

Moab, Utah

August 15, 1977

A regular meeting of the Board of County Commissioners of Grand County, Utah was held on Monday, August 15, 1977, at the hour of 10:00 a.m. at the Board's regular meeting place in Moab, Utah, at which meeting there were present the following members who constituted a quorum:

Leo Burr	Chairman
Harvey W. Merrell <i>absent</i>	Commissioner
A. Daniel Holyoak	Commissioner

Also present:

Bobbie D omenick	Clerk-Auditor
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Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following proceedings, among others, were duly had and taken:

The Chairman noted that this meeting had been called to amend the resolution adopted by the Commission on June 20, 1977 and to consider and review all written protests filed with the Clerk against the creation of the Grand County Special Service Water District or the proposed improvements therein.

The following resolution was then introduced in written form by Ken McDougald, Chairman, and after full discussion of the matter, pursuant to motion made by A. Dan Holyoak and seconded by Leo W. Burr, was adopted by the following vote:

AYE: Leo Burr
 ~~Harvey W. Merrell~~ *absent*
 A. Daniel Holyoak

NAY: None

A RESOLUTION amending the resolution declaring that the public health, convenience and necessity require the creation of a special service district, defining the boundaries of said special service district and the services to be provided therein, providing for a hearing on the creation of said special service district and providing for a notice of said hearing.

WHEREAS, the Board of County Commissioners on June 20, 1977, adopted a resolution declaring that the public health, convenience and necessity require the creation of a special service district; and

WHEREAS, said Commission desires to amend the resolution adopted on June 20, 1977, in order to comply with the Utah Special Service District Act, Utah Code Annotated, Sections 11-23-1 to -29 (1953), as amended:

NOW THEREFORE, be it resolved by the Board of County Commissioners of Grand County, Utah, as follows:

Section 1. An additional WHEREAS clause shall be added to the resolution adopted on June 20, 1977, and shall read as follows:

WHEREAS, because the proposed special service district would include the Spanish Valley Water and Sewer Improvement District created under the provisions of Chapter 6 Title 17


of the Utah Code Annotated (1953), as amended, the Trustees of said Special Improvement District will be requested to consent by resolution to the inclusion of said District within the proposed special service district in accordance with Utah Code Annotated, Section (1953), as amended.

Section 2. A new Section 8 is hereby added to the resolution adopted June 20, 1977, and the original Sections 8, 9 and 10 will be renumbered 9, 10 and 11 respectively. The new Section 8 will read as follows:

Section 8. The membership of the Administrative Control Board of said Special Service Water District shall consist of five (5) members, three (3) members of whom shall be appointed by the Board of Commissioners. A fourth member of the Administrative Control Board shall be appointed by the City of Moab and a fifth member of said Board shall be appointed by the Spanish Valley Water and Sewer Improvement District. The Board of Commissioners shall appoint the initial three (3) members of said Administrative Control Board, which it is entitled to appoint, one member to serve a four year term and the remaining two members each to serve a two year term, the determination of who shall serve in each category to be made by lot. Said terms shall commence on January 1, 1979, which is the next succeeding date that the terms of office commence for members of the Board of Commissioners. The initially appointed members of the Administrative Control Board shall serve an additional term commencing on the date of appointment and continuing until the regular commencement of the above-specified terms.

Vacancies of the three appointed members of said Board, other than by expiration of term, shall be filled by appointment of the Board of Commissioners for the unexpired term of the member whose vacancy is filled.

Adopted this 15th day of August, 1977.


Chairman

ATTEST:


Clerk

The Clerk then presented a statement stating that no written protests against the creation of the Grand County Special Service Water District or the proposed improvements therein were received by him in his office by 5:00 p.m. on August 3, 1977. The names of the protestants and the description of their property are as follows:

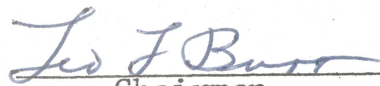
<u>Property Owner</u>	<u>Description</u>	<u>Address</u>
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Total number protesting establishment of Special Service District or proposed improvements therein: None

After consideration of said protests and those protests both oral and written, considered by the Board at the July 18, 1977 hearing, it was determined that the total number of written protests received and considered by the Board of County Commissioners at both the July 18, 1977 hearing and this meeting represented less than 50% of the qualified voters of the territory proposed to be included in the Grand County Special Service Water District and is an amount insufficient to legally protest the establishment of the Special Service Water District.

The Board then postponed creation of the Special Service District until it received written consent by resolution of the creation of said District from the Board of Trustees of the Spanish Valley Water and Sewer Improvement District. To obtain said consent, the Board authorized the County Clerk to present a certified copy of the Resolution of Intent adopted by the Board of Commissioners on June 20, 1977 as amended by resolution adopted as of the date of these proceedings to the Board of Trustees of the Spanish Valley Water and Sewer Improvement District.

After the conduct of other business not pertinent to the above, the motion was made, seconded, and carried for the meeting to be adjourned.


Chairman

ATTEST:


Clerk

STATE OF UTAH)
) ss.
COUNTY OF GRAND)

I, Bobbie Domenick, the duly qualified and acting County Clerk of Grand County, Utah, do hereby certify that the foregoing constitutes a true and correct copy of excerpts from the minutes of a meeting of the duly qualified and acting members of the Board of County Commissioners of Grand County, Utah, held on the 15th day of August, 1977, including a Resolution adopted at said meeting, as said minutes and Resolution are of record in my official possession.

IN WITNESS WHEREOF, I have this 15th day of August, 1977, subscribed my official signature and impressed hereon the official seal of said County.

Bobbie Domenick
County Clerk

(S E A L)

STATE OF UTAH)
)
COUNTY OF GRAND) ss.

I, Bobbie Domenick, the duly qualified and acting Clerk of the Board of County Commissioners of Grand County, Utah, do hereby certify that on the 9th day of August, 1977, pursuant to Utah Code Annotated Section 52-4-6 (1953), as amended, I personally posted at the City-County Building written notice of the regular meeting of the Board of County Commissioners held on August 15, 1977 at said City-County Building, Moab, Utah. A correct copy of the Notice is attached hereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission this 16 day of August, 1977.

Bobbie Domenick
Clerk

(S E A L)

N O T I C E

NOTICE OF REGULAR MEETING OF BOARD OF COUNTY COMMISSIONERS
OF GRAND COUNTY, UTAH

Public Notice is hereby given that the Board of County Commissioners of Grand County, Utah, will hold a regular public meeting in the County Building in Moab, Utah, commencing at 10:00 a.m. on Monday, August 15, 1977.

The agenda for the meeting consists in part of the following:

1. Consideration of a Resolution amending the Resolution declaring that the public health, convenience and necessity require the creation of the Grand County Special Service District.

2. Consideration of written protests against the creation of the Grand County Special Service Water District.

Bobbie Domenico
County Clerk

Published 8-11-77

AFFIDAVIT OF PUBLICATION OF NOTICE OF REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS OF GRAND COUNTY, UTAH, HELD
AUGUST 15, 1977.