

Member Gary Uptmor moved the adoption of the following resolution:

RESOLUTION NO. 3.93

A RESOLUTION AUTHORIZING THE ADOPTION AND EXECUTION OF THE REVISED AND RESTATED LIABILITY PROGRAM AGREEMENT ENTERED INTO BETWEEN THE MONTANA MUNICIPAL INSURANCE AUTHORITY AND THE [CITY/TOWN] OF Whitehall DATED JULY 1, 1993; AND AUTHORIZING THAT THE ADOPTION AND EXECUTION OF ANY AMENDMENT THERETO MAY BE MADE BY MOTION.

Be it resolved by the Governing Body of Whitehall (the Participant) as follows:

Section 1. Authorization and Recitals.

1.01 The [City/Town] of Whitehall is a Participant in the Liability Risk Retention Program of the Montana Municipal Insurance Authority.

1.02 The Participant has previously adopted and executed the Liability Insurance Coverage Program Agreement dated as of August 15, 1986 between the Montana Municipal Insurance Authority and the Participant.

1.03 The Participant has also previously adopted and executed the First Amendment to Liability Insurance Coverage Program Agreement dated as of March 1, 1993 between the Montana Municipal Insurance Authority and the Participant.

1.04 The Participant is authorized by Section 2-9-211, Montana Code Annotated, and Title 7, Chapter 11, Part 1, Montana Code Annotated (the Interlocal Cooperation Act) to enter into agreements for the purpose of obtaining liability insurance in cooperation with other local governmental entities; and is thereby authorized to enter into such agreements as may be necessary to effect the purposes of those statutes.

Section 2. Findings.

It is hereby found, determined, and declared that:

(a) The Liability Risk Retention Program of the Montana Municipal Insurance Authority provides an immediate and long-term solution to the Participant's inability to obtain primary or excess general liability insurance at reasonable rates;

(b) it is in the best interest of the Participant to continue its participation in the Liability Risk Retention Program and to this end the terms and conditions set forth in the First Amended and Restated Liability Program Agreement dated July 1, 1993 are necessary, desirable and proper to achieve the goals of the Liability Risk Retention Program, and the representations, covenants and recitals made therein by the Participant are true, valid and correct.

Section 3 Authorization and Approval of the Amended and Restated Liability Program Agreement dated July 1, 1993.

The Participant is hereby authorized to continue its participation in the Liability Risk Retention Program and to execute the First Amended and Restated Liability Program Agreement dated July 1, 1993.

Section 4 Authorization to Approve Future Amendments to the Program Agreement by Motion.

The Participant is hereby authorized to approve the adoption of any amendments to and execution of any amendments to the First Amended and Restated Liability Program Agreement dated July 1, 1993 or any successor Program Agreement thereto by motion duly made, seconded and approved.

Section 5. Effective Date.

This resolution shall become effective immediately upon its passage and approval.

Passed and approved by the Governing Body of the [City\Town] of Whitehall, Montana. This 12 day of October, 1993.

A handwritten signature in cursive script, appearing to read "James S. Steyer", is written over a horizontal line.

ATTEST:

A handwritten signature in cursive script, appearing to read "Linda F. Roguske", is written over a horizontal line.

RESOLUTION 2.93

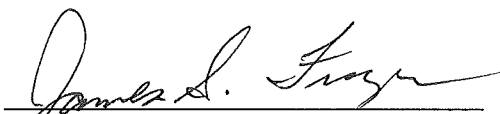
A RESOLUTION of the Town Council of the Town of Whitehall, Montana relating to the approval of an increase in the Water Operating Fund Budget.

BE IT RESOLVED that an increase in the Water Operating Fund Budget is allowed pursuant to Montana Annotated Code 7-6-4251, which states, "Upon the happening of any emergency caused by fire, flood, explosion, storm, earthquake, epidemic, riot, or insurrection; for the immediate preservation of order or of public health; for the restoration of a condition of usefulness of any public property the usefulness of which has been destroyed by accident; for the relief of a stricken community overtaken by calamity; in settlement of approved claims for personal injuries or property damages, exclusive of claims arising from the operation of any public utility owned by the municipality; or to meet mandatory expenditures required by law, the council may, upon adoption by unanimous vote of all members present at any meeting (the time and place of which all members shall have had reasonable notice) of a resolution stating the facts constituting the emergency, an estimate of the amount required to be expended, and the fund against which emergency warrants are to be issued and upon entering the same upon their minutes, make the expenditures or incur the liabilities necessary to meet such emergency without further notice or hearing."


A. The following mandatory expenditures were not budgeted or were greater than budgeted:

1. Interest on Revenue bonds - \$13,386
2. Layne Minnesota - \$11,777
3. Materials and salaries for broken lines related to the Valley View/ Legion Water Line Project - \$3500

AND BE IT FURTHER RESOLVED an increase of \$20000.00 in the Water Operating Fund is hereby approved for the fiscal year 1992/1993.



Mayor

ATTEST: 

Clerk/Treasurer

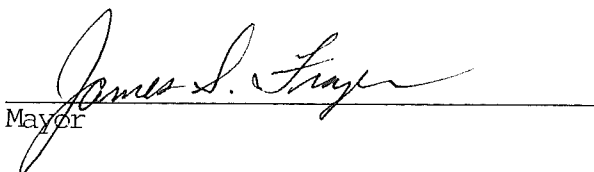
RESOLUTION NO. 2.93


A resolution of the Town Council of the Town of Whitehall, Montana relating to approval of the 1993/1994 final budget and renewal of the street lighting improvement district.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council approves the 1993/1994 final budget in the estimated amount of Two Hundred Six Thousand Five Hundred Sixty-nine Dollars and Ninety-five cents (\$206,569.95).

AND BE IT FURTHER RESOLVED that the special improvement lighting district in the amount of Thirteen Thousand Five Hundred Dollars and no cents (\$13,500.00) be renewed for the fiscal year 1993/1994.

PASSED AND APPROVED THIS 9th DAY OF AUGUST, 1993.


Mayer

ATTEST: 
Clerk/Treasurer

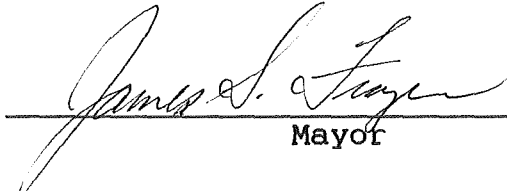
RESOLUTION NO. 1-93

A Resolution of the Town Council of the Town of Whitehall, Montana of its intention to provide that all property owners with delinquent Special Improvement Lighting District assessments after final notification shall have their names forwarded to the county to process a lien.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that, after notification of property owners of unpaid fiscal year 1992-93 Special Improvement Lighting District assessments, the Town Council authorizes the processing of all property owners within the Town of Whitehall, Montana who have not fully paid the current assessments for such district for the fiscal year 1992-93 shall have their names forwarded to the County Assessors and the County Treasurer of Jefferson County, Montana to be incorporated into the taxes assessed in 1993, together with all costs and penalties, and that said assessment shall constitute a lien upon and against the property upon which said assessment is made, all in accordance with Section 7-12-4338;

AND BE IT FURTHER RESOLVED that said list of delinquent property owners will be forwarded on May 15, 1993.

PASSED AND APPROVED on this 13 day of April, 1993.



Mayor

ATTEST:



Town Clerk

0.*

9.50†

16.95†

21.95†

6.50†

27.00†

50.00†

10.00†

162.00†

2.70†

5.57†

10.00†

48.00†

012

370.17*

RESOLUTION 9.92


A Resolution of the Town Council of the Town of Whitehall, MT approving the cancellation of check/warrants.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, pursuant to Montana Annotated Code 7-6-4303, approval is granted to the Town Clerk/Treasurer to cancel the following check/warrants:


<u>NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>FUND</u>
15169	Spokane Service	\$ 9.50	1000
208	Harold Hansen	16.95	1000
3908	Ohio Envelope	21.95	1000
4848	Dorothy Shaw	6.50	1000
5327	Butte Silverbow	27.00	1000
5784	Patton Wegener	50.00	1000
6483	Davis Sales	10.00	1000
7426	Dept. of Administration	162.00	1000
9160	Steve Dorvall	2.70	1000
9581	William Peck	5.57	1000
9876	Ben Koloskie	10.00	1000
10348	Lees	48.00	1000

AND BE IT FURTHER RESOLVED by the Town Council that the Town Clerk/Treasurer enter on the record of warrants/checks, opposite the entry of each instrument, the date when it was canceled; make a list of the canceled instruments, specifying the number, date and amount and the person to whom it was payable; and enter the list in the minutes of the Town Council proceedings.

PASSED AND APPROVED THIS 12th DAY OF JANUARY, 1993.


James S. Frazer, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

CERTIFICATE OF MINUTES RELATING TO
RESOLUTION NO. 6.92

Issuer: City of (Town of) Whitehall

Governing Body: Town Council

Kind, date, time and place of meeting: a Regular Council
meeting, held November 9, 1992, at 7:30 o'clock P.m., in
the Town Council Chambers, Whitehall, Montana.

Members Present: Mayor James S. Frazer, Council Members Francine
Stevison, Chuck Buus, Neil Gallagher, and Ron Jung.

Members Absent: Gary Uptmor.

Documents attached:

Minutes of said meeting (pages): 1 through 5
including

RESOLUTION NO. 6.92

A RESOLUTION RELATING TO PARTICIPATION IN POOLED SELF-INSURANCE PROGRAM; APPROVING AND AUTHORIZING THE MONTANA MUNICIPAL INSURANCE AUTHORITY TO ISSUE BONDS ON BEHALF OF THE MUNICIPALITY, TO REFUND THE OUTSTANDING WORKERS' COMPENSATION PROGRAM REVENUE BONDS ISSUED BY THE AUTHORITY ON BEHALF OF THE MUNICIPALITY, APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING THERETO AND AUTHORIZING THE ISSUANCE AND COMMITTING TO EXECUTE AND DELIVER TO THE MONTANA MUNICIPALITY INSURANCE AUTHORITY A GENERAL OBLIGATION NOTE EVIDENCING THE MUNICIPALITY'S PROPORTIONATE SHARE OF PRINCIPAL OF AND INTEREST ON THE REFUNDING BONDS AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS.

I, the undersigned, being the duly qualified and acting recording officer of the political subdivision issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of the corporation in my legal custody, from which they been transcribed; that the documents are a correct and complete transcript of the minutes of a meeting of the governing body of the political subdivision, and correct and complete copies of all resolutions and other actions

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taken and of all documents approved by the governing body at the meeting, insofar as they relate to the obligations; and that the meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice given as required by law.

WITNESS my hand officially as such recording officer this 22 day
of December, 1992.

Linda F. Roguske
Clerk

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Member Charles Buus moved the adoption of the following resolution.

RESOLUTION NO. 6 92

A RESOLUTION RELATING TO PARTICIPATION IN POOLED SELF-INSURANCE PROGRAM; APPROVING AND AUTHORIZING THE MONTANA MUNICIPAL INSURANCE AUTHORITY TO ISSUE BONDS ON BEHALF OF THE MUNICIPALITY, TO REFUND THE OUTSTANDING WORKERS' COMPENSATION PROGRAM REVENUE BONDS ISSUED BY THE AUTHORITY ON BEHALF OF THE MUNICIPALITY, APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING THERETO AND AUTHORIZING THE ISSUANCE AND COMMITTING TO EXECUTE AND DELIVER TO THE MONTANA MUNICIPALITY INSURANCE AUTHORITY A GENERAL OBLIGATION NOTE EVIDENCING THE MUNICIPALITY'S PROPORTIONATE SHARE OF PRINCIPAL OF AND INTEREST ON THE REFUNDING BONDS AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS.

BE IT RESOLVED by the governing body (the Governing Body) of Town of Whitehall (the Municipality) as follows:

Section 1. Recitals.

1.01. The Montana Municipal Insurance Authority (the Authority) was created as a joint exercise of powers entity pursuant to the Interlocal Agreement creating the Montana Municipal Insurance Authority (the Interlocal Agreement) and Title 7, Chapter 11, Part 1, M.C.A. (the Interlocal Cooperation Act) and as authorized under the provisions of Section 2-9-211 and 2-9-212, M.C.A. for the purpose of providing insurance and reinsurance programs to Montana municipalities and jointly issuing obligations to fund self-insurance funds.

1.02. Pursuant to that authority, the Authority established its Workers Compensation Program (Program) and made it available to all Montana municipalities executing the Interlocal Agreement and the Revised Workers' Risk Retention Program Agreement (the Workers' Compensation Agreement), The Authority issued and sold its Workers' Compensation Program Revenue Bonds, Series 1990 (the Outstanding Bonds) in the aggregate principal amount of \$7,610,000, of which \$7,135,000 in principal amount are now outstanding, on behalf of the municipalities (the Participating Members) adopting a Resolution authorizing the Authority to do so, and executing and delivering to the Authority a general obligation note (the Outstanding Note) in a principal amount equal to their

proportionate share of the principal of and interest on the Bonds as defined in the the Indenture of Trust dated as of September 1, 1990 between the Authority and First Trust Company of Montana National Association, as trustee and successor to First Trust Company of Montana (the Indenture).

1.03. The Outstanding Bonds bear interest at a net effective interest rate of (7.423%). The Board of Directors of the Authority (the Board) has determined that it may be advantageous to the Program and the Participating Members, now or in the future, to advance refund or refund the Series 1990 Bonds and thereby achieve a reduction in annual debt service on the Outstanding Bonds.

1.04. In order for the Board to refund the Series 1990 Bonds it must have authorization from the Participating Members to issue on behalf of the Participating Members bonds (the Refunding Bonds) to refund the Outstanding Bonds, and the Authority has requested that the Municipality adopt a resolution granting such authorization.

Section 2. Authorization.

2.01. The Governing Body hereby authorizes the Authority to issue Refunding Bonds on its behalf as provided herein, and declares its intention to issue a Refunding Note that shall be a general obligation of the Municipality and shall represent its proportionate share of the Refunding Bonds, as determined under the Indenture and to execute and deliver the Refunding Note and such other documents to the Authority as may be required to effectuate the issuance of the Refunding Bonds; provided that the interest rates to be borne by the Refunding Bonds will result in present value savings to the Authority of not less than one and one half percent (1 1/2 %) of the principal amount of the Outstanding Bonds, using the interest rate on the Refunding Bonds as a discount factor over the term of the Refunding Bonds, which savings shall be net of the costs of issuing the Refunding Bond.

2.02. The Authority is hereby authorized to rely on this Resolution and the Municipality hereby authorizes the Authority to proceed with the issuance of the Refunding Bonds on behalf of the Municipality in an amount sufficient, among other things, to defease the Outstanding Bonds and pay all costs associated with the issuance of the Refunding Bonds and defeasance of the Outstanding Bonds.

2.03. The Governing Body hereby preliminarily authorizes the issuance of its Refunding Note in a principal amount not to exceed 120% of the principal of the Outstanding Notes, in substantially the form of the Note previously issued to refund the Outstanding Notes. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Refunding Note to the Authority

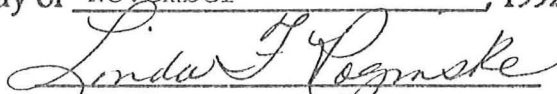
within 15 days of the date of the receipt of written notice from the Authority to do so; provided that: 1) the interest rates savings described in Section 2.01 can be achieved; 2) the principal amount of the Refunding Note does not exceed 3% of the taxable value of the Municipality, as of the date of the last completed assessment for state and local taxes; and 3) the Board has determined that the issuance of the Refunding Bonds is in the best interest of the Program and the Participating Member and the Refunding Bonds will be issued in the principal amount necessary, but not greater than the principal amount necessary, to provide funds, with other available funds in the Debt Service Fund to the Authority allocable to the Outstanding Bonds, to establish the escrow account to defease the Outstanding Bonds, and to pay the costs of issuance of the Refunding Bonds and the costs of refunding the Outstanding Bonds. The term of the Refunding Note shall not exceed the term on the Outstanding Note.

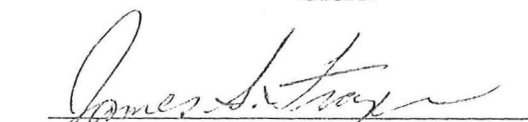
Section 3. Effective Date. This resolution shall become effective immediately upon passage.

Passed and approved this 9th day of November,
1992.

WITNESS my hand officially as such recording officer and the seal of
the Town of Whitehall this 17 day of November, 1992.

(SEAL)


Clerk


MAYOR

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Member Francine Stevison seconded the motion and the following voted in favor thereof: Francine Stevison, Charles Buus, Neil Gallagher, and Ron Jung.

and the following voted against the same: none

Absent: Gary Uptmor.

COPY

Town of Whitehall
County of Jefferson, State of Montana
Office of the Town Clerk
P.O. Box 539
Whitehall, MT 59759
Phone: 287-3972

RESOLUTION 4.92

A Resolution endorsing the Billings Magneto hydrodynamics (MHD) Demonstration Plant, and recommending to our membership to participate:

Whereas, MHD is a clean coal technology that mitigates air, water, solid effluents;

Whereas, MHD has the potential to be the most efficient, and, therefore, most cost effective method of coal-fired electrical power generation;

Whereas, MHD development within the United States is reaching the point of progress where a fully integrated large demonstration is required to show commercial potential;

Whereas, The State of Montana contains a very high percentage of the US mineable coal reserves-- reserves which, if effectively utilized can lead the way to US energy independence;

Whereas, The State of Montana has established major financial support to lead the nation and the world in the application of this technology;

NOW THEREFORE, BE IT RESOLVED BY The Town Council of the Town of Whitehall that we endorse the Billings MHD Demonstration Project and authorize the participation of its officials and representatives with other interested parties to ensure that this project is initiated, built, and successfully demonstrated.

PASSED THE 27TH DAY OF OCTOBER, 1992.

Mayor



Member Ron Jung introduced the following resolution and moved its adoption:

RESOLUTION NO. 3.92

RESOLUTION RELATING TO \$525,000 WATER SYSTEM REVENUE BONDS, SERIES 1992; AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE PUBLIC SALE THEREOF

BE IT RESOLVED by the Town Council of the Town of Whitehall, Montana (the Town), as follows:

Section 1. Recitals. The Town is authorized pursuant to Title 7, Chapter 7, Part 44, Montana Code Annotated to issue its revenue bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of its Water system facilities. The Council investigated the facts necessary and hereby finds, determines and declares it to be necessary and desirable for the Town to offer for sale \$525,000 Water System Revenue Bonds (the Bonds) for the purpose of replacing and improving portions of the water distribution system and related improvements (the Project) and for funding certain costs incidental to the sale and payment of bonds and to establish the debt service reserve securing the Bonds.

Section 2. Term of the Bonds. Pursuant to the authority described above, this Council shall issue and sell the Bonds of the Town in the aggregate principal amount of \$525,000 for the purpose of providing funds to construct the Project and for funding certain costs incidental to the sale and payment of the Bonds. The Bonds shall be dated, as originally issued, as of December 1, 1992, shall be issued in one series designated Series 1992 and shall bear interest, payable semiannually on May 1 and November 1 of each year commencing May 1, 1993, at the rate or rates designated by the successful bidder at public sale and approved by the Council, which rate or rates shall not exceed six and eighty hundredths percent (6.80%) per annum, with the maximum difference between the highest and lowest rate of interest not exceeding three percent (3.00%) per annum. No supplemental or "B" coupon interest shall be allowed. The Bonds shall mature on November 1 in each of the following years and amounts:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1993	\$15,000	2003	\$25,000
1994	15,000	2004	25,000
1995	15,000	2005	30,000
1996	15,000	2006	30,000
1997	20,000	2007	30,000
1998	20,000	2008	35,000
1999	20,000	2009	35,000
2000	20,000	2010	40,000
2001	25,000	2011	40,000
2002	25,000	2012	45,000

The Bonds shall be in the denomination of \$5,000 each or any integral multiple thereof of single maturities. The Bonds shall be issued only as fully registered bonds and shall be executed by the manual or facsimile signatures of the Mayor and the Town Clerk.

The Bonds with stated maturities in 2003 and later years are subject to redemption at the option of the Town in inverse order of maturities selected by lot within single maturities on any date after November 1, 2002 according to the following schedule:

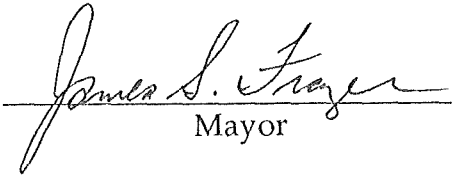
<u>Redemption Date</u>	<u>Premium</u>
November 1, 2002 through April 30, 2003	102%
November 1, 2003 through April 30, 2004	101%
November 1, 2004 and thereafter	100%

Further terms and conditions for the sale of the Bonds are contained in Exhibit A.

Section 3. Notice of Sale. All sealed bids for the Bonds shall be submitted to the Town Clerk, on or before November 9, 1992, at 3:00 p.m. Mountain Time. The bids received will be presented to the Council at 7:30 p.m. on the same day in the Council Chambers in Town Hall, Whitehall, Montana, whereupon the Council will consider the award of sale to the bidder whose bid results in the lowest net effective interest costs payable on the bonds. The Town Clerk is authorized and directed to cause the notice of the sale to be published, as required by Section 7-7-4434, M.C.A. once in a newspaper circulating in the Town of Whitehall and once in the Bond Buyer at least five days prior to the date of sale, and in any other newspaper as may be determined by the Council. The notice of sale shall be in substantially the form set forth in Exhibit B to this resolution.

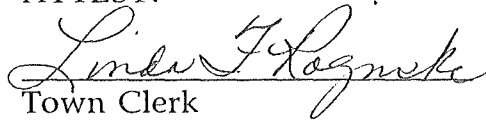
Council Member Charles Buus seconded the motion and the following
voted in favor thereof: Buus , Jung, Gallagher, Uptmor
and the following voted against the same: none_____

PASSED by the Town Council of the Town of Whitehall, Montana, on
this 29th day of October, 1992.



Mayor

ATTEST:



Town Clerk

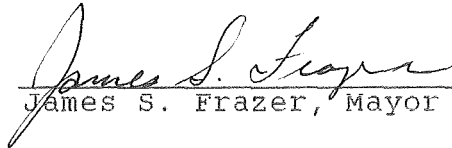
RESOLUTION NO. 2.92

A resolution of the Town Council of the Town of Whitehall, Montana relating to approval of the 1992/1993 final budget and renewal of the street lighting improvement district.

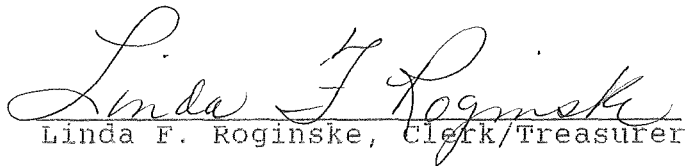
BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council approve the 1992/1993 final budget in the estimated amount of one hundred eighty nine thousand, fifty eight dollars and thirteen cents.

AND BE IT FURTHER RESOLVED that the special improvement lighting district in the amount of fourteen thousand nine hundred fifty dollars be renewed for the fiscal year 1992/1993.

PASSED AND APPROVED THIS 11 DAY OF AUGUST, 1992.


James S. Frazer, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

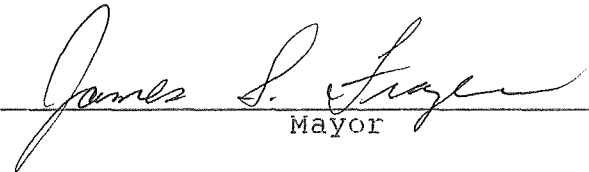
RESOLUTION NO. 1-92

A Resolution of the Town Council of the Town of Whitehall, Montana of its intention to provide that all property owners with delinquent Special Improvement Lighting District assessments after final notification lien shall have their names forwarded to the county to process a lien.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that, after notification of property owners of unpaid fiscal year 1991-92 Special Improvement Lighting District assessments, the Town Council authorizes the processing of all property owners within the Town of Whitehall, Montana who have not fully paid the current assessments for such district for the fiscal year 1991-92 shall have their names forwarded to the County Assessors and the County Treasurer of Jefferson County, Montana to be incorporated into the taxes assessed in 1992, together with all costs and penalties, and that said assessment shall constitute a lien upon and against the property upon which said assessment is made, all in accordance with Section 7-12-4338;

AND BE IT FURTHER RESOLVED that said list of delinquent property owners will be forwarded on June 15, 1992.

PASSED AND APPROVED on this 11 day of MAY, 1992.



Mayor

ATTEST:



Town Clerk