

**RESOLUTION NO. R-2013-1701**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, UTAH, CREATING AND ESTABLISHING A SPECIAL SERVICE DISTRICT WITHIN WASHINGTON COUNTY; DESCRIBING THE BOUNDARIES THEREOF, NAMING THE SAID DISTRICT, AUTHORIZING AND SPECIFYING THE SERVICES TO BE PROVIDED, SETTING FORTH THE POWERS, DUTIES AND AUTHORITY, DESIGNATING THE GOVERNING AUTHORITY, PROVIDING FOR THE METHOD OR METHODS OF PAYMENT FOR THE SERVICES TO BE FURNISHED AND PRESCRIBING OTHER MATTERS AND DETAIL RELATING TO THE ESTABLISHMENT, OPERATIONS AND FUNCTIONS THEREOF

WHEREAS, the Washington County Commission ("Commission") has determined that the public health, convenience, and necessity require the establishment of a Special Service District to be named the Dammeron Valley Fire Special Service District ("District") authorized to provide fire protection, paramedic services, and ambulance services within the boundary that is set forth and described on the map attached hereto as Exhibit "A", which is unincorporated area within Washington County pursuant to the provisions of Article XIV, Section 8 of the Utah Constitution and Utah Code Annotated, § 17D-1-201, *et seq.* (1953, as amended) (the "Act"); and

WHEREAS, all of the property, residents, businesses, and inhabitants within the boundary of the District will be benefited by the establishment of the District authorized to provide fire protection, paramedic services, and ambulance services, which services shall be paid for only by the residents, businesses, and inhabitants within the boundary of the District; and

WHEREAS, to accomplish the foregoing purpose, the Commission has initiated, by Resolution No. R-2012-1680, approved and passed on November 13, 2012, the statutory process to create a special service district within the boundary of the District; and

WHEREAS, in accordance with the Resolution passed on November 13, 2012, and the Act, the Commission gave public notice of its intention to establish the District and it called and held a public hearing on January 8, 2013, on the proposal to establish the District, at which public hearing, the Commission permitted all interested persons to be heard and received all oral and written comments and protests submitted at that time; and

WHEREAS, every person who spoke at the January 8, 2013 public hearing, and, as demonstrated by a raise of hands, the overwhelming majority of those in attendance were in favor of creating the District; and

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WHEREAS, within the protest period provided by law, the Commission received one written protest against the establishment of the District or against the specified type or types of services to be furnished by the District; and

WHEREAS, the Commission has duly considered all protests received and does hereby determine that there are insufficient protests received to prohibit the creation of the District; and

WHEREAS, the Commission has taken all actions and accomplished all matters required and necessary which are preliminary to the creation of a special service district and, accordingly, does hereby determine that the District shall be created in accordance with this Resolution and the Act.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 5th day of February 2013, upon motion duly made and seconded, it is unanimously resolved as follows:

Section 1. There is hereby created and established in Washington County, State of Utah, a special service district, the area of which is described in Section 4, below. The District is ordered and declared duly formed, organized, and established under and by virtue of the provisions of the Act and shall be a separate body corporate and politic and a quasi-municipal public corporation of the State of Utah.

Section 2. The name of the District created hereby is and shall be hereafter known as the "Dammeron Valley Fire Special Service District," hereinafter referred to in this Resolution as the "District."

Section 3. The District shall have and exercise through its proper officers all of the rights, powers, and authority conferred upon special service districts by and included in the Act and as otherwise provided by law for the purposes as herein provided.

Section 4. The boundary and service area of the District is set forth and described on the map attached hereto as Exhibit "A", which is unincorporated area within Washington County (see the attached map of the proposed service area boundary).

Section 5. The District is hereby empowered to and shall have the authority to provide for or furnish any or all fire protection, paramedic services, and ambulance services within the territory of the District as and to the extent they are deemed necessary or desirable by the governing body thereof. The foregoing services and functions may be provided through facilities, systems, or property acquired for that purpose through construction, purchase, lease, rental, gift, or condemnation or any combination of the foregoing means, or by any other means available to special service districts as provided by law.

Section 6. The District shall be administered by an Administrative Control Board

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which is hereby delegated, without limitation, the power to act as the governing authority of the District and shall have and is hereby vested with all of the powers, duties and responsibilities conferred upon such governing authority by the Act, and all laws amendatory and supplemental thereof, and implemented by this Resolution.

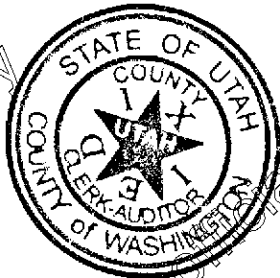
Section 7. The membership of the Administrative Control Board of the District shall consist of five (5) members who are registered voters residing within the boundary of the District.

Initially, the board members shall be appointed by the Washington County Commission. However, after the initial appointments the board members shall be elected by the registered voters residing within the boundary of the District. Mid-term vacancies shall be filled by the board in accordance with state law.

The board members shall serve for terms of four (4) years. However, two (2) of the initial board members' terms shall expire on December 31, 2015, and three (3) of the board members' terms shall expire on December 31, 2017. Lots shall be drawn to determine the length of term of the five (5) members.

Section 8. Any service or function of the systems, properties, and facilities related to those services as specified in this Resolution provided by the District shall be paid for by the imposition and collection of fees, charges, and/or tax levy in accordance with the Act. The Board shall have the authority to adopt such rules and regulations as are necessary to assure the proper collection and enforcement of all fees, charges and/or taxes imposed as provided by the Act.

VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 5TH DAY OF FEBRUARY 2013.



WASHINGTON COUNTY


JAMES A. EARDLEY, Chair
Washington County Commission

ATTEST:


Kim M. Hafen
Washington County Clerk-Auditor

**DAMMERON VALLEY FIRE
SPECIAL SERVICE DISTRICT
(Proposed)**

All private property in the following described sections, less and excepting any private property in the Northwest Special Service District, Including any property that comes out of Federal and State ownership by lease or sale, said District being in Sections 8, 17, 18, 19, & 20 of Township 40 South, Range 16 West, Salt Lake Base and Meridian.