

**MINUTES OF THE  
KANE COUNTY MUNICIPAL BUILDING AUTHORITY  
MEETING HELD TUESDAY January 10, 2023 at 6:00 PM  
IN THE KANE COUNTY COMMISSION CHAMBERS  
IMMEDIATELY FOLLOWING COMMISSION MEETING**

**CALL MEETING TO ORDER & WELCOME:** Chairman Patty Kubeja

**PRESENT:** Chairman Patty Kubeja, Member Wade Heaton (Phone-in), Member Celeste Meyeres, County Attorney Rob Van Dyke, Sheriff Tracy Glover, Clerk/Auditor Chameill Lamb, Deputy Clerk/Auditor Candice Brown, Rhonda Gant

**CONSENT AGENDA:** Approval of the November 22, 2022 MBA Minutes

**Motion** to approve the Consent Agenda made by Member Meyeres and motion carried with all members present voting in favor.

**REGULAR AGENDA:**

- 1. Public Hearing to Allow Public Input Regarding (A) The Issuance and Sale of Not More Than \$3,500,000 Aggregate Principal Amount of Lease Revenue Bonds, Series 2023, (The “Bonds”) and (B) any Potential Economic Impact that the Project Described Herein to be Financed with the Proceeds of the Bonds Issued Under the Act May Have on the Private Sector; and Related Matters**

**Motion** to go in and out of public hearing at the call of the chair made by Member Meyeres and motion carried with all Members present voting in favor.

Member Kubeja declared us in public hearing.

No public comments.

Member Kubeja declared us out of public hearing.

Member Kubeja said that this bond is for the remodel of the Commission Chambers and also Building B at the Kanab Center. This was a CIB loan and grant. The grant is for \$432,000 and the loan is for \$3.168M. Member Kubeja said that the previous Commission and MBA had moved this forward because there is a need to remodel the Building B, the original floor cannot be redone anymore and there is no insulation so the energy bills are high. She said that this was also an agreement with the City to provide this facility and in addition they will also redo the stage so that Symphony of the Canyons can practice there. Member Kubeja said that the funds to use will be split

between the remodel for this part of the building will be with ARPA funds, which is the COVID money and it does meet the requirements for that to give us more space. The monies for the remodel of Building B has not been decided but will more than likely be coming from the MBA funds.

Mark Anderson stated that they have met the requirement for the public hearing, which is one of the legal requirements in the bonding process. He said that assuming the County moves forward then the next step will be to issue the bonds. There is a 30 day waiting period after the public hearing that was held in December. Mark said that the intent is to issue the bonds on January 26, 2023 if things go as anticipated. They are just waiting for the County to indicate what funds that they want to commit to the project based on the bids that have been received.

Member Kubeja mentioned that the MBA is a nonprofit, that is separate from the County but the board is the same as the County Commission. She said that the County cannot obligate funds across the fiscal year or budget for things but the MBA can. The County will lease the building from the MBA and that is the monies that will be used to make the bond payments that are due.

Mark clarified that because this is subject to annual appropriation, being a lease revenue bond the buildings themselves are the collateral for the loan.

Member Heaton stated that we have been working on this for around 1 ½ years and that there is need for this.

Member Meyeres says that she agrees 100% that there is a need for this. The gym is needed and essential for our area. This will be money well spent in her opinion.

## **2. Authorization to Expend ARPA Funds for the Kane County Administration Building and Kanab Center Renovation Projects**

Member Kubeja said that we have the grant and the loan but the bid came in \$200,669 short and as part of the requirement for getting the money from CIB we have to show good faith and have the money sitting in the escrow account.

Sheriff Glover said that from his understanding we have a total of \$3.6M in CIB funds and our bids came in at \$3.86M, so we need about \$266,000 to cover just the construction costs and then there will be some additional costs. He said that there isn't any contingency built into this project because we agreed to CIB that we would fund whatever we might run into.

Member Meyeres wanted to know how much is in the ARPA fund and how much of the ARPA fund are we are going to use for this.

Chameill said that we currently have around \$1.5M in ARPA funds waiting for projects that qualify.

Member Kubeja mentioned that there is a benefit to getting this loan closed on January 26<sup>th</sup> because right now the interest rates are high and in conversations with Sheriff Glover, we would get to keep the interest off the money that is sitting out there.

**Motion** to authorize the expenditure of ARPA funds for the Kane County Administration Building and Kanab Center Renovation projects in the amount of \$200,669 and put into an escrow account made by Member Meyeres and motion carried with all Members present voting in favor.

Member Heaton-aye  
Member Kubeja-aye  
Member Meyeres-aye

### **3. Election of MBA Chair**

Member Kubeja said that when they decided on Commission assignments, Commissioner Kubeja was put as the chair of the MBA board.

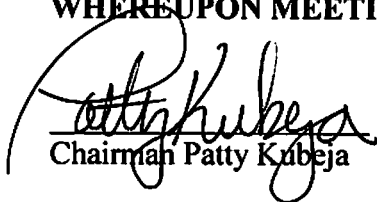
Member Meyeres stated that it is in State Statute that whoever chairs the Commission cannot also chair the MBA, it needs to be one of the other Commissioners.

**Motion** to elect Commissioner Kubeja as MBA chair made by Member Meyeres and motion carried with all Members present voting in favor.

Member Heaton-aye  
Member Kubeja-aye  
Member Meyeres-aye

**Motion** to adjourn made by Member Meyeres and motion carried with all members present voting in favor.

**WHEREUPON MEETING ADJOURNED**

  
Chairman Patty Kubeja

  
Secretary Chameill Lamb