

RESOLUTION NO. 92.9A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, OF MADISON COUNTY, IDAHO, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL BOND ELECTION HELD ON NOVEMBER 3, 1992, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF THE ISSUANCE OF REVENUE BONDS OF THE CITY IN THE AMOUNT OF \$5,000,000.

WHEREAS, a special bond election was duly held on Tuesday, November 3, 1992, for the purpose of submitting to the qualified electors of the City of Rexburg (the "City") the question of whether or not the City should be authorized to issue its revenue bonds in the principal amount of \$5,000,000, to pay the cost of acquiring and constructing certain capital improvements and betterments to the City's wastewater collection and treatment system, consisting generally of, but not limited to, renovation of the existing sewage collection and treatment facilities, including replacement of sewage lagoon facilities with a mechanical sewage treatment system, together with related improvements and costs incidental thereto, as set forth in Ordinance No. 735 of the City, adopted on September 2, 1992; and

WHEREAS, the judges and clerks of the election have conducted the election and made their return in the manner provided by law; and

WHEREAS, the City Council now desires to canvass the votes and to declare the results of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, as follows:

Section 1 : ELECTION

The special bond election of November 3, 1992, was duly and regularly called, noticed, held, and conducted, the votes cast there at received and canvassed, and the returns thereof made in the time, form, and manner required by law and by the ordinances, resolutions, and proceedings taken by the City.

Section 2 : NOTICE OF ELECTION

Notice of the election was duly and legally given prior to said election by the publication of an appropriate notice in the official newspaper of the City once a week on the same day of the week for two (2) successive weeks.

Section 3 : POLLS

The polls of said election were opened at 8:00 o'clock A.M. on November 3, 1992, and remained open continuously until closed at the hour of 8:00 o'clock P.M., at the voting places duly provided by Ordinance No. 735.

Section 4 : QUALIFIED ELECTORS

Only persons who were, on November 3, 1992, qualified electors of the City, within the meaning of Article 6, Section 2, Idaho Constitution, and Section 50-413, Idaho Code, eighteen

(18) years of age or older, and who were bona fide residents of the City, duly registered to vote therein, were permitted to vote at said election, and no person qualified to vote at said election was refused the right to vote.

Section 5 : BALLOTS

The ballots used at said election were in the form prescribed by law. A sample ballot, in the form prescribed by law, was published twice, once a week for two weeks, in the official newspaper of the City, within the time and in the manner provided by law.

Section 6 : CANVASS

The City Council has examined the returns of the election and hereby canvasses said returns and declares the results of the election on the proposition of whether or not the City of Rexburg, Idaho, should issue its revenue bonds in the amount of \$5,000,000, for the purposes stated in Ordinance No. 735, adopted on September 2, 1992.

The total number of votes cast at said election for and against the proposition was as follows: Total votes cast, 2,791 ; votes for, 2122 ; votes against, 669 .

Section 7 : AUTHORIZATION TO PROCEED

Upon canvass, it is found that the requisite majority of the votes se cast at the special bond election were cast in the affirmative; that the proposition on the issuance of revenue bonds in the principal amount of \$5,000,000 duly passed; that said election was held and conducted in compliance with the law; and that the City is authorized to proceed with the authorization and issuance of said bonds as specified in said proposition.

Section 8 : RATIFICATION

All actions taken by the City in connection with said special bond election, the publication of notice thereof, the preparation and printing of ballots and sample ballots used at the election, and all other matters connected therewith, are hereby in all respects ratified, approved, and confirmed.

DATED this 4th day of November, 1992.

CITY OF REXBURG  
Madison County, Idaho

By \_\_\_\_\_  
Mayor, Nile L. Boyle

ATTEST:

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City Clerk, Rose Bagley