

PAGE () INDEX () ABSTRACT () PLAT () CHECK ()

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WASATCH CO RECORDER-ELIZABETH M PARCELL
1999 OCT 14 11:25 AM FEE \$.00 BY MNC
REQUEST: WASATCH COUNTY

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WASATCH COUNTY, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Board of County Commissioners of Wasatch County, Utah, acting as the governing board of Wasatch County Fire Protection Special Service District, will be held at the Board's regular meeting place at 5 p.m. on Monday, the 13th day of September, 1999, for the purpose of adopting a resolution setting a fire protection service charge within the Jordanelle Area of the Wasatch County Fire Protection Special Service District, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Brenda R. Titcomb
County Clerk

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair and members of the Board of County Commissioners of Wasatch County, Utah, acting as the governing board of Wasatch County Fire Protection Special Service District, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Michael L. Lakin
Chair
D. H. [Signature]
Commissioner
Ralph L. [Signature]
Commissioner

Heber City, Utah

September 13, 1999

The Board of County Commissioners of Wasatch County, Utah (the "Board") acting as the governing board of Wasatch County Fire Protection Special Service District, Wasatch County, Utah (the "District") met in special session on September 13, 1999, at its regular meeting place. The following members of the County Commission were present:

Michael L. Kohler
Ralph Duke
T. LaRen Provost

Chair
Commissioner
Commissioner

Also present:

Brent R. Titcomb

County Clerk

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, a Certificate of Compliance With Open Meeting Law with respect to this September 13, 1999 meeting, a copy of which is attached hereto as Exhibit "B", was presented to the Board.

Motion was made by Commissioner Duke and seconded by Commissioner Provost that the Board, acting as the governing board of the District, adopt the following Resolution imposing fire protection service charges within the District. The motion carried unanimously.

The Resolution was then signed by the Chair in open meeting and recorded in the official records of the Wasatch County Fire Protection Special Service District, Wasatch County, Utah. The Resolution is as follows:

00218614 Blk 00440 Pg 00375

RESOLUTION NO. 99-3

A RESOLUTION setting a fire protection service charge within the Jordanelle Area of the Wasatch County Fire Protection Special Service District, Wasatch County, Utah; and related matters.

WHEREAS, the Wasatch County Fire Protection Special Service District, Wasatch County, Utah (the "District") was established by Wasatch County, Utah (the "County") to provide and maintain adequate fire protection service within the boundaries of the District, which boundaries are conterminous with the boundaries of the County; and

WHEREAS, the District currently levies a property tax, the revenues from which are currently being used to provide basic fire protection services within the District; and

WHEREAS, the District includes areas having different densities, geographical topography and fire equipment requirements which necessitates fire protection services in addition to the basic fire protection services currently provided by the District; and

WHEREAS, the Jordanelle area of the District generally described in Exhibit "A" attached hereto ("Jordanelle Area") has need, in particular, of a fire station and appropriate equipment to provide adequate fire protection services to said area; and

WHEREAS, the District is authorized to enact a resolution to impose fees or charges for any commodities, services, or facilities provided by the District in accordance with Title 17A, Chapter 2, Section 1320, Utah Code Annotated, 1953, as amended; and

WHEREAS, the District deems it fair and equitable to set fees and charges within different areas within the District based upon the fire protection requirements of the different areas within the District such that said fees and charges are based upon the benefit received by the properties within each such area; and

WHEREAS, the revenues collected from the fees and charges will be applied within the area so charged to provide fire protection services within said area; and

WHEREAS, the District hereby finds and determines that the imposition of fees and charges is necessary to achieve an equitable allocation of the costs of providing and maintaining adequate fire protection service within the areas of the District, including the Jordanelle Area; and

WHEREAS, the District now desires to set a service charge for properties within the Jordanelle Area for the fire protection services required by said area; and

WHEREAS, the service charge established by this resolution is reasonably related to the cost of providing such fire protection service; and

00218614 Blk 00440 Pg 00376

WHEREAS, to ensure the reasonableness and fairness of the service charge, the governing body of the District has determined that said service charges should be charged on a per equivalent residential unit basis for all properties in the Jordanelle Area which have received from the County a density determination; and

WHEREAS, after a consideration of all the relevant factors, the governing board of the District finds and determines that it is in the best interests of the health, safety and general welfare of the current and future residents of the District to adopt this resolution to provide and maintain adequate fire protection service within the District particularly, within the Jordanelle Area;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASATCH COUNTY, UTAH ACTING AS THE GOVERNING BODY OF WASATCH COUNTY FIRE PROTECTION SPECIAL SERVICE DISTRICT, WASATCH COUNTY, UTAH, AS FOLLOWS:

Section 1. Imposition of Charges on Equivalent Residential Unit Basis in Jordanelle Area; Illustration of Unit Equivalents. A service charge for fire protection is hereby imposed in the Jordanelle Area of the District on an equivalent residential unit basis for all properties which have received from the County a density determination. Exhibit "A" attached hereto and incorporated by reference delineates the boundaries of the Jordanelle Area. Density of development is a factor of both the use and the size of the structures built within a project. Those properties that have planned development have been given a density determination by the County as set forth in the Jordanelle Basin Land Use Plan dated December 14, 1998. The density determination, in turn, equates to a specified number of equivalent residential units. For purposes of this resolution, the number of equivalent residential units for each property within the Jordanelle Area shall be determined in accordance with the Jordanelle Basin Land Use Plan. The number of equivalent residential units for each property may change over time as a result of changes in consumptive use, changes in state law, or changes in technology.

Section 2. Fee Rate and Method. A fire protection service charge of \$ 14.81 per month for each equivalent residential unit is hereby imposed on all properties within the description set forth in Exhibit "A" which have received a density determination from the County. As additional properties within the Jordanelle Area receive a density determination, said properties will also be subject to this fire protection service charge. The District may, from time to time, adjust the service charge amount as new equivalent residential units are made subject to the service charge in order to assure that the revenues received from said service charge reflect the cost of fire protection services provided.

Section 3. Approval of Fee Rate Findings. The Board of County Commissioners acting as the governing body of the District hereby finds that the service charge established above is just and equitable; that each piece of property to be charged

00218614 Ek 00440 Pg 00377

377

within the District will be directly benefitted by the fire protection service provided by the District within the Jordanelle Area.

Section 3. Purpose of Fees. Revenues collected from the service charge will be used by the District to pay the costs associated with providing fire protection service within the Jordanelle Area of the District.

Section 4. Delinquency of Payment of Service Charges.

(a) The County Clerk shall cause to be mailed to each property owner of property to be assessed at the last known address appearing on the County records, a written or printed statement stating thereon the amount of fire protection service charge assessed against him once each month or at such other regular interval as the governing body shall direct.

(b) The Statement shall specify the amount of the bill for fire protection service and the place of payment and date due. If any person fails to pay the fire protection service charge within 30 days of the date due, the Clerk shall cause to be sent to the delinquent property owner notice in writing of intent to charge a \$20 delinquent charge unless the delinquent property owner pays the bill in full within ten (10) days from the date of the written notice of delinquency.

(c) In the event the delinquent property owner does not pay the delinquent fire protection service charge and delinquent charge within said ten (10) day period, the Clerk shall cause to be charged a delinquent interest rate on said unpaid amount at the rate of 15% per annum until paid in full. In addition, the District may commence legal action to collect said delinquent charge plus penalties, and shall assess the delinquent property owner all costs of collection, including attorneys' fees.

Section 5. All Necessary Action Approved. The officials of the District are hereby authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Resolution.

Section 6. Repeal of Conflicting Provisions. All resolutions or parts thereof in conflict with this Resolution are hereby repealed.


Section 7. Publication of Resolution. Immediately after its adoption, this Resolution shall be signed by the Chair and County Clerk and shall be recorded in the resolution book kept for that purpose. This Resolution shall be published once in the Wasatch Wave, a newspaper published and having general circulation in the District, and shall take effect immediately upon its passage and approval and publication as required by law. In addition, a copy of this resolution shall be filed in the offices of the County

00218614 BK 00440 P3 00378

Recorder, together with the legal description set forth in Exhibit "A" attached hereto of the properties to be affected by this resolution.

00218614 EK 00440 F3 00379

ADOPTED AND APPROVED by the Board of County Commissioners, acting as the governing body of the District, this 13th day of September, 1999,



Chair

ATTEST:

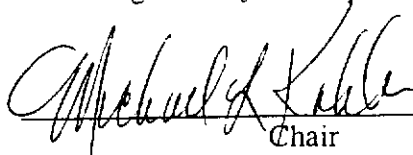

County Clerk

(SEAL)

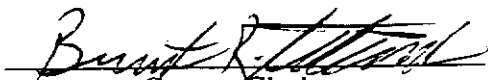


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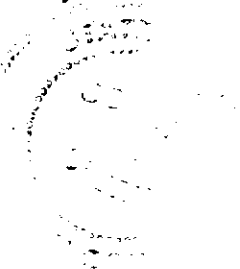
After the transaction of other business not pertinent to the foregoing matter, on motion duly made, seconded and carried, the meeting was adjourned.


Chair

ATTEST:


County Clerk

(SEAL)



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STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

I, Brent R. Titcomb, the duly appointed, qualified and acting Clerk of Wasatch County, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the record of proceedings had by the Board of County Commissioners of Wasatch County, Utah, acting as the governing body of the Wasatch County Fire Protection Special Service District, Wasatch County, Utah (the "District") at its meeting held on the 13th day of September, 1999, insofar as the same relates to or concerns the District as the same appears of record in my office.

I further certify that the Resolution setting fire protection service charges was recorded by me in the official records of the District on the 13 day of September, 1999.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of Wasatch County this 13 day of September, 1999.

Brent R. Titcomb
County Clerk

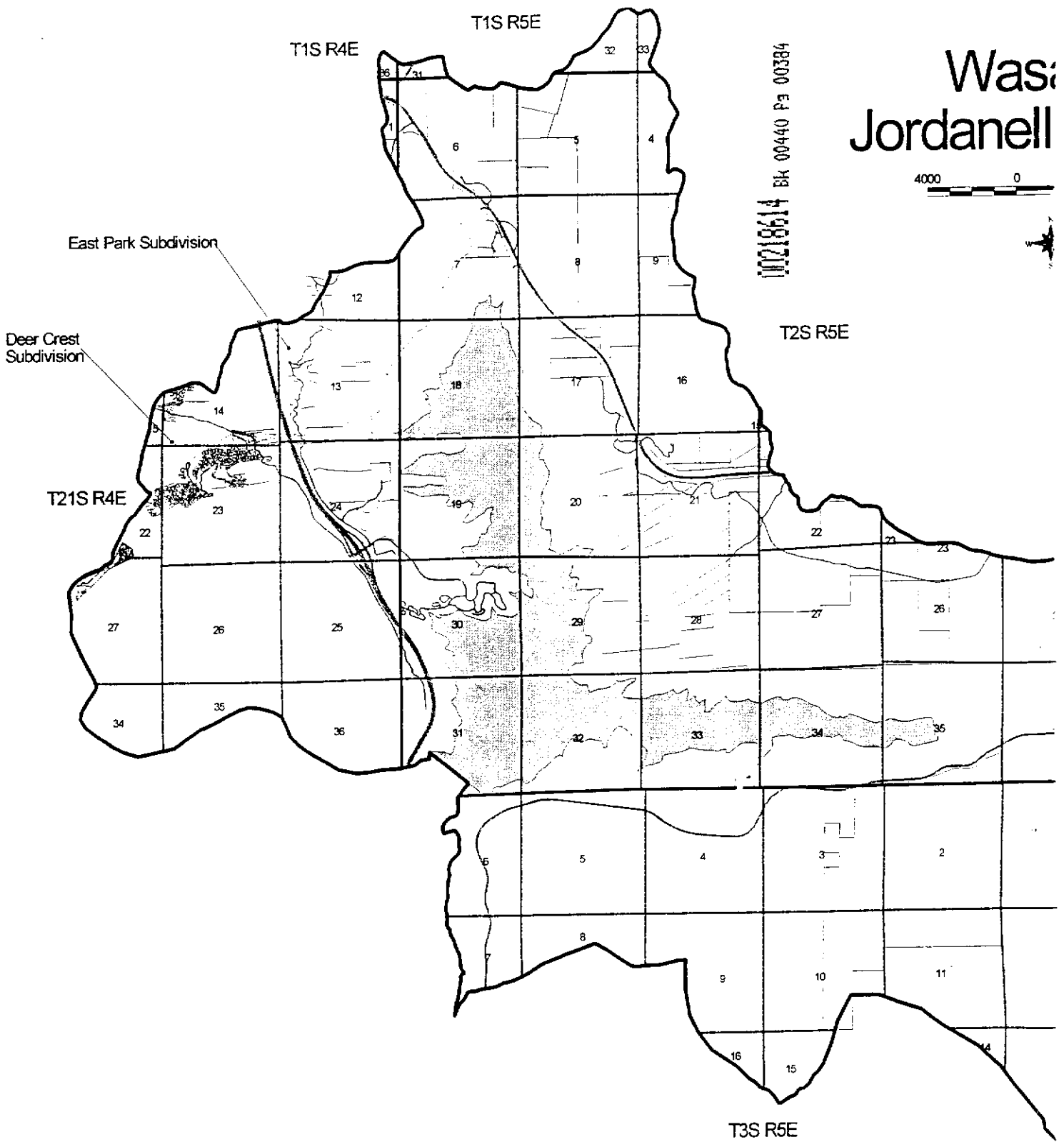


00218614 Blk 00440 Pg 00382

PROOF OF PUBLICATION

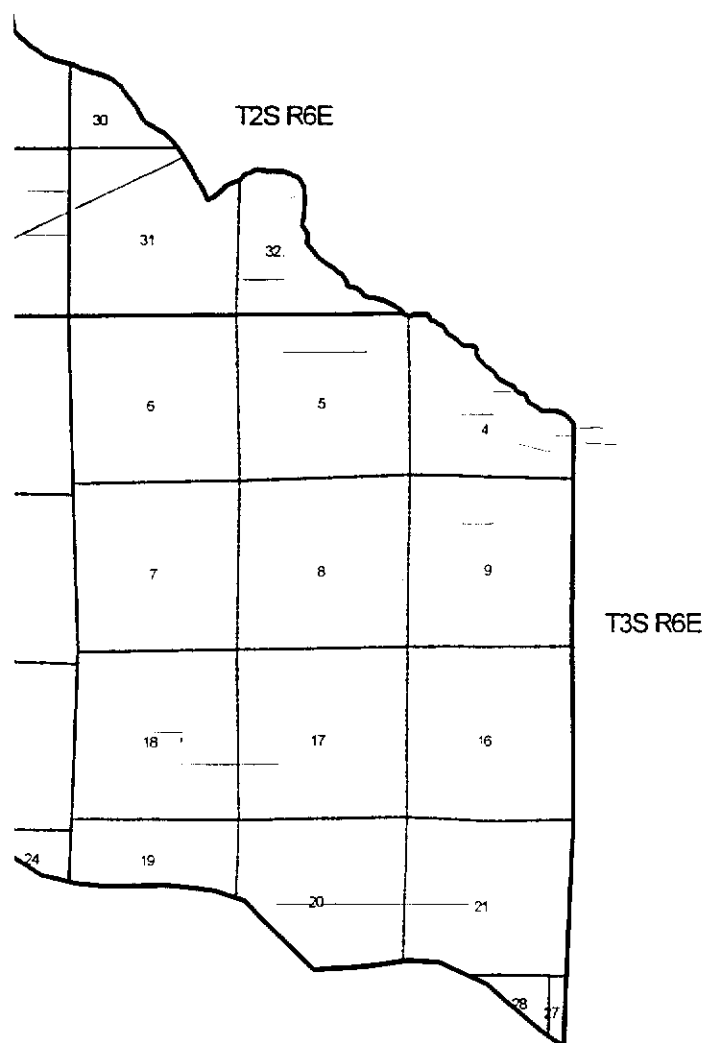
Attached to this page is the Proof of Publication, indicating by the affidavit of the publisher that the Resolution setting a fire protection service charge was adopted by the Board of County Commissioners on the 22 day of September, 1999, was published one time in the Wasatch Wave.

00218614 BK 00440 Pg 00383



atch County Planning Area

4000 8000 12000 Feet



Section	Township/Range	Base-meridian
36	T1SR4E	SLBM
33	T1SR5E	SLBM
32	T1SR5E	SLBM
31	T1SR5E	SLBM
34	T2SR4E	SLBM
36	T2SR4E	SLBM
35	T2SR4E	SLBM
1	T2SR4E	SLBM
26	T2SR4E	SLBM
23	T2SR4E	SLBM
22	T2SR4E	SLBM
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35	T2SR5E	SLBM
21	T2SR5E	SLBM
20	T2SR5E	SLBM
22	T2SR5E	SLBM

Section	Township/Range	Base-meridian
34	T2SR5E	SLBM
32	T2SR5E	SLBM
36	T2SR5E	SLBM
19	T2SR5E	SLBM
33	T2SR5E	SLBM
31	T2SR5E	SLBM
31	T2SR6E	SLBM
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28	T3SR6E	SLBM
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00218614 BK 00440 P3 00385

EXHIBIT "B"

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

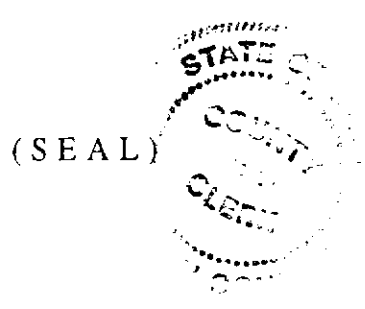
I, Brent R. Titcomb, the undersigned Clerk of Wasatch County, Utah (the "County"), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours' public notice of the agenda, date, time and place of the September 13, 1999 public meeting held by the County as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "1", to be posted at the County's principal offices on sep. 9, 1999, 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 "1", to be delivered to the Wasatch Wave on sep 9, 1999, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 13 day of September, 1999.

Brent R. Titcomb
County Clerk



00218614 Bl: 00440 Pg 00386

PUBLIC NOTICE is hereby given that the Board of County Commissioners of Wasatch County, acting as the Governing Board of the Wasatch County Fire Protection Special Service District, will hold a special public meeting in the County Commission Chambers in the Wasatch County Administration Building, 25 North Main Street, Heber City, Utah, commencing at 5:00 p.m., Monday, September 13, 1999.

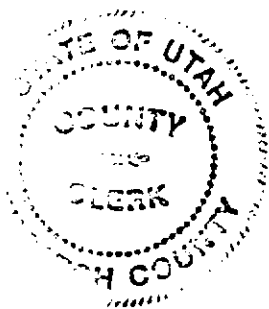
**Meeting of the Governing Board of the
WASATCH COUNTY FIRE PROTECTION DISTRICT**

AGENDA

DATE: Monday, September 13, 1999

1. **A RESOLUTION** setting a fire protection service charge within the Jordanelle Area of the Wasatch County Fire Protection Special Service District, Wasatch County, Utah, and related matters.

00218614 BR 00440 Pg 00387



Dated September 9, 1999

A handwritten signature in black ink, appearing to read "Brent R. Titcomb".

Brent Titcomb
Clerk/Auditor

In compliance with the Americans With Disabilities Act, individuals needing special accommodations during the meeting should notify Marie Sabey at 654-3211, Ext. 340 at least one day prior to the meeting.

387