

ENT 521955 Bk 448 Pg 564
DATE 25-APR-1989 10:11AM FEE 0.00
MICHAEL L GLEED, RECORDER
** CACHE COUNTY, UTAH ** RECORDED BY SA
FOR CACHE COUNTY CLERK

CACHE COUNTY

RESOLUTION NO. 89-11

A RESOLUTION ESTABLISHING THE CACHE COUNTY ROADS SPECIAL SERVICE DISTRICT FOR THE PURPOSE OF CONSTRUCTING, REPAIRING, AND MAINTAINING ROADS WITHIN THE UNINCORPORATED TERRITORY OF CACHE COUNTY.

The Cache County Council in a duly convened regular meeting, lawful notice of which was given, pursuant to Section 11-23-11(1), Utah Code Annotated, 1953 as amended, finds that Cache County Resolution No. 89-01 adopted by this Council declared that the public health, convenience, and necessity require the establishment of a special service district; a public hearing was held on February 7, 1989, following the publication and notice in the manner required by law; all protests have been taken into consideration; more than 15 days have elapsed since the public hearing; less than 50% of the voters or owners of 50% of the taxable value of property located within the proposed district have protested the creation of the proposed special service district or the services to be provided by it in writing; and in order to be eligible to receive funds under Sections 59-21-1 and 59-21-2, Utah Code Annotated, 1953 as amended, from the Utah State Mineral Lease account, a special service district must be established for the purpose of constructing, repairing, and maintaining roads within the county; and that it would be in the best interest of the county to establish the proposed district and be eligible for such funds.

THEREFORE the Cache County Council resolves as follows:

BE IT RESOLVED that:

Section 1. Establishment of District.

There is hereby established the CACHE COUNTY ROADS SPECIAL SERVICE DISTRICT for the purpose of constructing, repairing, and maintaining roads within the special service district.

Section 2. Boundaries.

The boundaries in the district and the real property contained therein include all the boundaries of and all the property located within the unincorporated territory of Cache County, Utah.

Section 3. Name.

The name of the special service district shall be "Cache County Roads Special Service District".

Section 4. Establishment of Administrative Control Board.

There is hereby established an Administrative Control Board for the district and there is hereby delegated to that board, without limitations, the power to act as the governing authority of the district and to exercise all or any of the powers provided for in the Utah Special Service District Act.

Section 5. Limits on Power of Administrative Control Board.

A. The Administrative Control Board shall not, however, have the power to levy a tax on the taxable property of the district, to issue bonds payable from taxes, or to call or hold an election for the authorization of the tax or bonds without the approval of the County Council.

B. No tax may be levied and no bonds issued unless authorized by a majority of the qualified electors in the district.

Section 6. Membership.

The membership of the Administrative Control Board of the district shall consist of seven (7) members, each of whom shall be a qualified elector of the service district and shall be appointed by the Cache County Executive with the advice and consent of the County Council.

Section 7. Terms of Office.

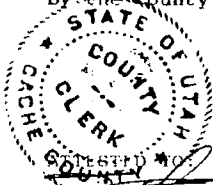
(A) The term of office of members of the Administrative Control Board shall be four (4) years each; subject, however to Subparagraph B of this section and Section 11-23-4(5), Utah Code.

(B) Three (3) of the initial board members shall be appointed to and shall serve for a two (2) year term and the remaining members shall serve a four (4) year term, the determination of whom shall be in each category to be by lot.

(C) Vacancies of the appointed members of the Administrative Control Board other than by expiration of term, shall be filled by appointment by the County Executive with the advice and consent of the County Council for the unexpired term of the members whose vacancies are filled.

Section 8. Effective Date.

Resolved and adopted this 7th day of March, 1989,
by the County Council of Cache County, Utah.



CACHE COUNTY

By: C. Dennis Funk
C. Dennis Funk
Chairman

Seth S. Allen
Seth S. Allen, County Clerk