

# SKAGITNET, LLC

## RESOLUTION No. 23 -01

### A RESOLUTION CONCERNING BANKING AND AMENDING OPERATING AGREEMENT

WHEREAS, SkagitNet, LLC (the "Company") is legally organized in and pursuant to the laws of the State of Washington.

WHEREAS, the Members of the Company, adopted by this resolution at a meeting of each member where notice was proper, and quorum was met in accordance with applicable state law and all Company rules; and

WHEREAS, the Members have determined that opening one or more bank accounts at Banner Bank is in the Company's best interests; and

WHEREAS, the Members have decided that the Port of Skagit County's Chief Financial Officer, or his/her designee, acting on behalf the Company and the Treasurer, be given signature authority on the Company's bank accounts;

#### NOW, THEREFORE, THE FOLLOWING IS RESOLVED:

1. The Company is authorized to establish one or more accounts with Banner Bank (the "Institution"), which includes, but is not limited to, maintaining and funding savings, checking, and other financial accounts required for the Company to do business.
2. The Agreement is hereby amended as follows:
  - a. Section 3.1. (b) is hereby amended to read in its entirety as follows:

The Chief Financial Officer of the Port ("Treasurer"), or his/her designee, serving as the custodian of funds made available for the purposes of such telecommunication services and that the Treasurer may make payments from NETWORK funds in its possession upon approval of the Manager and audits by the appropriate auditing officer of the PUD; *provided*, that the funds held by the Treasurer shall not be co-mingled with the funds of any Member and shall be separately accounted for as owned exclusively by SkagitNet.

3. The following Company agent (the "Authorized Agent"), or his/her designee, is authorized to endorse and make deposits, sign checks, withdraw funds, and otherwise operate such account on behalf of the Company:

Chief Financial Officer, Port of Skagit County, Treasurer.

That person then currently designated as acting Manager by the Executive Director of the Port of Skagit County after conferring with the General Manager of Skagit PUD.

4. The Authorized Agent may not borrow money or obtain credit on the Company's behalf.
5. The Company records shall be updated with this Resolution and this Resolution shall be presented to the Institution, as appropriate.
6. The Manager is hereby authorized to take all necessary and reasonable actions required to carry out this Resolution.
7. This Resolution may be executed in counterparts. Facsimile or scanned signatures are binding and are considered to be original signatures.
8. This Resolution is adopted by the Members as follows: Port of Skagit County on June 13, 2023; and Skagit County PUD No. 1 on June 27, 2023, and shall be immediately effective upon adoption by both Members.

[SIGNATURE PAGES TO FOLLOW]

COMMISSION, PORT OF SKAGIT COUNTY

  
Steve Omdal, Commission President

June 13, 2023  
Date

  
Kevin Ware, Commission Secretary

June 13, 2023  
Date

  
Mahlon Hull, Commissioner

June 13, 2023  
Date

COMMISSION, SKAGIT COUNTY PUBLIC UTILITY DISTRICT No. 1

  
\_\_\_\_\_  
Joe Lindquist, Commission President

6/27/2023  
Date

  
\_\_\_\_\_  
Andrew Miller, Commission Vice President

27 JUN 23  
Date

  
\_\_\_\_\_  
Corrin Hamburg, Commissioner Secretary


6/27/23  
Date

## CERTIFICATE OF MEMBER ACTION AND RESOLUTION

I, Kevin Ware, duly elected and qualified Commission Secretary, hereby certify that the attached is a true, correct, and complete copy of the Resolution that was duly adopted at a meeting of the Port of Skagit County on June 13, 2023.

I further certify that the aforementioned Resolution is now in full force and effect without modification or rescission.

Signed this 13<sup>th</sup> day of June, 2023.

Signature: 

## CERTIFICATE OF MEMBER ACTION AND RESOLUTION

I, Corrin Hamburg, duly elected and qualified Commission Secretary, hereby certify that the attached is a true, correct, and complete copy of the Resolution that was duly adopted at a meeting of the Skagit County PUD No. 1 on June 27, 2023.

I further certify that the aforementioned Resolution is now in full force and effect without modification or rescission.

Signed this 27<sup>th</sup> day of June, 2023.

Signature: 