

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the LONGHORN SPECIAL SERVICE DISTRICT, dated May 26th, 2009, complying with Section 17D-1-209, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the LONGHORN SPECIAL SERVICE DISTRICT, located in Utah County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 3rd day of June, 2009.




GARY R. HERBERT
Lieutenant Governor



Utah County Attorney

Civil Division

Jeffrey R. Buhman, County Attorney
E. Kent Sundberg, Civil Division Chief

E. Kent Sundberg
David H. Shawcroft
Kent O. Willis
M. Cort Griffin

Chris Yannelli
Paul Wake
Robert J. Moore
Dianne R. Orcutt

100 East Center Street,
Suite 2100
Provo, UT 84606
Phone (801)851-8026
Facsimile (801)851-8009

May 26, 2009

Utah State Lt. Governor
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, UT 84114-2325

Re: *Creation of the Longhorn Special Service District*

To Whom It May Concern:

Pursuant to Section 17D-1-209, Utah Code Annotated, 1953 as amended, please find enclosed a Notice and Certification, with accompanying copy of the fully executed and recorded Resolution which created the Longhorn Special Service District, Utah County, Utah, and provided for other related matters. Also attached to the Notice and Certification is a map showing the boundaries of the Longhorn Special Service District.

If you have any questions regarding the enclosed, please contact our office.

Sincerely,

E. Kent Sundberg
Deputy Utah County Attorney

Encl.

L:\KENTS\Longhorn SSD\Lt Gov Longhorn SSD Certification.let.wpd

Received

JUN 03 2009

**Gary R. Herbert
Lieutenant Governor**

EXHIBIT A

NOTICE AND CERTIFICATION

Pursuant to the provisions of Section 17D-1-209, Utah Code Annotated, 1953 as amended, notice is hereby given that the Board of County Commissioners, Utah County, Utah, created the Longhorn Special Service District, Utah County, Utah, by Resolution adopted on May 26, 2009, and recorded by the Utah County Recorder on May 26, 2009. A copy of said Resolution is attached hereto as Exhibit "A" and incorporated herein by reference.

A map showing the boundaries of the Longhorn Special Service District is attached hereto as Exhibit "B" and incorporated herein by reference.

Pursuant to the provisions of Section 17D-1-209, Utah Code Annotated, 1953 as amended, certification is hereby made by the undersigned officers that all necessary legal requirements relating to the creation of the Longhorn Special Service District have been fully met.

DATED this 26th of May, 2009.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: Lynia Stuebeland
Deputy

Larry A. Ellertson
LARRY A. ELLERTSON, Chair

Steve White
STEVE WHITE, Commissioner

Excused
GARY J. ANDERSON, Commissioner

APPROVED AS TO FORM:
Jeffrey R. Buhman
Utah County Attorney

By: Ernest J. Buhman
Deputy

Resolution No. 2009-79

Provo City, Utah
May 26, 2009

The Board of County Commissioners of Utah County, Utah (hereinafter the "Commission") met in regular public session at the regular meeting place of the Commission in the Utah County Administration Building in Provo City, Utah, at 9:00 a.m. on May 26, 2009.

On roll call, the following members of the Commission were determined present:

Larry A. Ellertson	Chair
Steve White	Vice-Chair

ENT 57671:2009 PG 1 of 18
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2009 May 26 1:52 pm FEE 0.00 BY EO
RECORDED FOR UTAH COUNTY ATTORNEY

There were also present:

Bryan E. Thompson	County Clerk/Auditor
Linda Strickland	Deputy County Clerk/Auditor
E. Kent Sundberg	Deputy Utah County Attorney

After the meeting had been duly called to order, the Deputy County Clerk/Auditor presented to the Commission an affidavit evidencing the giving of not less than twenty-four (24) hours public notice of the agenda, date, time and place of the May 26, 2009 regular meeting in compliance with the requirements of Section 52-4-202, Utah Code Annotated, 1953 as amended, by (1) posting written notice of the meeting at the principal office of the Commission, (2) posting written notice on the Utah Public Notice Website, and (3) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of Utah County, Utah, or to a local media correspondent. The affidavit was ordered recorded in the minutes of the meeting and is as follows:

STATE OF UTAH)
 :
COUNTY OF UTAH)

I, the undersigned, the duly qualified and acting Deputy County Clerk/Auditor of Utah County, Utah, and Deputy Clerk of the Board of County Commissioners of Utah County, Utah, do hereby certify, according to the records of the Commission in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, 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 May 26, 2009 regular public meeting held by the Board of County Commissioners of Utah County, Utah, by:

(a) causing a Notice of Public Meeting to be posted at the principal office of the Commission at the Utah County Administration Building, in Provo City, Utah, on May 22, 2009, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as **Attachment I**; said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the Commission until the convening of the meeting; and

(b) causing a Notice of Public Meeting to be posted on the Utah Public Website on May 22, 2009, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as **Attachment I**; and

(c) causing a copy of the Notice of Public Meeting in the form attached hereto as **Attachment I** to be provided on May 22, 2009, at least twenty-four (24) hours before the convening of the meeting, to The Daily Herald, a newspaper of general circulation within the geographic jurisdiction of Utah County, Utah, and to any other local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the Commission.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Utah County, Utah, this 26th day of May, 2009.



Deputy County Clerk/Auditor
Utah County, Utah

[SEAL]

ATTACHMENT I

ENT 57671:2009 PG 3 of 18

PUBLIC NOTICE IS HEREBY GIVEN THAT THE

BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN THAT THE BOARD OF COMMISSIONERS OF UTAH COUNTY, UTAH, WILL HOLD THEIR REGULARLY SCHEDULED PUBLIC MEETING SCHEDULED FOR MAY 26, 2009 AT 9:00 A.M. AS AN ELECTRONIC MEETING WITH THE ANCHOR LOCATION FOR SAID MEETING TO BE THE UTAH COUNTY COMMISSION CHAMBERS, ROOM 1400 OF THE UTAH COUNTY ADMINISTRATION BUILDING, 100 E. CENTER STREET, PROVO, UTAH.

CONSENT AGENDA

1. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE HISTORIC COUNTY COURTHOUSE LEASE AGREEMENT WITH CORY HAFEN FOR A WEDDING RECEPTION TO BE HELD JUNE 12, 2009
2. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A SERVICE AGREEMENT WITH EASTMAN KODAK COMPANY FOR A KDS DOC ARCHIVE WRITER 4800 SN 102-9297-11799351-02; A KDS ARCHIVE WRITER CASSETTE 66, SN 886-6907-1108893; AND A KDS ARCHIVE WRITER CASSETTE 66, SN 886-6907-11809280 - Located in Records Management
3. APPROVE AND ADOPT A RESOLUTION APPOINTING A DEPUTY CLERK/AUDITOR
4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2009 EMPG PROJECT ALLOCATION IN THE AMOUNT OF \$3,542.00
5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LETTER DIRECTING THE UTAH COUNTY PLANNING COMMISSION TO REVIEW AND MAKE A RECOMMENDATION ON PROPOSED ORDINANCES AMENDING THE OFFICIAL UTAH COUNTY ZONE MAP, A PART OF THE UTAH COUNTY LAND USE ORDINANCE
6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN ONE TERMINATION AGREEMENT AND GENERAL RELEASE (SEVERANCE PAYMENT OPTION) WITH ONE COUNTY EMPLOYEE
7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN ONE TERMINATION AGREEMENT AND GENERAL RELEASE (SEVERANCE PAYMENT OPTION) WITH ONE COUNTY EMPLOYEE
8. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO UTAH COUNTY
9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH FIRST QUALITY ENTERPRISES, INC.
10. APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2009-10
11. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60192, DATED MAY 15, 2009
12. APPROVE REQUESTED EXEMPTIONS ON LIST DATED MAY 21, 2009, APPLIED FOR BY TAXPAYERS, FOR PAYMENT OF TAXES WHERE THE MARKET VALUE OF EQUIPMENT WAS LESS THAN \$3800 AS PROVIDED BY THE UTAH STATE LEGISLATURE FOR 2009

13. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE
 IN CANCELLATION AND CORRECTION LETTER NO. 227, DATED MAY 21, 2009

14. RATIFICATION OF PAYROLL

Period 11 15 Checks: \$13,305.94 1,154 Total Deposits: \$1,443,400.90 Total: \$1,456,706.84
 Federal Payroll Taxes: Total: \$ 184,424.05

15. RATIFICATION OF WARRANT REGISTER SUMMARY DATED MAY 15, 2009

Register No. 360	May 11, 2009	Direct Deposit: 5951-5951	Total: \$ 55.54
Register No. 361	May 11, 2009	Check Nos. 113970-114002	Total: \$ 259,043.14
Register No. 362	May 11, 2009	Direct Deposit: 5952-5961	Total: \$ 1,063.87
Register No. 363	May 11, 2009	Check Nos. 114003-114017	Total: \$ 10,044.87
Register No. 364	May 12, 2009	Direct Deposit: 5962-5971	Total: \$ 3,271.47
Register No. 365	May 12, 2009	Check Nos. 114071-114043	Total: \$ 7,264.06
Register No. 366	May 12, 2009	Check Nos. 114044-114063	Total: \$ 22,389.01
Register No. 367	May 12, 2009	Direct Deposit: 5972-5987	Total: \$ 3,738.08
Register No. 368	May 12, 2009	Check Nos. 114064-114105	Total: \$ 9,770.65
Register No. 369	May 12, 2009	Check Nos. 114106-114155	Total: \$ 110,972.08
Register No. 370	May 13, 2009	Direct Deposit: 5988-5991	Total: \$ 59,642.03
Register No. 371	May 13, 2009	Check Nos. 114156-114193	Total: \$ 94,154.17
Register No. 372	May 13, 2009	Direct Deposit: 5992-6000	Total: \$ 1,200.62
Register No. 373	May 13, 2009	Check Nos. 114456-114217	Total: \$ 22,389.31
Register No. 374	May 14, 2009	Check Nos. 114218-114248	Total: \$ 10,999.28
Register No. 375	May 15, 2009	Direct Deposit: 6001-6002	Total: \$ 1,397.86
Register No. 376	May 15, 2009	Check Nos. 114249-114282	Total: \$ 25,005.07
Register No. 377	May 15, 2009	Check Nos. 114283-114322	Total: \$ 144,286.68
			Total: \$ 786,687.79

16. RATIFICATION OF WARRANT REGISTER SUMMARY DATED MAY 26, 2009

Register No. 378	May 18, 2009	Check Nos. 114323-114355	Total: \$ 16,944.73
Register No. 379	May 18, 2009	Direct Deposit: 6003-6010	Total: \$ 797.60
Register No. 380	May 18, 2009	Check Nos. 114356-114373	Total: \$ 9,446.68
Register No. 381	May 19, 2009	Direct Deposit: 6011-6013	Total: \$ 899.68
Register No. 382	May 19, 2009	Direct Deposit: 6014-6014	Total: \$ 76.86
Register No. 383	May 19, 2009	Check Nos. 114374-114389	Total: \$ 222,086.84
Register No. 384	May 19, 2009	Check Nos. 114390-114399	Total: \$ 121,070.35
Register No. 385	May 20, 2009	Check Nos. 114400-114415	Total: \$ 66,001.56
Register No. 386	May 20, 2009	Direct Deposit: 6015-6025	Total: \$ 4,400.26
Register No. 387	May 20, 2009	Check Nos. 114416-114464	Total: \$ 173,108.04
Register No. 388	May 21, 2009	Check Nos. 114465-114480	Total: \$ 1,150.00
Register No. 389	May 21, 2009	Direct Deposit: 6026-6035	Total: \$ 2,587.62
Register No. 390	May 21, 2009	Check Nos. 114481-114535	Total: \$ 2,058.00
Register No. 391	May 21, 2009	Direct Deposit: 6036-6037	Total: \$ 105.70
Register No. 392	May 21, 2009	Check Nos. 114536-114568	Total: \$ 49,521.13
Register No. 393	May 21, 2009	Direct Deposit: 6038-6041	Total: \$ 404,662.20
Register No. 394	May 21, 2009	Check Nos. 114569-114584	Total: \$ 326,221.77
Register No. 395	May 22, 2009	Direct Deposit: 6042-6044	Total: \$ 790.57
Register No. 396	May 22, 2009	Check Nos. 114585-114626	Total: \$ 89,858.78
Register No. 397	May 22, 2009	Direct Deposit: 6045-6045	Total: \$ 30.00
Register No. 398	May 22, 2009	Check Nos. 114627-114651	Total: \$ 43,018.11
			Total: \$1,534,836.48

UTAH COUNTY BOARD OF COMMISSIONERS

AGENDA - May 26, 2009

ENT 57671:2009 PG 6 of 18

Page 3

REGULAR

1. PROCLAIM THE WEEKS OF MAY 31 - JUNE 13, 2009 AS CANCER AWARENESS WEEKS IN UTAH COUNTY
- Commissioner Steve White -
2. APPROVE PERSONNEL ACTIONS ORIGINATING MAY 14, 2009
- Lana Jensen, Personnel Director -
3. APPROVE PERSONNEL ACTIONS ORIGINATING MAY 20, 2009
- Lana Jensen, Personnel Director -
4. AUTHORIZE AN INCREASE TO THE ATTORNEY STAFFING PLAN (ACCOUNT NO. 100-41450) FOR THE FOLLOWING POSITIONS:
(1) FULL-TIME CAREER SERVICE ATTORNEY II/CRIMINAL POSITION (CLASS CODE 2001)
(1) FULL-TIME CAREER SERVICE PARALEGAL I POSITION (CLASS CODE 5701)
(1) FULL-TIME CAREER SERVICE LEGAL ASSISTANT I POSITION (CLASS CODE 6707)
- Lana Jensen, Personnel Director -
5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH SKYMAIL INTERNATIONAL FOR AUTOMATED MAIL PROCESSING SERVICES
- Susan Shepherd, Clerk/Auditor - Purchasing -
6. APPROVE AND ADOPT A RESOLUTION TRANSFERRING FUNDS BETWEEN DEPARTMENTS OF UTAH COUNTY (*Attorney - Professional legal Services & Non-Reimbursable Travel, Commission - State of the County Address, Public Works - Forest Service Recovery Act - Hobble Creek*)
- Danene Jackson, Clerk/Auditor - Finance -
7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE "COMPLIANCE AGREEMENT AND BOND FOR OPEN PIT MINING OPERATIONS" AGREEMENT FOR A NEW MINING OPERATION WITH AMES CONSTRUCTION, INC., WITH A SITE LOCATION OF APPROXIMATELY 29086 E US HWY 6 SPANISH FORK CANYON AREA OF UNINCORPORATED UTAH COUNTY. SURETY BOND NO. 105250764 IN THE AMOUNT OF \$21,845.60 WITH TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA OF HARTFORD, CT. UDOT PROJECT, "US 6 MP 218 TO EMMA PARK"
- Peggy Kelsey, Community Development -
8. APPROVE OR DENY THE RIGTRUP HEIGHTS SUBDIVISION, PLAT "A;" ACCEPT AN IMPROVEMENT BOND OF \$33,072.00, OR VERIFICATION THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN COMPLETED; AND REQUIRE GREENBELT ROLLBACK TAXES BE PAID, PRIOR TO RECORDING THE PLAT, ON LAND TO BE DEDICATED TO THE COUNTY FOR THE ROAD RIGHT-OF-WAY, IN ADDITION TO ANY REQUIRED BY THE COUNTY COMMISSION
- Brandon Larsen, Community Development -
9. APPROVE OR DENY THE TIMPHAVEN HOMES, PLANNED DWELLING GROUP, PLAT "13," WHICH IS A VACATION OF LOT 2, TIMPHAVEN HOMES, PLAT "8" AND LOT 20, TIMPHAVEN HOMES, PLAT "1-A" AND THE CREATION OF LOTS 1 & 2 OF TIMPHAVEN HOMES, PLAT "13"
- Brandon Larsen, Community Development -
10. APPROVE OR DENY THE J. PETERSON SUBDIVISION, PLAT "A"; ACCEPT IMPROVEMENT BOND OF \$18,194,00 OR VERIFICATION THAT ALL REQUIRED IMPROVEMENTS HAVE BEEN COMPLETED; AND REQUIRE GREENBELT ROLLBACK TAXES BY PAID, PRIOR TO RECORDING THE PLAT, ON LAND TO BE DEDICATED TO THE COUNTY FOR THE ROAD RIGHT-OF-WAY, IN ADDITION TO ANY REQUIRED BY THE COUNTY COMMISSION
- Brandon Larsen, Community Development -

UTAH COUNTY BOARD OF COMMISSIONERS

AGENDA - May 26, 2009

ENT 57671:2009 PG 7 of 18

Page 4

11. APPROVE AND ADOPT AN ORDINANCE TO AMEND THE UTAH COUNTY LAND USE ORDINANCE, SECTION 2-2-B-65 & 66, DEFINITIONS OF NONCOMPLYING STRUCTURES AND NONCONFORMING USES, AND SECTION 1-6, NONCONFORMING USES AND NONCOMPLYING STRUCTURES
- Jeff Mendenhall, Community Development Director -
12. AUTHORIZE THE UTAH COUNTY CLERK TO SIGN A QUIT CLAIM DEED, EASEMENT AND RELATED DOCUMENTS FOR SR92 TO UDOT FOR PROJECT F-0092
- Richard Nielson, Public Works Director -
13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A RIGHT-OF-ENTRY AND OCCUPANCY AGREEMENT WITH UDOT FOR THE COUNTY-OWNED PARCEL ADJACENT TO THE PROPOSED VINEYARD CONNECTOR
- Richard Nielson, Public Works Director -
14. APPROVE AND AUTHORIZE THE UTAH COUNTY COMMISSION CHAIR TO SIGN A WAIVER FOR THE DISABLED AMERICAN VETERANS TO USE VIVIAN PARK PAVILION NO. 1 ON AUGUST 15, 2009 AT 7:00 A.M. TO 9:30 P.M. THE REQUESTED FEE WAIVER IS \$95
- Richard Nielson, Public Works Director -
15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH FIRETROL PROTECTION SYSTEMS, INC., FOR INSPECTION AND MAINTENANCE OF HALON SYSTEMS IN THE UTAH COUNTY ADMINISTRATION BUILDING
- Richard Nielson, Public Works Director -
16. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH UTAH INTERACTIVE, LLC, TO PROVIDE THE MOTOR POOL STAFF WITH ACCESS TO THE UTAH HIGHWAY PATROL SAFETY INSPECTION RECORDS SYSTEM
- Richard Nielson, Public Works Director -
17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2009-113 WITH DR. GORDON B. LINDSAY FOR DATA COLLECTION FOR COUNTY-WIDE SURVEY AND FOCUS GROUPS
- Pat Bird, Substance Abuse -
18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL EVALUATION OF THE CHANGES TO THE WIC FOOD PACKAGES STUDY TEAM AND THE UTAH COUNTY HEALTH DEPARTMENT
- Dr. Joseph Miner, Health Department Director -
19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-3 LOCAL HEALTH DEPARTMENT GENERAL GRANT FY 2010 WITH THE UTAH STATE DEPARTMENT OF HEALTH
- Dr. Joseph Miner, Health Department Director -
20. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AMENDMENT NO. 03 TO THE C-3 LOCAL HEALTH DEPARTMENT GENERAL GRANT FY-2009 (DOH #H0810111-03, STATE AGREEMENT NO. 090186) WITH THE UTAH STATE DEPARTMENT OF HEALTH
- Dr. Joseph Miner, Health Department Director -
21. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-4 LOCAL HEALTH DEPARTMENT GENERAL GRANT FY 2010 WITH THE UTAH STATE DEPARTMENT OF HEALTH
- Dr. Joseph Miner, Health Department Director -
22. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C-6 LOCAL HEALTH DEPARTMENT GRANT FY 2010 WITH THE UTAH STATE DEPARTMENT OF HEALTH
- Dr. Joseph Miner, Health Department Director -

UTAH COUNTY BOARD OF COMMISSIONERS

AGENDA - May 26, 2009

Page 5

ENT 57671:2009 PG 8 of 18

23. APPROVE OR DENY AN APPLICATION BY MOUNTAIN SHORES DEVELOPMENT, LLC, TO AMEND THE UTAH COUNTY ZONE MAP FROM THE M&G-1 MINING AND GRAZING ZONE TO THE RA-5 RESIDENTIAL AGRICULTURAL ZONE, SECTION NOS 329 & 32, T8S R1E, ON THE WEST SIDE OF WEST MOUNTAIN, GENOLA CITY AREA *(Continued from the August 26, 2008 meeting)*
 - Commissioner Steve White -
24. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LAND USE AGREEMENT WITH MAPLE LAKE ACADEMY
 - David Shawcroft, Deputy Attorney, Lynn D. Wall, Maple Lake Academy -
25. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE A LETTER FROM THE UTAH DEPARTMENT OF TRANSPORTATION ACKNOWLEDGING RECEIPT OF AN OFFER TO PURCHASE (2) PARCELS OF REAL PROPERTY FOR THE VINEYARD CONNECTOR, 800 NORTH TO I-15 AMERICAN FORK INTERCHANGE-CORRIDOR PRESERVATION
 - Robert Moore, Deputy Attorney -
26. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH ERGOMETRICS FOR TESTING SERVICES
 - Robert Moore, Deputy Attorney -
27. ADOPT AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS (THE "BOARD") OF UTAH COUNTY, UTAH (THE "COUNTY"), CREATING A COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND RELATED MATTERS
 - Kent Sundberg, Deputy Attorney/Civil Division Chief -
28. APPROVE AND ADOPT A RESOLUTION CREATING THE LONGHORN SPECIAL SERVICE DISTRICT, CREATING AN ADMINISTRATIVE CONTROL BOARD THEREFOR, AND PROVIDING FOR OTHER MATTERS RELATING THERETO
 - Kent Sundberg, Deputy Attorney/Civil Division Chief -
29. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS
 - Kent Sundberg, Deputy Attorney/Civil Division Chief -
30. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION
 - Kent Sundberg, Attorney/Civil Division Chief -
31. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY
 - Kent Sundberg, Attorney/Civil Division Chief -
32. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY
 - Kent Sundberg, Attorney/Civil Division Chief -
33. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., 1953 AS AMENDED
 - Kent Sundberg, Attorney/Civil Division Chief -

WORK SESSION

1. DISCUSSION REGARDING USE OF TRAILS WITHIN UTAH COUNTY BY SKATEBOARDERS AND LONGBOARDERS, AND ENFORCING USE AND SPEED RESTRICTIONS
- Commissioner Larry A. Anderson and Brian Shuey -
2. PRESENTATION ON EXPENSE REDUCTION ANALYSIS
- Bryan E. Thompson, Utah County Clerk/Auditor, and Ro Davies -

PUBLIC COMMENTS

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Linda Strickland at 851-8111 at least one day prior to the meeting.

After the conduct of other business, the following Resolution was introduced in written form by Commissioner Ellertson, was read and discussed, and pursuant to motion made by Commissioner Steve White, and seconded by Commissioner Larry A. Ellertson, was adopted by the following vote:

Aye: Commissioner Larry A. Ellertson
Commissioner Steve White

Nay: None

Absent: Commissioner Gary J. Anderson

The Resolution is as follows:

A RESOLUTION creating the Longhorn Special Service District, Utah County, Utah, creating an administrative control board therefor, and providing for other related matters.

WHEREAS, the Utah County Clerk/Auditor received a Petition (the "Petition") on March 27, 2009, proposing the creation of a special service district to be known as the "Longhorn Special Service District" (hereinafter referred to as "District"), having the boundaries set out in "Exhibit A" hereto and to provide the services of water, sewerage, drainage, flood control, garbage collection and disposal, transportation, recreation, and street lighting, as authorized and enumerated in the Special Service District Act, Section 17D-1-101, et. seq., Utah Code Annotated, 1953 as amended (the "Act"), and such other services as may be authorized in the future by amendment to the Act, without further proceedings by the Commission; and

WHEREAS, the Commission received a Notice from the Clerk/Auditor on March 31, 2009 regarding his receipt of the Petition, with said Notice setting a public hearing for May 5, 2009 at 9:00 a.m. at the Utah County Administration Building, 100 East Center Street, Room 1400, Provo, Utah, on the creation of the District and the provision of the aforementioned services; and

WHEREAS, public notice of said intention and of the time and place of said public hearing was given by the County Clerk/ Auditor through the publication of an appropriate notice in The Deseret News, a newspaper of general circulation in Utah County, Utah, once a week during three consecutive weeks on April 5, 2009; April 12, 2009; and April 19, 2009, the first of such publications having been not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date of the public hearing; and

WHEREAS, said public hearing was held pursuant to said notice at the aforesaid time and place, the Commission has considered all protests filed and has heard and considered all interested persons desiring to be heard, and the time for filing protests as provided in Section 17D-1-206 of the Act has expired;

NOW, THEREFORE, Be It Resolved by the Board of County Commissioners of Utah County, Utah, as follows:

Section 1. That the Commission does hereby find and determine:

- a. That public notice of the hearing on the creation of the District and the furnishing of the services of water, sewerage, drainage, flood control, garbage collection and disposal, transportation, recreation, and street lighting, as authorized and enumerated in the Act thereby, and further including such other services as may be authorized in the future by amendment to the Act, without further proceedings by the Commission, was given by the Clerk of the Commission by publication of an appropriate notice in The Deseret News, a newspaper of general circulation in Utah County, Utah, once a week for three consecutive weeks prior to May 5, 2009, to-wit, on April 5, 2009; April 12, 2009; and April 19, 2009, the first of said publications having been made

not more than thirty-five (35) days nor less than twenty-one (21) days prior to the date of such hearing.

- b. That no written protests were filed against the creation of the District, pursuant to the provisions of Section 17D-1-206 of the Act.
- c. That a public hearing on the creation of the District and the furnishing of the services of water, sewerage, drainage, flood control, garbage collection and disposal, transportation, recreation, and street lighting, as authorized and enumerated in the Act thereby, and further including such other services as may be authorized in the future by amendment to the Act, without further proceedings by the Commission, was held and conducted by the Commission as required by law and the notice given thereof, on May 5, 2009 at 9:00 a.m. at the Utah County Administration Building, 100 East Center Street, Room 1400, in Provo, Utah, at which public hearing the Commission provided the opportunity to give full consideration to any protests which may have been filed and to hear and consider all interested persons desiring to be heard.
- d. That after careful consideration of all factors involved and of all objections and protests, it has been and is hereby found, determined and declared that all property included within the boundaries of the District, as such boundaries are set out in this Resolution, will be benefitted by the services of water, sewerage, drainage, flood control, garbage collection and disposal, transportation, recreation, and street lighting within the area of the District, to be furnished by the proposed District, and any other services as may be authorized in the future by amendment to the Act, without further

proceedings by the Commission, and that all proceedings taken in creating the District have been in compliance with law.

Section 2. That there is hereby created a special service district within Utah County, Utah, to be known as the "Longhorn Special Service District." The boundaries of the District are more particularly described in **Exhibit A** hereto, which is hereby attached, incorporated herein and made a part hereof.

Section 3. That the District is created for the purpose of providing the services of water, sewerage, drainage, flood control, garbage collection and disposal, transportation, recreation, and street lighting, as authorized and enumerated in the Act, and further including such other services as may be authorized in the future by amendment to the Act, without further proceedings by the Commission.

Section 4. That the Commission hereby finds and determines that less than thirty-three percent (33%) of the registered voters of the area proposed to be included within the District filed written protests against the creation of the District, or a specified type or types of services the District is proposed to provide.

Section 5. That the Commission hereby finds and determines that the owners of less than thirty-three percent (33%) of the taxable value of all taxable property within the area proposed to be included in the District filed written protests against the creation of the District, or a specified type or types of services the District is proposed to provide.

Section 6. That the District shall be a separate body corporate and politic and a quasi-municipal corporation distinct from Utah County, Utah. The District shall have all rights, powers, and authority granted to special service districts under the Act.

Section 7. That pursuant to Section 17D-1-301, Utah Code Annotated, 1953 as amended, the Commission hereby creates an Administrative Control Board (the “Board”) to administer and manage the affairs of the District. The initial board shall consist of three (3) persons, each of whom shall be a registered voter of the District or an officer or employee of Utah County. Two (2) members of the Board shall be appointed to serve an initial term of four (4) years and one (1) member shall be appointed to serve an initial term of two (2) years. Each successive term shall be for four (4) years.

The Board of the District shall become effective upon the appointment of three (3) qualified members thereof by the Commission. The Commission shall follow the procedures of Title 17B, Chapter 1, Part 3, Utah Code Annotated, 1953 as amended, for the appointment of members to the Board of the District.

The Commission hereby delegates to the Board of the District, the power to act as the governing authority of the District, with said delegation being effective as soon as three (3) qualified members are appointed by the Commission to the Board. The Commission, however, does not delegate to the Board the power to:

- a. Annex an area to the District or add a service to the District;
- b. Designate, under Section 17D-1-107, Utah Code Annotated, 1953 as amended, the classes of special service district contracts that are subject to Title 11, Chapter 39, Building Improvements and Public Works Projects, Utah Code Annotated, 1953 as amended;
- c. Levy a tax on the taxable property of the District;
- d. Issue District bonds payable from taxes;

- e. Call or hold an election for the authorization of a property tax or the issuance of bonds;
- f. Levy an assessment;
- g. Issue interim warrants or bonds payable from an assessment; or
- h. Appoint a board of equalization under Section 11-42-404, Utah Code Annotated, 1953 as amended.

Section 8. That pursuant to the requirements of Section 17D-1-209, of the Act, the Commission will file a notice with the Lieutenant Governor concerning the creation of the District within thirty (30) days of the adoption of this Resolution.

Section 9. That all acts and resolutions in conflict with this Resolution or any part thereof are hereby repealed.

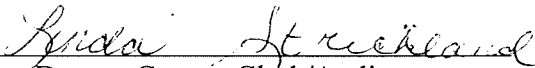
Section 10. That this Resolution shall take immediate effect upon its adoption and approval.

ADOPTED AND APPROVED this 26th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH


Larry A. Ellertson, Chair

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: 
Deputy County Clerk/Auditor

[SEAL]


(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting was adjourned.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH


Larry A. Ellertson, Chair

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: 
Deputy County Clerk/Auditor

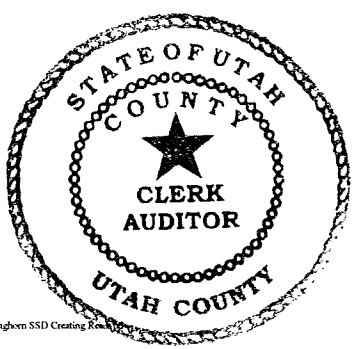
[SEAL]

STATE OF UTAH)
)
COUNTY OF UTAH)

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk/Auditor of Utah County, Utah.

I further certify that the foregoing constitutes a true and correct copy of the minutes of a regular meeting of the Board of County Commissioners of Utah County, Utah, held at the regular meeting place of the Board in the Utah County Administration Building in Provo, Utah, at 9:00 a.m. on May 26, 2009, as recorded in the regular official book of minutes of the proceedings of the Board of County Commissioners of Utah County, Utah, kept in my office, that said proceedings were duly had and taken as therein shown, that all members were given due, legal and timely notice of said meeting, that the meeting therein shown was in all respects called, held and conducted in accordance with law, and that the persons therein named were present at said meeting, as therein shown.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Utah County, Utah, this 26th day of May, 2009.



[SEAL]

Bryan E. Thompson

Bryan E. Thompson, County Clerk/Auditor
Utah County, Utah

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LONGHORN SPECIAL SERVICE DISTRICT

Beginning at the West quarter corner of Section 17, Township 4 South, Range 2 East, Salt Lake Base and Meridian; running thence North $00^{\circ}19'13''$ West 5.00 feet; thence East along the Southerly Boundary of Box Elder Subdivision an extension thereof 2638.28 feet to the East line of the West half of said Section 17; thence South $00^{\circ}45'29''$ East along the East line 110.93 feet to the North line of the Southwest quarter of said Section 17; thence North $87^{\circ}42'08''$ West along said line 1321.00 feet to the East line of the Northwest quarter of the Southwest quarter of said Section 17; thence South $00^{\circ}33'33''$ East 1275.38 feet; thence South $89^{\circ}59'44''$ West 1324.28 feet to the section line; thence North $00^{\circ}20'34''$ West 1328.40 feet to the point of beginning.

EXHIBIT B

