

SAN JUAN COUNTY UTAH
RESOLUTION NO 2024- 12

A RESOLUTION APPROVING ENTERING INTO AN PARTICIPATION AND REIMBURSEMENT AGREEMENT WITH THE PACK CREEK WATER COMPANY FOR A LOAN AND REIMBURSEMENT OF COUNTY FUNDS TO BE USED FOR THE LOCAL MATCH REQUIRED BY THE U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE FOR PACK CREEK COMMUNITY PROJECTS AS PART OF THE GRANT AWARD FOR THE SAN JUAN PACK CREEK EMERGENCY WATERSHED PROTECTION 2021 PROJECT FUNDING

WHEREAS, in June 2021, a wildfire in and around the Pack Creek Community (the "Community") that is serviced by the Company caused changes to water flows that pose a threat to the Community's culinary water resource and other infrastructure;

WHEREAS, the U.S. Department of Agriculture, Natural Resources Conservation Service ("NRCS"), has agreed to provide engineering and funding for 75 percent of the costs of the San Juan Pack Creek Emergency Watershed Protection 2021 Design Plan (the "Project Plan") and Projects as indicated on Exhibit A, which includes community infrastructure and culinary water source projects;

WHEREAS, the U.S. Department of Agriculture, Natural Resources Conservation Service requires 25 percent of the costs as a "local match" in order to meet the grant funding obligation;

WHEREAS, the County has agreed to support the Community by acting as the sponsor of the Project Plan;

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Title 17, Chapter 50, Section 303 of the Utah Code Annotated. (the "Act");

WHEREAS, The County, wishes to enter into a Participation and Reimbursement Agreement with the Company to allow the Company to continue to provide reliable culinary water to its shareholders and to finalize the construction and final payment of all contractors under the Project Plan;

WHEREAS, the Company desires assistance in the form of a loan from the County to assist the Community in paying its portion of the local match requirements and pro rata matching costs of the Project Plan belonging to the Community and to reimburse those funds as specified in this Agreement;

WHEREAS, the fulfillment of this Agreement is vital to and in the best interests of the County and the Community for the health, safety, and welfare of its residents, and in accord with public purposes and will provide a benefit to the Community and its residents.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of San Juan County Commissioners

PASSED, ADOPTED, AND APPROVED by the Board of San Juan County Commissioners this 17th day of September, 2024, by the following vote:

Those voting aye: Bruce Adams, Silvia Stubbs and Jamie Harvey

Those voting nay: Ø


Those absent or abstaining: Ø

BOARD OF SAN JUAN COUNTY COMMISSIONERS



Jamie Harvey, Chair

ATTEST:



Lyman Duncan, Clerk/Auditor

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