

**SPANISH VALLEY WATER AND SEWER IMPROVEMENT DISTRICT**

**RECORD OF PROCEEDINGS  
FOR THE CREATION OF THE GRAND  
WATER AND SEWER SERVICE AGENCY**

A special meeting of the Board of Trustees of the Spanish Valley Water and Sewer Improvement District was held on Monday, September 21, 1998, at the hour of 7:00 p.m., at the County Council Chambers of Grand County, in Moab, Utah, at which meeting there were present and answering roll call the following members who constituted a quorum:

Paul Morris	Chair
A. Dan Holyoak	Vice-chair
<del>Neal Dalton</del>	<del>Trustee and Clerk</del>
Karla VanderZanden	Trustee and Treasurer
George M. White	Trustee

Trustee A. Dan Holyoak introduced the following resolution in writing, which was read in its entirety, and moved its adoption:

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**RESOLUTION NO. 98 - 02**

**A RESOLUTION SETTING FORTH THE FINDINGS OF THE BOARD OF TRUSTEES OF THE SPANISH VALLEY WATER AND SEWER IMPROVEMENT DISTRICT RELATIVE TO THE CREATION OF THE GRAND WATER AND SEWER SERVICE AGENCY, AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF THE DISTRICT**

WHEREAS, state law provides that, pursuant to the provisions of the Utah Interlocal Co-operation Act, §11-13-1, *et seq.*, Utah Code Ann., 1953, as amended (the "Act"), any power or powers, privileges or authority exercised or capable of exercise by a public agency of the state (defined as any political subdivision of the state, including special districts of various kinds), may be exercised and enjoyed jointly with any other public agency, and that any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the Act; and

WHEREAS, the Spanish Valley Water and Sewer Improvement District, the Grand County Water Conservancy District, and the Grand County Special Service Water District (hereinafter collectively, the "Districts") have historically shared employees and other resources in providing their respective municipal services to residents and others within their respective boundaries; and

WHEREAS the Board of Trustees of the Spanish Valley Water and Sewer Improvement District hereby finds and determines that there is mutual advantage and benefit of economies of scale, economic development and utilization of resources in cooperating with each of the other Districts in jointly planning, financing, operating and maintaining the resources and assets of the Districts in and for the common interest and good of the those served within their respective boundaries as the same currently exist and as the same may be modified by annexation from time to time; and

WHEREAS, the Board of Trustees of the Spanish Valley Water and Sewer Improvement District hereby finds and determines it to be in the best public interest that an agreement be entered into among the Districts, and that a separate legal and administrative entity be established, pursuant to the provisions of §11-13-5.5 the Act, in order to accomplish the purpose and maximize the benefits of their joint and cooperative action, including the undertaking and financing of the services to be provided by and the ongoing operation and

maintenance of all water and sewer systems, buildings, facilities, equipment, grounds, and all other resources and assets which are the properties of the Districts;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Spanish Valley Water and Sewer Improvement District, Moab, Utah:

Section 1. The Chairman of the Board of Trustees is hereby authorized to execute, on behalf of the Spanish Valley Water and Sewer Improvement District, that certain Interlocal Agreement Creating the Grand Water and Sewer Service Agency.

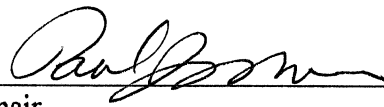
Section 2. This Resolution shall take effect immediately upon passage.

Trustee George White seconded the motion to adopt the foregoing resolution. The motion and resolution were unanimously adopted on the following recorded vote.

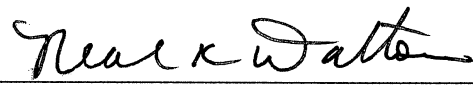
Those voting AYE: Unanimous

Those voting NAY: None

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

  
Chair

ATTEST:

  
District Clerk

STATE OF UTAH )  
                                  :SS  
County of Grand )

**CERTIFICATE**

I, Neal Dalton, the duly chosen, qualified and acting Clerk of the Board of Trustees of the Spanish Valley Water and Sewer Improvement District, Moab, Utah, do hereby certify as follows:

1. That the foregoing typewritten pages constitute a full, true and correct copy of the record of proceedings of the Board of Trustees of Spanish Valley Water and Sewer Improvement District taken at a special meeting thereof held on September 21, 1998, insofar as said proceedings relate to the consideration and adoption of a resolution authorizing the chairman of the Board to execute the Interlocal Agreement Creating the Grand Water and Sewer Service Agency, that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified.

2. That due, legal and timely notice of said meeting was served upon all members as required by law and the rules of said District.

3. That the above resolution was deposited in my office and is a part of the permanent records of said District.

4. 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 21, 1998, public meeting held by the Board of Trustees of the District by causing a notice to be posted at the principal offices of the District at least twenty-four hours prior to the convening of the meeting, a copy of which notice is attached hereto as Exhibit "A," and by causing a copy of such notice to be delivered to the Times Independent at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunder subscribed my official signature this 29<sup>th</sup> day of September, 1998.

  
Clerk