

**COPY**

RESOLUTION 17-97

**GRAND COUNTY, UTAH and MOAB CITY  
JOINT RESOLUTION OF ADOPTION  
of the  
KLONDIKE LANDFILL LOCAL GOVERNMENT GUARANTEE**

**WHEREAS**, Grand County (the "County") is a county of the State of Utah and, as such, may provide municipal-type services to the residents of unincorporated Grand County;

**WHEREAS**, the City of Moab (the "City") is a municipal corporation of the State of Utah and, as such, provides municipal-type services to its residents;

**WHEREAS**, garbage generated by the residents of unincorporated Grand County and the City of Moab is delivered to the Klondike Landfill, which is owned and operated by Grand County Solid Waste Management Special Service District No. 1 (the "District");

**WHEREAS**, the Klondike Landfill is operated pursuant to a Class I Landfill Solid Waste Permit (the "Permit") issued by the Utah Solid and Hazardous Waste Control Board (the "Board");

**WHEREAS**, as a condition of the Permit, the District is required to provide financial assurances regarding closure of and post-closure care for the Klondike Landfill;

**WHEREAS**, satisfying financial assurance requirements may be prohibitively expensive to the District, and that expense may be passed on to the residents of the County and the City; and

**WHEREAS**, the County and the City deem it to be in the best interest of their constituents to provide a local government guarantee to the Board pursuant to the requirements of Rule 315-309-3(8) of the Utah Administrative Code (hereinafter "Rule"), thereby facilitating the District's satisfaction of the financial assurance requirements and significantly reducing the cost that might be passed on to the residents of the County and the City.

**NOW, THEREFORE**, be it resolved by Grand County and by the City of Moab as follows:

1. That the County and the City shall provide a guarantee, in accordance with the requirements of Rule 315-309-3(8), to the Board and its Executive Secretary in satisfaction, or partial satisfaction, of the District's financial assurance requirements concerning closure of and post-closure care at the Klondike Landfill.

2. That the Chair of the Grand County Council and the Mayor of the City of Moab are directed and empowered to sign a Guarantee in the form attached hereto and to deliver the Guarantee to the Board through its Executive Secretary.

3. That the signatures of the Chair of the Grand County Council and of the Mayor of the City of Moab be attested by the appropriate officials of the County and of the City, respectively, before the Guarantee is delivered to the Board.

4. That approval of the Guarantee was placed upon the agenda of a meeting of the Grand County Council and upon the agenda of a meeting of the Moab City Council prior to action by those bodies and that this Resolution was adopted, and the execution and delivery of the Guarantee was approved, in compliance with the Utah Open and Public Meetings Act, and that the Guarantee be and hereby is binding upon both the County and the City in accordance with its terms.

5. That this Resolution shall take effect immediately upon its passage.

APPROVED AND PASSED by the Grand County Council and by the Moab City Council on the dates set forth below.

**GRAND COUNTY**

By: *[Signature]*  
Title: Council Chairman  
Date: 1-20-98

Attest: *[Signature]*

**CITY OF MOAB**

By: *[Signature]*  
Title: 23 Dec 1997  
Date: Mayor

Attest: *[Signature]*, CMC/RAE  
Deputy Recorder