

**City of Moab Resolution #24-98**  
**Grand County Resolution # 2411**

**GRAND COUNTY, UTAH and MOAB CITY**  
**JOINT RESOLUTION OF FINANCIAL ASSURANCE**  
**OF THE MOAB LANDFILL**

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, waste generated in unincorporated Grand County and in the City of Moab is delivered to the Moab Landfill, which is owned by the County and the City and operated by Grand County Solid Waste Management Special Service District #1 (the District);

WHEREAS, the Moab Landfill is operated pursuant to a Class IV 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 and post-closure care and corrective action, if required, for the Moab 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;

WHEREAS, pursuant to the requirements of Rule 315-309-3(7) entitled "Local Government Financial Test" of the Utah Administrative Code, the County and the City as owners of the Moab Landfill may demonstrate financial assurances up to the current cost estimate for closure and post-closure care and corrective action, if required, thereby facilitating the District's satisfaction of the financial assurance requirements of its Permit and significantly reducing the cost that might be passed on to the residents of the County and the City;

WHEREAS, the current cost estimate for closure and post-closure care and corrective action, if required, for the Moab Landfill is estimated to be \$20,000, and the County and the City each agree to be responsible for up to one-half of the required amount; and

WHEREAS, the County and the City desire to deliver information pertaining to the Local Government Financial Test to the Board through its Executive Secretary to establish financial assurance for the Moab Landfill.

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

1. The County and the City acknowledge and agree that as owners of the Moab Landfill, they are financially responsible for the costs of providing closure and post-closure care and corrective action, if needed, as required by the Permit.

2. That the County and the City shall demonstrate financial assurance through the Local Government Financial Test to the Board and its Executive Secretary in satisfaction of the District's financial assurance Permit requirements concerning closure and post-closure care and corrective action, if needed, at the Moab Landfill.

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 Resolution is delivered to the Board.

4. That approval of this Resolution 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 in compliance with the Utah Open and Public Meetings Act.

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: Harvey Merrill  
Title: \_\_\_\_\_  
Date: 10-19-98

Attest: Grand Townsend

CITY OF MOAB

By: Karla R. Hancock  
Karla R. Hancock  
Mayor  
Approved : October 20, 1998

Attest: Rachel Ellison  
Rachel Ellison  
Moab City Recorder