

RESOLUTION NO. 2021-16

**A RESOLUTION PROVIDING FOR THE ADOPTION OF A TAX-ADVANTAGED FINANCING COMPLIANCE PROCEDURE RELATING TO OBLIGATIONS ISSUED AND TO BE ISSUED BY THE CITY OF ST. GEORGE, KANSAS.**

**WHEREAS**, the City of St. George, Kansas (the "Issuer") is a political subdivision, duly created, organized and existing under the Constitution and laws of the State of Kansas (the "State"); and

**WHEREAS**, the Issuer is authorized, pursuant to the Constitution and statutes of State to issue bonds, notes, leases, certificates and other instruments that evidence indebtedness (collectively, the "Obligations") to finance certain improvements, projects and programs of the Issuer (collectively, the "Project Facilities"); and

**WHEREAS**, the Issuer anticipates future issuance of Obligations, the interest on which is intended to be excluded from gross income for federal income tax purposes or which is subsidized by the federal government (the "Tax-Advantaged Obligations"); and

**WHEREAS**, the Internal Revenue Code of 1986, as amended and regulations promulgated thereunder (collectively, the "Code"), impose ongoing requirements related to the investment, use and expenditure of proceeds of Tax-Advantaged Obligations and related funds and restrictions on use of the Project Facilities of the Issuer financed by such Tax-Advantaged Obligations; and

**WHEREAS**, the Issuer is committed to full compliance with all such requirements with respect to the Issuer's Tax-Advantaged Obligations.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF ST. GEORGE, KANSAS:**

**Section 1. Compliance Procedure.** In order to comply with the requirements of the Code and directives of the Internal Revenue Service and to improve tax compliance and documentation, the governing body of the Issuer hereby adopts the Tax-Advantaged Financing Compliance Procedure, dated as September 9, 2021 (the "Compliance Procedure"), attached hereto as *Exhibit A*.

**Section 2. Permanent Record.** A copy of the Compliance Procedure shall be placed in the permanent records of the Issuer and shall be available for public inspection during regular business hours of the Issuer.

**Section 3. Effective Date.** This Resolution shall take effect and be in full force from and after its adoption by the governing body of the Issuer.

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**ADOPTED AND APPROVED** by the governing body of the City of St. George, Kansas, on September 9, 2021.

(SEAL)

ATTEST:



*[Handwritten signature]*  
Clerk

*[Handwritten signature]*  
Mayor

*Exhibit A*

Tax-Advantaged Financing Compliance Procedure

**EXCERPT OF MINUTES OF A MEETING  
OF THE GOVERNING BODY OF  
THE CITY OF ST. GEORGE, KANSAS  
HELD ON SEPTEMBER 9, 2021**

The City Council (the "Governing Body") met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Present: Mayor Tim Dralle, Jeremy Holliday, Matt Kunkle, Nick Cahoy

Absent: Deby Werth, Scott Moses

The Mayor declared that a quorum was present and called the meeting to order.

\*\*\*\*\*

(Other Proceedings)

The matter of providing for the offering for the adoption of a tax-advantaged financing compliance procedure relating to obligations issued and to be issued, came on for consideration and was discussed.

Councilmember Nick Cahoy presented and moved the adoption of a Resolution entitled:

**A RESOLUTION PROVIDING FOR THE ADOPTION OF A TAX-ADVANTAGED FINANCING COMPLIANCE PROCEDURE RELATING TO OBLIGATIONS ISSUED AND TO BE ISSUED BY THE CITY OF ST. GEORGE, KANSAS.**

Councilmember Jeremy Holliday seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: Nick Cahoy, Jeremy Holliday, Matt Kunkle

Nay: /

The Mayor declared the Resolution duly adopted by the Governing Body.

\*\*\*\*\*

(Other Proceedings)

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**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Governing Body of the City of St. George, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)



*Marabeth Wagner*  
Clerk

(Signature page to Excerpt of Minutes)

**EXCERPT OF MINUTES OF A MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF ST. GEORGE, KANSAS  
HELD ON SEPTEMBER 9, 2021**

The City Council (the "Governing Body") met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Present: Mayor Tim Pralle, Jeremy Holliday, Matt Kuhnke, Nick Cahoy

Absent: Dorothy Wentrn, Scott Moses

The Mayor declared that a quorum was present and called the meeting to order.

\*\*\*\*\*

(Other Proceedings)

There was presented an Ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF ST. GEORGE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

Council Member Jeremy Holliday moved that the Ordinance be passed. The motion was seconded by Council Member Matt Kuhnke. The Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the Governing Body as follows:

Yea: Jeremy Holliday, Matt Kuhnke, Nick Cahoy

Nay: /

The Mayor declared the Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. [621-17], was signed and approved by the Mayor and attested by the Clerk and the Ordinance or a summary thereof was directed to be published one time in the official newspaper of the City.

There was presented a Resolution entitled:

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF ST. GEORGE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. [ ] OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Council Member Nick Caboy moved that the Resolution be adopted. The motion was seconded by Council Member Jeremy Holliday. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the Governing Body as follows:

Yea: Nick Caboy, Jeremy Holliday, Matt Winkler.

Nay: -.

The Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 7021-14, and was signed by the Mayor and attested by the Clerk.

\*\*\*\*\*

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

**CERTIFICATE**

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the Governing Body of the City of St. George, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

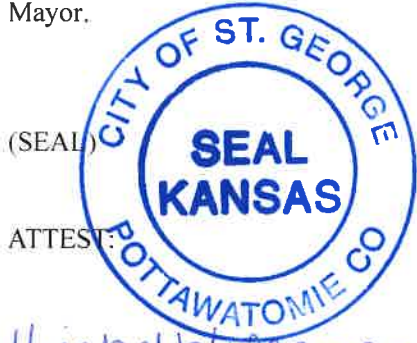
(SEAL)



*Elizabeth Wagner*  
Clerk



**PASSED** by the City Council on September 9, 2021 and **APPROVED AND SIGNED** by the Mayor.



ATTEST:

*Elizabeth Wagner*  
\_\_\_\_\_  
Clerk

*[Handwritten Signature]*  
\_\_\_\_\_  
Mayor

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ADOPTED by the City Council on September 9, 2021.



Mayor

  
Clerk

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(PUBLISHED IN THE *THE TIMES* ON SEPTEMBER 9, 2021)

**SUMMARY OF ORDINANCE NO. ~~170117~~**

On September 9, 2021, the governing body of the City of St. George, Kansas passed an ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2021-A, OF THE CITY OF ST. GEORGE, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

The Series 2021-A Bonds approved by the Ordinance are being issued in the principal amount set forth therein to finance certain street improvements in the City and refund previously issued general obligation bonds of the City, and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 220 First St., St. George, KS 66535. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at [www.cityofstgeorge.org](http://www.cityofstgeorge.org).

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

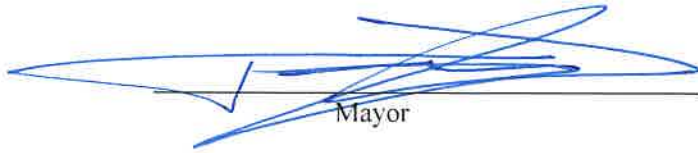
DATED: September 9, 2021.

  
\_\_\_\_\_  
City Attorney

WITNESS our true and genuine manual signatures of the Issuer.

(SEAL)



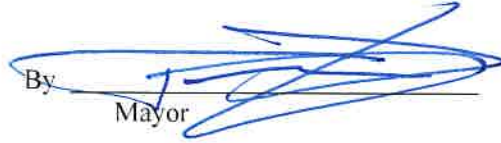
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk





**CITY OF ST. GEORGE, KANSAS**

By   
Mayor

ATTEST:

By   
Clerk

**OFFICE OF THE TREASURER  
OF THE STATE OF KANSAS**

(SEAL)

By \_\_\_\_\_  
Director of Fiscal Services

**WITNESS** our hands.

Signature

Official Title



Mayor



Clerk



**THE UNDERSIGNED**, Mayor and City Clerk of the Issuer, by their execution of this Tax Certificate hereby make the foregoing certifications, representations, and agreements contained in this Tax Certificate on behalf of the Issuer, as of the Issue Date.

**CITY OF ST. GEORGE, KANSAS**

By:   
Mayor

By:   
City Clerk

Upon your acceptance of the offer, this Bond Purchase Agreement will be binding upon the Issuer and the Purchaser. Please acknowledge your agreement with the foregoing by executing the enclosed copy of this Bond Purchase Agreement prior to the date and time specified on page 1 hereof and returning it to the undersigned.

**STOCKGROWERS STATE BANK**  
**MAPLE HILL, KANSAS**  
as Purchaser

Date: September 9, 2021  
Time: \_\_\_\_:\_\_\_\_.m.

By: Steve R. Nismack  
Title:

Accepted and agreed to as of  
the date first above written.

**CITY OF ST. GEORGE, KANSAS**

Date: September 9, 2021  
Time: \_\_\_\_:\_\_\_\_.m.

By:   
Chairman