR NOVEMBER 22, 2016 AT 6:30 P.M. – ADOPT 2017 BUDGET**
 3. **ADJOURN TO COUNCIL MEETING**
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17. **ADJOURN**


Gregory Merrill, Chairman

*Citizens desiring to be heard at a public hearing are encouraged to submit their messages in writing prior to or during the hearing

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 755-1850 at least three working days prior to the meeting

Logan, Utah

November 8, 2016

The County Council (the “County Council”) of Cache County, Utah (the “County”) met in regular public session at its regular meeting place in Logan, Utah, on Tuesday, November 8, 2016, at 5:00 p.m. The meeting was called to order by the Chairman of the County Council with the following being present, and constituting a quorum:

Gregory Merrill	Chairman
David L. Erickson	Vice Chairman
Val K. Potter	Councilmember
Kathy Robison	Councilmember
Jon White	Councilmember
Cory Yeates	Councilmember
Gordon A. Zilles	Councilmember

Also Present:

Absent:

The meeting was duly called to order and the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this November 8, 2016 meeting, a copy of which is attached hereto as Exhibit A.

Thereupon, with respect to this November 8, 2016 meeting, the following resolution was then introduced in written form, was fully discussed, and pursuant to a motion made by Councilmember _____ and seconded by Councilmember _____, adopted by the following vote:

AYE:

NAY:

This Resolution was then signed in open meeting and recorded by the County Clerk. The Resolution is as follows:

**CACHE COUNTY
RESOLUTION NO. 2016 - 23**

A RESOLUTION OF THE CACHE COUNTY COUNCIL (THE "COUNTY") SETTING A PUBLIC HEARING REGARDING THE ISSUANCE BY THE COUNTY OF ITS BUSINESS DEVELOPMENT REVENUE REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED \$3,000,000; RATIFYING THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED AND A NOTICE OF PUBLIC HEARING; RATIFYING THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "Act"), Cache County, Utah (the "Issuer") is authorized to issue its revenue bonds to finance the costs of any "project" as defined in the Act to the end that the Issuer may be able to promote the general health and welfare within the State of Utah; and

WHEREAS, Sunshine Terrace Foundation, Inc. (the "Borrower"), a nonprofit corporation organized under the laws of the State of Utah and authorized to do business in the State of Utah, previously requested the County to issue Business Development Revenue Bonds, Series 2006 (Sunshine Foundation, Inc. Project) (the "Refunded Bonds") to finance the construction of an expansion to the existing rehabilitation facility and the improvement, equipping and furnishing of the rehabilitation facility expansion to be located in Cache County, Utah, and to be owned by the Borrower (collectively, the "Project"); and

WHEREAS, pursuant to the provisions of the Act, the Issuer, proposes to issue its Business Development Revenue Refunding Bonds, Series 2016 (Sunshine Terrace Foundation, Inc. Project) (the "Bonds") in the aggregate principal amount of not to exceed \$3,000,000 for the purpose of refunding the Refunded Bonds; and

WHEREAS, pursuant to the provisions of the Act, the Issuer desires to hold a public hearing regarding the issuance of the Bonds and to allow public input; and

WHEREAS, the Issuer desires to ratify a publication of Notice of Bonds to be Issued and of Public Hearing with respect to the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Cache County, Utah as follows:

Section 1. The Issuer hereby sets a public hearing on November 22, 2016 at 5:30 p.m. for the purpose of allowing interested individuals to express their views, both orally and in writing, on the proposed issuance of the Bonds and the nature of the Project.

Section 2. In accordance with the provisions of Section 11-17-16 of the Act, the Issuer has caused the "Notice of Bonds to be Issued and of Public Hearing" to be

published one time on November 4, 2016 in The Herald Journal, and the Issuer hereby ratifies the publication.

Section 3. This Resolution shall take effect immediately upon its approval and adoption.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS NOVEMBER 8, 2016.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Council adjourned.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jill N. Zollinger, the duly qualified and acting County Clerk of Cache 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 8, 2016 public meeting held by the Issuer as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Issuer’s principal offices on November __, 2016, 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 Notice, in the form attached hereto as Schedule 1, to be delivered to The Herald Journal, a newspaper of general circulation within the Issuer, on November __, 2016, at least twenty-four (24) hours prior to the convening of the meeting, and to each local media correspondent requesting notice of the Council’s meetings.

In addition, notice of the Council’s 2016 annual meeting schedule has been posted at the office of the Council and provided to local media correspondents as provided by law.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 8, 2016.

Jill N. Zollinger, County Clerk/Auditor

(SEAL)

SCHEDULE 1
MEETING NOTICE

SCHEDULE 2

2016 ANNUAL MEETING NOTICE

ORDINANCE NO. 2016-17
CACHE COUNTY, UTAH
AMENDMENTS TO TITLE 17

AN ORDINANCE AMENDING AND SUPERSEDING CHAPTERS 7 & 9 OF TITLE 17 OF THE CACHE COUNTY ORDINANCE REGARDING CREMATORIIUMS

WHEREAS, the State of Utah has authorized Cache County to adopt Land Use Ordinances, and;

WHEREAS, the purpose of this ordinance is to provide fair, consistent, and equitable land use regulations for all land owners, and;

WHEREAS, the purpose of this ordinance is to provide clarity and ease of use of the County's Land Use Ordinance for all citizens, and;

WHEREAS, on October 6, 2016 at 6:15 P.M., the Planning Commission held a public hearing for the amendments to Title 17, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed amendments, and;

WHEREAS, on October 6, 2016, the Planning Commission recommended the approval of said amendments and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on October 25, 2016, at 5:40 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Ordinance, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed amendments, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapters 7 & 9 of Title 17 of the Cache County Ordinance are hereby amended and superseded as follows:

1. STATUTORY AUTHORITY

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3 (1953, as amended to date).

2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapters 7 & 9 of Title 17 of the Cache County Ordinance regarding various code updates improving consistency with the characteristics and purposes of the land use code, and the protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

3. FINDINGS

- A. The amendments to Title 17 of the Cache County Ordinance are in conformity with Utah Code Annotated, §17-27a Part 5 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.
- B. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 17 of the Cache County Ordinance be approved.

4. EXHIBITS

- A. Title 17, Chapters 7 & 9 of the Cache County Ordinance are amended as follows: See Exhibit A

5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.

This ordinance amends and supersedes Chapters 7 & 9 of Title 17 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. EFFECTIVE DATE.

This ordinance takes effect on November 23rd, 2016. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 8th day of November, 2016.

	In Favor	Against	Abstained	Absent
Potter				
Erickson				
White				
Merrill				
Robison				
Yeates				
Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Gregory Merrill, Chair
Cache County Council

Jill Zollinger
Cache County Clerk

Publication Date:

_____, 2016

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INSTITUTIONAL, PUBLIC, AND UTILITY USES:

6100 PUBLIC/INSTITUTIONAL FACILITY: Includes the following specific uses:

6110 CEMETERY: A location used for interment of human or animal remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof, and meeting all applicable local, state, and federal requirements and regulations.

Deleted: A place designated for the burial or keeping of the remains of the dead, whether human or animal, including crematories and mausoleums,

6120 CREMATORIUM: A location containing a cremation chamber or retort intended for use in the act of cremation of human or animal remains, and that meets all applicable local, state, and federal requirements and regulations.

6130 PUBLIC USES: A use operated exclusively by a public entity over which the county has no jurisdiction in compliance with §17-27a-304, Utah Code Annotated, 1953, as amended.

Deleted: 2

6140 RELIGIOUS MEETING HOUSE: A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

Deleted: 3

6150 CORRECTIONAL FACILITY: Facilities for the judicially required detention or incarceration of people, where inmates and detainees are under 24-hour supervision by professionals, except when on approved leave. If the use otherwise complies with this definition, a correctional facility may include, by way of illustration, a prison, jail, or probation center.

Deleted: 4

6160 RESERVED

Deleted: 5

6170 EDUCATIONAL FACILITY: Any building or part thereof which is designed, constructed, or used for education or instruction by a public or private organization in any branch of knowledge, but excluding preschool centers. Includes the following uses:

Deleted: 6

1. Boarding School: As licensed by the State of Utah and defined within Utah Code Annotated, 1953, as amended, §62A-2-101.
2. Therapeutic School: As licensed by the State of Utah and defined within Utah Code Annotated, 1953, as amended, §62A-2-101.

Title 17.09 Schedule of Zoning Uses

6100	Public/Institutional Uses										
6110	Cemetery	N	N	C	N	N	N	N	N	N	-
6120	Crematorium	N	N	C	N	N	N	C	N	-	-
6130	Public Uses	P	N	-	-						
6140	Religious Meeting House	C	C	C	N	C	C	N	N	-	-
6150	Correctional Facility	N	-	-							
6160	Reserved									N	-
6170	Educational Facility	N	N	N	N	N	C	N	N	-	-

Deleted: 2

Deleted: 3

Deleted: 4

Deleted: 5

Deleted: 6

November 22, 2016

The County Council (the “County Council”) of Cache County, Utah (the “County”) met in regular public session at its regular meeting place in Logan, Utah, on Tuesday, November 22, 2016, at 5:00 p.m. The meeting was called to order by the Chairman of the County Council with the following being present, and constituting a quorum:

Gregory Merrill	Chairman
David L. Erickson	Vice Chairman
Val K. Potter	Councilmember
Kathy Robison	Councilmember
Jon White	Councilmember
Cory Yeates	Councilmember
Gordon A. Zilles	Councilmember

Also Present:

Absent:

The meeting was duly called to order and the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this November 22, 2016 meeting, a copy of which is attached hereto as Exhibit A.

The County Clerk noted that pursuant to the provisions of the Industrial Facilities and Development Act, Chapter 17, Title 11, Utah Code Annotated 1953, as amended, a notice of public hearing with respect to the issuance of the County’s Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project), Series 2016 (the “Bonds”), in the principal amount of not to exceed \$3,000,000 was published on November 4, 2016 in The Herald Journal, a newspaper of general circulation in the County. The public hearing was held on November 22, 2016, and was opened to all members of the public desiring to give input with respect to the issuance by the County of its Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project), Series 2016.

Thereupon, with respect to this November 22, 2016 meeting, the following resolution was then introduced in written form, was fully discussed, and pursuant to a motion made by Councilmember _____ and seconded by Councilmember _____, adopted by the following vote:

AYE:

NAY:

This Resolution was then signed in open meeting and recorded by the County Clerk. The Resolution is as follows:

**CACHE COUNTY
RESOLUTION NO. 2016 - 26**

A RESOLUTION PROVIDING FOR THE CONDUIT FINANCING BY CACHE COUNTY, UTAH (THE "ISSUER") FOR REFINANCING THE COSTS OF THE EXPANSION OF THE EXISTING BUILDING AND THE FURNISHING AND EQUIPPING OF SUCH BUILDING FOR USE AS A REHABILITATION FACILITY (THE "PROJECT") AND LAND TO BE LOCATED IN LOGAN, UTAH IN ORDER THAT SUNSHINE TERRACE FOUNDATION, INC. (THE "BORROWER") MAY BE PROVIDED WITH FACILITIES TO PROMOTE THE GENERAL HEALTH AND WELFARE WITHIN THE STATE OF UTAH; AUTHORIZING AND PROVIDING FOR THE ISSUANCE BY THE ISSUER OF ITS NOT TO EXCEED \$3,000,000 BUSINESS DEVELOPMENT REVENUE REFUNDING BONDS (SUNSHINE TERRACE FOUNDATION, INC. PROJECT) SERIES 2016 WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES ARISING FROM THE PLEDGE OF A LOAN AGREEMENT WITH THE BORROWER; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AMONG THE ISSUER, THE BORROWER AND ZB, NATIONAL ASSOCIATION (THE "LENDER") AND RELATED DOCUMENTS; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "Act"), Cache County, Utah (the "Issuer") is authorized to issue its revenue bonds to finance the costs of any "project" as defined in the Act to the end that the Issuer may be able to promote the general health and welfare within the State of Utah; and

WHEREAS, the Act provides that a county may issue revenue bonds for the purpose of using substantially all of the proceeds thereof to pay or to reimburse a business for the costs of the acquisition and construction of the facilities of a project and that title to or in such facilities may at all times remain in the company, and in such case the bonds of the municipality or county shall be secured by a pledge of one or more notes, debentures, bonds or other secured or unsecured debt obligations of the company; and

WHEREAS, Sunshine Terrace Foundation, Inc. (the "Borrower"), a nonprofit corporation organized under the laws of the State of Utah and authorized to do business in the State of Utah, previously requested the County to issue Business Development Revenue Bonds, Series 2006 (Sunshine Foundation, Inc. Project) (the "Refunded Bonds") to finance the construction of an expansion to the existing rehabilitation facility and the improvement, equipping and furnishing of the rehabilitation facility expansion to be located in Cache County, Utah, and to be owned by the Borrower (collectively, the "Project"); and

WHEREAS, the Borrower has approached the Issuer and requested that the Issuer consider the issuance of business revenue refunding bonds for the purposes of providing proceeds to refinance the Project, which exists within the boundaries of the Issuer and paying costs of issuing the hereinafter referenced bonds; and

WHEREAS, the Project will be of the character and will accomplish the purposes provided by the Act, and the Issuer is willing to issue its Business Development Revenue Refunding Bonds to refinance the Project upon terms which will be sufficient to refinance the Project as evidenced by such bonds, all as set forth in the details and provisions of the Loan Agreement (the "Loan Agreement") among the Issuer, the Borrower and ZB, National Association (the "Lender") in substantially the form attached hereto as Exhibit B; and

WHEREAS, pursuant to the provisions of the Act, the Issuer proposes to enter into the Loan Agreement and related security documents in connection with the refinancing of the Project, pursuant to which the Issuer will issue its not to exceed \$3,000,000 Business Development Revenue Refunding Bonds (Sunshine Terrace Foundation, Inc. Project) Series 2016 (the "Bonds"); and

WHEREAS, the County Council of the Issuer (the "Council") deems it necessary and advisable to authorize the issuance and confirm the sale of the Bonds and to authorize the execution and delivery of the Loan Agreement and related security documents; and

WHEREAS, pursuant to the provisions of the Loan Agreement, the Borrower will promise to pay amounts sufficient to pay, when due the principal of, premium, if any, and interest on the Bonds, all in accordance with the requirements of the Act; and

WHEREAS, the Issuer has agreed to issue the Bonds as a conduit to providing tax-exempt financing, however, the Issuer's authorization herein on behalf of the Borrower shall not be construed as an endorsement of the Borrower or the Project; and

WHEREAS, the Borrower will agree to meet any and all requirements mandated by federal or state law pertaining to the issuance of the Bonds (including, but not limited to federal tax law requirements pertaining to the issuance of tax-exempt bonds) and will take all actions required pursuant to the Loan Agreement and other related documents;

WHEREAS, after published notice, a public hearing was held on November 22, 2016, during which any interested party had an opportunity to comment upon the proposed issuance of the Bonds or any other matter relating to the Project; and

WHEREAS, the Act and the documents to be signed by the Issuer provide that the Bonds shall not constitute nor give rise to a general obligation or liability of the Issuer or be a charge against its general credit or taxing powers and that the Bonds will be payable from and secured only by the revenues arising from the pledge and assignment under the Loan Agreement of the loan repayments to the Lender.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Cache County, Utah as follows:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein.

Section 2. The Issuer is authorized to issue the Bonds for the purpose of lending the proceeds thereof to the Borrower to refinance the costs of the Project, all pursuant to the provisions of the Act. All action heretofore taken by the officers of the Issuer directed toward the issuance of the Bonds is hereby ratified, approved and confirmed.

Section 3. The Issuer is authorized and directed to issue the Bonds as fully registered bonds, in the aggregate principal amount of not to exceed \$3,000,000. The Bonds shall initially bear interest at a rate of not to exceed ____% (except as such maximum may be increased under the Loan Agreement), shall be payable on the dates, shall be subject to redemption prior to maturity, and shall mature on or before _____, all as set forth in the Loan Agreement, the form of which is attached hereto as Exhibit B.

The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Loan Agreement. The County Executive Officer or Chair and County Clerk are hereby authorized and directed to execute and seal the Bonds and to deliver said Bonds to the Lender. The signatures of the Chair and the County Clerk may be by facsimile or manual execution.

The form of Bond is set out in the Loan Agreement, copies of which were before the Council at this meeting, which form is incorporated herein by reference and made a part hereof.

Section 4. The Bonds are to be issued in accordance with and pursuant to, and the Issuer is authorized and directed to execute and deliver, the Loan Agreement, in substantially the same forms presented to the Council at the meeting at which this resolution was adopted. The Loan Agreement provides for the issuance of the Bonds for the purposes of refunding the Refunded Bonds and paying costs of issuance of the Bonds. The Loan Agreement provides for certain representations and warranties by the Issuer and the Borrower, for certain conditions precedent to the purchase of the Bonds, for certain affirmative and negative covenants, and for remedies in connection with the failure to perform certain covenants thereunder. The Loan Agreement also specifically provides that the Bonds and the Loan Agreement shall not constitute nor give rise to a general obligation or liability of the Issuer or a charge against its general credit or taxing powers. Recourse on the Bonds executed and delivered by the Issuer pursuant to the Loan Agreement may be had only against the security for the Bonds as provided therein and in the Loan Agreement. The issuance of the Bonds shall also be subject to the approval of bond counsel.

Section 5. The Loan Agreement provides that the Borrower has or will cause the Project to be refinanced with proceeds of the Bonds all in accordance with the provisions of the Loan Agreement.

Section 6. The Project constitutes facilities that are being used in the Borrower's non-profit business as contemplated in the Act.

Section 7. The Loan Agreement, in substantially the form presented to the Council of the Issuer at this meeting, with such changes as are authorized by Section 9 hereof, is hereby approved in all respects, and the County Executive Officer or Chair (including any acting Chair) is hereby authorized to execute each of the same on behalf of the Issuer and the County Clerk is authorized to affix the seal of the Issuer thereto and the acts of the Executive County Officer, Chair and County Clerk in so doing are and shall be the act and deed of the Issuer. The Executive County Officer, Chair, County Clerk and all other proper officers and employees of the Issuer are hereby authorized and directed to take all steps on behalf of the Issuer to perform and discharge the obligations of the Issuer under each of said instruments.

Section 8. The sale of the Bonds to the Lender in accordance with the Loan Agreement, is hereby authorized, approved and confirmed.

Section 9. The County Executive Officer or Chair is hereby authorized to make, either prior or subsequent to the execution thereof, any alterations, changes or additions in the Loan Agreement and the Bonds herein authorized which may be necessary to correct any errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the agreement of the Borrower and the Lender, to the provisions of this resolution, or any other resolution adopted by the Issuer, or the provisions of the laws of the State of Utah or the United States as long as the rights of the Issuer are not materially adversely affected thereby.

Section 10. Section 11-17-13, Utah Code Annotated 1953, as amended, contains a pledge and undertaking of the State of Utah that the State of Utah will not alter, impair or limit the rights vested hereunder or in the Bonds, the Loan Agreement or any of the documents contemplated hereby until the Bonds, together with all interest thereon, have been fully paid and discharged and all obligations of the Issuer thereunder and under the Loan Agreement are fully performed. The Issuer gives no opinion nor makes any representation as to the enforceability of such pledge and undertaking.

Section 11. [For purposes of and in accordance with Section 265 of the Code, the Issuer hereby designates the Bonds as an issue qualifying for the exception for certain qualified tax-exempt obligations to the rule denying banks and other financial institutions 100% of the deduction for interest expenses which is allocable to tax-exempt interest. The Issuer reasonably anticipates that the total amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii) of the Internal Revenue Code of 1986 (the "Code")) which will be issued by the Issuer and by any aggregated issuer during calendar year 2016 will not exceed \$10,000,000. For purposes of this Section 12 "aggregated issuer" means any entity which, (i) issues obligations on behalf of the Issuer,

(ii) derives its issuing authority from the Issuer, or (iii) is directly or indirectly controlled by the Issuer within the meaning of Treasury Regulation Section 1.150-1(e). The Issuer hereby represents that (a) it has not created and does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 265(b)(3)(C) or (D) of the Code and (b) the total amount of obligations so designated by the Issuer, and all aggregated issuers for calendar year 2016 does not exceed \$10,000,000.]

Section 12. It is hereby declared that all parts of this resolution are severable and that 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 any such section, paragraph, clause or provision shall not affect the remaining provisions of this resolution.

Section 13. The County Executive Officer, Chair, County Clerk and other officers of the Issuer are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. All action heretofore taken by the Issuer, its officers and employees, with respect to the issuance and sale of the Bonds is hereby ratified and confirmed. Any action authorized by this Resolution to be taken by the Chair may be taken by any duly authorized acting Chair in the absence of the Chair.

Section 14. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 15. This Resolution shall take effect immediately upon its approval and adoption.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH THIS NOVEMBER 22, 2016.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Council adjourned.

(SEAL)

Gregory Merrill, Council Chair

ATTEST:

Jill N. Zollinger, County Clerk/Auditor

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Jill N. Zollinger, the duly qualified and acting County Clerk of Cache 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 22, 2016 public meeting held by the Issuer as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the Issuer’s principal offices on November __, 2016, 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 Notice, in the form attached hereto as Schedule 1, to be delivered to The Herald Journal, a newspaper of general circulation within the Issuer, on November __, 2016, at least twenty-four (24) hours prior to the convening of the meeting, and to each local media correspondent requesting notice of the Council’s meetings.

In addition, notice of the Council’s 2016 annual meeting schedule has been posted at the office of the Council and provided to local media correspondents as provided by law.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this November 22, 2016.

Jill N. Zollinger, County Clerk/Auditor

(SEAL)

SCHEDULE 1
MEETING NOTICE

SCHEDULE 2

2016 ANNUAL MEETING NOTICE

EXHIBIT B

LOAN AGREEMENT

(See Transcript Document No. 1)

EXHIBIT C

AFFIDAVIT OF PUBLICATION OF
NOTICE OF BONDS TO BE ISSUED AND OF PUBLIC HEARING

**CACHE COUNTY
RESOLUTION NO. 2016 – 27**

A RESOLUTION APPROVING THE RE-APPOINTMENT OF A TRUSTEE TO THE CACHE MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES.

The County Council of Cache County, Utah, in a regular meeting lawful notice of which has been given, finds that pursuant to 17B-1-304(5)(a) of the Utah Code, the Cache County Executive shall appoint an individual to serve on the Cache Mosquito Abatement District Board of Trustees.

THEREFORE, the Cache County Council hereby adopts the following resolution.

BE IT RESOLVED, that the following individual has been recommended by the Cache County Executive to serve on the Cache Mosquito Abatement District Board of Trustees.

Section 1. Appointment

The appointment of Jeff Ricks – 4275 North 3200 West, Benson, Utah 84335
Telephone: 435-752-8916.

Section 2. Authorization

The Cache County Council hereby ratifies the appointment to the Cache Mosquito Abatement District Board of Trustees pursuant to the recommendation of the Cache County Executive.

Section 3. Terms

The term of this appointment shall be for a period of four years, and expires on December 31, 2020.

Section 4. Effective Date

This appointment shall become effective immediately upon the adoption of this resolution.

This resolution was adopted by the Cache County Council on the 8th day of November, 2016.

Cache County Council

Attest:

By: _____
Greg Merrill, Chairman

By: _____
Jill N. Zollinger, County Clerk/Auditor