

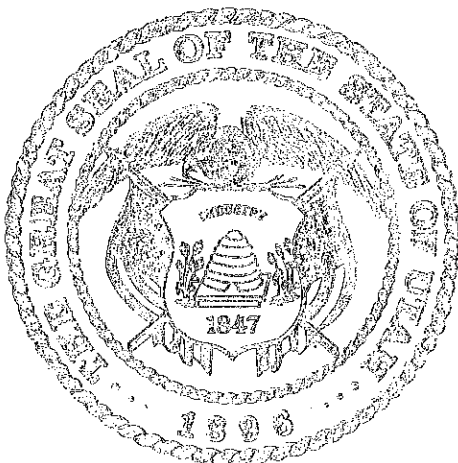


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH,
HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the
GRAND COUNTY EMERGENCY MEDICAL SERVICES SPECIAL SERVICE
DISTRICT, dated May 1st, 2018, 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 GRAND COUNTY
EMERGENCY MEDICAL SERVICES SPECIAL SERVICE DISTRICT, located in
Grand County, State of Utah.



IN TESTIMONY WHEREOF, I have
hereunto set my hand, and affixed the Great
Seal of the State of Utah this 7th day of June,
2018 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor



GRAND COUNTY COUNCIL MEMBERS
Mary McGann (Chair) • Curtis Wells (Vice Chair)
Evan Clapper • Greg Halliday • Jaylyn Hawks
Rory Paxman • Patrick Trim

May 29, 2018

Mr. Spencer J. Cox
Lieutenant Governor
Utah State Capitol Complex
P.O. Box 142325
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action

Dear Lieutenant Governor Cox:

Please find the enclosed documents necessary to create the *Grand County Emergency Medical Services Special Service District*:

- A copy of Resolution No. 3142 to establish the district, adopted by the Grand County Council on May 1, 2018, along with the following resolution exhibits:
 - Exhibits A & B – a local entity plat and legal description, respectively, showing the boundaries of the district, as prepared and certified in 2009 by a licensed surveyor and filed with the County Surveyor's designated office in accordance with State Code 17-23-17;
 - Exhibits C & D – resolutions from each of two municipalities located within Grand County consenting to inclusion of their incorporated boundaries into the new district boundaries; and
- Letter from Utah State Retirement Office (USRO) as required by State Code 67-1a-6.5(3)(d) since the impending creation may result in employment of personnel.

By my signature below, the Grand County Council has certified that all requirements for the creation of the special service district have been met as required by State Code 17D-1-209.

Upon receipt of the Certificate of Creation we will file the original with the County Recorder along with this notice and a certified copy of the enclosed resolution and exhibits, which includes the local entity plat. We understand that the district is created no sooner than your issuance of the Certificate of Creation, which is expected to occur within ten days from receipt of this notice as long as our submission is found to be in substantial compliance with State Code 67-1a-6.5(3). Please contact Ruth Dillon, Council Administrator, at 435-259-1347 with any questions.

Sincerely,


Mary McGann, Chair
Grand County Council

cc: John Cortes, Grand County Recorder

RESOLUTION NO. 3142

A RESOLUTION TO ESTABLISH THE GRAND COUNTY EMERGENCY MEDICAL SERVICES SPECIAL SERVICE DISTRICT

WHEREAS, the Grand County Council ("**Council**") oversees a County Emergency Medical Services Department via indirect supervision by the County Council Administrator and by direct supervision of the Emergency Medical Services Director; and

WHEREAS, the Council wishes to relinquish and transfer such Department to a newly created special service district; and

WHEREAS, the Council believes that the public health, convenience and necessity require the establishment of the independent Grand County Emergency Medical Services Special Service District (hereinafter "**District**") to provide greater level of emergency medical services, and therefore it is desirable to establish said District pursuant to the provisions of the Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*, as amended; and

WHEREAS, the Council adopted Intention Resolution No. 3127 on December 19, 2017 (corrected February 3, 2018 by the Council) in substantially the same form as this proposed Resolution; and

WHEREAS, all property within the boundaries of said District (described more particularly below), shall be benefitted by the addition of such services; and

WHEREAS, none of the area proposed for such services are also within the boundaries of any other special service district established by said County to provide such services.

BE IT RESOLVED by the Grand County Council as follows:

- Section 1.** The Council has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the establishment of the District and any other matter pertinent to the establishment of the District.
- Section 2.** The Council finds that pursuant to Utah Code Ann. § 17D-1-204 and § 17D-1-206, adequate time has passed to allow for the filing of any protests to the creation of the District, and an insufficient number of protests were filed to prevent the creation of the District.
- Section 3.** The Council declares that the public health, convenience, and necessity require the establishment of the *Grand County Emergency Medical Services Special Service District* pursuant to the provisions of Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*

- Section 4.** The Council designates the name of the proposed District as: *Grand County Emergency Medical Services Special Service District*, in accordance with Utah Code Ann. § 17D-1-203(3)(c).
- Section 5.** The boundary of the District includes all of Grand County including incorporated municipalities. Exhibit A includes a map showing the boundaries of the *Grand County Emergency Medical Services Special Service District*.
- Section 6.** The establishment of the District as proposed and described in the Notice of Public Hearing and of Intention to Establish the District is hereby authorized, and the District is hereby created to provide the following services:

- Prehospital Emergency Medical Services, including planning, operation, funding, and management of Paramedic and Ambulance services, both routine and emergent, including quick response units, inter-facility transport services, community Paramedicine and mobile integrated health services.

- Section 7.** The District's status, powers, and duties are as follows:

- The District shall have all power and authority allowed by the Special Service District Act contained in the Utah Code unless otherwise prohibited by this Resolution.
- The District alone shall be responsible for all of the projects undertaken solely by the District, without any recourse to the County or other local government entities. Notwithstanding the foregoing, the District, acting in its sole discretion, may at times cooperate with other local government entities and enter into contracts to carry out special service district functions as allowed by Utah Code Ann. § 17D-1-103(2)(b) and to perform projects through Interlocal Agreements pursuant to Utah Code Ann. § 11-13-101 *et seq.* If the District uses an officer, employee, property, equipment, office, or facility of Grand County, the District shall reimburse Grand County a reasonable amount for what the District uses subject to Utah Code Ann. § 17D-1-103(2) and (3). The District shall avoid any action that could jeopardize the perceived independence of the District from the County or other local government entities.

- Section 8.** The District shall finance the above defined services, among other ways, through charges or fees for services rendered, and the rural health care sales and use tax, and transient room tax revenues as authorized by State law if allocated by the Council. Fees or charges may be imposed to pay for some or all of the services that the special service district is proposed to provide in allowance of the State Code.

The County Council may levy a tax on the taxable property in the special service district if the levy has the prior approval of a majority of the registered voters of the special service district voting in an election held for that purpose under Title

11, Chapter 14, Local Government Bonding Act, in the same manner as for an election for the issuance of bonds.

Section 9. The District shall be administered by an Administrative Control Board (hereinafter the “**Board**”), which is hereby delegated, without limitation, the power to act as the governing authority of the district and to exercise all or any of the powers provided in accordance with Utah Code Ann. § 17D-1-301 unless otherwise stated in this Resolution.

Section 10. The membership of the Board shall consist of five (5) to seven (7) members, each of whom is a registered voter of the District, but only one (1) of whom may be a member of the Grand County Council, only one (1) of whom may be a member of the Moab City Council as appointed by such council, and only one (1) of whom may be a member of the Castle Valley Town Council as appointed by such council. All other board members shall be appointed by the County Council.

Two (2) of the Board members shall have an initial term of two (2) years, and two (2) of the Board members shall have terms of four (4) years. The Board members with the term of two (2) years shall be determined by choosing lots. After the conclusion of the first terms of office, all terms thereafter shall be four (4) year terms pursuant to Utah Code Ann. § 17D-1-304(2) with terms ending on December 31st of each year. Appointments of Grand County Council, Moab City Council, and Castle Valley Town Council Members shall each have terms on the Board consistent with their terms of office.

The Grand County Council has considered the appointments to the Board that are most familiar with the needs of the District, which includes but is not limited to prehospital emergency medical service needs in Grand County.

The initial appointees and terms of the Board are as follows:

| <u>Board Member Appointees</u> | <u>Term Ends</u> |
|-----------------------------------|-------------------|
| <u>_____</u> | December 31, 2020 |
| <u>Elizabeth Tubbs</u> | December 31, 2020 |
| <u>Jason Taylor</u> | December 31, 2022 |
| <u>Rarni Schultz</u> | December 31, 2022 |
| Evan Clapper | Term of Office |
| Moab City Council Member | Term of Office |
| Castle Valley Town Council Member | Term of Office |

The appointees are hereby appointed effective upon the date of issuance of the Certificate of Creation by the Lieutenant Governor. Commencement of District operations shall be the 1st day of January, 2019 or the effective date of transfer by resolution of the Department to the District, whichever is later.

- Section 11.** The members of the Board shall serve without compensation except that they may be reimbursed for reasonable expenses consistent with Utah Code Ann. § 17D-1-305 and 17B-1-307.
- Section 12.** The Board should create Bylaws in accordance with Utah Code Ann. § 17B-1-301(2)(h) and 17B-1-310(1)(b).
- Section 13.** Subject to Utah Code, the Grand County Council may dissolve the District in accordance with the process contained in Utah Code Ann. § 17D-1-601 through 603.
- Section 14.** If any one or more sections, sentences, clauses or parts of this Resolution shall, for any reason, affect, impair or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Resolution so held unconstitutional and invalid, then such offending sections, sentences, clauses or parts shall be severed, and shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.
- Section 15.** All resolutions, by-laws and regulations of Grand County, Utah, in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency. This repeal shall not be construed to revive any resolution, by-law or regulations, or part thereof, heretofore repealed.

APPROVED this 1st day of May 2018, by the following vote:

AYE: Clapper, Halliday, Hawks, McGann

NAY: Wells

ABSENT: Paxman, Trim

ATTEST:

Diana Carroll
Diana Carroll
Grand County Clerk/Auditor

Mary McGann
Mary McGann
Grand County Council Chair

Exhibit A

A map showing the boundaries of the *Grand County Emergency Medical Services District*

Grand County Emergency Medical Services
Special Service District
Exhibit A

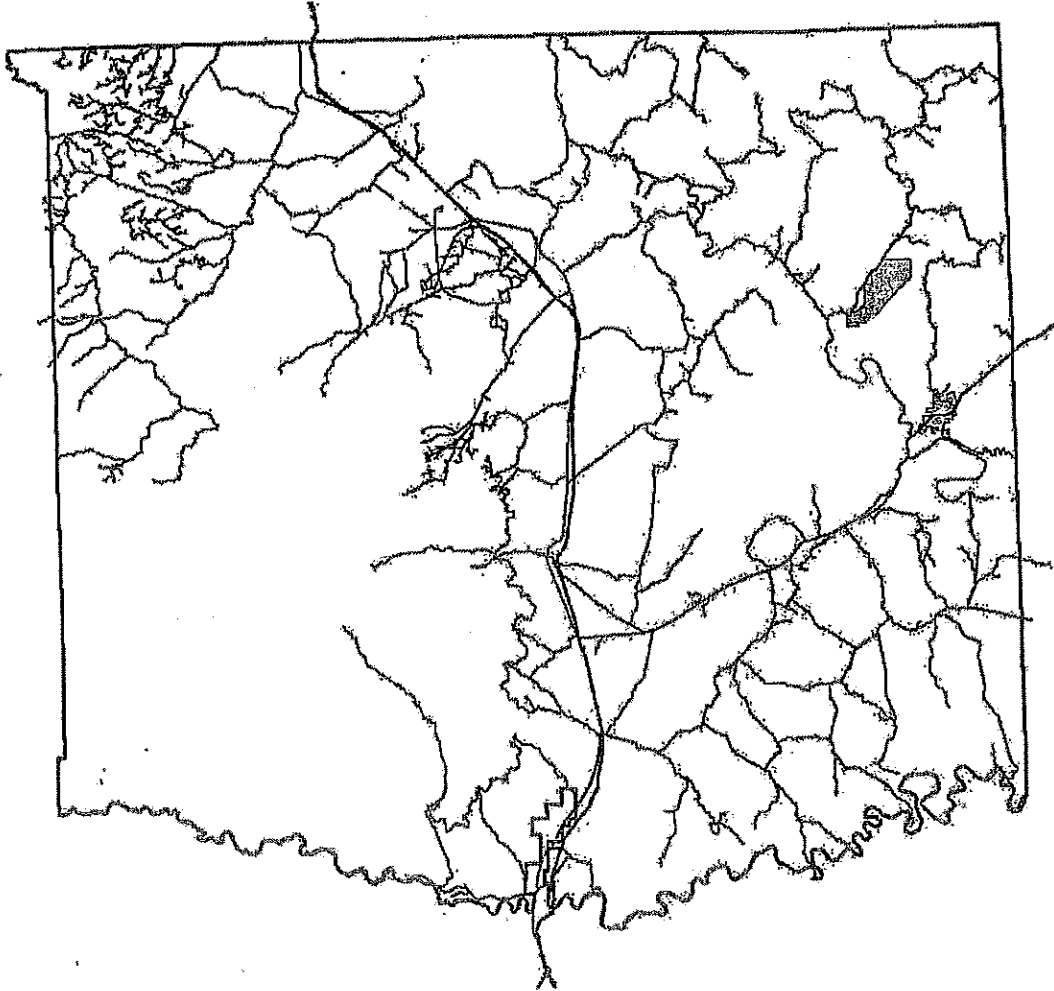
The district shall be all of Grand County,
including the municipalities of Moab City and Castle Valley Town

(See Exhibit B legal description for all of Grand County)



Legend

- Grand County Boundary
- State Highways
- County Maintained Roads
- Incorporated Areas



SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the proper authorities.

Witness my hand and seal of office this 17th day of January, 1969.



Exhibit B
Grand County Legal Description

LEGAL DESCRIPTION OF GRAND COUNTY:

Beginning at the intersection of the summit of the Brown Cliffs with the eastern boundary of the State, thence westerly along the summit of said cliffs to the Third Standard Parallel south; thence west to the middle of the main channel of the Green River; thence southerly down the middle of said channel to a point 645.76 feet perpendicularly east of the west line of section 10 of Township 21 South Range 16 East SLB & M; said point is also N 56°22'31" W 5583.17 feet more or less from the southwest corner of section 11 Township 21 South Range 16 East SLB & M; thence south 1550.8 feet parallel with and 647.76 feet east of the west line of section 10; thence east 689.0 feet; thence south 548.2 feet to a point 400.0 feet north of the north right-of-way line of US Highway 6 & 50; thence southeasterly 1350 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the east line of the SW 1/4 of section 10, thence South 59.0 feet along the quarter section line to a point 277.0 feet north of the south quarter corner of section 10; thence southeasterly 1058.5 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the north line of section 15; thence east 1618.4 feet along section line to the southwest corner of section 11, thence north 2640.0 feet along the west line of said section 11 to the west quarter corner of section 11, thence east 5311.7 feet along the quarter section line to the east quarter corner of section 11; thence east 5312.3 feet along the quarter section line to the east quarter corner of section 12, thence south 5280 feet more or less to the west quarter corner of Township 21 South Range 17 East Section 18 SLB & M; thence N 89°56' E 5078.7 feet along the quarter section line to the west quarter corner of section 17; thence N 89°57' E 5280.7 feet along the quarter section line to the west quarter corner of section 16; thence N 00°03' W 2640.0 feet along section line to the northwest corner of section 16; thence N 89°55' E 5294.5 feet along section line to the northeast corner of section 16; thence S 00°02' E 5280.0 feet along section line to the northwest corner of section 22, thence N 89°58' E 5278.7 feet along section line to the northeast corner of section 22; thence S 00°01' E 5280.0 feet along section line to the northwest corner of section 26; thence N 89°58' E 5281.3 feet along section line to the northeast corner of section 26; thence S 0°01' E 5280 feet along section line to the southeast corner of section 26; thence S 89°57' W 5277.4 feet along section line to the southeast corner of section 27; thence S 89°57' W 5283.9 feet along section line to the southwest corner of section 27; thence N 00°02' W 2640.0 feet along section line to the east quarter corner of section 28; thence S 89°57' W 2640.0 feet along the quarter section line to the center quarter of section 28; thence N 00°02' W 2640.0 feet along the quarter section line to the south quarter corner of section 21; thence S 89°57' W 2639.3 feet along section line to the southeast corner of section 20; thence S 89°55' W 2640.6 feet along section line to the south quarter corner of section 20; thence N 00°03' W 5280.0 feet to the south quarter corner of section 17; thence S 89°57' W 2640.0 feet along section line to the southeast corner of section 18; thence S 89°56' W 5078.0 feet to the southwest corner of section

18; thence north to the southeast corner of Township 21 South Range 16 East Section 13 SLB & M; thence west 2648.2 feet along the north line of the S 1/2 of the SW 1/4 of section to the northwest corner of the S 1/2 of the SW 1/4 of section 13; thence west 1323.3 feet along the north line of the SE 1/4 of the SE 1/4 of section 14 to the northwest corner of the SE 1/4 of the SE 1/4 of section 14; thence south 1320 feet along the west line of the SE 1/4 of the SE 1/4 of section 14 to the southwest corner of the SE 1/4 of the SE 1/4 of section 14; thence west 3969.9 feet along the south line of section 14 to the southeast corner of section 15; thence west 4522.2 feet along the south line of section 15 to the centerline of the Green River, being the boundary between Grand and Emery Counties; thence southerly down the middle of said channel to parallel 38 degrees 30 minutes north latitude; thence east to the State boundary; thence north along the State boundary to the point of beginning.

Exhibit C
Moab City Inclusion Resolution

Resolution # 20-2018

A RESOLUTION CONSENTING TO THE INCLUSION OF THE CITY OF MOAB WITHIN
THE BOUNDARIES OF THE GRAND COUNTY EMERGENCY MEDICAL SERVICES
SPECIAL SERVICE DISTRICT IN GRAND COUNTY, UTAH

WHEREAS, the Grand County Council plans to establish a special service district known as the "Grand County Emergency Medical Service District" ("EMS District"); and

WHEREAS the Board has provided that the City shall be included within the boundaries of the EMS District, but a special service district established by a county may contain all or part of any municipality only with the consent of the governing authority of the municipality, as provided in a resolution duly adopted by the governing authority of the municipality;

WHEREAS the Grand County Council requested that the Moab City Council consent to the inclusion of the City within the boundaries of the EMS District at the time of creation of said EMS District; and

WHEREAS the City Council of the City has determined that the public health, convenience and necessity requires the establishment of the EMS District.

THEREFORE, it is hereby resolved by the City Council of the City of Moab hereby consents to the inclusion of the City within the boundaries of the Grand County Emergency Medical Service District as established by the Grand County Council.

This resolution shall take effect immediately upon passage.

Passed and adopted by action of the Governing Body of the City of Moab in open session this 20th day of March, 2018.

CITY OF MOAB


Emily S. Niehaus, Mayor

Attest:

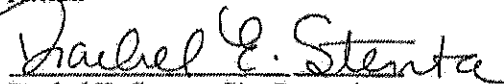

Rachel E. Stenta, City Recorder

Exhibit D
Castle Valley Town Inclusion Resolution

Resolution 2018-3

A RESOLUTION CONSENTING TO THE INCLUSION OF THE TOWN OF CASTLE VALLEY WITHIN THE
BOUNDARIES OF THE GRAND COUNTY EMERGENCY MEDICAL SERVICES
SPECIAL SERVICE DISTRICT IN GRAND COUNTY, UTAH

WHEREAS, the Grand County Council plans to establish a special service district known as the
"Grand County Emergency Medical Service District" ("EMS District"); and

WHEREAS the Board has provided that the Town shall be included within the boundaries of the
EMS District, but a special service district established by a county may contain all or part of any
municipality only with the consent of the governing authority of the municipality, as provided in
a resolution duly adopted by the governing authority of the municipality;

WHEREAS the Grand County Council requested that the Town of Castle Valley Town Council
consent to the inclusion of the Town within the boundaries of the EMS District at the time of
creation of said EMS District; and

WHEREAS the Town Council of the Town has determined that the public health, convenience
and necessity requires the establishment of the EMS District.

THEREFORE, It is hereby resolved by the Town Council of the Town of Castle Valley hereby
consents to the inclusion of the Town within the boundaries of the Grand County Emergency
Medical Service District as established by the Grand County Council.

This resolution shall take effect immediately upon passage.

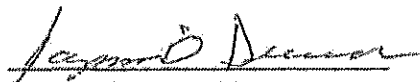
Passed and adopted by action of the Governing Body of the Town of Castle Valley in open
session this 18th day of April, 2018 by the following vote:

Voting Aye: Mayor Duncan, Council Members Drogin, Hill and Holland.

Voting Nay: None

Absent: Council Member O'Brien.

Town of Castle Valley


Jazmine Duncan, Mayor

Attest:


Jocelyn Buck, Town Clerk

OFFICIAL COPY
CV Recorder 

Utah Retirement Systems

Retirement Office

560 East 200 South
Salt Lake City, UT 84102-2021

(801) 366-7700
(800) 365-8772 Toll Free
(801) 366-7734 Fax
www.urs.org

DANIEL D. ANDERSEN
Executive Director

Public Employees Health Program

560 East 200 South
Salt Lake City, UT 84102-2004

(801) 366-7500
(800) 365-8772 Toll Free
(801) 366-7596 Fax
www.pehnp.org

R. CHET LOFTIS
Director

May 29, 2018

Grand County Emergency Medical Services Special Service District
Attn: Andy Smith
125 East Center Street
Moab, UT 84532

Re: Eligibility for Participation of a Newly Created Entity in the Utah State Retirement Systems Dear

Mr. Smith:

When a governmental entity is being incorporated or created, Utah law requires the Utah State Retirement Office ("Office") to provide a letter to that entity identifying the potential provisions under Utah Code Title 49, Utah State Retirement and Insurance Benefit Act ("Retirement Act"), with which it shall comply. See Utah Code Ann. § 67-1a-6.5(3)(d). This letter serves as the official notice for the Grand County Emergency Medical Services Special Service District ("EMS District"), a newly created special service district.

Based upon the information provided, the Office has determined that the EMS District is an "employer" under the Retirement Act as a political subdivision of the state by virtue of its status as a special service district. Accordingly, the EMS District must comply with the participation requirements of the Retirement Act.

This does not mean that the EMS District must provide retirement benefits to its employees. However, at the present time and throughout the future, the EMS District is required by law to participate with URS if and when it offers any type of retirement benefit to its employees.

The EMS District may not currently have employees or may have not yet elected to provide a retirement benefit to its employees. Please be aware, it is not the obligation of the Office to monitor the activities of the EMS District. By law, it is the EMS District's obligation to apply for membership with URS if and when it chooses to provide a retirement benefit to its employees.

Once the EMS District begins participation with URS, its public employees will be covered under either the Tier I or Tier II public employee retirement systems, as described in the Retirement Act. If the EMS District employs public safety or firefighter service employees, those employees will be covered under the separate Tier I or Tier II systems for public safety and/or firefighter service employees described in the Retirement Act.

In addition, Participating Employers of URS are required by section 49-11-606 to "cover all employees eligible for service credit under this title." As such, once admitted as a participating employer, the EMS District will be required to cover all eligible employees, pursuant to the eligibility rules found in the Retirement Act.

Please note that the above-referenced laws are those used to determine eligibility for participation and are not the only laws with which a participating employer must comply. Participating employers are required to "inform themselves of their rights and obligations" under Title 49 and should become familiar with all provisions of the Retirement Act. Once the EMS District is admitted into the system, URS provides education about the requirements with which the EMS District must comply as a participating employer.

Additionally, please be aware that should the EMS District fail to participate with URS while offering another retirement benefit to its employees, the EMS District's employees may have a claim against it for service credit under the Retirement Act, which the Office is required to enforce. Under the Retirement Act, such a claim would include all past employer contributions, interest, and in some cases, penalties. See Utah Code Ann. §49-11-601(3).

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew K. Judd", written in a cursive style.

Matthew K. Judd
Employer Services Director
Utah State Retirement Office