



W2725109

AFFIDAVIT

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LEANN H KILTS, WEBER COUNTY RECORDER
09-MAR-15 938 AM FEE \$.00 DEP TDT
REC FOR: WEBER COUNTY CLERK/AUDITOR

STATE OF UTAH)
)
) ss
COUNTY OF WEBER)

THE UNDERSIGNED, being duly sworn, deposes and says:

1. That I, Roger M. Brunker, have worked for Weber County for the last 32 years.
2. That one of my areas of assignment is to manage special district related issues.
3. That I have been contacted by the Board Members of the Ogden Valley Transmitter/Recreation Special Service District requesting copies of the recorded documents establishing the district.
4. That after a diligent and exhaustive search of county records I have been unable to locate copies of a recorded resolution establishing said District.
5. That I have found a signed copy of the resolution establishing the District on the 13th day of August, 1986, in a County Commission Meeting approved by the two commissioners present, Robert Hunter and William Bailey.
6. That I have attached a copy of the resolution and the minutes of that meeting to this affidavit.

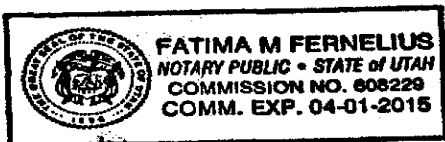
WHEREFORE, Affiant hereby requests that the Weber County Recorder's Office accept the attached documents to record and validate the creation of the District.

DATED this 9th day of March, 2015.

Roger M. Brunker

SUBSCRIBED and sworn to before me this 9th day of March, 2015 by Roger Brunker.

Notary Public



RESOLUTION ESTABLISHING THE OGDEN
VALLEY TRANSMITTER/RECREATION SPECIAL SERVICE DISTRICT

COMES NOW the Weber County Commission, and

WHEREAS following the conducting of a public hearing pursuant to 11-23-7&8 U.C.A. (1953) as amended on the 13th day of August 1986 at 7:00 p.m. at the Valley Middle School in Huntsville, Utah, and

WHEREAS, having taken all public input and having considered all protests made at said hearing or submitted prior thereto, and

WHEREAS, notice of said hearing having been published once a week for three (3) consecutive weeks in the Ogden Standard Examiner, a newspaper having general circulation in Weber County and the town of Huntsville, Utah, and

WHEREAS, the date of the first publication having been not less than twenty one (21) days nor more than thirty five (35) days before the hearing, and

WHEREAS, the town of Huntsville, Utah, an incorporated town in the State of Utah all of which is to be included within the boundaries of said Special Service District was presented through its Town Board with a certified copy of the enabling resolution passed by the Weber County Commission, and

WHEREAS, the Town Board of the Town of Huntsville has by resolution approved the resolution to establish said Special Service District, and

RESOLUTION
Page 2

WHEREAS, the need has been shown for the creation of a Special Service District pursuant to 11-23 Utah Code Annotated and for the provision of recreational facilities, specifically television transmission facilities, pursuant to the definition of recreation facilities under 11-2-1 Utah Code Annotated, and

WHEREAS, the need for such facilities is limited to certain areas of Weber County located within the Ogden Valley and more particularly described in the attached legal description, and

WHEREAS, such Special Service District should be self supporting and not reliant on County-wide tax revenues, and

NOW THEREFORE, the Weber County Commission does hereby establish the Ogden Valley Transmission/Recreation Special Service District pursuant to the enabling resolution with legal boundaries as described in the attached legal description. Said Special Service District shall be a separate body politic and corporate and a quasi-municipal public corporation distinct from Weber County with the Weber County Commission having supervisory authority over all activities of the Special Service District and delegating to an Administrative Control Board all duties as the Weber County Commission may by resolution delegate for the performance of any of the activities and the exercise of any rights, powers and authority of the Special Service District.

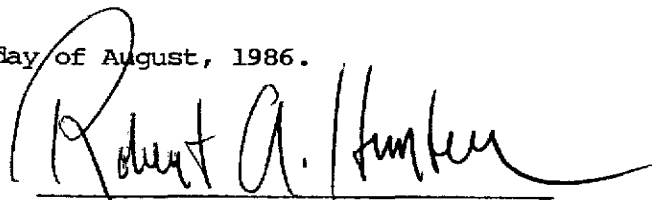
Section 1. There is hereby created an Administrative Control Board for the Special Service District which shall have membership of four (4) members, each of whom will be a qualified elector of the Special Service District and

RESOLUTION
Page 3

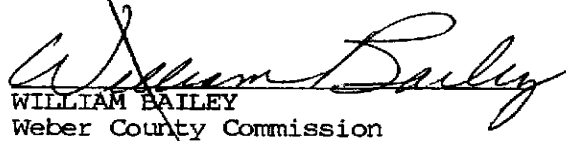
shall be appointed by the Weber County Commission, plus the additional member who will be appointed by the Town Board of the Town of Huntsville.

Section 2: It is the intent of the Weber County Commission that the Special Service District shall levy a service fee on all residences, all public accommodations and all businesses holding Class A and B beer and liquor licenses within the said district and shall comply with 11-23-14 Utah Code Annotated in the budget, accounting and disbursement of funds of the Special Service District.

ADOPTED AND PASSED this 29 day of August, 1986.



ROBERT HUNTER,
Weber County Commission



WILLIAM BAILEY
Weber County Commission

Attachment: Legal Description

ATTEST:

RICHARD GREENE

By David Y. Jenkins
Clerk

(S E A L)

COMMISSION ORDER TO ISSUE A REFUND TO MR. PALMER FOR OVER PAYMENT OF TAXES - ASSESSOR'S OFFICE. (16701)

Commissioner Hunter moved to issue a refund to Mr. Palmer for over payment of taxes. Commissioner Bailey seconded the motion, which passed unanimously.

APPROVAL OF THE MINUTES OF THE MEETING HELD AUGUST 11, 1986.

Commissioner Bailey moved for approval of the minutes of the meeting held August 11, 1986. Commissioner Hunter seconded the motion, which passed unanimously.

WARRANT REGISTERS.

Commissioner Bailey moved for approval of the warrant registers as submitted by the Auditor's office. Commissioner Hunter seconded the motion, which passed unanimously.

PUBLIC PRESENTATIONS.

Commissioner Hunter moved to set a public hearing to open the County Budget for August 25, 1986. Commissioner Bailey seconded the motion, which passed unanimously.

Commissioner Hunter moved to approve a temporary beer license for the Eagles Club in South Fork Canyon. The motion was to waive the fee for the license. Commissioner Bailey seconded the motion, which passed unanimously.

ADJOURN.

Commissioner Bailey moved to adjourn the public meeting and convene the public hearing at 7:00 p.m. at the Valley School in Huntsville. Commissioner Hunter seconded the motion, which passed unanimously.

PUBLIC HEARING HELD AUGUST 13, 1986 AT VALLEY SCHOOL IN HUNTSVILLE, UTAH.

INVOCATION.

Jeff Burton offered the invocation.

ADJOURN THE PUBLIC MEETING AND CONVENE THE PUBLIC HEARING.

Commissioner Hunter moved to adjourn the public meeting and convene the public hearing. Commissioner Bailey seconded the motion, which passed unanimously.

CONSIDERATION OF CREATION OF OF AN OGDEN VALLEY TRANSMITTER SPECIAL SERVICE DISTRICT.

Commissioner Bailey turned the time over to the President of the Ogden Valley Repeater Station, who stated that the District was needed to upgrade the transmitter and to provide service to areas of the valley that do not now get any T.V. reception.

Brad Dee stated that a study was made and that the finding was that the present site was adequate, for the time being. He also told the crowd that costs of the project have been reviewed and that it is estimated a \$12/year fee could provide sufficient revenue to upgrade the system. The fee would be collected from all private dwellings and establishments with a class "A" or "B" beer license.

A discussion ensued regarding implementation of the district, with most of the crowd favoring creation of the service district. Comments were made regarding the need for the district to raise funds to provide a necessary service, such as T.V. reception. Negative comments were made such as: government does not need to interfere in an area that should be private, the people do not need another avenue for taxation and that the fee for the district could rise to a level that most tax payers would find unacceptable.

Brent Johns pointed out that the tax could not be raised without a public hearing and approval by the service district governing board.

Commissioner stated that the majority rules, not everyone will agree on any one decision, but no action will be taken unless it is the desire of the people.

At this time a member of the audience asked the commission to take a vote on the matter.

ADJOURN THE PUBLIC HEARING AND RECONVENE THE PUBLIC MEETING.

Commissioner Hunter moved to adjourn the public hearing and reconvene the public meeting. Commissioner Bailey seconded the motion, which passed unanimously.

ACTION ON THE PUBLIC HEARING.

Commissioner Hunter moved for creation of the special service district. Commissioner Bailey seconded the motion, which passed unanimously.

ADJOURN.

Commissioner Hunter moved to adjourn the public meeting. Commissioner Bailey seconded the motion, which passed unanimously.