

RESOLUTION 22-09 (Amendment)

A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA CLARIFYING THE ONGOING OPERATION OF THE WHITEHALL COMMUNITY DEVELOPMENT BOARD

Sections:

- Community Development Board
- Purposes and Objectives of the Board
- Jurisdiction
- Number of Members
- Term of Office for Official Members
- Term of Office for Citizen Members
- Staggered Board Terms
- Quorum
- Appointment of Members
- Election of Officers
- Vacancies

The Community Development Board. There is a Town Community Development Board of the Town of Whitehall, Montana established by Resolution 11-07 dated December 7th, 2007 which is known as "The Whitehall Community Development Board", but the same shall be referred to herein as "Community Development Board".

Purposes and Objectives of the Board. The Community Development Board is an advisory board to the Town of Whitehall leadership to develop Whitehall into a community that adheres to the tenets of the Whitehall Vision Statement.

"Whitehall is a vibrant, centrally located rural community embracing change to ensure a safe, high quality of life for all generations and a community that attracts our youth back home. We celebrate our strengths as a diverse, sustainable, resource-based community of natural beauty nestled in the mountains. We will achieve our full potential by maintaining our traditional caring and friendly atmosphere, spiritual strength and positive attitude to provide everyone the opportunity for prosperity."

The board oversees the implementation of the Whitehall Community Development Action Plan and serves as an information conduit between area stakeholders and the community leadership. The board is a comprehensive approach to managing community change by involving citizens in a shared vision of the future and serves to advise and make recommendations to the town council on actions that will impact area stakeholders. The Community Development Board offers an opportunity for stakeholders to discuss ideas and

thoughts that have the potential to increase community capacity and sustainability. Key principals that will be employed to ensure the success of the Community Development Board are:

1. Ensure that community improvement projects undertaken within the town limits are in keeping with the adopted vision of the community
2. Encourage and promote active participation of all interested community members
3. Inform and advise the town council of upcoming projects and emerging ideas
4. Include and recognize the diverse interests and cultures of the community
5. Standardize the process of getting approval, manpower and/or funding from the Town
6. Provide a forum to discuss action strategies that work toward the long-term sustainability and well being of the community while providing a focal point for assisting new projects
7. Provide an ongoing centralized resource for community efforts, goals and available funding

Jurisdiction. The jurisdictional area of said Community Development Board is established to be the following area: All of the area within the town limits of the said Town of Whitehall, Montana' and any additional jurisdictional areas that may be now or in the future, established by the Town of Whitehall Growth Policy.

Number of Members. Said Community Development Board shall consist of (16) voting members, who shall be appointed in the following manner, to-wit:

- a. One member shall be appointed by the town council from its own membership and who shall be known as an "official member"
- b. One member from the Whitehall Chamber of Commerce to represent local business interests shall be appointed by the mayor;
- c. One member from the Whitehall Planning Board shall be appointed by the mayor;
- d. One member from the Jefferson Valley Community Foundation shall be appointed by the mayor;
- e. One member from a Whitehall financial institution shall be appointed by the mayor;
- f. One member from the Whitehall School system shall be appointed by the mayor;
- g. One member from the Jefferson Local Development Corporation (JLDC) shall be appointed by the mayor;
- h. One member from the Montana State University Extension Service shall be appointed by the mayor;
- i. One member from the Jefferson County Commission serving the precinct(s) covered by the Town of Whitehall shall be appointed by the mayor;
- j. One member from the from the Whitehall Walking Trails Committee shall be appointed by the mayor;
- k. Three youth members from the Whitehall School District boundaries shall be appointed by the mayor. When more applicants are available than seats, precedence

shall be given so that a sophomore, a junior and a senior age student are on the board.

- I. Two at-large members from within the Whitehall School District boundaries shall be appointed by the mayor.

Term of Office for Official Members. Official members appointed to said Community Development Board shall have the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Term of Office for Citizen Members. Citizen members appointed to said Community Development Board shall be knowledgeable, experienced and have the pulse on Whitehall in matters that impact the development of the said Town of Whitehall. The term of office for all board members shall be for a period of two (2) years. The term for the appointee from the Jefferson County Commission will be the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Staggered Board Terms. After the first two years of operation, and at the conclusion of the original terms of office for all members, it is desirable to have the terms of members be staggered such that all members of the Community Development Board do not conclude their time of service concurrently. To provide consistency and continuity, the terms of members shall be staggered as follows:

- a. The Mayor of the Town of Whitehall will appoint seven (7) members for a one-year term beginning January 1, 2009 and continuing through December 31, 2010.
- b. The Mayor of the Town of Whitehall will appoint eight (8) members for a two-year term beginning January 1, 2009 and continuing through December 31, 2011.

At the conclusions of these terms of office and continuing into the future, all terms of office will be governed by the terms set forth in the Term of Office for Official Members and the Term of Office for Citizen Members as outlined above.

Quorum. A quorum of said Community Development Board shall be a majority of the eligible voting members.

Appointment of Members. All members of the said Community Development Board shall be appointed within thirty (30) days prior to the beginning of the term they have been nominated to serve. The Community Development Board will submit a slate of nominees that adhere to the requirements set out above to the Mayor of Whitehall for consideration no later than sixty (60) days before the end of the term for current appointments.

Election of Officers. At its first regular meeting in January of each year, said Community Development Board shall elect from its membership a chairperson, vice chairperson and secretary. The chairperson shall be responsible for coordinating the meeting agenda, conducting the meeting and be the liaison to the Town of Whitehall Town Council. The chair

may appoint another member to serve as the liaison to the Town of Whitehall Town Council should the chair be unavailable or otherwise unable to perform his/her duties. The secretary will maintain a record of the minutes of the meeting.

Vacancies. Vacancies on the said Community Development Board during an unexpired term shall be filled for such unexpired term by the same appointing authority appointing the member whose vacancy is filled.

AMENDMENT APPROVED by the Whitehall Town Council this 8th, day of March, 2010.

AYES: 04

NAYES: 0

ABSENT: 02

SIGNED: M. J. Hensleigh
Mayor Mary Janacaro Hensleigh

ATTEST: Darcy Perrenoud
Clerk Darcy Perrenoud

RESOLUTION 22-09

A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA CLARIFYING THE ONGOING OPERATION OF THE WHITEHALL COMMUNITY DEVELOPMENT BOARD

Sections:

- Community Development Board
- Purposes and Objectives of the Board
- Jurisdiction
- Number of Members
- Term of Office for Official Members
- Term of Office for Citizen Members
- Staggered Board Terms
- Quorum
- Appointment of Members
- Election of Officers
- Vacancies

The Community Development Board. There is a Town Community Development Board of the Town of Whitehall, Montana established by Resolution 11-07 dated December 7th, 2007 which is known as “The Whitehall Community Development Board”, but the same shall be referred to herein as “Community Development Board”.

Purposes and Objectives of the Board. The Community Development Board is an advisory board to the Town of Whitehall leadership to develop Whitehall into a community that adheres to the tenets of the Whitehall Vision Statement.

“Whitehall is a vibrant, centrally located rural community embracing change to ensure a safe, high quality of life for all generations and a community that attracts our youth back home. We celebrate our strengths as a diverse, sustainable, resource-based community of natural beauty nestled in the mountains. We will achieve our full potential by maintaining our traditional caring and friendly atmosphere, spiritual strength and positive attitude to provide everyone the opportunity for prosperity.”

The board oversees the implementation of the Whitehall Community Development Action Plan and serves as an information conduit between area stakeholders and the community leadership. The board is a comprehensive approach to managing community change by involving citizens in a shared vision of the future and serves to advise and make recommendations to the town council on actions that will impact area stakeholders. The Community Development Board offers an opportunity for stakeholders to discuss ideas and thoughts that have the potential to increase community capacity and sustainability. Key

principals that will be employed to ensure the success of the Community Development Board are:

1. Ensure that community improvement projects undertaken within the town limits are in keeping with the adopted vision of the community
2. Encourage and promote active participation of all interested community members
3. Inform and advise the town council of upcoming projects and emerging ideas
4. Include and recognize the diverse interests and cultures of the community
5. Standardize the process of getting approval, manpower and/or funding from the Town
6. Provide a forum to discuss action strategies that work toward the long-term sustainability and well being of the community while providing a focal point for assisting new projects
7. Provide an ongoing centralized resource for community efforts, goals and available funding

Jurisdiction. The jurisdictional area of said Community Development Board is established to be the following area: All of the area within the town limits of the said Town of Whitehall, Montana' and any additional jurisdictional areas that may be now or in the future, established by the Town of Whitehall Growth Policy.

Number of Members. Said Community Development Board shall consist of (16) voting members, who shall be appointed in the following manner, to-wit:

- a. One member shall be appointed by the town council from its own membership and who shall be known as an "official member"
- b. One member from the Whitehall Chamber of Commerce to represent local business interests shall be appointed by the mayor;
- c. One member from the Whitehall Planning Board shall be appointed by the mayor;
- d. One member from the Jefferson Valley Community Foundation shall be appointed by the mayor;
- e. One member from a Whitehall financial institution shall be appointed by the mayor;
- f. One member from the Whitehall School system shall be appointed by the mayor;
- g. One member from the Jefferson Local Development Corporation (JLDC) shall be appointed by the mayor;
- h. One member from the Montana State University Extension Service shall be appointed by the mayor;
- i. One member from the Jefferson County Commission serving the precinct(s) covered by the Town of Whitehall shall be appointed by the mayor;
- j. One member from the from the Whitehall Walking Trails Committee shall be appointed by the mayor;
- k. Three youth members from the Whitehall School District boundaries shall be appointed by the mayor. When more applicants are available than seats, precedence shall be given so that a sophomore, a junior and a senior age student are on the board.

- I. Three at-large members from within the Whitehall School District boundaries shall be appointed by the mayor.

Term of Office for Official Members. Official members appointed to said Community Development Board shall have the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Term of Office for Citizen Members. Citizen members appointed to said Community Development Board shall be knowledgeable, experienced and have the pulse on Whitehall in matters that impact the development of the said Town of Whitehall. The term of office for all board members shall be for a period of two (2) years. The term for the appointee from the Jefferson County Commission will be the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Staggered Board Terms. After the first two years of operation, and at the conclusion of the original terms of office for all members, it is desirable to have the terms of members be staggered such that all members of the Community Development Board do not conclude their time of service concurrently. To provide consistency and continuity, the terms of members shall be staggered as follows:

- a. The Mayor of the Town of Whitehall will appoint seven (7) members for a one-year term beginning January 1, 2009 and continuing through December 31, 2010.
- b. The Mayor of the Town of Whitehall will appoint eight (8) members for a two-year term beginning January 1, 2009 and continuing through December 31, 2011.

At the conclusions of these terms of office and continuing into the future, all terms of office will be governed by the terms set forth in the Term of Office for Official Members and the Term of Office for Citizen Members as outlined above.

Quorum. A quorum of said Community Development Board shall be a majority of the eligible voting members.

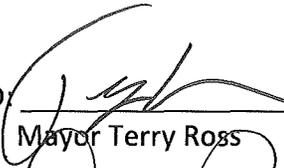
Appointment of Members. All members of the said Community Development Board shall be appointed within thirty (30) days prior to the beginning of the term they have been nominated to serve. The Community Development Board will submit a slate of nominees that adhere to the requirements set out above to the Mayor of Whitehall for consideration no later than sixty (60) days before the end of the term for current appointments.

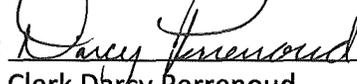
Election of Officers. At its first regular meeting in January of each year, said Community Development Board shall elect from its membership a chairperson, vice chairperson and secretary. The chairperson shall be responsible for coordinating the meeting agenda, conducting the meeting and be the liaison to the Town of Whitehall Town Council. The chair may appoint another member to serve as the liaison to the Town of Whitehall Town Council should the chair be unavailable or otherwise unable to perform his/her duties. The secretary will maintain a record of the minutes of the meeting.

Vacancies. Vacancies on the said Community Development Board during an unexpired term shall be filled for such unexpired term by the same appointing authority appointing the member whose vacancy is filled.

APPROVED by the Whitehall Town Council this 14th, day of December, 2009.

AYES: 04 NAYES: ~~00~~ ABSENT: 02

SIGNED:  12-14-2009
Mayor Terry Ross

ATTEST:  12-14-2009
Clerk Darcy Perrenoud

RESOLUTION NO. 20-09

**A RESOLUTION OF INTENT BY THE WHITEHALL PLANNING BOARD
RECOMMENDING TO THE WHITEHALL TOWN COUNCIL THE ADOPTION OF
THE 2009 TOWN OF WHITEHALL GROWTH POLICY.**

WHEREAS: The Whitehall Town Council tasked the Planning Board, pursuant to MCA 76-1-106, with the preparation of a Growth Policy for the Town, and;

WHEREAS: GreatWest Engineering was hired to aid in the preparation of the growth policy, and;

WHEREAS: The proposed Growth Policy addresses all of the statutory components of a Growth Policy to the extent acceptable to the Planning Board, and;

WHEREAS: The Town of Whitehall Planning Board conducted a public hearing soliciting comment on the proposed growth policy on December 7th, 2009, and;

WHEREAS: It is the intent of the Whitehall Community Development Board and the Whitehall Planning Board to review and update the growth policy annually, and;

NOW THEREFORE BE IT RESOLVED, by the Whitehall Planning Board to recommend to the Whitehall Town Council the adoption of the proposed 2009 Town of Whitehall Growth Policy.

AYES: 5 NAYES: 0 ABSTAIN: 0
ABSENT: 0

[Signature] 12/07/09
Chair Person Date

Acting [Signature] 12/07/2009
Attest : Date

ORIGINAL

RESOLUTION 19-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL, MONTANA, COUNTY OF JEFFERSON, SIGNIFYING THE TOWN OF WHITEHALL'S DETERMINATION TO INCUR ELECTORAL DEBT TO ASSUME THE CONSTRUCTION DEBT OF THE WHITEHALL COMMUNITY POOL FROM POOL PALS, INC.; CALLING A SPECIAL ELECTION FOR THE PURPOSE OF OBTAINING THE CONSENT OF THE ELECTORATE; AND APPROVING THE CONTENT AND FORM OF A NOTICE OF ELECTION.

WHEREAS, the Town of Whitehall desires to preserve the integrity and accessibility of the Whitehall Community Pool for the benefit of the residents of Whitehall; and

WHEREAS, on April 23rd, 2003 Pool Pals, Inc. entered into an agreement with the Town of Whitehall in which they leased property from the Town for a period of twenty five (25) years in order to reconstruct and maintain a pool; and

WHEREAS, Pool Pals, Inc. secured the initial funding for the construction of the pool; and

WHEREAS, Pool Pals, Inc. now wishes for the Town to relieve them of the construction debt; and

WHEREAS, the initial funding for the construction of the pool was secured with an interest rate of 8.75%; and

WHEREAS, it would be beneficial to lower the current interest rate; and

WHEREAS, if approved, the annual payment would be paid for out of the general fund, negating the need to levy additional taxes, and;

WHEREAS, Pool Pals, Inc. agrees to relinquish their property lease back to the Town of Whitehall, thereby consolidating title to the pool property; and

WHEREAS, in furtherance thereof, the Town of Whitehall desires to incur electoral debt in the amount of \$99,893.89 for the purpose of relieving Pool Pals, Inc. of their interests in the pool and to reduce the current interest rate held on the construction note for the Whitehall Community Pool; and

WHEREAS, the Town of Whitehall desires to call an election to obtain the voters' consent for incurring such debt; and

WHEREAS, the Town of Whitehall desires to approve the content and form of a notice of election; and

WHEREAS, the Town of Whitehall is authorized to incur such debt under MCA 7-16-4104;

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

- I. The Town of Whitehall hereby determines that it is advisable to make an increase in the debt of the Town of Whitehall with the consent of the electorate, in the amount of \$99,893.89 to be used to assume the construction note of the Whitehall Community Pool from Pool Pals, Inc. while also securing a lower interest rate.
- II. The Town of Whitehall hereby calls an election, to be held by mail ballot on March 9th, 2010 for the purpose of obtaining the consent of the electorate to incur the debt set forth in Section I of this resolution.
- III. The Town of Whitehall hereby approves the following content and form of notice of the election:

"The Town of Whitehall, MT, County of Jefferson, hereby calls an election for its registered electors to be held by mail ballot on March 9th, 2010 to obtain the approval of the electorate for the Town of Whitehall to incur electoral debt in the amount of \$99,983.89 for the purposes of consolidating title to the pool property by assuming the construction debt of the Whitehall Community Pool from Pool Pals, Inc. and to reduce the current interest rate held on the construction note of the Whitehall Community Pool." The question to be submitted to the voters at the election shall be in the following form:

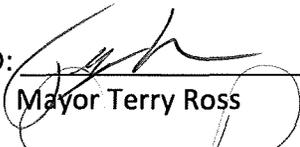
"Shall the Town of Whitehall be authorized to incur debt as approved by the electors, in the amount of \$99,893.89 for the purposes consolidating title to the pool property by assuming the construction debt of the Whitehall Community Pool from the non-profit organization known as Pool Pals, Inc. and to reduce the current interest rate held on the construction note of the Whitehall Community Pool?"

AYE 03 **NAYE** 00 **ABSTAIN** 01

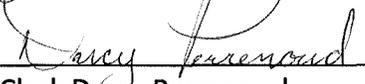
IV. This resolution shall be effective immediately upon adoption.

RESOLVED by the Whitehall Town Council this 14th day of December, 2009.

AYES: 03 NAYES: 0 ABSENT: 02 ABSTAIN: 01

SIGNED: 

Mayor Terry Ross

ATTEST: 

Clerk Darcy Perrenoud

12-14-2009

Note Inquiry
Basic Note Data

Next Display: 2

50-0705-1
SB8AMCA1

15:46:19

Note number: 931534035 - 003 G 01

Short name: POOL PALS INC

-----Customer Data-----

POOL PALS INC
PO BOX 723
WHITEHALL MT 59759-0723

-----Balance Data-----

Amount: 120,000.00
Principal bal: 99,893.89
Interest bal: 874.07
Y/O: 12-14-09 100,767.96
Avail for disb: .00

Contact/Title:
Tax ID: 71-0931534

-----Interest Data-----

Int rate: P+ .5000 3.7500
Daily int factor: 10.405613

Home phone: 00-000-0000
Business phone: 00-000-0000
Officer: RHM

-----Dates-----

Note date: 9-21-06
Last renewed:
Maturity date: 12-21-09
Last active: 9-23-09
Last paid installment: 9-21-08
Interest paid-to date: 9-21-09

-----Next Payment Data-----

Next due date: 12-21-09
Next pmt amount: 100,840.80
Total past due amt: .00

-----Sold Data-----

Percentage sold: .0000
Total sold: .00

F3=Exit F7=Print history F8=Participation inquiry F24=More keys

RECEIVED DEC 14 2009

RESOLUTION NO. 18-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL,
MT ADOPTING AND APPROVING A WAGE INCREASE FOR EMPLOYEES
OF THE TOWN OF WHITEHALL.**

WHEREAS the Whitehall Town Council has budgeted for a 2.5% wage increase for FY 2010 and;

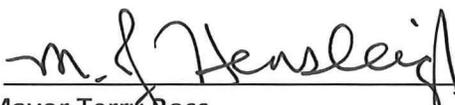
WHEREAS the Whitehall Pool Commission sets pay rates for all pool employees and;

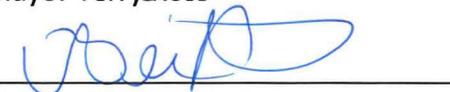
WHEREAS this wage increase is retroactive to July 1, 2009,

NOW, THEREFORE BE IT HEREBY RESOLVED by the Town Council of the Town of Whitehall, Montana, that all public works and administration employees and Whitehall Volunteer Ambulance personnel for the Town of Whitehall shall receive a pay increase in the amount of 2.5%, retroactive to July 1st, 2009. Be it also resolved that the Whitehall Community Pool employees shall be exempt from this increase.

APPROVED by the Whitehall Town Council this 19th day of October 2009.

AYES: 02 NAYES: 03 ABSENT: 01

SIGNED: 
Mayor Terry Ross

ATTEST: 
Clerk Darcy Perrenoud

Resolution
Failed
10/19/2009

RESOLUTION 17-09

A resolution of the Town Council of the Town of Whitehall, Montana relating to the approval of the FY 2010 final budget and mill levy.

BE IT RESOLVED by the Town Council of the Town of Whitehall, Montana, County of Jefferson, State of Montana, that the Town Council approves the FY 2010 final budget in the amount of Four Hundred Ninety Four Thousand, Seven Hundred Fifty One dollars and no cents (\$494,751), establishing a mill levy of 108.05.

PASSED AND APPROVED THIS 19th DAY OF OCTOBER, 2009.

AYES: 03 NAYES: 02 ABSENT: 01


_____, 10-19-2009
Mayor Terry Ross Date


_____, 10-19-2009
Clerk/Treasurer Darcy Perrenoud Date

RESOLUTION NO. 16-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL,
MT ADOPTING AND APPROVING A WAGE INCREASE FOR EMPLOYEES
OF THE TOWN OF WHITEHALL.**

WHEREAS the employees of the Town of Whitehall have requested a 5% wage increase for FY 2010 and;

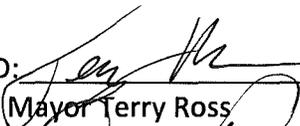
WHEREAS the Whitehall Pool Commission sets pay rates for all pool employees and;

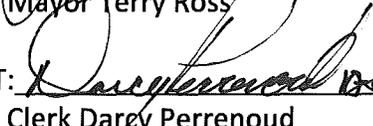
WHEREAS this wage increase is retroactive to July 1, 2009,

NOW, THEREFORE BE IT HEREBY RESOLVED by the Town Council of the Town of Whitehall, Montana, that all public works and administration employees and Whitehall Volunteer Ambulance personnel for the Town of Whitehall shall receive a pay increase in the amount of 5%, retroactive to July 1st, 2009. Be it also resolved that the Whitehall Community Pool employees shall be exempt from this increase.

APPROVED by the Whitehall Town Council this 19th day of October 2009.

AYES: 03 NAYES: 02 ABSENT: 01

SIGNED:  10-19-09
Mayor Terry Ross

ATTEST:  10-19-09
Clerk Darzy Perrenoud

RESOLUTION 15-09

A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA CLARIFYING THE ONGOING OPERATION OF THE WHITEHALL COMMUNITY DEVELOPMENT BOARD

Sections:

- Community Development Board
- Purposes and Objectives of the Board
- Jurisdiction
- Number of Members
- Term of Office for Official Members
- Term of Office for Citizen Members
- Staggered Board Terms
- Quorum
- Appointment of Members
- Election of Officers
- Vacancies

The Community Development Board. There is a Town Community Development Board of the Town of Whitehall, Montana established by Resolution 11-07 dated December 7th, 2007 which is known as "The Whitehall Community Development Board", but the same shall be referred to herein as "Community Development Board".

Purposes and Objectives of the Board. The Community Development Board is an advisory board to the Town of Whitehall leadership to develop Whitehall into a community that adheres to the tenets of the Whitehall Vision Statement.

"Whitehall is a vibrant, centrally located rural community embracing change to ensure a safe, high quality of life for all generations and a community that attracts our youth back home. We celebrate our strengths as a diverse, sustainable, resource-based community of natural beauty nestled in the mountains. We will achieve our full potential by maintaining our traditional caring and friendly atmosphere, spiritual strength and positive attitude to provide everyone the opportunity for prosperity."

The board oversees the implementation of the Whitehall Community Development Action Plan and serves as an information conduit between area stakeholders and the community leadership. The board is a comprehensive approach to managing community change by involving citizens in a shared vision of the future and serves to advise and make recommendations to the town council on actions that will impact area stakeholders. The Community Development Board offers an opportunity for stakeholders to discuss ideas and thoughts that have the potential to increase community capacity and sustainability. Key

principals that will be employed to ensure the success of the Community Development Board are:

1. Ensure that community improvement projects undertaken within the town limits are in keeping with the adopted vision of the community
2. Encourage and promote active participation of all interested community members
3. Inform and advise the town council of upcoming projects and emerging ideas
4. Include and recognize the diverse interests and cultures of the community
5. Standardize the process of getting approval, manpower and/or funding from the Town
6. Provide a forum to discuss action strategies that work toward the long-term sustainability and well being of the community while providing a focal point for assisting new projects
7. Provide an ongoing centralized resource for community efforts, goals and available funding

Jurisdiction. The jurisdictional area of said Community Development Board is established to be the following area: All of the area within the town limits of the said Town of Whitehall, Montana' and any additional jurisdictional areas that may be now or in the future, established by the Town of Whitehall Growth Policy.

Number of Members. Said Community Development Board shall consist of (15) voting members, who shall be appointed in the following manner, to-wit:

- a. One member shall be appointed by the town council from its own membership and who shall be known as an "official member."
- b. One member from the Whitehall Chamber of Commerce to represent local business interests shall be appointed by the mayor.
- c. One member from the Whitehall Planning Board shall be appointed by the mayor.
- d. One member from the Jefferson Valley Community Foundation shall be appointed by the mayor.
- e. One member from a Whitehall financial institution shall be appointed by the mayor.
- f. One member from the Whitehall School system shall be appointed by the mayor.
- g. One member from the Jefferson Local Development Corporation (JLDC) shall be appointed by the mayor.
- h. One member from the Montana State University Extension Service shall be appointed by the mayor.
- i. One member from the Jefferson County Commission serving the precinct(s) covered by the Town of Whitehall shall be appointed by the mayor.
- j. Three youth members from the Whitehall School District boundaries shall be appointed by the mayor. When more applicants are available than seats, precedence shall be given so that a sophomore, a junior and a senior age student are on the board.
- k. Three at-large members from within the Whitehall School District boundaries shall be appointed by the mayor.

Term of Office for Official Members. Official members appointed to said Community Development Board shall have the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Term of Office for Citizen Members. Citizen members appointed to said Community Development Board shall be knowledgeable, experienced and have the pulse on Whitehall in matters that impact the development of the said Town of Whitehall. The term of office for all board members shall be for a period of two (2) years. The term for the appointee from the Jefferson County Commission will be the term of office thereon coextensive with the term of public office for which said appointee has been elected or appointed.

Staggered Board Terms. After the first two years of operation, and at the conclusion of the original terms of office for all members, it is desirable to have the terms of members be staggered such that all members of the Community Development Board do not conclude their time of service concurrently. To provide consistency and continuity, the terms of members shall be staggered as follows:

- a. The Mayor of the Town of Whitehall will appoint seven (7) members for a one-year term beginning January 1, 2009 and continuing through December 31, 2010.
- b. The Mayor of the Town of Whitehall will appoint eight (8) members for a two-year term beginning January 1, 2009 and continuing through December 31, 2011.

At the conclusions of these terms of office and continuing into the future, all terms of office will be governed by the terms set forth in the Term of Office for Official Members and the Term of Office for Citizen Members as outlined above.

Quorum. A quorum of said Community Development Board shall be a majority of the eligible voting members.

Appointment of Members. All members of the said Community Development Board shall be appointed within thirty (30) days prior to the beginning of the term they have been nominated to serve. The Community Development Board will submit a slate of nominees that adhere to the requirements set out above to the Mayor of Whitehall for consideration no later than sixty (60) days before the end of the term for current appointments.

Election of Officers. At its first regular meeting in January of each year, said Community Development Board shall elect from its membership a chairperson, vice chairperson and secretary. The chairperson shall be responsible for coordinating the meeting agenda, conducting the meeting and be the liaison to the Town of Whitehall Town Council. The chair may appoint another member to serve as the liaison to the Town of Whitehall Town Council should the chair be unavailable or otherwise unable to perform his/her duties. The secretary will maintain a record of the minutes of the meeting.

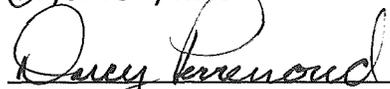
Vacancies. Vacancies on the said Community Development Board during an unexpired term shall be filled for such unexpired term by the same appointing authority appointing the member whose vacancy is filled.

APPROVED by the Whitehall Town Council this 9th, day of November, 2009.

AYES: 04 NAYES: 0 ABSENT: 02

SIGNED: 

Mayor Terry Ross

ATTEST: 

Clerk Darcy Perrenoud

USDA
Form RD 1942-47
(Rev. 12-97)

LOAN RESOLUTION 14-09
(Public Bodies)

FORM APPROVED
OMB NO. 0575-0015

A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA

OF THE MUNICIPALITY

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

TOWN OF WHITEHALL EMERGENCY MEDICAL SERVICES BUILDING

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the TOWN OF WHITEHALL

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

N/A

pursuant to the provisions of N/A; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Mayor of the TOWN OF WHITEHALL

hereby certify that the Town Council of such Association is composed of

06 members, of whom 04, constituting a quorum, were present at a meeting thereof duly called and

held on the 10th day of August, 2009; and that the foregoing resolution was adopted at such meeting

by the vote shown above. I further certify that as of _____, the date of closing of the loan from the Government, said resolution remains in effect and has not been rescinded or amended in any way.

Dated, this _____ day of _____.



Title Mayor

RESOLUTION NO. 13-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
WHITEHALL, MONTANA, COUNTY OF JEFFERSON ENCOURAGING
THE PRESERVATION OF THE DOWNTOWN AREA BURNED IN THE
MARCH 6TH, 2009 FIRE.**

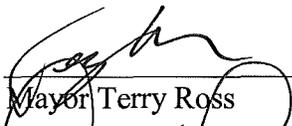
WHEREAS: Legion Avenue and the businesses that inhabit it are an integral part of Whitehall's vitality, and;

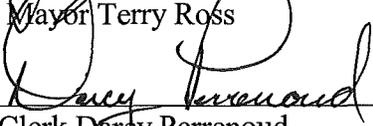
WHEREAS: It is the intent of the Whitehall Town Council to provide support for the preservation of the downtown district either through preserving the original structures or rebuilding via period construction;

NOW THEREFORE BE IT RESOLVED, that the Town of Whitehall hereby supports all efforts to maintain and/or rebuild the affected buildings in a way that best preserves the historic integrity of the downtown district.

APPROVED by the Whitehall Town Council this 27th day of July, 2009.

AYES: _____ NAYES: _____ ABSENT: _____

SIGNED:  _____
Mayor Terry Ross

ATTEST:  _____
Clerk Darcy Perrenoud

LOAN RESOLUTION 12-09
(Public Bodies)

A RESOLUTION OF THE Town Council

OF THE Whitehall, Town Of

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS Sewer FY 09

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO

WHEREAS, it is necessary for the Whitehall, Town Of
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

THREE MILLION AND XX / 100 DOLLARS (\$3,000,000.00)

pursuant to the provisions of _____ ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Mayor of the Whitehall, Town Of

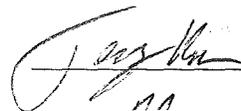
hereby certify that the Town Council of such Association is composed of

6 members, of whom 04 constituting a quorum, were present at a meeting thereof duly called and

held on the 13th day of July, 2009 ; and that the foregoing resolution was adopted at such meeting

by the vote shown above, I further certify that as of _____, the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been rescinded or amended in any way.

Dated, this _____ day of _____, _____



Title Mayor

RESOLUTION NO. 11-09

THE TOWN OF WHITEHALL, MONTANA

A RESOLUTION TO AUTHORIZE APPROPRIATION OF FUNDS FOR THE WASTEWATER IMPROVMENTS PROJECT.

WHEREAS, the Town of Whitehall (Town) has received:

Montana Department of Natural Resources and Conservation (DNRC) Renewable Resource Grant and Loan funds in the amount of \$100,000; and

Montana Treasure State Endowment Program funds in the amount of \$750,000; and

Water Resource Development Act (WRDA) funds in the amount of \$230,000

For which no provision was made in the Town's fiscal 2008/2009 budget; and

WHEREAS, Town's may appropriate federal or state money received during the fiscal year by formal resolution;

That the Town commits to provide matching funds in the amount of \$170,000 from Town reserves; and

NOW THEREFORE, BE IT RESOLVED that the Town of Whitehall hereby appropriate the sum of \$1,250,000 and directs the Clerk/Treasurer to allocate said amount to the following programs and objects:

SOURCE	EXPENDITURE CODE	ADMINISTRATIVE COSTS	ACTIVITY COSTS
Town Reserves	5310-430630-110		\$10,000 (Cleaning & Video Inspect Sewers)
	5310-430610-900		\$5,000 (Land Acquisition Services)
	5310-430610-900		\$10,000 (Right-Of-Way & Permit Services)
	5310-430610-900		\$12,500 (Environmental Services)
	5310-430660-900		\$70,000 (Basic Engineering Services)
	5310-430640-900		\$62,500 (Construction)
DNRC Grant 7360-000-334121	5311-480000-900		\$100,000 (Construction)
TSEP Grant	5311-470410-110	\$4,000 (Personnel Costs)	\$400,000 (Land Acquisition)
7360-000-334120	5311-470420-900		
	5311-470410-220	\$5,000 (Office Costs)	\$155,750 (Construction)
	5311-470440-900		
	5311-470430-900	\$25,000 (Professional Services)	\$135,000 (Contingency)
	5311-470440-900		
	5311-470410-380	\$1,000 (Training)	
	5311-470450-351	\$8,250 (Legal)	
	5311-470450-352	\$12,000 (Bond Council)	
	5311-470410-353	\$4,000 (Auditing Costs)	
WRDA Grant	5311-430661-900	\$4,000 (Professional Services)	\$5,000 (Cleaning & Video Inspect Sewers)
	5311-430631-110		
	5311-430611-900		\$25,000 (Land Acquisition Services)
	5311-430661-900		\$196,000 (Basic Engineering Services)
TOTALS		\$63,250	\$1,186,750

BE IT FURTHER RESOLVED that the above appropriation shall become effective on June 15th, 2009.

Town of Whitehall

By Terry Ross
Terry Ross, Mayor

ATTEST: Darcy Perreault
Darcy Perreault, Clerk

**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
EMPLOYEE BENEFITS
PROGRAM AGREEMENT**

WHEREAS, the City/Town of Whitehall (Member Entity) is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may (a) cooperate in the exercise of any function, power, or responsibility with, (b) share the services of any officer or facilities with, and (c) transfer or delegate any function, power responsibility, or duty of any officer to one or more other local government units, the state or the United States;

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the Interlocal Cooperation Act) authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform;

WHEREAS, Mont. Code Ann. § 2-18-702, authorizes cities and towns to enter into group hospitalization, medical, health, including long-term disability, accident or group life insurance contracts or plans for the benefit of their officers and employees and their dependents;

WHEREAS, Mont. Code Ann. § 2-18-711, permits the establishment of group programs by local government entities to provide employee group benefits;

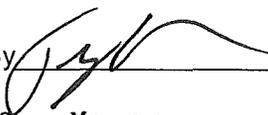
WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement;

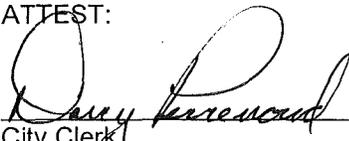
WHEREAS, by executing this Program Agreement, the Member Entity signatory hereto has heretofore determined and does hereby confirm that the Assessments and other charges required by the Employee Benefits Program have been and are just and reasonable and advantageous to the public benefit of the citizens of such Member Entity; and

NOW THEREFORE, BE IT RESOLVED THAT the City/Town of Whitehall, MT hereby approves and adopts this Employee Benefits Program Agreement.

Adopted this 13th day of April 2009.

By 
Its Mayor

ATTEST:


City Clerk

**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
AMENDED AND RESTATED
PROPERTY PROGRAM AGREEMENT**

WHEREAS, the City/Town of Whitehall, MT (Member Entity) is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power responsibility, or duty of any officer to one or more other local government units, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the Interlocal Cooperation Act) authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State to procure insurance separately or jointly with other subdivisions, and to use a deductible or self-insurance plan, wholly or in part; and

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement;

WHEREAS, by executing this First Amended Property Program Agreement, the Member Entity signatory hereto has heretofore determined and does hereby confirm that the Assessments and other charges required by the Property Program have been and are just and reasonable and advantageous to the public benefit of the citizens of such Member Entity; and,

NOW THEREFORE, BE IT RESOLVED THAT the City/Town of Whitehall, MT hereby approves and adopts this Amended and Restated Property Program Agreement.

Adopted this 13th day of April 2009.

By 

Its Mayor

ATTEST:



City Clerk

**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
AMENDED AND RESTATED
LIABILITY COVERAGE PROGRAM AGREEMENT**

WHEREAS, the City/Town of Whitehall, MT (Member Entity) is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power, responsibility, or duty of any officer to one or more other local government units, school districts, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the "Interlocal Cooperation Act") authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State to procure insurance separately or jointly with other subdivisions, and to use a deductible or self-insurance plan, wholly or in part; and

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement; and

WHEREAS, by executing this Revised and Restated Liability Program Agreement the Member Entity signatory hereto has heretofore determined and does hereby confirm that the Assessments and other charges required by the Liability Program have been and are just and reasonable and advantageous to the public benefit of the citizens of such Member Entity; and,

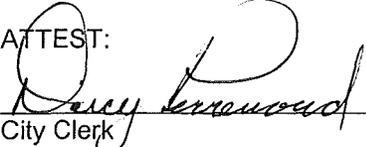
NOW, THEREFORE, BE IT RESOLVED THAT the City/Town of Whitehall, MT hereby approves and adopts this Amended and Restated Liability Coverage Program Agreement.

Adopted this 13th day of April 2009.

By 

Its Mayor

ATTEST:


City Clerk

**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
REVISED AND RESTATED WORKERS' COMPENSATION
PROGRAM AGREEMENT**

WHEREAS, the City/Town of Whitehall, MT (Member Entity) is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power responsibility, or duty of any officer to one or more other local government units, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the Interlocal Cooperation Act) authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State to procure insurance separately or jointly with other subdivisions, and to use a deductible or self-insurance plan, wholly or in part; and

WHEREAS, Mont. Code Ann. § 39-71-403, authorizes public corporations, which term includes cities and towns, to self-insure, either separately or jointly with other public corporations for workers' compensation coverage;

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement;

WHEREAS, by executing this Revised and Restated Workers' Compensation Program Agreement, the Member Entity signatory hereto has heretofore determined and does hereby confirm that the Assessments and other charges required by the Workers' Compensation Program have been and are just and reasonable and advantageous to the public benefit of the citizens of such Member Entity; and,

NOW THEREFORE, BE IT RESOLVED THAT the City/Town of Whitehall, MT hereby approves and adopts this Revised and Restated Workers' Compensation Program Agreement with a delayed effective date of September 1, 2010.

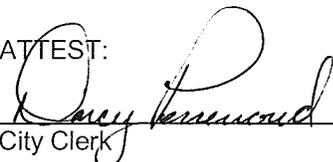
Adopted this 13th day of April 2009.

By



Its Mayor

ATTEST:



City Clerk

RESOLUTION 06-09
**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
REVISED AND RESTATED
INTERLOCAL AGREEMENT**

WHEREAS, the City/Town of Whitehall, MT (Member Entity) is, duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power, responsibility, or duty of any officer to one or more other local government units, school districts, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the "Interlocal Cooperation Act") authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each of them is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State, separately or jointly with other subdivisions, to procure insurance to use a deductible or self-insurance plan, wholly or in part, and to establish a self-insurance or deductible reserve fund; and

WHEREAS, Mont. Code Ann. § 2-9-211 authorizes political subdivisions or a board created pursuant to an interlocal agreement, acting on behalf of such political subdivisions to issue and sell bonds or notes for the purposes of funding a self-insurance or deductible reserve fund; and

WHEREAS, Mont. Code Ann. § 2-18-702, authorizes cities and towns to enter into group hospitalization, medical, health, including long-term disability, accident or group life insurance contracts or plans for the benefit of their officers and employees and their dependents; and

WHEREAS, Mont. Code Ann. § 2-18-711, permits the establishment of group programs by local government entities to provide employee group benefits; and

WHEREAS, Mont. Code Ann. § 39-71-403, authorizes public corporations, which term includes cities and towns, to self-insure, either separately or jointly with other public corporations for workers' compensation coverage; and

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is a joint exercise of powers entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement; and

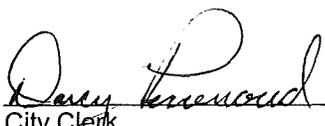
WHEREAS, the governing board of each Member Entity has determined that it is in its own best interest, and in the public interest that this Agreement be executed and that it participate as a member of the public entity created by this Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT the City/Town of Whitehall, MT hereby approves and adopts this Revised and Restated Interlocal Agreement.

Adopted this 13th day of April 2009.

By  _____
Its Mayor _____

ATTEST:



City Clerk

RESOLUTION NO. 05-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL, MONTANA, COUNTY OF JEFFERSON, CALLING TO SUBMIT TO THE ELECTORS OF THE TOWN OF WHITEHALL THE QUESTION OF LEVYING ANNUAL MILLS OF 19.12, RAISING APPROXIMATELY \$20,000 ANNUALLY, FOR A PERIOD NOT TO EXCEED 10 YEARS, FOR THE PURPOSE OF REPAYING A DEBT WITH THE STATE OF MONTANA BOARD OF INVESTMENTS INTERCAP LOAN PROGRAM FOR THE FINANCING OF THE WHITEHALL VOLUNTEER FIRE DEPARTMENT'S NEW FIRE ENGINE, AT THE NOVEMBER 3RD, 2009 REGULAR ELECTION.

WHEREAS, the Town Council of the Town of Whitehall, Montana has the authority, pursuant to MCA 15-10-425, to impose a new mill levy upon approval of a majority of the qualified electors by conducting an election in conjunction with a regular or primary election and;

WHEREAS, the Whitehall Volunteer Fire Department's current fire engine is over 20 years old and poses risks when in use and;

WHEREAS, the current fire engine has begun to fail on fire scenes, and the Town Council has deemed it necessary to upgrade its fire fighting apparatus and;

WHEREAS, due to the failing condition of the current fire engine, the Whitehall Town Council took immediate action to secure funding through the Montana State Board of Investments, Intercap loan program, for the purchase of a new fire engine, and;

WHEREAS, Town Council viewed the immediate purchase of a new fire engine necessary and beneficial to the safety of the community and;

WHEREAS, the debt service payments for the new fire engine would financially constrain the Town of Whitehall's general fund, and;

WHEREAS, the Town Council is asking the electorate to vote for a 19.12 mill levy to service the Intercap debt, with a total principal amount of \$150,000, for a term not to exceed 10 years

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

- 1) That on November 3rd, 2009, there will be an election held pursuant to 15-10-425, MCA, for registered voters who will decide whether or not to authorize the Town Council of the Town of Whitehall, Montana to approve levying annual mills in the amount of 19.12 mills for a period not to exceed 10 years, for debt service payments on the Whitehall Volunteer Fire Department's new fire engine.

- 2) If approved by the voters, additional property taxes in the amount of \$59.81 will be imposed annually on homes valued at \$100,000 and \$119.59 annually on homes valued at \$200,000.
- 3) That the Town Clerk of the Town of Whitehall, Montana is hereby authorized and directed to give notice of the call and details of the election to the Jefferson County Elections Administrator and the Elections Administrator is requested to prepare suitable ballots for the election. These ballots shall be presented to the voters during the regular election on November 3rd, 2009.

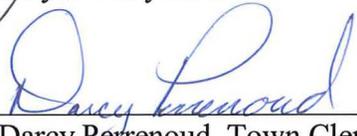
APPROVED by the Whitehall Town Council this 21st day of ^{May}~~March~~, 2009.

AYES: 4 NAYES: 0 ABSENT: 2

SIGNED: _____


Mayor Terry Ross

ATTEST: _____


Darcy Perrenoud, Town Clerk

RESOLUTION NO. 05-09

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL,
MONTANA, COUNTY OF JEFFERSON, DESIGNATING THE MONTH OF APRIL AS
OPEN BURNING WITHIN THE CORPORATE LIMITS OF THE TOWN.**

WHEREAS: The Town Council of the Town of Whitehall has historically designated the month of April as an open burning month and;

WHEREAS: April is a designated burning month by the State of Montana, Department of Environmental Quality and;

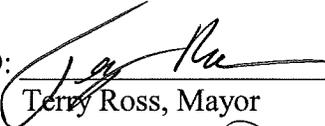
WHEREAS: Individuals wishing to burn must first obtain a State of Montana, Department of Natural Resources & Conservation Division of Forestry burn permit and;

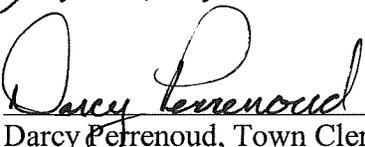
WHEREAS: Once a burn permit is obtained, the Jefferson County Sheriff's Department must be contacted, as instructed on the burn permits, to verify permissions;

NOW THEREFORE BE IT RESOLVED: By the Town Council of the Town of Whitehall, Montana, County of Jefferson that the month of April shall be designated as the open burning month within the Town of Whitehall, with the acquisition of a burn permit.

APPROVED by the Whitehall Town Council this 13th day of April, 2009.

AYES: 04 NAYES: 0 ABSENT: 02

SIGNED:  _____
Terry Ross, Mayor

ATTEST:  _____
Darcy Perrenoud, Town Clerk

RESOLUTION NO. 04-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL,
MONTANA, COUNTY OF JEFFERSON, TO AUTHORIZE AN AMENDMENT TO THE
FY09 GENERAL FUND BUDGET TO COVER REVENUES AND EXPENDITURES
ASSOCIATED WITH LANDSCAPING IMPROVEMENTS AT THE WHITEHALL
COMMUNITY POOL.

WHEREAS: The Town of Whitehall has been granted a \$45,000 matching grant from Fish, Wildlife & Parks in order to make improvements to the Whitehall Community Pool and;

WHEREAS: The Town guaranteed it had the necessary funds for the completion of the project and;

WHEREAS: The Town agreed to pay for all construction costs up front and then request 50% reimbursement and;

WHEREAS: The Whitehall Pool Board has recommended to the Whitehall Town Council a landscaping proposal in the amount of \$43,968 and;

WHEREAS: This expenditure was not previously budgeted for in the FY 09 general fund budget and;

WHEREAS: The FY09 general fund budget has reserves of \$240,734.24 which will be used to temporarily cover the costs associated with the pool landscaping and;

WHEREAS: Chris Wagner of Wagner Nursery and Landscaping has committed to donating \$21,984 to the Pool Pals for the purpose of landscaping at the Whitehall Community Pool and;

WHEREAS: Pool Pals have committed to donating that \$21,984 to the Town of Whitehall for the purpose of covering the expenditures associated with the landscaping at the Whitehall Community Pool;

NOW THEREFORE BE IT RESOLVED: The Town Council of the Town of Whitehall, Montana has amended the FY09 general fund budget to include an expenditure of \$43,968 in order to landscape the Whitehall Community Pool and revenues of \$21,984 from donations, for the purpose of landscaping at the Whitehall Community Pool.

Expenditure Code: 1000-460445-350 \$43,968.00

Revenue Code: 1000-365000 \$21,984.00

APPROVED by the Whitehall Town Council this 21st day of ~~April~~^{May}, 2009.

AYES: 4 NAYES: 0 ABSENT: 2

SIGNED: _____

Terry Ross, Mayor

ATTEST: _____

Darcy Perrenoud, Town Clerk

RESOLUTION NO. 03-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL, MONTANA, COUNTY OF JEFFERSON, TO AUTHORIZE THE SUBMISSION OF A STATE OF MONTANA BOARD OF INVESTMENTS INTERCAP APPLICATION FOR THE PURPOSE OF FINANCING A FIRE ENGINE FOR THE WHITEHALL VOLUNTEER FIRE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$200,000 FOR A TERM NOT TO EXCEED 15 YEARS.

WHEREAS, the Town Council of the Town of Whitehall, Montana has the authority, pursuant to MCA 7-7-4104, to contract an indebtedness on behalf of the town, upon the credit of the town, for the purpose of purchasing fire apparatus and;

WHEREAS, the Town Council of the Town of Whitehall, Montana finds there to be sufficient yearly revenues within the general fund to repay the debt over a fifteen year period and;

WHEREAS, the Town Council of the Town of Whitehall, Montana recognizes the importance of the Whitehall Volunteer Fire Department and;

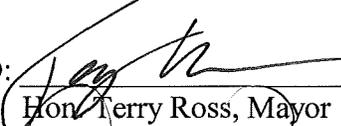
WHEREAS: the Town of Whitehall Volunteer Fire Department's current fire engine is over 20 years old and deteriorating and;

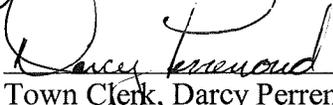
WHEREAS: the Town Council of the Town of Whitehall, Montana views the purchase of a new fire engine to be both necessary and beneficial to the community,

NOW THEREFORE BE IT RESOLVED that the Whitehall Town Council authorizes the submission of a State of Montana Board of Investments Intercap Program application for the purpose of financing a fire engine over a fifteen year term, in an aggregate principal amount not to exceed \$200,000.

APPROVED by the Whitehall Town Council this 09th day of March, 2009.

AYES: 04 NAYES: 0 ABSENT: 02

SIGNED: 
Hon. Terry Ross, Mayor

ATTEST: 
Town Clerk, Darcy Perrenoud

RESOLUTION NO. 02-09

A RESOLUTION RAISING THE TOWN OF WHITEHALL SEWER UTILITY BASE RATE FROM \$6.90 PER MONTH TO \$12.00 PER MONTH.

WHEREAS: The State of Montana/Department of Environmental Quality has imposed new testing requirements for the Town of Whitehall's discharged wastewater into Big Pipestone Creek and;

WHEREAS: The Whitehall Town Council has determined it necessary to increase sewer utility rates to help off-set these costs and;

WHEREAS: The Town of Whitehall is proposing a new wastewater facility and;

WHEREAS: This new wastewater facility will be accompanied by higher rates by the time of its completion and;

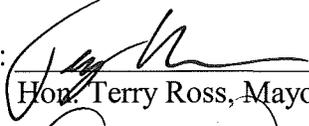
WHEREAS: It is the intent of the Whitehall Town Council to begin strategically increasing the sewer utility rate to become compensatory with the end project target rate and;

WHEREAS: The Whitehall Town Council held public hearings on February 23rd, 2009 and March 9th, 2009 to obtain input on raising the rates:

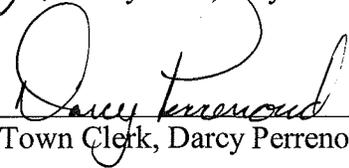
NOW THEREFORE BE IT RESOLVED: That the Whitehall Town Council has determined it necessary to raise the base sewer utility rate from \$6.90 per month to \$12.00 per month effective March 09th, 2009.

DATED this 09th day of March, 2009.

SIGNED: _____


Hon. Terry Ross, Mayor

ATTEST: _____


Town Clerk, Darcy Perrenoud

RESOLUTION NO. 01-09

WHEREAS: The Town of Whitehall Ambulance service is in need of a bigger building for its operations, and;

WHEREAS: The best available funding for construction of a new building is through The United States Department of Agriculture, Rural Development Office, and;

WHEREAS: The Rural Development Office requires a resolution if indebtedness be passed by the Town of Whitehall, and;

WHEREAS: A resolution of indebtedness does not bind the Town of Whitehall into any particular debt obligation, and;

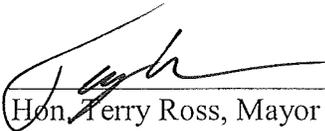
WHEREAS: it is the intent of the Town of Whitehall to pursue any and all funding sources in support of the need of its ambulance to construct a new building, including but not limited to funding through the United States Department of Agriculture, Rural Development Office.

NOW THEREFORE BE IT RESOLVED:

1. That it is the intent of the Town of Whitehall, acting through its duly elected Town Council to incur debt as necessary to construct a new emergency medical service building.

DATED this 09th day of February, 2009

SIGNED: _____


Hon. Terry Ross, Mayor

ATTEST: _____


Town Clerk

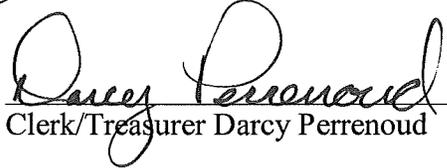
RESOLUTION 04-08

A resolution of the Town Council of the Town of Whitehall, Montana relating to the approval of the 2008/2009 final budget and mill levy.

BE IT RESOLVED by the Town Council of the Town of Whitehall, Montana, County of Jefferson, State of Montana, that the Town Council approves the 2008/2009 final budget in the estimated amount of Three Hundred Forty Nine Thousand Four Hundred Fifty Eight dollars and no cents (\$349,458).

PASSED AND APPROVED THIS 08th DAY OF SEPTEMBER, 2008


_____, 9-8-08
Mayor Terry Ross Date


_____, 9-08-2008
Clerk/Treasurer Darcy Perrenoud Date

RESOLUTION NO. 03-08

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL,
MONTANA OF ITS INTENT TO PRE-APPROVE ALL WHITEHALL VOLUNTEER
AMBULANCE SERVICE RIDE-ALONGS.**

WHEREAS, The Town of Whitehall recognizes the need for individuals to fulfill a certain amount of ride-along hours in order to become an ambulance attendant;

WHEREAS, it is the intent of the Town of Whitehall to provide worker's compensation for all individuals serving in a ride-along capacity;

WHEREAS, The Town of Whitehall recognizes the need to maintain a current list of Whitehall Volunteer Ambulance Service ride-alongs;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that any individual fulfilling the ride-along requirement, must first provide written request to the Whitehall Town Council and gain approval.

PASSED AND ADOPTED by the Town Council of the Town of Whitehall this 19th day of May, 2008.

TOWN OF WHITEHALL

A handwritten signature in black ink, appearing to read "Terry Ross", is written over a solid horizontal line.

Terry Ross, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Darcy Perrenoud", is written over a solid horizontal line.

Darcy Perrenoud, Clerk-Treasurer

Resolution 02/08 In Support Of
Environmentally Responsible and Economically Important Mining

WHEREAS, mining is imperative to meet the consumptive needs of our nation, our state, our communities and families; and

WHEREAS, the state of Montana hosts economically viable mineral ore deposits that have helped to make mining a big part of our cultural and economic foundation; and

WHEREAS, the existing and proposed mining projects in our area do and will operate under the watchful eye of regulatory agencies and have and must meet or exceed the state and federal environmental standards set by society to assure that mining is environmentally sensitive and safe; and

WHEREAS, the hard-working individuals and families that make up our communities derive a direct benefit from environmentally responsible and profitable private mining activities in Montana, and

WHEREAS, Montana Tunnels is one of the largest private industrial job creators and wage generators in Jefferson County and currently employs 208 mining families with a living wage and benefits; and

WHEREAS, Montana Tunnels is one of Jefferson County's single largest taxpayers, contributing approximately \$1.6 million annually to the Jefferson County tax base, and while spending approximately \$25 million in Montana on goods and services annually, is critical to the retention of our retail, service, utility, city, county, and teaching jobs; and

WHEREAS, Montana Tunnels has, through necessary and lawful revisiting of their reclamation and operational planning since 1986, increased the reclamation bond held by the state from \$1.5 million to over \$18 million and will be posting additional bonding with approval of this permit expansion; and

WHEREAS, Montana Tunnels has been a respectable neighbor, conscientious steward and good corporate citizen that operates with an open door policy and is important to general philanthropy which benefits many organizations, civic groups and services.

NOW, THEREFORE BE IT RESOLVED, by the undersigned, that it be known by the citizens of this State that we are in support of mining such as that being done at the Montana Tunnels mine and support Montana Tunnels life-of-mine expansion request.

- They meet our vision of sustainability in that they provide for human kind today without compromising the ability of future generations to do the same.
- We acknowledge that mining such as that being done at the Montana Tunnels mine can be done under existing and ever improving state and federal law and meet the necessary safeguards for our important environment.

- The jobs that flow from these business endeavors are critically important to the social and economic well-being of our citizens and communities.
- The taxes paid by mining operations such as Montana Tunnels are important to sustain the operation of our local, county, and state governments, including our schools and all other essential services.

PASSED AND APPROVED THIS 31st DAY OF March 2008.


_____, 3-31-08
Mayor, Terry Ross Date


_____, 3-31-08
Clerk, Darcy Perrenoud Date

RESOLUTION 01/08

ESTABLISHING A PETTY CASH ACCOUNT FOR THE WHITEHALL VOLUNTEER AMBULANCE SERVICE

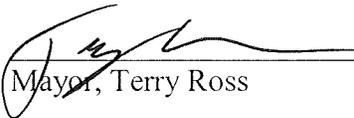
WHEREAS, in order to address the operational needs of the Whitehall Volunteer Ambulance Service, there are times when money needs to be available in the form of a petty cash account;

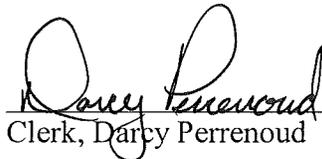
WHEREAS, the needs of the Whitehall Volunteer Ambulance Service could be met within appropriate accounting controls if the petty cash account were set at a maximum of seventy-five dollars (\$75.00) per each of the three ambulances.

NOW, THEREFORE, BE IT RESOLVED that the Town of Whitehall authorizes the creation of a petty cash account for the Whitehall Volunteer Ambulance Service.

There is hereby established an account in connection with the Whitehall Volunteer Ambulance Enterprise Fund, to be known as the petty cash account in a sum not to exceed seventy-five dollars (\$75.00) per ambulance for a total of two hundred twenty five dollars (\$225.00). The account shall be established by issuance of a warrant or check drawn upon the ambulance enterprise fund. Minor sums may be withdrawn from the petty cash account for payment or reimbursement upon proper receipts and in accordance with town policies and procedures. The account shall be replenished upon approval of vouchers by the Town Council in accordance with usual policy and procedure.

PASSED AND APPROVED THIS 14th DAY OF April 2008.


_____, 4-14-08
Mayor, Terry Ross Date


_____, 4-14-08
Clerk, Darcy Perrenoud Date