

# Utah Public Notice

## Revised Notice

### Wasatch County Council

**Notice Date & Time:** 11/8/12 7:00 PM

#### **Description/Agenda:**

#### **NOTICE OF INTENTION TO DESIGNATE ASSESSMENT AREA**

PUBLIC NOTICE IS HEREBY GIVEN that on October 3, 2012, the County Council (the "County Council") of Wasatch County, Utah (the "County"), acting as the governing board of the Wasatch County Fire Protection Special Service District, Wasatch County, Utah (the "District") adopted a resolution declaring its intention to designate an assessment area to be known as the Wasatch Fire Assessment Area (the "Assessment Area"). It is the proposal of the County Council to provide services herein described to property within the proposed Assessment Area, to finance the operation and maintenance costs ("O&M Costs") with respect to said services, and to levy assessments as provided in Title 11, Chapter 42, Utah Code Annotated 1953, as amended, (the "Act") on the properties lying within the Assessment Area for the benefit of which such assessments are to be expended to pay for such O&M Costs.

A map of the proposed Assessment Area is attached hereto as Attachment A.  
PROPOSED O&M COSTS

The District intends to levy an operation and maintenance assessment ("O&M Assessments"), as provided in the Act, on those properties within the Assessment Area to be benefited by certain O&M Costs including, the fire protection service costs for a portion of the full time firefighters housed at the Jordanelle Fire Station ("Services") incurred by the District within the Assessment Area. **The initial estimated aggregate annual O&M Assessments is \$671,602 for the first year.** Each subsequent annual O&M Assessments shall be determined as follows: most recent actual O&M costs, less any surplus or plus any deficits for the prior year, plus a cost of living adjustment, plus any extraordinary O&M costs to be incurred for the coming year. The District will adjust each annual O&M Assessments annually to reflect the current O&M Costs anticipated to be incurred by the District using the determination method described above, and will adopt a new assessment ordinance levying each annual O&M Assessment.

#### O&M ASSESSMENTS AND METHOD

Purpose of

O&M Assessment	Estimated First
Year Assessment	Method of Assessment

to pay operation and  
maintenance expenses

described above      \$.56 per \$1,000 of assessed market value Per Assessed Market Value  
determined by Wasatch County

The O&M Assessments will be paid in annual installments by property owners over a five-year period beginning on the day on which the County Council adopts the Assessment Ordinance levying the O&M Assessments. The first O&M Assessments payment shall be due and payable as provided in the Assessment Ordinance to be adopted by the County Council to levy said O&M Assessments and subsequent O&M Assessments payments with respect to subsequent assessment ordinances shall be due and payable on each anniversary date thereafter for so long as the County Council determines to adopt an assessment ordinance to levy the O&M Assessments; but in no event longer than five (5) years, provided, however, that the County Council may levy an O&M Assessments after said five-year period, if, after the five-year period

expires, the County Council complies with the requirements of the Act. The County Council shall charge interest at a rate of ten percent (10%) per annum on unpaid O&M Assessments from the date the O&M Assessments comes due. Other payment provisions and enforcement remedies shall be in accordance with the Act.

The proposed O&M Assessments will be equal and uniform based on benefits received. The County Engineer has prepared a Certificate of Project Engineer that, among other things, identifies the costs of the proposed O&M Costs. Said Certificate is on file in the office of the County Engineer who will make such information available to all interested parties.

A map of the proposed Assessment Area and other related information are on file in the office of the County Engineer who will make such information available to all interested persons.

#### TIME FOR FILING PROTESTS

Any person who is the owner of record of property to be included within the Assessment Area shall have the right to file in writing a protest against the designation of the Assessment Area or to make any other objections relating thereto. Protests shall describe or otherwise identify the property owned of record by the person or persons making the protest. Protests shall be filed in writing with the County Auditor/Clerk of Wasatch County, Utah, either in person during regular business hours Monday through Friday, or by mail on or before the date of the hearing at 5:00 p.m. on November 8, 2012, at the offices of the County Auditor/Clerk located at 25 North Main, Heber City, Utah 84032. Thereafter, at 7:00 p.m. on November 8, 2012, the County Council will meet in public meeting at the County Council Chambers in Heber City, Utah, to consider all protests so filed and hear all objections relating to the proposed Assessment Area and the proposed O&M Assessments. After such consideration and determination, the Council shall adopt a resolution either abandoning the Assessment Area or designating the Assessment Area either as described in this Notice of Intention to Designate Assessment Area or with deletions and changes made as authorized by the Act; but the County Council shall abandon the designation of the Assessment Area if the necessary number of protests as provided herein have been filed on or before the time specified in this Notice of Intention to Designate Assessment Area for the filing of protests after eliminating from such filed protests: (a) protests relating to property that has been deleted from the Assessment Area, and (b) protests that have been withdrawn in writing prior to the conclusion of the hearing. The necessary number of protests shall mean the following: Protests representing at least one-half of the total market value of all properties to be assessed where an assessment is proposed to be made according to assessed market value. For any additional information please contact the Wasatch Fire District at (435) 940-9636. **State law requires that protests must be in writing and submitted in person or by mail, with receipt by the County within the time specified in this public notice.** Furthermore, such protest shall describe or otherwise identify the property owned by the person filing the protest. **Accordingly, the County will not accept or consider emails of protests.** Emails are not permitted by state law and it would be extraordinarily challenging to verify the authenticity of emails. **Protests need to be filed in writing by the owner of the property which is within the proposed assessment area, and then delivered in person or via mail service (not by proxy) to the County Auditor/Clerk of Wasatch County, Utah with receipt by the County at the place and within the time frame described in this public notice.**

ADOPTED BY THE COUNTY COUNCIL OF WASATCH COUNTY, UTAH

By:  
County Auditor/Clerk

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

By:  
County Auditor/Clerk