

Daggett County Utah

April 18, 2000

A regular meeting of the Board of County Commissioners of Daggett County, Utah was held on Tuesday the 18th day of April, 2000, at the hour of 9:00 a.m., at the regular meeting place of said Board, at which meeting there were present and answering roll call the following members who constituted a quorum:

|                          |              |
|--------------------------|--------------|
| <u>James M. Briggs</u>   | Chair        |
| <u>Chad L. Reed</u>      | Commissioner |
| <u>Sharon P. Walters</u> | Commissioner |

Also present:

|                    |              |
|--------------------|--------------|
| <u>Vicky Mckee</u> | County Clerk |
|--------------------|--------------|

Absent:

After the meeting had been duly called to order and the minutes of the preceding meeting read and approved, the following resolution was introduced in writing, read in full and pursuant to motion duly made by Commissioner Reed and seconded by Commissioner Walters adopted by the following vote:

YEA: James M. Briggs  
Chad L. Reed  
Sharon P. Walters

NAY:

The resolution was later signed by the Chair and recorded by the County Clerk in the official records of Daggett County, Utah. The resolution is as follows:

E 019875 B 0052 P 0620  
Date 27-APR-2000 10:39am  
Fee: No Fee Check  
RANAE WILDE, Recorder  
Recorded By CL  
For DAGGETT COUNTY  
DAGGETT COUNTY

RESOLUTION NO. 00-14

RESOLUTION of the governing body of Daggett County, Utah ("County") approving the Rural Communications System Interlocal Cooperative Agreement; authorizing the execution and delivery of said Interlocal Cooperative Agreement; appointing one representative to the UAC Interlocal Agency, Utah approving the obligation of the County, subject to annual appropriation, to pay to UIA the County's proportionate share of the costs of Equipment described herein; and related matters.

WHEREAS, pursuant to the provisions of the Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Interlocal Cooperation Act"), public agencies, as defined in the Interlocal Cooperation Act ("Public Agencies"), are authorized to enter into contracts and agreements with one another in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State of Utah; and

WHEREAS, the Interlocal Cooperation Act provides that any power that may be exercised by any Public Agency may be exercised and enjoyed jointly with other Public Agencies pursuant to an agreement duly approved by resolution of the governing body of each of such Public Agencies; and

WHEREAS, various counties (the "Counties") have each expressed commitment to provide broadcast television service to citizens of rural areas located within their respective borders; and

WHEREAS, recent federal mandates require the displacement of rural television transmissions from existing translators located throughout the State of Utah; and

WHEREAS, the respective Boards of County Commissioners of such Counties have determined that the creation of a separate legal entity to provide for the acquisition and installation of new television translator equipment for television translator sites located throughout the State of Utah (the "Equipment") is necessary to continue to provide broadcast television service to residents in rural areas located in the State of Utah and will enhance cultural opportunities for such residents of the Counties; and

WHEREAS, in order to improve local health and the general welfare by providing broadcast television service to residents of rural areas located within Daggett County, the County desires to enter into an interlocal cooperative agreement with the other Counties to provide for the creation of the UAC Interlocal Agency, Utah ("UIA") and the issuance of bonds for the financing or acquisition of said Equipment and related improvements; and

E 019875 B 0052 P 0621

WHEREAS, the County now desires to appoint its representative to the Governing Body of UIA as provided in the Rural Communications System Interlocal Cooperative Agreement (the "Interlocal Agreement"); and

WHEREAS, the County desires to facilitate the financing of the Equipment by UIA by obligating itself, subject to annual appropriation to pay to UIA, if necessary, the County's proportionate share of the costs of the Equipment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAGGETT COUNTY, UTAH AS FOLLOWS:

Section 1. All actions not inconsistent with the provisions of this resolution heretofore taken by the County are hereby ratified, approved and confirmed.

Section 2. The Interlocal Agreement, in the form presented to this meeting and attached hereto as Exhibit "A", is hereby approved, and the appropriate officers of the County are hereby authorized and directed to execute and deliver the Interlocal Agreement in the form presented to this meeting, their execution constituting conclusive evidence of the County's approval thereof.

Section 3. Chad L. Reed is hereby appointed to serve as representative of the County to the Governing Body of UIA to serve for the following initial term:

| <u>Name</u> | <u>Term Expiration</u> |
|-------------|------------------------|
|-------------|------------------------|

pursuant to the Interlocal Agreement.

Section 4. All orders, ordinances and resolutions with respect to this transaction heretofore adopted, or parts thereof, which are in conflict with any of the provisions hereof are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 5. If any provision of this resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this resolution and the provisions of this resolution being deemed to be the separate independent and severable act of the governing body of the County.

Section 6. In consideration for its proportionate undivided interest in the Equipment as well as other valuable consideration benefitting the County as a result of its

participation in the Interlocal Agreement, and to the extent permitted by law, the County agrees to assist UIA, if necessary, in financing the costs of the Equipment, and shall take such action as may be necessary or desirable to assure that the final budget submitted to the Board of Commissioners of the County for its consideration contains an appropriation request of money to provide assistance to UIA in an amount of not more than the County's proportionate share of the cost of the Equipment based on the percentages set forth in Exhibit "B". Nothing contained in this resolution shall obligate the Board of Commissioners to appropriate or pay any amounts hereunder and nothing contained herein shall be construed to create a general obligation or other pecuniary liability of the County. The obligation of UIA with respect to the financing of the Equipment shall not be a debt of the County pursuant to any constitutional or statutory debt limitations and no judgment requiring a payment of money may be entered against the County by reason of a failure to appropriate any amount hereunder.

Section 7. Immediately after its adoption, this resolution shall be signed by the appropriate officers of the County, shall be recorded in the official records of the County and shall take immediate effect.

PASSED and approved by the governing body of the County, this 18<sup>th</sup> day of April, 2000.

By James M. Briggs  
Title County Commission Chair

SEAL  
(S E A L)  
ATTEST:

By Jiby McKee  
Its County Clerk

(Here follows other business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board of County Commissioners of Daggett County, Utah, adjourned.

James M. Lincoln  
Chair

ATTEST:

Wibby M. Lee  
County Clerk

CLERK  
(SEAL)

STATE OF UTAH )  
 ) ss.  
COUNTY OF Daggett )

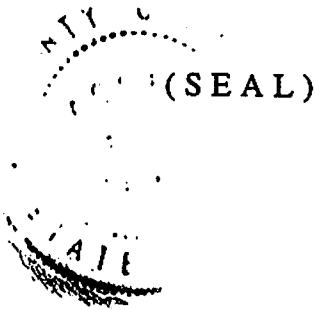
I, Vicky Mckee, the undersigned duly qualified and acting County Clerk of Daggett County, Utah (the "County") do hereby certify:

The foregoing pages numbered 1 to 4 both inclusive, are a true and complete copy of the record of proceedings of the County's Board of County Commissioners (the "Board"), had and taken at a lawful meeting of the Board held at the Board's regular meeting place in Manila, Utah, on the 18th day of April, 2000, commencing at the hour of 9:00a.m., as recorded in the regular official book of the proceedings of the Board kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of the Board were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County, this 18th day of April, 2000.

Vicky Mckee  
County Clerk



STATE OF UTAH )  
 ) ss.  
COUNTY OF Daggett )

CERTIFICATE OF COMPLIANCE  
WITH OPEN MEETING LAW

I, Vicky Mckee, the undersigned duly qualified and acting County Clerk of Daggett 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, not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the April 18, 2000, public meeting held by the County was given as follows:

(a) By causing a Notice, in the form attached hereto as Exhibit "C", to be posted at the County's principal offices on April 14th, 2000, 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 Exhibit "C", to be delivered to Vernal Exp on April 18th, 2000, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2000 Annual Meeting Schedule for the County (attached hereto as Exhibit "D") was given specifying the date, time and place of the regular meetings of the County to be held during the year, by causing said Notice to be posted on 12-23-99 at the principal office of the County and by causing a copy of said Notice to be provided to at least one newspaper of general circulation within the County on 12-23-99.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 18th day of April, 2000.

Vicky Mckee  
County Clerk

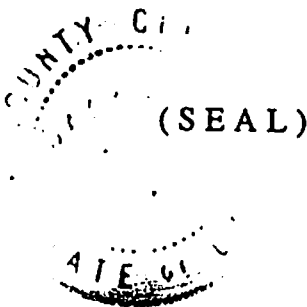


EXHIBIT "A"

FORM OF INTERLOCAL AGREEMENT



EXHIBIT "B"

LIABILITY OWNERSHIP OF UIA

Rural Television Interlocal

| County     | Population | % of Total | Liability/Ownership |
|------------|------------|------------|---------------------|
| Beaver     | 5,881      | 1.16%      | \$ 42,162.49        |
| Box Elder  | 41,732     | 8.24%      | \$ 299,188.10       |
| Cache      | 87,440     | 17.27%     | \$ 626,881.24       |
| Carbon     | 21,422     | 4.23%      | \$ 153,580.17       |
| Daggett    | 737        | 0.15%      | \$ 5,283.75         |
| Duchesne   | 14,381     | 2.84%      | \$ 103,101.32       |
| Emery      | 10,862     | 2.15%      | \$ 77,872.64        |
| Garfield   | 4,550      | 0.90%      | \$ 32,620.19        |
| Grand      | 9,060      | 1.79%      | \$ 64,953.61        |
| Iron       | 31,518     | 6.23%      | \$ 225,961.15       |
| Juab       | 8,120      | 1.60%      | \$ 58,214.50        |
| Kane       | 6,144      | 1.21%      | \$ 44,048.01        |
| Millard    | 11,959     | 2.36%      | \$ 85,737.34        |
| Morgan     | 7,262      | 1.43%      | \$ 52,063.26        |
| Piute      | 1,644      | 0.32%      | \$ 11,786.28        |
| Rich       | 1,835      | 0.36%      | \$ 13,155.62        |
| San Juan   | 13,561     | 2.68%      | \$ 97,222.51        |
| Sanpete    | 21,408     | 4.23%      | \$ 153,479.80       |
| Sevier     | 18,884     | 3.73%      | \$ 135,384.55       |
| Summit     | 26,459     | 5.23%      | \$ 189,691.80       |
| Tooele     | 35,847     | 7.08%      | \$ 256,996.93       |
| Uintah     | 25,029     | 4.94%      | \$ 179,439.74       |
| Wasatch    | 13,711     | 2.71%      | \$ 98,297.90        |
| Washington | 81,204     | 16.04%     | \$ 582,173.65       |
| Wayne      | 2,538      | 0.50%      | \$ 18,195.62        |
| Weber      | 3,000      | 0.59%      | \$ 21,507.82        |
| Total      | 506,188    | 100.00%    | \$ 3,629,000.00     |
|            |            |            | \$ 3,629,000.00     |

**DAGGETT COUNTY COMMISSION**

**WORKSHOP MEETING  
8:00 A.M.**

1. Workshop: Personnel Policy and Procedure Manual.

**MEETING AGENDA  
TUESDAY, APRIL 18, 2000  
9:00 A.M.  
DAGGETT COUNTY COURTHOUSE**

1. Welcome - Pledge of Allegiance.
2. Old Business.
3. Citizen Comments- 15 minutes.
4. Approve Minutes.
5. Approval of Daggett County Personnel Policy & Procedure Manual.
6. Television Interlocal Agreement.
7. Daggett County Water Management Plan Update.
8. 10:15 A.M. - Mike Busic, Bureau of Reclamation-Dutch John.
9. Update for Questar Gas Line.
10. Appointment of Satellite Registrars/Election Judges.
11. Dutch John Celebration.
12. County Roads.
13. Browns Park Precinct #3.
14. Versar Billing.
15. Business Licenses.
16. Correspondence.
17. Executive Session If Needed.
18. Approve Vouchers.

Anyone with a disability requiring special accommodations to fully participate in this meeting should contact Daggett County Clerk's office at 435/784-3154 prior to the meeting to request reasonable accommodations.

EXHIBIT "C"

MEETING NOTICE

**DAGGETT COUNTY COMMISSION  
NOTICE OF 2000 ANNUAL MEETING SCHEDULE**

**Daggett County Commission meetings will be held on the first and third Tuesdays of each month for the year of 2000. The meetings will convene at 9:00 A.M. in the Commission Chambers.**

**Vicky McKee  
County Clerk**

EXHIBIT "D"

ANNUAL MEETING SCHEDULE