

SAN JUAN COUNTY COMMISSION MINUTES

OCTOBER 24, 1988

The regular meeting of the San Juan County Commission convened at 10:00 A.M. at the San Juan County Courthouse at Monticello, Utah.

Commissioners Present: Calvin Black
Kenneth Bailey
Mark Maryboy

A motion to approve the minutes of October 16, 1988 was made by Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

COMMISSIONER CALVIN BLACK'S REPORT

Elk Mountain Roads - Commissioner Black reported that the roads on Elk Mountain are in need of being graded and some drainage work done as the culverts are filled up and water is eroding the roads.

Halls Crossing Airport - Ron Madsen from Senator Hatch's office contacted Commissioner Black regarding the Halls Crossing airport. There will be a meeting in Salt Lake on November 4th that Mr. Black will attend.

A letter from the FAA, regarding the preapplication for the Halls Crossing Airport, also indicated that they have received the preapplication and it is entered into their programming data base and will be used if and when the projects reach the stage for design and construction. Further processing towards allotment of construction funds must wait for completion of the Environmental Impact Study, Master Plan Study and site acceptance by the Federal Aviation Administration.

Nursing Home Patient Funding - A letter has been received from Mark Walsh, Associate Director of the Utah Association of Counties, with respect to a meeting being held on Thursday regarding nursing home funding and the shifting of the burden from federal and state levels to the counties. At the present time most nursing home patients are paid out of Medicare or State Medicaid funds. It would be extremely difficult to have that obligation shifted to the county level.

COMMISSIONER KENNETH BAILEY'S REPORT

Public Safety Building - Commissioner Bailey was contacted by Ernest Sonderegger about the possibility of putting a concrete parking area around the Public Safety Building instead of asphalt. Various areas that have concrete parking were discussed as to the upkeep required. The architects will draft some specifications for the project and contractors contacted as to the cost of laying both concrete and asphalt before the Commission will make a final determination. **Aneth TV Resolution** - Commissioner Maryboy will follow through on the resolution from the Aneth Chapter requesting better TV reception. Mr. Maryboy will contact Bill Bayles, San Juan County Communications Engineer, and have him report to the Commission on what can be done to resolve the problem.

Navajo Mountain Roads - Commissioner Bailey contacted the southern area road foreman, Bernal Bradford, to work out the problems on the Navajo Mountain roads with the BIA. The BIA is having budgeting problems and have not been able to keep the roads graded properly.

COMMISSIONER MARK MARYBOY'S REPORT

Commissioner Maryboy's Office - Commissioner Maryboy reported that he has moved his office to Bluff. He can be reached at 672-2204.

Montezuma Creek Ambulance - The request to the Navajo Tribe for a new ambulance for the Montezuma Creek area has been placed on the priority list.

Bluff Trash Dump - Residents of the Bluff area have indicated that a new pit needs to be dug at the trash dump in the Bluff area.

Montezuma Creek Trash Dump - Aneth Chapter officials are requesting that the trash dump east of Montezuma Creek be covered and no longer used as dumping site. The Indian Health Service has been maintaining that site but does not have the funding needed for further maintenance. The Commission felt that many residents want to keep that dump site open and that a resolution from the Chapter would be required before the site could be closed. There is another site in the area but the BLM has been wanting to close that site for some time. Commissioner Maryboy reported that a suitable location is being sought across the river from Montezuma Creek.

ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

Personnel Policy/Drugs, Narcotics & Alcohol - County Attorney Craig Halls was asked to review the drugs, narcotics and alcohol policy for the County. With the recommended changes the following policy was approved:

It is the policy of San Juan County to prohibit the use, sale, dispensing, or possession of illegal drugs and narcotics or alcoholic beverages on its premises. This prohibition also covers all legal or prescription drugs which may impair an employee's ability to perform his or her job.

San Juan County will not hire persons who use illegal drugs or narcotics and will take appropriate disciplinary action against employees in possession of or under the influence of alcohol or illegal drugs while on the County's premises.

An employee reporting to work under the influence of drugs, narcotics, and/or alcohol is not permitted to enter the County's premises. Any employee discovered to be under the influence while on the job is to be required to leave the premises and should be escorted home. (See note below.)

Any employee who must use prescribed drugs or narcotics during their work must report this fact to his or her department head along with acceptable medical documentation. A determination will then be made as to whether the effects of the drug or narcotic will pose a potential safety risk in light of the nature of the employee's work assignment.

Any employee experiencing problems resulting from drug, narcotic, or alcohol abuse or dependency should seek counseling from his or her department head, who should seek qualified help from such sources as the San Juan Community Social Services Agency. Such counseling is to be kept confidential.

Any employee who exhibits unusual behavior may be asked to be tested for drugs, narcotics, or alcohol. The County shall arrange to have that individual examined by a physician or clinic designated for that purpose.

An employee who is found to be using a substance on the job or is diagnosed as a drug addict or alcoholic may be terminated, placed on probation or may be granted a leave of absence to undertake rehabilitation treatment. Such employee must cooperate fully with the treatment process and will not be permitted to return to work until a release from treatment is presented to the County certifying that the employee is rehabilitated and capable of returning to work.

A motion to approve the drugs, narcotics and alcohol policy for San Juan County was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Personnel Policy/Rest Break - The Commission reviewed and discussed a proposal for break time for County employees. The following policy was approved upon a motion of Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Whenever practical, employees are to receive a rest break no longer than ten (10) minutes at approximately the middle of every four hours of work not broken by a meal period.

The time for employee rest breaks will be scheduled by each supervisor with appropriate regard for work load. Time spent on rest break will be compensated as working time and employees are not required to sign out and in on their time card. However, employees are expected to return to their work stations promptly at the end of each break and will be subject to disciplinary action for tardiness.

Employees who choose to remain at work during rest breaks are not entitled to leave before the normal quitting time and will not receive extra pay for the time worked.

Rest breaks should be taken in an employee lounge or rest area or other area in similarly designated non-work areas.

Employees on rest breaks are not permitted to interfere with fellow employees who are continuing to work. Also, employees on rest periods are not permitted to leave the Company's premises during this period except with approval of their supervisor.

County Health Insurance - Administrative Assistant Rick Bailey discussed a letter from Utah Local Governments Trust which indicates a proposed increase in the premium effective the first of the year. The increase would mean approximately a 23 to 26% increase in the medical premiums for the same or less coverage. Based on that determination, it would cost the County approximately \$63,000 more per year in providing that insurance. Mr. Bailey felt that the County cannot afford those increases and recommended that advertising be started to find a new carrier for the health and medical coverage. The Commission approved the recommendation even though indications are such that such coverage is on the increase all over.

Western Greyhound Lines Co. - A letter was received from Western Greyhound Lines Co. with regard to a request for possible service through San Juan County to the Salt Lake area. A study indicates that the service between Phoenix and Salt Lake through San Juan County would not warrant enough passenger volume to do that year round but may through the four summer months. The Commission felt that possibly enough freight service from the various entities could be purchased in advance and used throughout the year to encourage the service. Once the service began it might be possible to work with the bus lines to keep it going.

Congressman Howard Nielson - Contact with Congressman Howard Nielson's office has indicated that they will try to arrange a public meeting with military personnel to answer questions about the low-level military flights that are being conducted in the area.

County Land Fill Sites - Several applications had been filed with the Bureau of Land Management for landfill sites throughout the County. Approval has been received for one at Halls Crossing and advertising is being conducted for possible sites at Bluff and Mexican Hat. The County has been unable to obtain the release of mineral rights at the Montezuma Creek location and the BLM would like permission to release that application to close it out of their files. The Commission concurred with the request.

CURRENT BUSINESS

Interim Hospital Administrator - Interim Hospital Administrator Milt Bedsaul met with the Commission to distribute information for the Hospital Board meeting to be held Tuesday, October 25th and to inform the board that Tom Mingen will be in Monticello on Wednesday and Thursday for the purpose of holding community meetings with the results of the findings of a survey conducted a couple of weeks ago. Mr. Bedsaul also inquired as to the status of appointing a board for the San Juan County Health Service District. The Commission has deferred that action as other names have been submitted for consideration and the Commissioners would like to interview the people prior to the approval of the board members. Commissioner Black also reported that Dr. Val Jones has signed an agreement with Dr. Kelly Nichols and will be coming to Blanding for a week a month in the near future and permanently next summer.

Motor Vehicles Contract - The contracts were presented for approval between the State Tax Commission and San Juan County for the necessary forms for motor vehicle registration. The contract for the forms is with Moore Business Forms and the cost will not exceed more than .2081 cents per form. A motion to approve the contract was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Road Department Employees - A request has been made to hire Arnold Atencio and Duane Franklin as part time road department employees at grade 5 step 1, \$6.02 per hour effective October 18, 1988. A motion to approve the request was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

General Election Poll Workers - County Clerk Gail Johnson presented the following names as poll workers for the general election to be held in November:

No. 1 Bluff	No.11 Southwest Blanding
Receiving	Receiving
Ann Baum	Eloise Mahon
Nell Johnson	Peggy Lyman
Rosalie Goldman	Afton Fisher
Counting	Counting
Brenda Bowles	Shari Mexican
Karrie Empey	Tamara Barton
Shirley Harris	LaVern Tate
Interpreters	
Ernest Sampson	No. 12 Mexican Hat
Roy Sampson	Receiving
Alternates	Vonnie Mueller
Doug Pehrson	Verna Jean Clark
Stella Kee	Karen Yellowman
	Counting
No. 2 Montezuma Creek	Merna Johnson
Receiving	Dale Caviness
Debbie Little	Irene Gray
Elsie Dee	Interpreter
Rena Woody	Kathryn Rock
Counting	Marlene Allen
Primrose Phillips	Alternates
Nora Manybeads	Leta Joe
Fannie Nez	Rhonda Leber
Interpreters	
Brenda Benally	No. 13 Oljato
Esther Lewis	Receiving
Everitt Thomas	Betty Dandy
Alternate	Marion Salazar
Lena Begay	Francis Shorty
	Counting
No. 3 Aneth	Sue Ann Chief
	Adeline Bedoni

Receiving Tina Gonnie Daisy Todachene Valerena Billie	Marilyn Smith Interpreters Gregory Holliday Harry Nez
Counting Arlene Whitehorse Roxanne Todachene Irene Benn	No. 14 Navajo Mountain Jeffrey James Jack Chief Lorraine King
Interpreters Thelma Lansing Inez Burke	Interpreters Kenneth Miles Marietta Stevens
Alternate Marlene Whitehorse	No. 15 Halls Crossing Karen Porter Donna Johnson Julie Carothers
No. 4 Cedar Point Minnie Gidcumb Pat Breedlove Sarah Carhart	No. 16 Red Mesa Lucille Nez Priscilla Tapaha Cynthia Tapaha
Alternate Cindy Carhart	Interpreters Doris Tsinniginni Sannie Redhorse Alternate Linda Lansing
No. 5 Ucolo Rachel Richardson Vicki Nebeker Lori Renfro	No. 17 Southeast Blanding Receiving Sally Hughes Georgann Burtenshaw Betty Early
No. 6 LaSal Diane Hatch Merline Kyle Paula Garcia	Counting Mabel June Palmer Cathy Cosby Kaylynn Higgins
No. 7 Spanish Valley Darlene Sommerville Lorraine Tangren Kathy Cresswell	Interpreter Lula Katso
No. 8 North Monticello Receiving LaRaine Redd Clara Mae Hatch Maxine Lyman	No. 18 Northeast Blanding Receiving Dolores Bayles Francell Blickenstaff Jessie Mae Macdonald
Counting Vernetta Sonderegger Cindy Leavitt Oleen Hatch	Counting Ruth Nielson Fern Watkins Paula Jones
Alternate Leona Markosek	Interpreter Nancy Tso
No. 9 South Monticello Receiving Donna Redd Anna Broderick Margaret Bronson	No. 19 Central Monticello Receiving Iris J. Barton Tharla Holyoak Lorraine Mantz
Counting Ann Palmer Julie Bailey Deana Wight	Counting Fern Frost Ilene Walker Sheri Christensen
No. 10 Northwest Blanding Receiving Adell Lovell Terry Palmer Shirley Shunway	Alternate Jean Jones
Counting Claudia Orr Kathryn Shunway Thelma Lacy	No. 20 White Mesa Mary Jane Yazzie Loretta Posey Shirley Denetsosie
Interpreter Nancy Tso	Interpreter Barbara Morris

Merrill Cook Letter - County Clerk Gail Johnson reported receiving a letter from Merrill Cook, candidate for governor of Utah, stating that the ballots should be reprinted because of the placement of his name on the ballot. The Lt. Governors office has indicated that the ballots are legal and can be left the way they have been printed. Mrs. Johnson said there is not sufficient time to reprint the ballots nor is there a printer who can print the ballots the way Mr. Cook wants them printed because the presses are not wide enough. At this late date, Mrs. Johnson indicated the ballots would be used the way they are already printed as the supplies have already been received by the Clerks and some have been delivered to the judges.

Independent Auditor/Kay Anderson - County Clerk Gail Johnson, Deputy Auditor John Fellmeth, County Attorney Craig Halls and the Independent Auditor Kay Anderson met with the Commission to discuss the additional billing submitted for the 1987 County audit. Commissioner Bailey stated that answers needed to be given to the following concerns: 1. The work done outside of the bid audit. 2. The authorization of the work done outside of the bid audit. 3. The work that was done on the Merrill Lynch lawsuit. 4. The work that still needs to be done on the lawsuit. 5. Authorization for the work on the lawsuit. Mr. Anderson stated that his firm had presented a bid for the audit and that was billed and paid for. They rendered an additional billing for accounting work which is a approximately \$12,000. Mr. Anderson did indicate that he would be willing to reduce this amount by 25% to \$9,000. This was reached by the significant amount of work that was required in bringing the journal adjustments up to date and trying to reconcile the cash between the Treasurer's office and the general ledger. Mr. Anderson felt that there was a lot of accounting work that was done by the auditors that should have been done by County personnel. Mr. Anderson admitted he had not many any request for authority to do more work than required for the audit. Mr. Fellmeth indicated that the County had provided and did all the work that had been requested of them but that the cash problem has existed for several years and they were not able to resolve the differences there. Mr. Fellmeth did not feel that the work that the auditors have done is worth the total \$15,000 requested. The Commissioners indicated that they feel that there may be some adjustment that may

be considered on the additional billing but that basically the work should have been done for the amount bid. Any additional work that was needed should have been done by County personnel or authorization given by the Commission before work was done over and above the audit bid amount. The Commission did approve the work that has been done on the securities transactions and will pay the requested amount as soon as a detailed billing is submitted. They would also like to have a detailed accounting of the work that the auditors did on the audit. Mr. Anderson expressed his appreciation for any consideration that the Commissioners may feel is fair.

Public Hearing - Edge of the Cedars CIB Application - The public hearing for San Juan County's proposal to the Permanent Community Impact Board for part of the funding in a grant form for the expansion of the Edge of the Cedars Museum convened at 1:00 P.M. The proposal will ask for \$850,000. A request for \$800,000 will be made through Governor Bangerter's budget or a special appropriation from the legislature. In connection with that State Parks and Recreation have and will be continuing to purchase land adjacent to the park. Twenty-five thousand was designated as the portion of what has been done and what may need to be done, for a total project of \$1,675,000. The purpose of the project is to renovate the museum to meet the federal repository standards so those artifacts that are from this area would be able to be curated and be on permanent location here in San Juan County.

Steve Olsen, Director of the Edge of the Cedars Museum, stated that the reason for the proposal stems out of local agents attempting to work with the federal government to find a means to offset the cost of curating. The Anasazi Heritage Center in Dolores, Colorado was established and built to house federal artifacts in the four corners area. The artifacts from the Edge of the Cedars was to be taken to the center in Dolores. State Parks has taken on the task of being a repository for the State and would like to see those artifacts remain in Utah since they were excavated from Utah. The grant would go to create a facility large enough to meet the federal requirements which would involve putting an addition on the Edge of the Cedars Museum and providing the services that are required through federal legislation that governs repositories. Mr. Olsen indicated that there is already sufficient room to exhibit the artifacts but that the renovation would be to remodel the lobby and add the repository.

Administrative Assistant Rick Bailey also reported that the BLM has some funding available for the four-state area for artifacts and Ed Scherick, local director of the BLM area office, has indicated that those funds could be used for this project. There could be as much as \$200,000 for the next five years to be used to supplement and coordinate with the expansion, the Trail of the Ancients and other similar projects.

Executive Director of the County Economic Development Board Peggy Humphreys stated that the board supports the County's efforts in this project.

Commissioner Bailey expressed support for the application by the Commission.

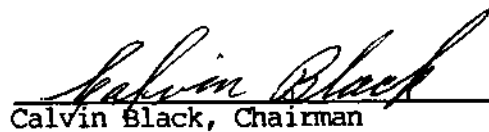
A motion to approve the application to the Permanent Community Impact Board was made by Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

BILLS APPROVED FOR PAYMENT

Blue Mountain Shadows	magazine historical society	\$ 500.00
California Mountain Company, Ltd.	supplies emergency services	213.20
Annie Cantsee	commodities distribution	10.00
Canyonlands Motor Lodge	Grand Circle Fam	407.04
City Market	film sheriffs office	4.07
Chester E. Endter	herbicide purchased	150.00
JEAU	annual membership Lana Herron	15.00
Tyron Lewis	herbicide purchased	150.00
Navajo Trail Motel	rooms William Shanahan, et.al.	64.16
National Notary Association	membership Utah Law Primer	26.95
Corinne Roring	photo supplies & postage	13.30
John E. Roring	herbicide purchased	150.00
Oscar Semadeni	herbicide purchased	150.00
Utah Valley Community College	fire science seminar registration	90.00
Abajo Petroleum, Inc.	supplies development	141.07
John Alvarez	tool allowance Oct. 1988	25.00
Richard M. Bailey	travel Provo, Salt Lake	181.80
Nicky Black	hauling road department	653.25
Charles Bowles	uniform allowance Oct. 1988	60.00
Ruby Bronson	travel expenses	13.02
Bruce Bushore Jr.	tool allowance Oct. 1988	25.00
Keith H. Chiara	public defender Oct. 1988	894.35
Bill Christensen	uniform allowance Oct. 1988	84.00
M.V. Christensen	hauling road department	1,501.51
Computerware Data Prod., Inc.	supplies computer department	571.81
Rudolph Cook	uniform allowance Oct. 1988	60.00
H F Cosby Jr.	hauling road department	1,355.39
William Monte Dalton	uniform allowance Oct. 1988	60.00
Day-Timers, Inc.	office supplies extension	46.16
Tom Dyer	uniform allowance Oct. 1988	60.00
Electro-Comm Distributing, Inc.	supplies communications	214.44
Frito-Lay, Inc.	supplies vending machine	10.56
Sam Goodman	lab work historical society	72.00
H&K Locksmith Shop	repairs supplies road dept.	59.85
Max Halls	tool allowance Oct. 1988	25.00
Colleen Harvey	meals served Oct. 1988	1,443.00
Hawkins, Stanley M.	tool allowance Oct. 1988	25.00
Helen Howell	uniform allowance Oct. 1988	25.00
Diane Jackson	uniform allowance Oct. 1988	25.00
Kelly Company	supplies J.P. office	612.21
Jim Keyes	reimburse travel expenses	56.52
Billy Lee King	uniform allowance Oct. 1988	25.00
Kirby, Jack H.	uniform allowance Oct. 1988	60.00
Max Ksiazkiewicz	tool allowance Oct. 1988	25.00
Kustom Electronics, Inc.	supplies sheriffs department	166.95
L B P Trucking	hauling road department	1,373.50
Claude Lacy	uniform allowance Oct. 1988	60.00
Leavitt, Grant H.	green fees for October 1988	890.40
Venice Lyman	restitution - Kelly Shumway	100.00
Martha J. McCann	uniform allowance Oct. 1988	25.00
Martineau, Gary	janitor library (B) Oct. 1988	504.25
Jack L. Mortensen	uniform allowance Oct. 1988	25.00
Motor Parts Company	supplies communications	3.00
Victor Nebeker	tool allowance Oct. 1988	25.00
Lynnette Palmer	uniform allowance Oct. 1988	25.00
Tierry J. Patterson	tool allowance Oct. 1988	25.00

Pepsi-Cola Company	supplies vending machine	36.20
Jerold Perkins	uniform allowance Oct. 1988	60.00
Andy Peterson	uniform allowance Oct. 1988	60.00
Phillips 66 Company	gas purchases department of aging	36.50
William H. Pierce	uniform allowance Oct. 1988	60.00
Provo Excelsior Hotel	travel Rick Bailey	33.00
Steve Regan Company	supplies golf pro shop	143.40
Kevin R. Rhoades	uniform allowance Oct. 1988	60.00
Rufina Romero	janitor library (M) Oct. 1988	275.00
Salt Lake Stamp Company	supplies sheriffs department	99.68
Salt Lake Wholesale Sports	supplies sheriffs department	73.40
San Juan Ambulance Service	20% on Stan Hawkins	165.00
San Juan County	gas sheriffs department	1,517.99
San Juan County Hospital	20% on county employees	324.20
SJC Seventh Circuit Court	garnishment:Norman Begay	282.43
The San Juan Record	supplies historical society	19.20
Gaylen Schaugaard	janitor library (M) Oct. 1988	223.25
Shilo Inn - Salt Lake City	travel Grant Leavitt	175.00
Dayne Shumway Construction	hauling road department	1,905.75
Southeastern Utah District Health Dept.	services San Juan County	555.15
Steve Stovall	uniform allowance Oct. 1988	60.00
Texaco Refining & Marketing Inc.	gas agency on aging	55.49
Travelodge S.L. Downtown	travel Jack Kirby	95.00
Tri-Arc Hotel	travel Verla M. Marx	155.34
Utah's Canyonlands	advertising travel council	404.40
Utah Power & Light Company	utilities TV boosters	34.73
Utah State Tax Commission	sales tax collected 3rd qtr.	178.84

Adjourned - There being no further business the meeting adjourned at 4:15 P.M.


Calvin Black, Chairman


Merna C. Johnson, Deputy Clerk

SPECIAL SAN JUAN COUNTY COMMISSION MEETING

OCTOBER 26, 1988

A special meeting of the San Juan County Commission commenced at 9:00 A.M. at the San Juan County Courthouse at Monticello, Utah.

Commissioners Present: Calvin Black
Kenneth Bailey

Commissioner Mary Maryboy was out of town and unable to attend.

Others attending: Rick Bailey, Administrative Assistant
Merna Johnson, Deputy Clerk
Carl Eiseman, San Juan Record

The purpose of the meeting was to either establish or abandon the creation of the San Juan County Transportation Special Service District. The purpose of the Transportation Service District is to receive mineral lease revenues from the federal government for the construction, repair and maintenance of roads within the district boundaries.

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the County Commission a Certificate of Compliance with Open Meeting Law with respect to this October 26, 1988 meeting.

The Clerk then stated that no additional protests had been received in her office during the fifteen-day protest period following the October 11, 1988 protest hearing, that less than 50% of the qualified voters of the territory proposed to be included within the proposed special district and the owners of less than 50% of the taxable value of the taxable property included within the proposed special service district have filed written protests against the specified type of service, within said district, proposed to be furnished and that according to proceedings adopted at the October 11, 1988 meeting, the County Commissioners should now consider a resolution creating the District. The following resolution was then moved for adoption by Commissioner Kenneth R. Bailey:

RESOLUTION NO. 88-8

A RESOLUTION TO ESTABLISH THE SAN JUAN COUNTY TRANSPORTATION SERVICE DISTRICT, TO AUTHORIZE THE PROVISION OF TRANSPORTATION SERVICES AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT AND TO APPOINT AN ADMINISTRATIVE CONTROL BOARD FOR THE DISTRICT.

BE IT RESOLVED by the Chairman and the Board of Commissioners of San Juan County, Utah:

Section 1. The Board of Commissioners of San Juan County, Utah (the "Board of Commissioners") believes that the public health, convenience and necessity require the provision of transportation services identified and described in the Notice of Intention concerning the establishment of the San Juan County Transportation Service District (the "District").

Section 2. The Board of Commissioners has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or the provision of any of the services therein, or on any other matter pertinent to the District.

Section 3. The Board of Commissioners hereby finds that less than 50% of the qualified voters of the territory proposed to be included within the proposed special district and the owners of less than 50% of the taxable value of taxable property included within the proposed special service district have filed written protests against the establishment of said district or against the specified type of services, within said district, proposed to be furnished.

Section 4. The services proposed and described in the Notice of Intention to create the District are hereby authorized, and the District is hereby created.

Section 5. The District shall be administered by an Administrative Control 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 for in Sections 11-23-13, 11-23-15, 11-23-18, 11-23-19, and 11-23-20, of the Utah Special Service District Act. Said Administrative Control Board shall not, however, have the power to levy a tax on the taxable property of the District, to issue bonds payable from taxes or to call