

E 179464 B 748 P 206  
Date 4-APR-2002 3:34pm  
Fee: No Fee Cash  
CALLEEN PESHELL, Recorder  
Filed By JYW  
For TOOELE COUNTY CORPORATION  
TOOELE COUNTY CORPORATION

*Resolution 2002-04*

Tooele, Utah  
February 26, 2002

The Board of County Commissioners of Tooele County, Utah, met in regular session on February 26, 2002, at its regular meeting place in Tooele, Utah, at 3:00 p.m., with the following

members present: DENNIS ROCKWELL, Chairman

TERYL HUNSAKER

GENE WHITE

Also present: DENNIS D. EWING, Tooele County Clerk

Absent: None

After the meeting had been duly called to order, and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Board of Commissioners a Certificate of Compliance With Open Meeting Law with respect to this meeting, a copy of which is attached hereto as Attachment "A".

The following resolution was then introduced in written form, and after full discussion of the matter, pursuant to motion made by Commissioner Hunsaker and seconded by Commissioner White was adopted by the following vote:

AYE: Commissioner Rockwell  
Commissioner Hunsaker  
Commissioner White

NAY: None

**RESOLUTION NO. 2002-04**

**A RESOLUTION DECLARING THAT THE PUBLIC HEALTH, CONVENIENCE AND NECESSITY REQUIRE THE CREATION OF THE SOUTH RIM SPECIAL SERVICE DISTRICT, DEFINING THE BOUNDARIES OF SAID SPECIAL SERVICE DISTRICT AND THE SERVICES TO BE PROVIDED THEREIN.**

**WHEREAS**, on June 11, 2001, the Board of County Commissioners of Tooele County, Utah, received a petition from South Rim L.C., requesting the formation of the South Rim Special Service District; and

**WHEREAS**, the commissioners prepare a Notice of Intention and held a public hearing pursuant to UCA 17A-2-1307 and 1308; and

**WHEREAS**, no protests to the formation of the district were presented either at the public hearing or within 15 days thereafter, and

**WHEREAS**, the area of the proposed service district does not include the area of any other special service district established by Tooele County that is now providing the same service proposed to be supplied by the new special service district, nor does it contain all or part of any municipality or of an existing improvement district that provides the same services proposed to be provided by the district;

**NOW, THEREFORE**, Be It Resolved by the Board of County Commissioners of Tooele County, Utah, as follows:

**Section 1.** Having received a petition signed by the owners of more than 10 percent of the taxable value of the taxable property included in the proposed district proposing the establishment of a service district, and having had no protests thereto, the commission finds the public health,

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convenience and necessity require the creation within Tooele County, Utah, of a Special Service District (the "District") pursuant to the provisions of the Utah Special Service District Act, 17A-2-1301 et seq., Utah Code Annotated, 1953, as amended, and Article XIV, Section 8 of the Constitution of Utah.

**Section 2.** The boundaries of the District shall be as set forth in Exhibit A. All property included within the boundaries of said proposed Special Service District will be directly benefitted by the services provided above and the creation of the district.

**Section 3.** The District is created for the purpose of providing within the area of the special service district water, sewage, drainage, flood control, recreation and street lighting facilities and services through the construction, purchase, lease, contract, gift, or condemnation or any combination thereof, of the facilities or systems necessary to provide said services, and to finance the same among various ways.

**Section 4.** The District so created shall be known as "South Rim Special Service District".

**Section 5.** The officers of Tooele County, Utah, are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

**Section 6.** Pursuant to UCA 17A-2-1326(1), there is hereby created an Administrative Control Board to administer the affairs of the district. Such board shall consist of three persons who are qualified electors of the District. The first three board members hereby appointed to serve are: Leland Hogan, Bill Hogan, and Jeffery Hogan. The county commission hereby delegates all of its

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powers to the board, including the power to act as the governing authority of the District and to exercise all of the powers provided for in Utah Code Annotated, Sections 17A-2-1314, 17A-2-1316, 17A-2-1320, and 17A-2-1321. Powers not delegated are the power to:

- (i) levy a tax on the taxable property of the service district;
- (ii) issue bonds payable from taxes;
- (iii) call or hold an election for the authorization of the tax or bonds;
- (iv) levy assessments for improvements in an improvement district created under Chapter 3, Part 3, Utah Municipal Improvement District Act, or Chapter 3, Part 2, County Improvement District Act;
- (v) issue interim warrants or bonds payable from those assessments; or
- (vi) appoint a board of equalization under Section 17A-3-217 or Section 17A-3-317.

**Section 7.** As required by UCA 17A-2-1326(3)(b), it is hereby disclosed there also exists within the area of the District the Rush Valley Water Conservancy District.

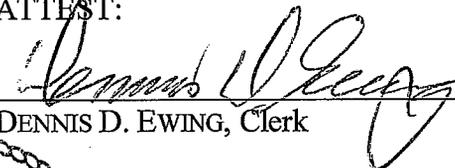
**Section 8.** If any one or more sections, sentences, clauses or parts of this resolution shall, for any reason, be questioned or held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this resolution in any one or more instances

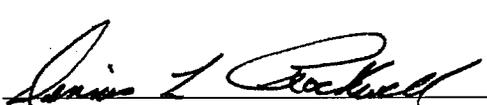
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shall not affect or prejudice in any way the applicability and invalidity of any section, sentence, clause or part of this resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this resolution in any other instances.

**Section 9.** All resolutions, by-laws and regulations of Tooele County, Utah, in conflict with this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, by-law or regulation, or part thereof, heretofore repealed.

ATTEST:

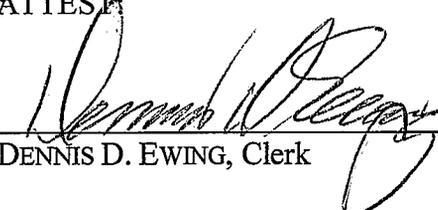
  
DENNIS D. EWING, Clerk

  
DENNIS ROCKWELL, Chairman  
Tooele County Commission



(Other business not pertinent to the above appears in the minutes of the meeting.)  
Pursuant to motion duly made and carried, the meeting was adjourned.

ATTEST:

  
DENNIS D. EWING, Clerk

  
DENNIS ROCKWELL, Chairman  
Tooele County Commission





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**ATTACHMENT "A"**

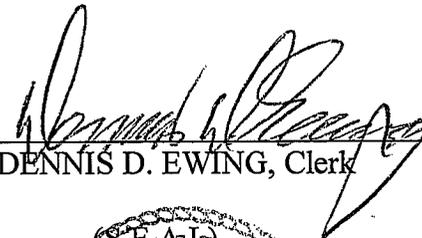
**CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW**

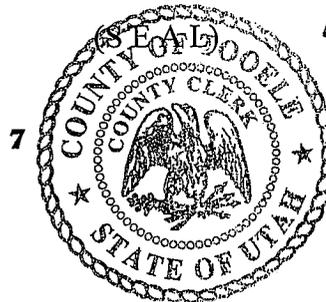
I, DENNIS D. EWING, the undersigned County Clerk of Tooele County, Utah, (the "County"), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the Commission, public meeting held by the County as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "A", to be posted at the County's principal offices on February 20, 2002, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered to the Tooele Transcript-Bulletin on February 20, 2002, at least twenty-four (24) hours prior to the convening of the meeting.

**IN WITNESS WHEREOF**, I have hereunto subscribed my official signature this \_\_\_\_\_ day of February 2002.

  
DENNIS D. EWING, Clerk



**TOOELE COUNTY CLERK****TOOELE COUNTY COURTHOUSE**

**DENNIS D. EWING**  
Tooele County Clerk

47 South Main Street  
Tooele, Utah 84074-2194  
(435) 843-3140  
FAX (435) 882-7317

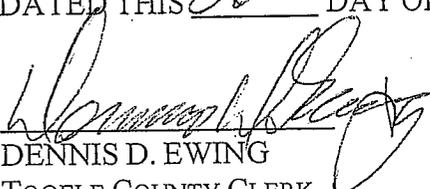
**MARILYN K. GILLETTE**  
Chief, Deputy Clerk

**NOTICE AND AGENDA**

NOTICE IS HEREBY GIVEN THAT THE TOOELE COUNTY COMMISSION WILL HOLD A REGULAR MEETING ON TUESDAY, FEBRUARY 26, 2002, AT 3:00 P.M., IN ROOM 310, TOOELE COUNTY COURTHOUSE, 47 SOUTH MAIN STREET, TOOELE, UTAH. THE AGENDA IS:

1. ROLL CALL
2. MINUTES
3. TAX ADJUSTMENTS
4. PERSONNEL ACTIONS
5. BILLS
6. DESERET PEAK COMPLEX
7. USGS CONTRACT
8. RESOLUTION 2002-04 - ESTABLISHING SOUTH RIM SPECIAL SERVICE DISTRICT
9. GENERATOR INSTALLATION BID
10. VEHICLE BID AWARD
11. BUILDING PERMIT FEE'S FOR HOME OWNERS
12. CONTRACT REVIEW
  - A) Contract #96-04-06 - Canteen Corp Food Service Agreement/Sheriff's Department
  - B) Contract #98-02-04 - Memo of Understanding Between Tooele County and Castle Rock Land and Livestock and Division of Forestry, Fire and State Lands
  - C) Contract #96-02-09 - Interlocal Agreement - Rush Valley - Building Inspection Services
  - D) Contract #00-02-08 - Allow CDL Tests at Deseret Peak Complex - Tom Speakman
  - E) Contract #00-02-10 - Subdivision Surety Bond - Cottage @ Country Crossing
  - F) Contract #00-02-11 - Town of Vernon and Tooele County EOC - Emergency Vehicle
13. BOARD APPOINTMENTS
14. PUBLIC CONCERNS
15. ADJOURN

DATED THIS 20<sup>th</sup> DAY OF Feb., 2002

  
DENNIS D. EWING  
TOOELE COUNTY CLERK

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**SCHEDULE "A"  
NOTICE OF MEETING**

## EXHIBIT A

**South Rim Special Service District Boundary  
(Hogan Properties)**

Beginning at a point that lies 590' easterly along the quarter section line from the center of section 27, T4S, R5W, SLB&M, and running thence westerly along the quarter section line to the southwest corner of the southeast quarter of the northeast quarter of section 29; thence northerly along the 1/16th line to the northwest corner of southeast quarter of the northeast quarter of said section; thence westerly along the 1/16th line to the southwest corner of the northwest quarter of the northeast quarter of said section; thence northerly along the quarter section line to the center of section 17; thence westerly along the quarter section line to the west quarter corner of section 18; thence southerly along the section line to the west quarter corner of section 31; thence easterly along the quarter section line to the west quarter corner of section 32; thence southerly along the section line to the southwest corner of the northwest quarter of the southwest quarter of said section; thence easterly along the 1/16th line to the southeast corner of the northwest quarter of the southwest quarter of said section; thence southerly along the 1/16th line to the southerly line of said section 32; thence easterly along the section line to a point 1933' easterly from the southwest corner of section 33; thence northeasterly to a point of intersection with the north line of the southwest quarter of the southeast quarter of section 33, T4S, R5W, SLB&M, which point also lies 500' easterly along the 1/16th line from the northwest corner of the southwest quarter of the southeast quarter of said section; thence easterly along the 1/16th line to the southeast corner of the northwest quarter of the southeast quarter of said section; thence northerly along the 1/16th line to the northeast corner of the northwest quarter of the southeast quarter of said section; thence north 39°30' east, 490'; thence northeasterly to a point of intersection with the east section line of said section, said point also being 1750' southerly along said section line from the northeast corner of said section; thence northerly along the section line to the southwest corner of section 27; thence easterly 1100' along the section line to a point on the south line of said section; thence northeasterly to the point of beginning. Contains 4489 acres.