

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of Madison County, Montana (the "County"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS SUBMITTING TO THE QUALIFIED ELECTORS OF MADISON COUNTY, MONTANA THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF TEN MILLION DOLLARS (\$10,000,000), FOR THE PURPOSE OF DESIGNING, CONSTRUCTING AND EQUIPPING A COUNTY LAW AND JUSTICE CENTER TO INCLUDE IMPROVED AND SECURE JUSTICE AND DISTRICT COURT SERVICES, COUNTY ATTORNEY, VICTIM ADVOCACY, PROBATION, SHERIFF'S OFFICE, COUNTY JAIL AND 9-11 EMERGENCY SERVICES, AND AN ADDITION TO THE COUNTY COURTHOUSE TO CENTRALIZE COUNTY SERVICES, EXPAND CLERK AND RECORDER SECURE STORAGE AND MAKE IMPROVEMENTS TO THE BUILDING TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS, AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS" (the "Resolution"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a regular meeting on July 24, 2007, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: \_\_\_\_\_  
\_\_\_\_\_ ; voted against the same: \_\_\_\_\_  
\_\_\_\_\_ ; abstained from voting thereon: \_\_\_\_\_  
\_\_\_\_\_ ; or were absent: \_\_\_\_\_  
\_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_ day of July, 2007.

(SEAL)

\_\_\_\_\_  
County Clerk and Recorder

RESOLUTION NO. 18-2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS SUBMITTING TO THE QUALIFIED ELECTORS OF MADISON COUNTY, MONTANA THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN THE AMOUNT OF TEN MILLION DOLLARS (\$10,000,000), FOR THE PURPOSE OF DESIGNING, CONSTRUCTING AND EQUIPPING A COUNTY LAW AND JUSTICE CENTER TO INCLUDE IMPROVED AND SECURE JUSTICE AND DISTRICT COURT SERVICES, COUNTY ATTORNEY, VICTIM ADVOCACY, PROBATION, SHERIFF'S OFFICE, COUNTY JAIL AND 9-11 EMERGENCY SERVICES, AND AN ADDITION TO THE COUNTY COURTHOUSE TO CENTRALIZE COUNTY SERVICES, EXPAND CLERK AND RECORDER SECURE STORAGE AND MAKE IMPROVEMENTS TO THE BUILDING TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS, AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

RECITALS

WHEREAS, the board of county commissioners of a county may issue bonds on the credit of the county for the purpose of constructing, erecting, or acquiring by purchase necessary public buildings within the county, under its control and authorized by law; making additions to and repairing buildings; and furnishing and equipping the same, upon approval of the electorate of the county; and

WHEREAS, the Board of County Commissioners (the "Board") of Madison County, Montana (the "County"), has determined that there should be submitted to the electors of the County qualified to vote at bond elections the question of whether or not the Board shall be authorized to issue and sell bonds of the County in order to obtain funds for the purpose of designing, constructing and equipping a county law and justice center to include improved and secure justice and district court services, county attorney, victim advocacy, probation, sheriff's office, county jail and 9-11 emergency services, and an addition to the county courthouse to centralize county services, expand Clerk and Recorder secure storage and make improvements to the building to comply with the Americans With Disabilities Act requirements, and paying costs associated with the sale and issuance of the bonds; and

WHEREAS, a board is authorized pursuant to Section 7-7-2227(2), M.C.A., to call a bond election by adopting a resolution to that effect; and

WHEREAS, pursuant to Section 13-19-104, M.C.A., such election can be conducted by a mail ballot election; and

WHEREAS, the Board has determined that a mail ballot election conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot Act"), is in the best interests of the County and the electors thereof, and has notified the County Election Administrator of its intent to conduct a mail ballot election; and

WHEREAS, the Election Administrator will prepare a mail ballot election plan in accordance with the provisions of Section 13-19-205, M.C.A. (the "Mail Ballot Plan"); and

WHEREAS, it is the judgment of the Board that the sum of Ten Million Dollars (\$10,000,000) will be necessary to carry out the purposes set forth above; and

WHEREAS, it is the judgment and determination of the Board that said bonds will be payable during a period not to exceed twenty (20) years and shall be redeemable on any interest payment date after half of the term for which they are issued; and

WHEREAS, it is the determination of the Board that the issuance of bonds in the amount of \$10,000,000 will not cause the County to exceed its indebtedness limitation.

NOW, THEREFORE, BE IT RESOLVED By the Board of County Commissioners of the County as follows:

1. Calling of the Election. The Board of County Commissioners of the County hereby calls and directs a special election to be held in the County on October 9, 2007, to be conducted by mail ballot pursuant to the provisions of the Mail Ballot Act for the purpose of voting on the question of whether or not the Board shall be authorized to issue and sell General Obligation Bonds of the County, in the amount of Ten Million Dollars (\$10,000,000), for the purpose of designing, constructing and equipping a county law and justice center to include improved and secure justice and district court services, county attorney, victim advocacy, probation, sheriff's office, county jail and 9-11 emergency services, and an addition to the county courthouse to centralize county services, expand Clerk and Recorder secure storage and make improvements to the building to comply with the Americans With Disabilities Act requirements, and paying costs associated with the sale and issuance of the bonds. The bonds shall be payable from an ad valorem tax levied within the County in an amount sufficient repay the bonds, which will bear interest at a rate not to exceed the rate to be determined by the Board at a competitive sale, payable over a period of twenty (20) years.

2. Conduct of Election. All qualified electors of the City shall be entitled to vote at the bond election. Pursuant to Section 13-19-202, M.C.A., the Clerk of the Commission is hereby authorized and directed to give notice of the call and details of this election to the County Election Administrator upon passage of this resolution and in circumstance no later than 70 days prior to the proposed election date. The County Election Administrator shall conduct the election in accordance with the Mail Ballot Plan. The County Election Administrator is hereby requested and authorized to give proper notice of the close of registration and thereafter prepare printed lists of the electors in the County entitled to vote in the election in the County in the form and manner prescribed by law and consistent with the Mail Ballot Plan. The County Election Administrator shall prepare the ballot and arrange for the printing of the ballot.

3. Notice of Election. The Election Administrator is hereby authorized and requested to cause notice of the call and holding of the election to be given by publishing notice at least once a week for the three consecutive weeks before the election in the *Madisonian*, a newspaper of general circulation in Madison County. The notice of election as published shall read substantially as follows:

NOTICE OF GENERAL OBLIGATION BOND ELECTION

Madison County, Montana

October 9, 2007

NOTICE IS HEREBY GIVEN by the Board of County Commissioners (the "Board") of Madison County, Montana, that pursuant to a certain resolution duly adopted at a regular meeting of the Board on July 24, 2007, an election of the registered voters of Madison County, Montana will be held on October 9, 2007 for the purpose of voting on the question of whether or not the Board shall be authorized to issue and sell General Obligation Bonds of the County in the total aggregate principal amount of \$10,000,000 for the purpose of designing, constructing and equipping a county law and justice center to include improved and secure justice and district court services, county attorney, victim advocacy, probation, sheriff's office, county jail and 9-11 emergency services, and an addition to the county courthouse to centralize county services, expand Clerk and Recorder secure storage and make improvements to the building to comply with the Americans With Disabilities Act requirements, and paying costs associated with the sale and issuance of the bonds. The bonds shall be payable from an ad valorem tax levied within the County in an amount sufficient repay the bonds, which will bear interest at a rate not to exceed the rate to be determined by the Board at a competitive sale, payable semiannually over a period of twenty (20) years and redeemable on any interest payment date after one-half the term.

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the County on September 18, 2007, and must be returned by each voter, by mail or in person to the County Election Administrator's Office, Madison County, 110 W. Wallace, P.O. Box 278, Virginia City, Montana 59755 during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays, September 19, 2007 through October 8, 2007.

On Election Day, October 9, 2007, the only place for deposit of voted ballots will be 110 W. Wallace, Virginia City, Montana, which will be open from 7:00 a.m. to 8:00 p.m., and all ballots must be in that office by 8:00 p.m. in order to be counted. All ballots will be tallied in the County Election Administrator's Office after 8:00 p.m. on October 9, 2007.

A qualified voter who will be absent from the County during the time the election is being conducted may:

- (a) vote in person in the County Election Administrator's Office as soon as the ballots are available and until noon on September 17, 2007; or
- (b) make a written request prior to noon on September 17, 2007, signed by the applicant and addressed to the County Election Administrator's Office, requesting that the ballot be mailed to an address other than that which appears on the registration records. All ballots to be mailed will be mailed no later than September 18, 2007.

An elector may obtain a replacement ballot if his ballot is destroyed, spoiled, lost, or not received by the elector by personally appearing at the County Election Administrator's Office and by:

- (a) signing an affidavit form stating the reason for the request for replacement; and

(b) if the reason given for replacement is “spoiled ballot,” by returning the spoiled ballot to the County Election Administrator’s Office.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

---

County Election Administrator

Publish:      September 20, 2007  
                  September 27, 2007  
                  October 4, 2007

4. Ballots. The County Election Administrator is hereby requested to prepare suitable ballots for use at the election.

5. Form of Ballot. The ballot shall be printed in substantially the following form:

OFFICIAL BALLOT  
MADISON COUNTY, MONTANA  
BOND ELECTION  
OCTOBER 9, 2007

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BONDS--YES" if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the square before the words "BONDS--NO".

Shall the Board of County Commissioners of Madison County, Montana be authorized to sell general obligation bonds of the County in the amount of Ten Million Dollars (\$10,000,000), bearing interest at a rate to be determined by the Board of County Commissioners at a competitive sale, payable semiannually, during a period of not more than 20 years, and redeemable on any interest payment date after one-half the term, for the purpose of designing, constructing and equipping a county law and justice center to include improved and secure justice and district court services, county attorney, victim advocacy, probation, sheriff's office, county jail and 9-11 emergency services, and an addition to the county courthouse to centralize county services, expand Clerk and Recorder secure storage and make improvements to the building to comply with the Americans With Disabilities Act requirements, and paying costs associated with the sale and issuance of the bonds?

BONDS — YES

BONDS — NO

6. That a copy of this resolution will be provided to the Election Administrator as soon as possible after its adoption and approval in order to inform her of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

Passed and approved this 24th day of July, 2007.

---

Chairman  
Board of County Commissioners

ATTEST:

---

Clerk and Recorder

(SEAL)