

Enoch, Utah

October 18, 2023

The Mayor and City Council of Enoch City, Iron County, Utah met in regular session at its regular meeting place in said Municipality at 6:00 p.m. on the 18th day of October, 2023, with the following members of the Governing Body present:

Geoffrey Chesnut	Mayor
David Harris	Councilmember
West Harris	Councilmember
Katherine Ross	Councilmember
Shawn Stoor	Councilmember
Bob Tingey	Councilmember

Also present:

Lindsay Hildebrand	City Recorder
_____	_____

Absent:

_____	_____
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After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, the City Recorder presented to the Mayor and City Council a Certificate of Compliance With Open Meeting Law with respect to this October 18, 2023, meeting.


STATE OF UTAH                    )  
                                              : SS.  
COUNTY OF IRON                )

I, LINDSAY HILDEBRAND, the undersigned City Recorder of Enoch City, Iron County, Utah (the "City") do hereby certify that I gave written public notice of the agenda, date, time and place of the regular meeting held by the Mayor and City Council (the "Governing Body") of the City on October 18, 2023, not less than 24 hours in advance of the meeting. The public notice was given in compliance with the requirements of the Utah Open and Public Meetings Act, Section 52-4-202, Utah Code Annotated 1953, as amended, by:

- (a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting;
- (b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the City's official website 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 2023-2024 Annual Meeting Schedule for the City (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Mayor and City Council to be held during the year, by causing said Notice to be (i) posted 10-19, 2023 at the principal office of said Governing Body, (ii) posted on the Utah Public Notice Website (<http://pmn.utah.gov>) and (iii) posted on the City's official website.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 18th day of October, 2023.

  
\_\_\_\_\_  
City Recorder

(SEAL)



NOTICE OF AGENDA OF REGULAR MEETING


\* \* \* \* \*

PLEASE TAKE NOTICE that the Mayor and members of the City Council of Enoch City, Iron County, State of Utah, will hold a Regular Meeting on Wednesday, the 18th day of October, 2023, at its regular meeting place, the Enoch City Offices, 900 East Midvalley Road, Enoch, Utah, at the hour of 6:00 p.m..

The Agenda for the meeting consists, in part, of the following:

- (1) Consideration for and adoption of a Parameter Resolution authorizing the issuance of Sales Tax Revenue Bonds of Enoch City, Iron County, Utah and the calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project; and
- (2) Any other business that may come before said meeting.

DATED this 17th day of October, 2023.

  
\_\_\_\_\_  
City Recorder

Thereupon, after the conduct of other business not pertinent to the following, the following resolution was introduced in written form by the Mayor and, pursuant to motion duly made by David Harris and seconded by West Harris, was adopted and approved by the following vote:

Yea: David Harris  
West Harris  
Katherine Ross  
Shawn Stoor  
Bob Tingey

Nay: None

The Resolution was thereupon signed by the Mayor, was attested and countersigned by the City Recorder and was ordered recorded in the official records of the Issuer.

The Resolution is as follows:

**ENOCH CITY, IRON COUNTY, UTAH**  
**RESOLUTION NO. 2023-11-15**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE BONDS (THE "BONDS") OF ENOCH CITY, IRON COUNTY, UTAH (THE "ISSUER"); CALLING A PUBLIC HEARING AND ESTABLISHING A TIME, PLACE AND LOCATION FOR SAID PUBLIC HEARING; PROVIDING FOR A PLEDGE OF EXCISE TAX REVENUES FOR THE PAYMENT OF THE BONDS; FIXING THE MAXIMUM 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; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.**

WHEREAS subject to the limitations set forth herein, Enoch City, Iron County, State of Utah, desires to issue its Sales Tax Revenue Bonds (the "Bonds") for (a) the construction of public safety facility and related improvements (the "Project"), and (b) the payment of costs of issuance of the Bonds, pursuant to this Resolution and a Master Resolution (the "Master Resolution"), in substantially the form presented at the meeting at which this Resolution was adopted and which is attached hereto as Exhibit "B"; and

WHEREAS in order to allow for flexibility in setting the financial terms of the Bonds once costs of the Project are finally determined and to optimize debt service costs to the Issuer, the Governing Body of the Issuer desires to grant to the Mayor, in accordance with state law, the authority to approve the interest rates, principal amounts, terms, maturities, redemption features and purchase price at which the Bonds shall be sold and any changes with respect thereto from those terms which were before the Governing Body at the time of adoption of this Resolution, provided that such terms do not exceed the parameters set forth for such terms in Section 1 of this Resolution (the "Parameters"); and

WHEREAS the Issuer, Enoch City, considers it desirable and necessary and for the benefit of the Issuer to construct the Project to be owned and operated by the Issuer, but does not have on hand money sufficient to pay for the Project; and

WHEREAS the Utah Local Government Bonding Act, Sections 11-14-1, et. seq., Utah Code Annotated, 1953, as amended, authorizes the issuance of non-voted revenue bonds payable in whole or in part from excise tax revenues of cities, towns or counties, levied and collected by the said government entity or levied by the State of Utah and rebated pursuant to law; and

WHEREAS the Utah Local Government Bonding Act, Sections 11-14-1 et seq., Utah Code Annotated, 1953, as amended, provides that, prior to issuing bonds an issuing entity must (i) give notice of its intent to issue such bonds and (ii) hold a public hearing to receive input from the public with respect to the issuance of such bonds and any potential economic impact to the private sector from the construction of the Project to be funded by the Bonds; and

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

WHEREAS the State of Utah acting through its Permanent Community Impact Fund Board has agreed to purchase Sales Tax Revenue Bonds (the "Bonds"), on the general terms and conditions as set forth herein;

NOW, THEREFORE, Be It and It Is Hereby Resolved by the City Council of Enoch City, Iron County, State of Utah, as follows:

Section 1. The Mayor and City Council (the "Governing Body") of Enoch City, Iron County, Utah (the "Issuer"), hereby finds and determines that it is in the best interests of the residents within the City for the Issuer to issue its Sales Tax Revenue Bonds in the aggregate principal amounts of not to exceed \$1,700,000 at interest rates not to exceed 4.0% per annum, to mature in not more than thirty-two (32) years from their date or dates, pursuant to a resolution to be adopted by the Governing Body authorizing and confirming the issuance and sale of the Bonds pursuant to a resolution to be adopted by the Governing Body authorizing and confirming the issuance and sale of the Bonds. Therefore, the Issuer hereby declares its intention to issue the Bonds according to the provisions of this Section. The Bonds are to be issued for the purpose of

paying all or a part of the cost of construction of a public safety facility and related improvements (the "Project") of the Issuer.

The Issuer hereby declares its intention to issue the Bonds according to the provisions of this Section; provided, however, that the Bonds shall only be issued by the Issuer after adoption of a Master Resolution by the Governing Body of the Issuer (the "Master Resolution") setting forth the specific terms of the Bonds within the maximum terms herein provided.

The form of Master Resolution attached hereto as Exhibit "B" is in all respects hereby authorized and approved, and the Mayor and City Recorder of the Issuer are hereby authorized and directed to execute and deliver the same on behalf of the Issuer.

The Mayor, within the parameters set forth herein, is hereby authorized to approve the interest rates, principal amounts, terms, maturities, redemption features and purchase price at which the Bonds shall be sold.

Section 2. The Issuer proposes to pledge the excise tax funds received by the Issuer pursuant to Section 59-12-103, et. seq., Utah Code Annotated, as amended, for the repayment of the Bonds.

Section 3. 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 Master Resolution. The Mayor and City Recorder of the Issuer are hereby authorized and directed to execute and seal the Bonds.

Section 4. The designated officials of the Issuer are authorized to make any alterations, changes or additions to the Master Resolution and the Bonds or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Bonds (within the parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Governing Body or the provisions of the laws of the State of Utah or the United States.

Section 4. The Issuer shall hold a public hearing on November 15, 2023, to receive input from the public with respect to the issuance of the Bonds and any potential impact to the private sector from the construction of the Project to be funded by the Bonds, which hearing date shall be not less than fourteen (14) days after notice of the public hearing is (A) first published once a week for two consecutive weeks in The Iron County Today, a newspaper of general circulation in the Issuer and (B) published on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended. 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

PUBLIC NOTICE IS HEREBY GIVEN that on October 18, 2023, the Mayor and City Council of Enoch City (the "Issuer"), adopted a resolution (the "Resolution") declaring its intention to issue its Sales Tax Revenue Bonds (the "Bonds"), pursuant to the Utah Local Government Bonding 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 Bonds.

The Issuer shall hold a public hearing on November 15, 2023, at the hour of 6:00 p.m. The location of the public hearing is in the City Office, 460 East Main Street, Enoch, Utah. The purpose of the meeting is to receive input from the public with respect to the issuance of the Bonds and any potential economic impact to the private sector from the construction of a public safety facility, together with related improvements (the "Project") to be funded by the Bonds. All members of the public are invited to attend and participate.

DATED this 18th day of October, 2023.

\_\_\_\_\_/s/ Lindsay Hildebrand  
City Recorder

[Publish once each week for two consecutive weeks.]

Section 5. The Issuer 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 Bonds to be Issued in substantially the following form:

#### NOTICE OF BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that on October 18, 2023, the Mayor and City Council of Enoch City (the "Issuer"), adopted a resolution (the "Resolution") declaring its intention to issue its Sales Tax Revenue Bonds (the "Bonds"), pursuant to the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended.

The Issuer intends to issue the Bonds in the principal amount of not to exceed \$1,700,000 to bear interest at a rate not to exceed 4.0% per annum, to mature in not to more than 32 years from their date or dates, and to be sold at a price not less than 98% of the total principal amount thereof, plus accrued interest to the date of delivery. The Bonds will specify that any installment of principal on the Bonds which shall not be paid when due shall bear interest at the rate of 18% per annum from the due date thereof until paid.

The Issuer intends to issue the Bonds for the purpose of (i) financing all or a portion of the cost of construction of the public safety facility, together with related improvements; and (ii) paying costs of issuing the Bonds.

#### EXCISE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge all of the excise tax revenues received by the Issuer pursuant to Sections 59-12-103, et. seq., Utah Code Annotated 1953, as amended for the repayment of the Bonds.

OUTSTANDING BONDS SECURED BY THE SAME REVENUE

The Issuer currently has no outstanding bonds secured by the revenues from sales tax, which revenues are being pledged to secure the payment of the Bonds.

ESTIMATED TOTAL COST OF THE BONDS

Although the Resolution authorizes the issuance of Bonds in the aggregate principal amount of up to \$1,700,000, the Issuer anticipates that the actual principal amount of the Bonds will be \$1,460,000, in which case the estimated total cost to the Issuer for the proposed Bonds is \$2,091,675, including an estimated cost of interest on the Bonds is \$631,675.

A copy of the Resolution is on file in the office of the City Recorder in Enoch City, Utah, where it may be examined during regular business hours of the City Recorder from 9:00 a.m. to 4:00 p.m., Monday through Thursday, for a period of at least 30 days from and after date of the last date of publication of this Notice.

NOTICE IS FURTHER GIVEN that a period of 30 days from and after the last date of publication of this Notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the 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, and (ii) registered voters in Enoch City, Utah, may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least 20% of the registered voters of Enoch City, 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 Bonds. If fewer than 20% of the registered voters of Enoch City, Utah, file a written petition during said 30-day period, the Issuer may proceed to issue the Bonds without an election.

DATED this 18th day of October, 2023.

\_\_\_\_\_/s/ Lindsay Hildebrand\_\_\_\_\_  
City Recorder

[Publish one time only.]

\* \* \* \* \*



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.

PASSED AND APPROVED this 18th day of October, 2023

ENOCH CITY

By *Jeffrey Christ*  
Mayor

ATTEST AND COUNTERSIGN:

By *Shirley Huhner*  
City Recorder

[SEAL]



After the conduct of other business not pertinent to the foregoing, it was moved and carried that the Mayor and City Council adjourn.

ENOCH CITY

By *Jeffrey Christ*  
Mayor

ATTEST:

By *Shirley Huhner*  
City Recorder

[SEAL]



STATE OF UTAH            )  
                                          : ss.  
COUNTY OF IRON        )

I, LINDSAY HILDEBRAND, the undersigned, do hereby certify that I am the duly qualified and acting City Recorder of Enoch City, Iron County, Utah (the "Issuer"). I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a regular public meeting of the Mayor and City Council of the Issuer, held on October 18, 2023, including a Resolution adopted at such meeting, together with exhibits and appendices attached thereto, as said minutes, resolution and appendices are recorded in the regular official book of minutes of the proceedings of the Governing Body kept in the office of the City Recorder that said proceedings were duly had and taken as therein shown, that the meeting thereon shown was in all respects called, held and conducted in accordance with law, and that the persons therein named were present at said meeting, as therein shown.

I further certify and I caused a true and correct copy of the above-referenced resolution (including all exhibits and appendices attached thereto) to be filed in the office of the City Recorder for examination by any interested person during the regular business hours of the office of the City Recorder.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the Issuer, this 18th day of October, 2023.

[SEAL]



*Lindsay Hildebrand*  
\_\_\_\_\_  
City Recorder

**EXHIBIT "B"**

[Form of Master Resolution]