

A RESOLUTION providing for the holding of a local special bond election in Cache County School District, Utah for the purpose of submitting to the qualified electors of the District the question of the issuance and sale of \$139,000,000 General Obligation Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; and providing for related matters.

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WHEREAS, there is an immediate and pressing need of raising money for the purpose of purchasing one or more school sites, buildings and furnishings and improving existing school property (the “*Facilities*”) under the charge of the Board of Education (the “*Board*”) of Cache County School District, Utah (the “*District*”); and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding;

WHEREAS, Section 11-14-318 of the Local Government Bonding Act, Chapter 14, Title 11 of the Utah Code Annotated 1953, as amended (the “*Utah Code*”) requires that a public hearing be held with respect to the issuance of such bonds for said purposes and that notice of such public hearing be given as provided by law;

WHEREAS, Sections 59-1-1604 and 59-1-1605 of the Transparency of Ballot Propositions Act, Chapter 1, Title 59 of the Utah Code require or provide for (a) preparing and posting arguments and rebuttals in favor of and against a ballot proposition and (b) holding a public meeting for presentation of arguments in favor of and against a ballot proposition;

WHEREAS, the Board [does not] publish[es] a newsletter or other periodical that will be published prior to the Election Day (as defined below); and

WHEREAS, the Board desires to (a) hold a local special bond election to submit to the qualified electors of the District the question of the issuance of such bonds for said purposes, (b) provide for the holding of a public hearing and a public meeting, (c) establish procedures for the submittal of arguments in favor of and against the below described ballot proposition and (d) to direct the publication and posting of a Notice of Public Hearing (the “*Notice of Public Hearing*”) and a Notice of Public Meeting (the “*Notice of Public Meeting*”);

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Cache County School District, Utah, as follows:

*Section 1.* In satisfaction of the requirements of Section 53G-4-603 of the Utah Code, the Board hereby finds and determines that it is advisable to issue school district bonds to address the needs of the Board and the District to construct and acquire school buildings and facilities, acquire land for school buildings and facilities, acquire furnishings, to remodel and update existing school property, including seismic, safety and security upgrades, under the charge of the Board, and, to the extent necessary, to provide moneys for the refunding, at or prior to the maturity thereof,

of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding.

*Section 2.* In the judgment of the Board, it is advisable that a local special bond election (the “*Local Special Bond Election*”) be called and held in the District on at the same time as the municipal general election on Tuesday, November 21, 2023 (the “*Election Day*”), to submit to the qualified electors of the District the question of whether bonds of the Board to the amount of \$139,000,000 shall be issued and sold for the purpose of raising money for constructing and acquiring school buildings and facilities, acquiring land for school buildings and facilities, acquiring furnishings and remodeling and updating existing school property under the charge of the Board (collectively, the “*Project*”), and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding.

*Section 3.* The question shall be submitted to the qualified electors of the District at a Local Special Bond Election and such Local Special Bond Election is hereby called to be held in the District on the Election Day. The question shall be submitted in substantially the form set out in the form of ballot appearing in Section 4 hereof.

*Section 4.* The ballots to be used at the Local Special Bond Election shall comply in all respects with the requirements of Sections 11-14-206, Title 20A, Chapter 6, Part 1 and Part 4 of the Utah Code, and shall be in substantially the following form:

**OFFICIAL BALLOT FOR THE  
BOARD OF EDUCATION OF  
CACHE COUNTY SCHOOL DISTRICT, UTAH  
LOCAL SPECIAL BOND ELECTION**

November 21, 2023

Shall the Board of Education of Cache County School District, Utah, be authorized to issue general obligation bonds in an amount not to exceed \$139,000,000 and to mature in no more than twenty-one (21) years from the date or dates of issuance of such bonds for the purpose of raising money for acquiring and constructing school buildings and facilities, acquiring land for school buildings and facilities, acquiring furnishings and remodeling and updating existing school property, including seismic, safety and security upgrades, under the charge of the Board of Education, and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board authorized hereunder or heretofore issued and now outstanding?

**PROPERTY TAX COST OF BONDS**

If the bonds are issued as planned, without regard to the taxes currently levied to pay outstanding bonds that will decrease over time, an annual property tax to pay debt service on the proposed bonds will be required over a period of 20 years in the estimated amount of \$234 per year on a primary residence with the District average value of \$524,143 and in the estimated amount of \$426 per year on a business or secondary residence having the same value.

The Board currently levies property taxes to pay debt service on other outstanding general obligation bonds that have been issued to finance voter approved projects. The incremental property taxes would decrease upon the repayment of the currently outstanding bonds, but the decrease will not occur if the proposed bonds are issued. Taking into account the repayment of the outstanding bonds, the Board expects that the issuance of the proposed bonds, in the manner currently expected, will result in no net increase to current annual property tax levels for the repayment of bonds.

The foregoing is only an estimate and is not a limit on the amount of taxes that the governing body may be required to levy in order to pay debt service on the bonds. The governing body is obligated to levy taxes to the extent provided by law in order to pay the bonds.

**To vote in favor of the above bond issue, select the box immediately adjacent to the words “FOR THE ISSUANCE OF BONDS.” To vote against the bond issue, select the box immediately adjacent to the words “AGAINST THE ISSUANCE OF BONDS.”**

**FOR THE ISSUANCE OF BONDS**

**AGAINST THE ISSUANCE OF BONDS**

*Section 5.* In satisfaction of the requirements of Section 11-14-318 of the Code, a public hearing shall be held by the Board on October 19, 2023, at 5:30 p.m., at the regular meeting place of the Board, located at 2035 North 1200 East, North Logan, Utah, with respect to the issuance by the Board of general obligation bonds, if approved by eligible voters at the Local Special Bond Election, for the purposes set forth in Section 1 and the potential economic impact the Project will have on the private sector.

*Section 6.* The Business Administrator shall cause the “Notice of Public Hearing,” in substantially the form attached hereto as *Exhibit 1*, to be published as a class A notice under Section 63G-30-102 of the Code by (a) publishing a copy of such Notice on (i) the Utah Public Notice Website, (ii) the District’s Webpage and (iii) the Utah Legal Notices website (www.utahlegals.com) described in Section 45-1-101 of the Utah Code by publishing such Notice one time in *The Herald Journal*, a newspaper of general circulation in the District; and (b) posting such Notice in a public location that is reasonably likely to be seen by the residents of the District, in each case, no less than 14 days before the date set for the public hearing.

*Section 7.* After the adoption of this Resolution and at least 75 days before the Local Special Bond Election, a certified copy hereof, which includes the ballot title and the ballot proposition, shall be furnished on behalf of the Board by Chapman and Cutler LLP, as bond counsel, to the Lieutenant Governor of the State of Utah and to the Business Administrator, as election officer, and the County Clerk of Cache County, as provider election officer (collectively, the “*Election Officer*”).

*Section 8.* (a) In satisfaction of and in compliance with the requirements of Section 59-1-1604 of the Utah Code, the President of the Board (the “*President*”), or her designee, on behalf of the Board, shall prepare and submit to the Business Administrator an argument in favor of the ballot proposition and the rebuttal to the argument against the ballot proposition, if necessary.

(b) To facilitate compliance with the requirements of Section 59-1-1604 of the Utah Code, the argument in favor of the ballot proposition prepared by the President or her designee, and any argument in favor of the ballot proposed by an eligible voter of the District, the designated argument against the ballot proposition prepared by an eligible voter of the District, and any rebuttals thereto submitted by the respective drafters of the arguments in favor of and against the ballot proposition shall be submitted in accordance with the following schedule:

(i) the argument in favor of the ballot proposition prepared by the President or the President’s designee shall be submitted to the Business Administrator no later than 5:00 p.m. MDT on September 22, 2023;

(ii) eligible voters wishing to submit an argument in favor of or an argument against the ballot proposition shall file a request with the Business Administrator no later than 5:00 p.m. MDT on September 18, 2023; if two or more eligible voters wish to submit an argument in favor of or against the ballot proposition the Business Administrator will designate one of the eligible voters to submit the argument by 5:00 MDT on September 19,

2023; any argument designated to be prepared by an eligible voter may be revised and resubmitted to the Business Administrator no later than 5:00 p.m. MDT on September 22, 2023; and

(iii) any rebuttal arguments shall be submitted to the Business Administrator no later than 5:00 p.m. MDT on October 9, 2023.

All arguments and rebuttal arguments shall comply with the provisions of Section 59-1-1604 of the Utah Code.

(c) In accordance with the requirements of Section 59-1-1605 of the Utah Code, a public meeting shall be held by the Board during the Board meeting that begins at 5:30 p.m. (provided that the public meeting portion will be held at or after 6:00 p.m.), on November 2, 2023, at the regular meeting place of the Board located at 2035 North 1200 East, North Logan, Utah, for the presentation of the arguments in favor of and against the ballot proposition.

(d) As provided in Section 59-1-1604 of the Utah Code, the Business Administrator, on behalf of the Board, shall cause the Notice of Public Meeting, including the date, time and place of the public meeting, together with the arguments in favor of and against the ballot proposition and the rebuttals thereto, to be posted for 30 consecutive days before the Election Day on (i) the Statewide Electronic Voter Information Website (as of the date of this Resolution, [vote.utah.gov](http://vote.utah.gov)) and (ii) a prominent place on the District's website (as of the date of this Resolution, [ccsdut.org](http://ccsdut.org)).

*Section 9.* The officers and employees of the Board are authorized to take such action as they may deem necessary in order to assure that the Local Special Bond Election does not violate any applicable state or federal law, including laws regarding the use of the electronic voting devices.

*Section 10.* All acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

*Section 11.* 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 and unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

*Section 12.* Immediately after its adoption by at least two-thirds majority of the members of the Board, this Resolution shall be signed by the President or the Vice President and the Business Administrator, shall be sealed with the seal of the Board and shall be recorded in a book kept for that purpose and shall take immediate effect.

*(Signature page follows.)*

ADOPTED AND APPROVED this day, August 17, 2023.

BOARD OF EDUCATION OF CACHE COUNTY  
SCHOOL DISTRICT, UTAH

By \_\_\_\_\_  
President

[SEAL]

ATTEST AND COUNTERSIGN:

By \_\_\_\_\_  
Business Administrator

**BOARD VOTE AS RECORDED:**

President	Teri Rhodes	_____
Vice President	Kathy Christiansen	_____
Board Member	Randall Bagley	_____
Board Member	Chris Corcoran	_____
Board Member	Larry Jeppesen	_____
Board Member	D. Jeffrey Nielsen	_____
Board Member	Roger Pulsipher	_____

## EXHIBIT 1

### NOTICE OF PUBLIC HEARING

#### BOARD OF EDUCATION OF CACHE COUNTY SCHOOL DISTRICT, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that on Thursday, August 17, 2023, the Board of Education (the “*Board*”) of Cache County School District, Utah (the “*District*”) adopted a resolution (the “*Resolution*”), providing for a local special bond election to be held in the District on Tuesday, November 21, 2023, for the purpose of submitting to the qualified electors of the District the question of the issuance of general obligation bonds in an amount not to exceed \$139,000,000 (the “*Local Special Bond Election*”) and calling a public hearing to receive input from the public with respect to the issuance of general obligation bonds and the potential economic impact that the improvement, facility, or property for which the bonds pay all or part of the cost will have on the private sector, pursuant to the Section 11-14-318 of the Utah Code Annotated 1953, as amended.

#### PURPOSE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

If approved by eligible voters at the Local Special Bond Election, the Board intends to issue general obligation bonds for the purpose of raising money for acquiring and constructing school buildings and facilities, acquiring land for school buildings and facilities, acquiring furnishings and remodeling and updating existing school property, including seismic, safety and security upgrades, under the charge of the Board of Education, and, to the extent necessary, for providing moneys for the refunding, at or prior to the maturity thereof, of general obligation bonds of the Board.

#### MAXIMUM PRINCIPAL AMOUNT OF THE GENERAL OBLIGATION BONDS

If approved by eligible voters at the Local Special Bond Election, the Board intends to issue general obligation bonds in an amount not to exceed \$139,000,000, in one or more series at one or more times.

#### THE TAXES, IF ANY, PROPOSED TO BE PLEDGED

The Board proposes to pledge the full faith and credit of the District for the payment of its general obligation bonds and may be obligated to levy and collect ad valorem taxes sufficient to pay the general obligation bonds, as provided by law.

#### TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Board will hold a public hearing at 5:30 p.m. on October 19, 2023. The public hearing will be held at the regular meeting place of the Board, located at 2035 North 1200 East, North Logan, Utah. All members of the public are invited to attend and participate in the public hearing.

Prior to the public hearing, written comments may be submitted to the Board, to the attention of the Business Administrator, 84 East 2400 North, North Logan, Utah

DATED this 17th day of August, 2023.

Board of Education of Cache County School  
District, Utah

By \_\_\_\_\_  
Business Administrator

[SEAL]