

A RESOLUTION ALTERING THE BOUNDARIES OF THE TOWN OF WHITEHALL AND ANNEXING TERRITORY CONTIGUOUS THERETO.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL, MONTANA that the real property described as being:

A tract of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Township Two North (T2N), Range Four West (R4W), M.P.M., described as follows:

Beginning at Corner No. 1 of the tract herein conveyed, which said Corner No. 1 is identical with Corner No. 3 of the Pyfer Community Tracts, from which the Southeast corner of said Section 33 bears South 51°20'20" East, 963.72 feet distant; thence, first course East 163.30 feet to Corner No. 2 of the tract herein conveyed, which said Corner No. 2 is identical with the Northeast corner of Lot 25 of said Pyfer Community Tracts; thence, second course, North 191.70 feet to Corner No. 3 of the tract herein conveyed; thence, third course, West 237.09 feet to Corner No. 4 located on the East right of way line of relocated Whitehall Street; thence, fourth course, Southeasterly along the East right of way line of said Whitehall Street along a curve to the left of 1213.7 feet radius 139.24 feet to Corner No. 5 (the chord of this arc bears South 27°23'30" East, 139.15 feet;) thence fifth course, continuing Southeasterly along the East right of way line South 07°32' East 67.30 feet to Corner No. 6 of the tract herein conveyed; thence, sixth course, Southeasterly along the original right of way line of said Whitehall Street South 33°5 7' East 1.71 feet to Corner No. 1. the place of beginning.

and is hereby annexed to the Town of Whitehall, Montana pursuant to the petition for annexation of property dated November 13, 1989 and signed by all legal title owners.

PASSED November 13, 1989

APPROVED November 13, 1989

ATTEST:


Town Clerk


Mayor

RESOLUTION NO. 42-89

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council hereby objects to conducting the municipal election of November 7, 1989 by mail ballot for the following reasons:

1. The potential loss of voter confidentiality;
2. Loss of checks and balances on persons who no longer have the right to vote in a municipal election because of change of residency.

PASSED AND APPROVED on this 11th day of September, 1989.

Jeff Lauderdale
Jeff Lauderdale, Mayor

ATTEST:

Geraldine Boster
Geraldine Boster, Clerk-Tres.

RESOLUTION NO. 40-89

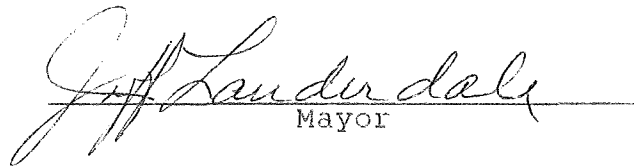
A resolution of the Town Council of the Town of Whitehall, Montana to renew a special improvement lighting district.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council renews a special improvement lighting district which shall be designated a Special Improvement Lighting District No. 1, and which shall encompass all of the Town of Whitehall lying within its municipal boundaries;

AND BE IT FURTHER RESOLVED that this lighting district shall be for the purpose of funding the electrical current costs and repairs for street lighting within the Town of Whitehall, at an approximate cost of twelve thousand one hundred dollars and no/100 (\$12,100.00) per year for the second year;

AND BE IT FURTHER RESOLVED that the cost shall be assessed among all of the property owners within the municipal limits of the Town of Whitehall in accordance with the respective taxable values of such property.

PASSED AND APPROVED on this 14 day of August, 1989.



Mayor

ATTEST:

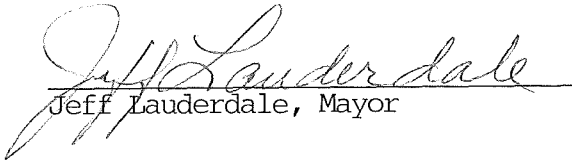


Town Clerk


RESOLUTION 38-89 - NO PRIMARY ELECTION

Be it hereby resolved that no primary election is necessary pursuant to MCA 13-14-115 (3) which states: In a political subdivision with a population of 10,000 or less, the governing body may determine that a primary need not be held if: (a) the number of candidates for an office exceeds twice the number to be elected to that office in no more than one-half of the offices on the ballot.

Dated this 5th day of July, 1989.


Jeff Lauderdale, Mayor

ATTEST:


Geraldine Boster, Clerk

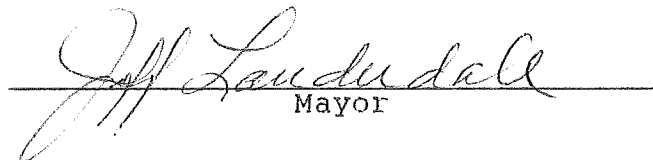
RESOLUTION NO. 37-89

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 1988 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 year 1988 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 1989, 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, 1989.

PASSED AND APPROVED on this 18 day of April, 1989.



Mayor

ATTEST:



Town Clerk

RESOLUTION NO. 35-88


A resolution of the Town Council of the Town of Whitehall, Montana to create a special improvement lighting district.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council creates a special improvement lighting district which shall be designated a Special Improvement Lighting District No. 1, and which shall encompass all of the Town of Whitehall lying within its municipal boundaries;

AND BE IT FURTHER RESOLVED that this lighting district shall be for the purpose of funding the electrical current costs and repairs for street lighting within the Town of Whitehall, at an approximate cost of \$12,100.00 per year for the first year;

AND BE IT FURTHER RESOLVED that the cost shall be assessed among all of the property owners within the municipal limits of the Town of Whitehall in accordance with the respective taxable values of such property.

PASSED AND APPROVED on this 12 day of September, 1988.



Mayor

ATTEST:



Town Clerk

RESOLUTION NO. 32-88

A resolution of the Town Council of the Town of Whitehall, Montana of its intention to create a special improvement lighting district.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council intends to create a special improvement lighting district which shall be designated as Special Improvement Lighting District No. 1, and which shall encompass all of the Town of Whitehall lying within its municipal boundaries;

AND BE IT FURTHER RESOLVED that this lighting district shall be for the purpose of funding the electrical current costs and repairs for street lighting within the Town of Whitehall, at an approximate cost of \$12,100.00 per year for the first year;

AND BE IT FURTHER RESOLVED that the cost shall be assessed among all of the property owners within the municipal limits of the Town of Whitehall in accordance with the respective taxable values of such property.

PASSED AND APPROVED on this 8th day of August, 1988.



Mayor

ATTEST:



Town Clerk

RESOLUTION 29-87

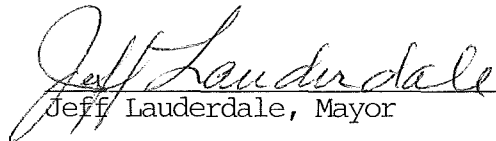
A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA PROVIDING FOR THE REPEAL OF ORDINANCE NO. 11.06 OF SAID TOWN OF WHITEHALL, BEING AN ORDINANCE ACKNOWLEDGING A FLOOD PLAIN WITHIN CERTAIN AREAS OF THE TOWN OF WHITEHALL AND PROVIDING FOR RULES AND REGULATIONS FOR CONSTRUCTION WITHIN SAID AREA;

WHEREAS, the Town of Whitehall, Montana did, on the 21st day of July, 1986, pass and adopt Ordinance NO. 11.06 which provided for the recognition of the existence of a declared flood plain within certain areas within the boundaries of the Town of Whitehall, and which established certain criteria, rules and regulations for the construction of dwelling or other structures within such areas;

AND WHEREAS, the development and enforcement of such rules and regulations has been discovered to be impracticable and, in the opinion of said Town Council, unnecessary, expensive and unwieldy, upon motion duly made, seconded and unanimously carried;

IT IS RESOLVED AND this does resolve that ORDINANCE NO. 11.06 of the Town of Whitehall be, and the same is hereby repealed effective this date.

DONE this 14th day of December, 1987.



Jeff Lauderdale, Mayor

ATTEST:



Geraldine Boster, Town Clerk

RESOLUTION 25-87

Be it hereby resolved that no primary election is necessary pursuant to MCA 13-14-115 (3) which states: In a political subdivision with a population of 10,000 or less, the governing body may determine that a primary need not be held if: (a) the number of candidates for an office exceeds twice the number to be elected to that office in no more than one-half of the offices on the ballot.

PASSED AND EFFECTIVE this 8th day of July, 1987.

Jeff Lauderdale
Jeff Lauderdale, Mayor

ATTEST:

Geraldine Boster
Geraldine Boster, Town Clerk

RESOLUTION OF GOVERNING BODY OF APPLICANT

RESOLUTION NO. 18-86

Resolution authorizing filing of application with the Federal Water Pollution Control Administration, United States of America, for a Grant under the Water Pollution Control Act, (33 U.S.C. 466 et seq.)

WHEREAS under the terms of the Water Pollution Control Act (33 U.S.C. 466 et seq.), the United States of America has authorized the making of grants to authorized applicants to aid in the construction of specific public projects, NOW, THEREFORE, be it resolved by the Town Council
(Governing Body of Applicant)

1. That Jeff D. Lauderdale, Mayor is hereby
(Name and Title of Official)

authorized to execute and file an application on behalf of the Town of
(Legal Name)

Whitehall, Montana with the United States Government for a
(of Applicant)

grant to aid in the construction of Wastewater Treatment improvements
for Whitehall, Montana
(Brief Project Description)

and he is hereby authorized and directed to furnish such information as the Federal Water Pollution Control Administration may reasonably request in connection with such application and to sign all necessary documents and
receive payment

Ralph Huckaba introduced the following Resolution and moved its adoption:

RESOLUTION NO. 15-85

RESOLUTION OF INTENT TO FINANCE SEWAGE LAGOON PROJECT BY THE
ISSUANCE AND SALE OF BONDS.

WHEREAS, the Town of Whitehall intends to authorize the issuance of bonds to finance the improvement and upgrading of the sewer lagoon for the Town of Whitehall; and

WHEREAS, the Town of Whitehall intends to undertake with due diligence any required rate proceedings with the Public Service Commission; and

WHEREAS, the 1985 Montana Legislature in H.B. 947 authorized the Montana Department of Natural Resources and Conservation (the DNRC) to make a loan to the Town of Whitehall of up to \$300,400.00 at an interest rate of two points below that received on the long term bonds issued by the state for the first five years and at the bond rate for the remaining 15 years to finance the construction of the project; and

WHEREAS, the DNRC has informed the Town of Whitehall that it will make the loan authorized by the 1985 Montana Legislature by purchasing bonds from the Town of Whitehall in the amount of the loan, and that it will charge the Town of Whitehall an origination fee of four percent (4%) for making the loan; and

WHEREAS, this council has reviewed the attached budget for the project and is satisfied that the estimates contained therein are reasonable and that all anticipated project costs are included; and

WHEREAS, the Town of Whitehall expects to begin construction of the project on or about the 1st day of August, 1985, and complete the project on or about the 1st day of October, 1986; and

WHEREAS, the Whitehall Town Council agrees to complete necessary steps to acquire these funds as described in the water development report, January, 1985, and in H.B. 947, both of which have been provided by the department; and

WHEREAS, the statutes authorizing the Town of Whitehall to issue its bonds for the financing of the project provide that such bonds be sold at a private sale to the State of Montana, not withstanding the fact that the legislature has authorized the DNRC to purchase the bonds,

NOW, THEREFORE, BE IT RESOLVED by the Whitehall Town Council of the Town of Whitehall, Montana, as follows:

1. This council hereby declares its intention to authorize the issuance of Town of Whitehall revenue bonds in an amount estimated not to exceed \$ 154,415.00, bearing interest at the rate described above and with a term of twenty years to finance the construction of the project and the sale of such bonds shall be conducted in accordance with the applicable state statutes.
2. The Town of Whitehall declares its intention to levy rates necessary to repay the loan and provide the reserve for repayment of the bonds and to seek the approval of the Montana Public Service Commission for the rates if required;
3. This council hereby authorizes and directs the officers of the Town of Whitehall to prepare all documents and take all steps necessary to permit this council to authorize, issue and sell such bonds and levy rates for their repayment;
4. This Resolution shall become effective immediately upon its passage and approval.

PASSED by the Whitehall Town Council and approved by the Mayor, Harold Hanson, on the 3 day of June, 1985.

APPROVED:

Harold Hanson
Mayor

ATTEST:

Geraldine Boster
Town Clerk

The motion for adoption of the foregoing Resolution was duly seconded by Don Jenkins, Council member, and upon vote being taken thereon, the following voted in favor of the Resolution:

Ralph Huckaba, Don Jenkins, Frank McGee, Jeff Lauderdale,
Dale Davis and John Moyle

and the following voted against the Resolution:

None

Whereupon the Resolution was declared passed and adopted.

Councilman Harold Hansen introduced the following

resolution and moved its adoption;

RESOLUTION NO. 04-81

RESOLUTION GIVING PRELIMINARY APPROVAL UNDER
TITLE 90, CHAPTER 5, PART 1, MONTANA CODE
ANNOTATED, PROVIDING FOR THE LOAN OF FUNDS
THEREFOR, AND THE ISSUANCE AND SALE OF NOT
TO EXCEED \$10,000,000. POLLUTION CONTROL
INDUSTRIAL REVENUE BONDS

WHEREAS, pursuant to Chapter 51 of the laws of 1965 of the State of Montana, as from time to time amended, (the "Act") the Legislature of the state of Montana has authorized each municipality and each county within the state to

(a) acquire, by construction, purchase, devise, gift, or lease or any combination of such methods, one or more projects (as defined in the Act) located within, without, or partially within and partially without the municipality or county,

(b) lease to others any or all of its projects for such rentals and upon such terms and conditions, consistent with the provisions of this part, as the governing body considers advisable,

(c) enter into agreements, upon terms the governing body considers advisable and not in conflict with the provisions of this part, to loan the proceeds of its revenue bonds to others for the purpose of defraying the cost of acquiring or improving any project,

(d) issue revenue bonds for the purpose of defraying the cost of acquiring or improving any project or projects and secure the payment of such bonds as provided in this part; and

(e) sell and convey any real or personal property acquired as provided by the Act and make any order respecting it as may be conducive to the best interest of the municipality or county; and

WHEREAS, the Town of Whitehall, Montana (the "Town") constitutes an incorporated municipality of the State of Montana; and

WHEREAS, Placer Amex Inc. (the "Company") has requested by an application dated November 10, 1981 (the "Application") that the Town authorize the issuance of revenue bonds for the purpose of defraying the cost of acquiring certain pollution control, and

sewage disposal facilities (the "Project") comprising a portion of the Company's gold mining and milling enterprises five miles east of Whitehall, Montana which facilities constitute a "Project" within the meaning of the Act; and

WHEREAS, the Application indicates that the Project will incorporate the buildings, improvements and personal property described more fully in Exhibit A hereto; and

WHEREAS, the Company has agreed to pay directly or through the Town any and all costs incurred by the Town in connection with the Project whether or not the Project is approved, whether or not the Project is carried to completion, and whether or not the bonds are executed; and

WHEREAS, the Town of Whitehall has, pursuant to Section 90-5-104 MCA, conducted a public hearing on the proposed Project and has thereafter determined that the project as proposed is in the public interest of the Town of Whitehall.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF WHITEHALL, MONTANA:

Section 1. Subject to approval by subsequent resolution of the Town and execution of satisfactory implementing agreements, the Town will authorize the issuance of and will issue its bonds and/or notes (hereunder referred to as the "Bonds") pursuant to the Act in an amount agreed to by the Town and the Company not exceeding at any time Ten Million Dollars (\$10,000,000) and will expend the proceeds or make the proceeds available to the Company to pay directly or to reimburse the Company for the cost of the acquisition, construction and installation of the Project and for other costs in connection therewith, including financing costs.

Section 2. The Bonds shall bear such dates, mature at such time or times, bear interest at such rate or rates and contain such other terms and provisions as shall be determined by subsequent resolution of the Town.

Section 3. The Town agrees to make available to the Company the proceeds from the issuance and sale of the Bonds pursuant to the terms of an agreement providing, among other things;

(i) that the Company will expend such proceeds to pay directly, or that the Company will pay from its own funds subject to reimbursement from the proceeds of the sale of the Bonds, the cost of acquiring, constructing, and installing the Project, including all costs incurred by the Town in connection with the issuance and sale of the Bonds; and

(ii) that the Company will be obligated to make payments to the Town sufficient to pay the principal of and interest and redemption premium, if any, on the Bonds, as and when the same shall become due and payable.

The Bonds shall be payable solely from payments made to the Town pursuant to such agreement, and shall be secured by such agreement and may be additionally secured in such manner as the Town may determine by subsequent resolution.

Section 4. The Company is authorized to advance such funds as may be necessary to commence the acquisition, construction and installation of the Project subject to reimbursement for all expenditures out of the proceeds of the Bonds herein authorized. Nothing contained in this resolution shall require the expenditure or loan of any funds by the Town, except such as may be derived from the proceeds of the Bonds issued pursuant hereto, for any purpose whatsoever, and pursuant to such contract of sale, lease agreement, sublease agreement, loan or other agreement approved by a subsequent resolution of the Town.

Section 5. The Town recognizes that because of changes the costs, technology, applicable pollution control standards and regulations and the like, the amount of Bonds herein authorized may not be sufficient to complete the Project and may in its discretion issue such additional bonds or notes as may be necessary to complete the Project.

Section 6. The adoption of this resolution does not constitute a guarantee or a firm commitment that the Town will issue the Bonds as requested by the Company. The Town retains the right in its sole discretion to withdraw from participation and accordingly not issue the Bonds should the Town at any time prior to the issuance thereof determine that it is in the best interests of the Town to not issue the Bonds or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for the transaction.

Section 7. This resolution is intended to be "other similar official action" of the Town toward the issuance of the Bonds as contemplated herein within the meaning of United States Income Tax Regulations Section 1.103-8(a)(5).

Section 8. The resolution shall take effect immediately.

ATTEST:

Geraldine A. Foster

Albert V. McPhee

The Motion for the adoption of the foregoing resolution was duly seconded by Member Edwin A. Hunt, and upon vote being taken thereon, the following voted in favor thereof:

Harold Hansen, Edwin A. Hunt, John Moyle, John Noyes, Floyd Strozzi and J. Michael Wall

and the following voted against the same: None

whereupon the resolution was declared duly passed and adopted.

EXHIBIT A

The Project will consist of facilities to treat, contain, recycle, store, collect or convey Industrial Air and Water Pollutants.

The Project will consist of the following improvements to land and purchases of machinery and equipment:

- (1) Wet spray plant and mill scrubbers, tubulaire scrubbers, (or equivalent), ducting, enclosures, structures, fans and related equipment, processes, controls and monitors for the control, containment and treatment of solid air particulates, sulfur dioxide and oxides of nitrogen.
- (2) Meteorological monitoring station, ambient air monitors, structures to contain a quality control laboratory and related equipment, process controls and monitors.
- (3) Water trucks for the control and treatment of Fugitive Air Particulate.
- (4) Equipment consisting of reclamation and treatment barges, pumps, valves, tanks, lines, sludge beds and other related facilities for the treatment and recycling of industrial waste water.
- (5) Structural improvements, drains, seepage reclaim systems, artificial liners, bentonite slurrys and other related equipment, process controls, monitors and treatment equipment for the storage, containment and treatment of industrial waste water.
- (6) Piping from milling plant, septic tanks and field and related equipment for the treatment of sewage.
- (7) The Project will also incorporate such additional instrumentations, controls, monitors, piping, fans, ducting, valving, supports, structures, lines, pumps and all other facilities, equipment, devices, necessary land improvements and the like necessary to support the facilities herein described and such additional or substituted facilities for permitted purposes under the Act which because of changes in technology, cost, plant process and the like, the Company referred to in the attached resolutions determined shall be added to or substituted for the above described facilities.

Councilman J. Michael Wall introduced the following resolution and moved its adoption;

RESOLUTION NO. 03-81

RESOLUTION CALLING FOR A PUBLIC HEARING
ON A PROPOSED PROJECT UNDER TITLE 90,
CHAPTER 5, PART 1, MONTANA CODE ANNOTATED

BE IT RESOLVED by the City Council of the City of Whitehall, Montana, as follows:

1. Recitals. The City of Whitehall is authorized by Title 90, Chapter 5, Part 1 Montana Code Annotated (hereinafter referred to as the Act) to acquire, whether by construction, purchase, devise, gift or lease or any combination of such methods, any land, building, or other improvement and any other real or personal property deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use for commercial, manufacturing or industrial enterprises, recreation or tourists facilities, local, state and federal governmental facilities, multi-family housing, hospitals, long-term care facilities or medical facilities and any combination of these projects. To defray the costs of acquiring and improving any such project, the City is authorized by the Act to issue revenue bonds and sell such bonds at public or private sale in such manner and at such time as may be determined by the City to be most advantageous. The City is further authorized to enter into agreements, upon terms considered advisable by the City and not in conflict with the provisions of the Act, to loan the proceeds of its revenue bonds to others for the purpose of deferring the costs of acquiring or improving any project. Such bonds are to be secured by pledge of the revenues to be derived by the City from the project and may be secured by a mortgage covering all or any part of the project, a pledge of the lease or loan agreement relating to such project or such other security devise as may be deemed most advantageous by the City. A proposal has been presented to this council that the City, acting pursuant to and in accordance with the Act, issue its revenue bonds and loan the proceeds therefrom to Placer Amex, Inc., for the purpose of financing air and water pollution treatment equipment and improvements at its Golden Sunlight Mine. The issuance of such revenue bonds by the City is presently estimated to be in the amount of Ten Million Dollars. Under the provisions of the Act, any bonds so issued by the City shall be limited obligations of the City and the bonds and interest coupons shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers.

2. Public Hearing. Title 90 Chapter 5 Part 1, Montana Code Annotated requires that prior to the issuance of any bonds under

the authority of the Act, this council shall give notice and hold a public hearing on the proposed project. Pursuant to such authority, a public hearing on the proposed project is called and shall be held on the 14th day of December, 1981 at 7:30 o'clock P.M. at the Senior Citizens Center, 3 N. Division in Whitehall, Montana.

3. Form of Notice. The notice of the public hearing shall be in substantially the following form:

4. Publication of Notice. The City Clerk shall cause the notice to be published in a newspaper of general circulation in the City at least once a week for three consecutive weeks prior to the date set for the hearing.

Geraldine Boster

Attest: Linda F. Roginski

The Motion for the adoption of the foregoing resolution was duly seconded by Member John R. Moyle, and upon vote being taken thereon, the following voted in favor thereof:

Harold Hansen, J. Michael Wall, John R. Moyle and John M. Noyes

and the following voted against the same: NONE

whereupon the resolution was declared duly passed and adopted.

NOTICE OF PUBLIC HEARING
ON A PROPOSED PROJECT UNDER TITLE 90,
CHAPTER 5, PART 1, MONTANA CODE ANNOTATED

WHITEHALL, MONTANA

NOTICE IS HEREBY GIVEN that the City Council of the City of Whitehall, Montana will meet on the 14th day of December, 1981 at 7:30 o'clock P.M. at the Senior Citizens Center, 3 N. Division, in Whitehall, Montana for the purpose of holding a public hearing on a proposed project under Title 90, Chapter 5, Part 1, Montana Code Annotated. The proposed project will consist of the loan of funds to Placer Amex Inc. for the financing of air and water pollution treatment equipment and improvements to the Golden Sunlight Mine; funds for this purpose will be provided by the issuance of revenue bonds under said Title 90, Chapter 5, Part 1 in an amount presently estimated to be approximately Ten Million Dollars, and secured by a loan agreement between the City and Placer Amex Inc. and such other security as may be advisable; the sale of such bonds shall be by private placement with Chemical Bank.

All persons interested may appear and be heard at said time and place.

DATED this 16th day of November, 1981.

BY ORDER OF THE CITY COUNCIL

Geraldine Boster
City Clerk
Whitehall, Montana

RESOLUTION OF CITY OF WHITEHALL, MONTANA

Resolution No. 02-81

A RESOLUTION ESTABLISHING THE POLICY RELATING TO
THE ISSUANCE OF INDUSTRIAL REVENUE BONDS BY THE
CITY OF WHITEHALL, MONTANA.

WHEREAS, Section 90-5-101 of the Montana Statutes provides a procedure where Industrial Revenue Bonds can be issued by cities for commercial manufacturing, agricultural, and industrial projects, along with recreational and tourism facilities, retirement homes, hospitals, medical facilities, and long term care facilities , and,

WHEREAS, the term commercial projects can be defined very broadly to the point where facilities for almost any business venture could be financed through the use of Industrial Revenue Bonds, and,

WHEREAS, Section 95-5-102 also gives the City the authority to issue Industrial Revenue Bonds for the cost of acquiring or improving projects thereby permitting the remodeling and/or improving of existing structures under the Industrial Revenue Bond law, and,

WHEREAS, appropriate Montana law requires that a public hearing be held regarding the issuance of Industrial Revenue Bonds by a city, and,

WHEREAS, the Industrial Revenue Bond law of the State of Montana prohibits the city from using any tax funds or general funds of the city for the purpose of retiring Industrial Revenue Bonds, and,

WHEREAS, the sole responsibility for the retirement of Industrial Revenue Bonds under Montana law rests with the individual business and/or industry that is involved in the issue, and,

WHEREAS, the City Commission of the City of Whitehall is desirous of establishing some guidelines to follow in considering requests for the use of Industrial Revenue Bonds to finance commercial ventures;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF WHITEHALL, MONTANA:

Section 1: That the City Commission will issue Industrial Revenue Bonds when they find that it is in the public interest of the City to do so. In measuring the public interest, the City will consider, among other things:

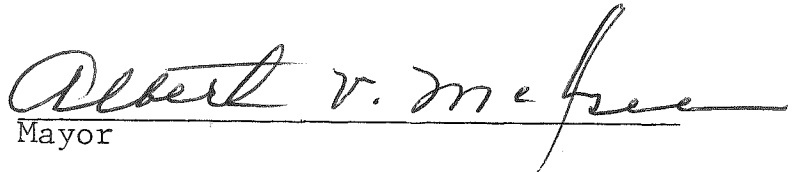
- A.) The number of employees that will be employed by the business concern involved in the Industrial Revenue Issue.
- B.) The public improvement that will be made by the industry to support their new facility.

- C.) Whether the proposed facility is in keeping with the comprehensive plan of the city.
- D.) Feasibility of the new facility being built if Industrial Revenue Bonds are not used.
- E.) The new facilities will not have an adverse effect on the City.

Section 2. An application fee of \$400 shall be filed by an applicant requesting the use of Industrial Revenue Bonds to cover the cost of establishing the public hearing and other administrative costs relating to the issue. If the issue is approved then the applicant shall pay an additional fee of \$4.00 per thousand for each \$1,000 worth of bonds that are issued.

Section 3. The City will reserve the right to approve the bond attorney that will issue the legal opinion on the Industrial Revenue Bonds and the costs of such legal opinion will be paid by the business enterprise for whom the bonds are issued.

PASSED AND EFFECTIVE this 19th day of October, 1981.


Mayor

Attest:



RESOLUTION

A Resolution of Intention
to Designate the Town of
Whitehall as a Town Pursuant
to Section 7-1-4112 MCA

WHEREAS, 1980 census figures indicate that the Town of Whitehall has a population in excess of 1,000 persons, and,

WHEREAS, Section 7-1-4111 MCA provides that every city having a population of less than 5,000 but more than 1,000 is a third-class city, and,

WHEREAS, Section 7-1-4112 MCA allows a municipal corporation with a population in excess of 1,000 persons to be designated a Town if the town council adopts an appropriate resolution requesting that such designation be made, and,

WHEREAS, it is the intention of the town council of the Town of Whitehall to retain its designation as a town under the provisions of the Montana Code Annotated,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF WHITEHALL:

That, as evidenced by this resolution, duly adopted by the Town of Whitehall on this 1st day of March 1982, it is the intention of the Town of Whitehall to remain a town and to be subject to all the appropriate provisions of Montana law applicable thereto.

A certified copy of this resolution shall be filed by the Town Clerk in the office of the Jefferson County Clerk & Recorder and in the office of the Secretary of State, State of Montana, all as required by Section 7-1-4118 MCA.

PASSED AND EFFECTIVE this 1st day of March 1982.

Harold Hansen
MAYOR

ATTEST:

Geraldine Boster
TOWN CLERK

4.00.170 - Rule 1a

Property Owners Responsible for Bills. Owners of property served by the town water system shall be held liable for all water service charges. All bills will remain in property owner's name. Payments will be accepted from tenants, but that will not relieve the owner from liability if the tenant becomes delinquent.

First Reading - Sept. 16, 1985
Second Reading- October 7, 1985
Effective date- November 7, 1985

ORDINANCE NO. 8.08

AN ORDINANCE REQUIRING THAT ALL ANIMALS AND POULTRY BE KEPT UNDER CONTROL AND LIMITING THE NUMBER OF ANIMALS AND POULTRY ACCORDING TO THE AREA OF ENCLOSED LAND: PROVIDING EXCEPTION FOR DOGS: PROHIBITING THE KEEPING OR MAINTAINING OF ANIMALS OR POULTRY FOR COMMERCIAL PURPOSES: PROVIDING THE MAINTAINING OR KEEPING OF ANIMALS OR POULTRY WHICH CONSTITUTES A NUISANCE: GRANTING SIX MONTHS TO CORRECT PRESENT NON-CONFORMING USES: PROVIDING PENALTIES FOR VIOLATION THEREOF: REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT: AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Town Council of the Town of Whitehall, Montana, as follows:

Section 1. Every person, firm or corporation owning, keeping or maintaining any domestic animals or poultry must keep such animals or poultry confined within a fenced or similar enclosure and upon the private premises of their owner or person responsible for their maintenance or control.

Section 2. On parcels of property comprised of one (1) acre or less, there can be no more than three (3) animals or poultry maintained or kept and the total live weight of such three(3) animals or poultry cannot exceed 100 pounds. On parcels of property exceeding one (1) acre in size, there can be no more than three (3) animals or poultry maintained or kept but there shall be no limitation on the total live weight of such three animals or poultry.

Section 3. The maintaining and keeping of dogs is specifically excepted from the provisions of this ordinance.

Section 4. The keeping or maintaining of animals or poultry for commercial purposes is specifically prohibited. For purposes of this ordinance, the term "commercial" shall be defined as the keeping or maintaining of more than three (3) animals or poultry.

Section 5. Every person, firm or corporation keeping or maintaining animals or poultry in conformity with the restrictions of this ordinance, must not permit the keeping or maintenance of such animals or poultry to become offensive to neighbors or injurious to public health. If such activity becomes offensive to neighbors or injurious to public health, such activity shall be declared a nuisance, and as such shall be abated. No person, firm or corporation shall create, allow, or continue to allow any nuisance to exist on the premises on which he/she occupies or controls with respect to the keeping or maintaining of animals or poultry.

Section 6. Any person, firm or corporation presently maintaining or keeping such animals or fowl are hereby granted six (6) months in which to effectively bring the keeping or maintenance of such animals or poultry in conformity with the provisions of this ordinance.

Section 7. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction therefore, be punished by a fine of not less than Twenty-five dollars (\$25.00) or more than Two hundred fifty dollars (\$250), or imprisonment not to exceed ten (10) days or both such fine and imprisonment in the discretion of the Court. Each day that such violation is maintained shall constitute a separate offense.

Section 8. All ordinance and parts of ordinances in conflict herewith are hereby repealed.

Section 9. In the event any provision or part of provision of this ordinance shall be determined to be unenforeable or

unconstitutional, such provision or part of provision shall be severable from this ordinance and the remaining provisions or parts of provisions shall remain in effect.

APPROVED by the Town Council of the Town of Whitehall this 5th day of March, 1984.

Harold Hansen
Mayor

ATTEST:

Geraldine Boston
Clerk

02/02/84 - First Reading
03/05/84 - Second Reading
04/05/84 - Effective Date

A RESOLUTION APPROVING AND ACCEPTING THE AMENDED PLAT OF A PORTION OF THE NORTHERN PACIFIC ADDITION BLOCK 7.

WHEREAS, the said Amended Plat of a portion of the Northern Pacific Addition, Block 7, consisting of 2.065 acres consists of a rededication of a tract of land which is a portion of the Northern Pacific Addition as previously dedicated and recorded.

WHEREAS, that the said tract of 2.065 acres will be used exclusively for residential purposes and has been approved by the Montana Department of Health and Environmental Sciences as meeting Montana's Subdivision Planning Regulations and the State Department of Health and Environmental Sciences Regulations and is not subject to any sanitary restrictions; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF WHITEHALL, MONTANA:


That the said amended Plat of a portion of the Northern Pacific Addition Block 7 shall be and hereby is accepted and approved and it is hereby determined that the said 2.065 acres of land and has been approved by the Montana Department of Health and Environmental Sciences as meeting Montana's Subdivision Planning Regulations and the State Department of Health and Environmental Sciences Regulations and is not subject to any sanitary restrictions.

Passed this 11 day of December, 1978

Approved this 11 day of December, 1978


Albert V. McGee, Mayor

ATTEST:


Geraldine Boster, Town Clerk

FILED

MAY - 7 1982

JIM WALTERMIRE
SECRETARY OF STATE*Jim Waltermire*RESOLUTION

A Resolution of Intention
to Designate the Town of
Whitehall as a Town Pursuant
to Section 7-1-4112 MCA

WHEREAS, 1980 census figures indicate that the Town of *one file*
Whitehall has a population in excess of 1,000 persons, and,

WHEREAS, Section 7-1-4111 MCA provides that every city
having a population of less than 5,000 but more than 1,000 is
a third-class city, and,

WHEREAS, Section 7-1-4112 MCA allows a municipal corporation
with a population in excess of 1,000 persons to be designated a
Town if the town council adopts an appropriate resolution re-
questing that such designation be made, and,

WHEREAS, it is the intention of the town council of the
Town of Whitehall to retain its designation as a town under the
provisions of the Montana Code Annotated,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN
OF WHITEHALL:

That, as evidenced by this resolution, duly adopted by the
Town of Whitehall on this 1st day of March 1982, it is the
intention of the Town of Whitehall to remain a Town and to be
subject to all the appropriate provisions of Montana law applicable
thereto.

A certified copy of this resolution shall be filed by the
Town Clerk in the office of the Jefferson County Clerk & Recorder
and in the office of the Secretary of State, State of Montana, all
as required by Section 7-1-4118 MCA.

PASSED AND EFFECTIVE this 1st day of March 1982.

Harold Hansen
MAYOR

ATTEST:

Geraldine Boster
TOWN CLERK

SECRETARY OF STATE
STATE OF MONTANA
Mike Cooney

Business Services Bureau
Garth Jacobson, Chief Legal Counsel
Rose Ann Crawford, Operations Manager

Montana State Capitol
P. O. Box 202801
Helena, MT 59620-2801
(406) 444-3665

TO: LINDA F ROGINSKE
TOWN OF WHITEHALL
BOX 539
WHITEHALL MT 59759

DATE: December 13, 1995

RE: WHITEHALL, TOWN OF

Enclosed please find the following:

Requested Copies