COMMISSIONERS' MINUTES – DAVIS COUNTY

WORK SESSION MEETING MINUTES
Tuesday, July 11, 2023

The Board of Davis County Commissioners met for a Work Session at 8:30 AM on Tuesday, July 11, 2023, in room 306 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

All documents from this meeting are on file in the Davis County Clerk's Office. The agenda for this meeting is incorporated into the minutes as item headers.

DISCLAIMER

The meeting was an open dialogue. Critical points in the discussion have only been briefly summarized. The reader may refer to the audio recording and the publicly distributed materials for further clarification of the content. Timestamps have been noted in the minutes to aid in locating points of discussion in the audio record. The audio recording for this meeting is available based upon the County's current retention schedule.

ROLL CALL:

Chair Lorene Miner Kamalu
Vice Chair Bob J Stevenson
Commissioner Randy B. Elliott
County Auditor Curtis Koch
County Clerk Brian McKenzie
Deputy Clerk Becky Wright
Chief Deputy Civil Attorney Neal Geddes
Senior Civil Counsel Mike Kendall
County Treasurer Mark Altom

Chief Deputy Surveyor Kyle Corbridge
Human Resources/Risk Director Chris Bone
CED Director Kent Andersen
CED Planner Joseph Herring
Property Manager Tony Thompson
Nilson Homes Bryan Bayles
South Weber Community Services Director Trevor Cahoon
Ensign Engineering Trent Williams

OPENING

The meeting convened at 8:30 AM.

AGENDA ITEMS:

 # 487/2023. Discussion on County boundary line adjustment between Davis County and Weber County — *presented by Tony Thompson*

Davis County Property Manager Tony Thompson noted that the County's Planning Manager, Jeff Oyler, was at another meeting. Jeff had asked Tony and Joey Herring, a new planner in the County's Community and Economic Development Office, to present the proposed boundary line adjustment between Weber and Davis counties. *(Minute 1:46)*

Davis County was presented with a request from Nilson Homes to adjust the boundary line between Weber and Davis counties to shift one parcel from Weber County and make it part of South Weber City in Davis County. The proposal is to adjust the County boundary line so that Weber County parcels 07-079-0034, 07-079-0007, and 07-079-0056 become part of Davis County. Joey Herring said the Weber County Commission indicated, during a Work Session to discuss the petition, that there is some interest in pulling two additional sections owned by South Weber City into Davis County. The adjustment would follow the I-84 boundary until reaching Riverdale City, and then it would follow the normal County boundary. Mr. Herring said he believes all that needs to be done is an agreement between Davis County and Weber County. No homeowners need to be notified. Weber County would de-annex the property into Davis County, and then Davis County would give it to South Weber.

Tony Thompson noted the area is in South Weber's Annexation Declaration plan. He explained there are two more parcels in the area that could be considered for annexing, one owned by the Utah Department of Transportation (UDOT) and the other owned by Weber Basin Water. After reviewing Statute 17-2-209 of the Utah Code, which addresses minor county boundary line adjustments, Planning staff met with Attorney Mike Kendall. During that meeting, which was held prior to this Work Session, Mr. Kendall pointed out that the law allows for minor adjustments to the nearest property line, so reaching out at this time to include two additional properties on the northwest corner would be problematic as it would need to go to a general vote. The UDOT and Weber Basin Water properties could be brought into Davis County later, with different requests, one parcel at a time. Because the Weber Basin and UDOT properties will not be included in this adjustment, the boundary line won't follow the I-84 right-of-way completely and there will still be a little portion of Weber County on the south side of I-84 in that area.

It was restated that the main course of action is a joint public hearing between the two County Commissions. A proposed resolution was submitted, and it is modeled after the resolution approved a few years ago when Weber and Davis counties adjusted boundaries for property coming out of Uintah and going into South Weber.

Bryan Bayles, representing Nilson Homes, said the company has been working on this project for about three years. They did not adjust their application to include the UDOT and Weber Basin properties because they want to move forward on the project. They have already been given all of the needed approvals through South Weber City, and this is the final condition for

them to start this development. They are hoping the joint meeting between Davis and Weber County Commissioners can be scheduled for Aug. 1, 2023.

Commissioner Stevenson asked about South Weber's feelings on the boundary adjustment. South Weber City Community Services Director Trevor Cahoon said the city absolutely wants to justify on the proposed line – they are fully in favor.

Davis County Clerk Brian McKenzie noted that voting boundaries will be impacted by this adjustment. He asked if the area is served by South Weber Water Improvement District and if there has been any discussion with them. He informed Commissioners that this change will also require a boundary adjustment for Davis County School District to incorporate that portion into their School Board boundary, so a conversation with the Attorney's Office may be needed to make sure it is done correctly.

Trent Williams, with Ensign Engineering, said that the process is written into the County Boundary Adjustment code. Tony Thompson agreed, stating that Section 17-2-209 stipulates notices be sent to those entities affected by the boundary line adjustment, and the school district and special service districts would be noticed.

Commissioner Elliott said he had no problems with the proposal and that it would be great to move forward. Commissioner Kamalu agreed, especially since it has been in South Weber's annexation plan anyway, and it cleans things up and lets South Weber take care of that area south of I-84.

Trent Williams and Bryan Bayles clarified that Nilson is absolutely willing to make adjustments to the survey. Their only concern is the potential for pushback from property owners that need to be contacted – they don't want to include additional properties that could slow down the application.

Tony Thompson said the recommendation to the Davis County Commission, at this time, is to expand the request and bring in those properties that are able to come in under this State statute.

Discussion was had about when to hold the joint meeting with Weber County, during which both Commissions would vote on the resolution. August 1 was suggested because both Commissions have meetings scheduled at 10 a.m. on that date. Commissioners stated willingness to meet via Zoom or in person in either county. Commissioner Kamalu noted that she will be at the National Boards of Health conference at that time, but will join the meeting remotely, if possible. [The meeting was later set for 12 PM on Aug. 1, 2023, with Weber County agreeing to host.]

Tony Thompson said the recommendations of the Commission would be followed, and his department would work with the legal team to make sure the resolution drafted meets the requirements of the ordinance.

Kyle Corbridge expressed, on behalf of County Surveyor Max Elliott, that it is important that Nilson Homes do the surveying. The County will check and verify their work, but it's been tradition and standard procedure that, on things like this, those who are petitioning do the legwork on the surveying. Bryan Bayles said that the survey is complete, and Max has the current annexation plan.

(Minute 16:33)

AGENDA ITEMS:

622/2023**. Discrepancies between the RealTax Treasurer computer system and the database U.C.A. 529-2-1347 recommendation from Treasurer** — *presented by Mark Altom, County Treasurer*

[Background note: Davis County's Information Systems department found discrepancies between the RealTax computer system and the database during a conversion to the new CoreTax system. This discussion is one of several working toward reconciling the discrepancies. See the minutes of Regular Commission Meetings held at 10 AM on June 20 and June 27, 2023, and the Special Commission Meeting held at 8:30 AM on June 30, 2023, for more information.]

(Minute 20:22)

Mark Altom informed Commissioners that the original document that went to the Commission on June 20, 2023, had been modified. The modified document does not include the interest that was tracked in the system, which was adjusted off but is not adjusted in the system, so it will match the database.

When asked if the document matches tax records, the Treasurer referred Commissioners to the minutes of the Commission Meeting held on June 27, 2023. Approximately 43 minutes into the June 27 meeting, Information Systems Director Mark Langston confirmed that the database, and what the June 20 document said, are both accurate. The Treasurer said it is a matter of how you look at it. The modified document includes seven items for interest on parcels that were on the addendum for June 27, 2023, but now they are included in the main document and will be adjusted after Commission approval in the Regular Meeting on July 11, 2023. The modified document is comprehensive of everything, taking into account the information on the June 20 document and the June 27 addendum [which was rescinded on June 30].

It was noted that the Attorney's Office had given its approval for the item to be put on the agenda for the July 11, 2023, Regular Commission Meeting. The item had been reviewed by the Auditor's Office, but the Auditor said, for the record, that his question is, "Does this match the system?" The Treasurer responded that it absolutely matches the database, but the database

is one system and the RealTax computer system is another, and they are independent of each other. The Auditor then asked if it matches RealTax. The Treasurer said it does not match RealTax 100 percent because the original document, on June 20, included interest and penalty that was due.

For clarification, Clerk Brian McKenzie stated that if the Commission approves the base tax amount on the modified document for the 1347, the Treasurer will make the adjustment with the base tax. He then asked if, when the adjustment is made, the penalty and the interest automatically disappears from the system. Treasurer Mark Altom said that is right.

The Treasurer said the document shows $15,788.42 in tax; penalty total of $205.01, and interest of $336.57.

The Clerk then asked whether, if the Commission approves $15,788.42 in the base tax and verbalizes that this action will automatically remove the penalty and interest, Real Tax will just reflect the $15,788.42. The Treasurer said that is correct because, based on counsel from the Attorney's Office, he didn't reverse all of the transactions and they stayed in place in RealTax.

The Auditor said there are instances where penalty and interests did apply. He asked if there are $16,330 of changes now in RealTax. The Treasurer said there are not; however, there are seven transactions that will be adjusted in CoreTax, because of prepayments that were made. Total, between RealTax and CoreTax, there will be $16,330 of adjustments in the system. The new system went live between July 1 and July 4; changes that were not made in RealTax went into CoreTax, so they mirrored and now CoreTax will be adjusted to be consistent with the document. There are two systems, and they will balance.

The only remaining questions were about approvals in the Provox agenda system. The Auditor said he will go into the system and write that he reviewed it. Neal Geddes said he believed Attorney Robert [Tripp] reviewed the document the day before this Work Session.

The County Clerk made Commissioners aware of one comment from the Attorney's Office, indicating that the request complies with the requirements of 1347 as long as the Commission agrees that the parcel number is an adequate description of the property as required by the statute.

MEETING ADJOURNED

Meeting was adjourned at 9:01 AM

ATTACHMENTS

All publicly distributed materials associated with this meeting are noted as the following attachments:

A1-A2. Resolution to Adjust County Boundary
B. Exhibit A, Riverwood Weber/Davis Annexation Plat Boundary Line Adjustment
C1-C2. Exhibit B, Legal Descriptions of Parcel Nos. 07-079-0034, 0007, & 0056
D. Vicinity Map
E. Letter from Nilson Homes Re: Minor Boundary Line Adjustment
F. Proposed Boundary Line Map
G1-G2. Utah State Code 17-2-209
H. South Weber City Corporation General Plan Annexation Map

Minutes Prepared by:

Becky R. Wright
Deputy Clerk

Minutes Approved on:

08/01/2023

Brian McKenzie
Davis County Clerk

~~Lorene Miner Kamalu~~ Bob J Stevenson
Commission ~~Chair~~ Vice Chair

RESOLUTION NO._____.

A RESOLUTION OF THE BOARDS OF COUNTY COMMISSIONERS OF DAVIS AND WEBER COUNTIES APPROVING MINOR ADJUSTMENTS TO COUNTIES COMMON BOUNDARY

WHEREAS, Article XI, Section 3, of the Utah Constitution, and Utah Code Ann.§ 17-2-209 authorize counties sharing a common boundary to adjust all or part of the common boundary to move it a sufficient distance to reach to, and correspond with, the closest existing property boundary of record; and

WHEREAS, Counties desire to make a minor adjustment to a small portion of Davis County's northern boundary and Weber County's southern boundary through a minor adjustment to the common boundary line between Counties regarding the parcel of real property described in Exhibit A attached hereto ("Parcel A") such that the common boundary reaches to, and corresponds with, the northern boundary of Parcel A, and Parcel A will be entirely within Davis County. Parcel A currently consists of three (3) parcels in Weber County see Legal Description in Exhibit B.

NOW THEREFORE, the Boards of County Commissioners of Davis and Weber Counties resolve to approve the minor adjustments to the Davis/Weber common boundary as set forth herein and further described in Exhibit A and B attached hereto.

RESOLVED this ____ day of_____, 2023

BOARD OF COUNTY COMMISSIONERS
OF DAVIS COUNTY

By_____
Lorene Miner Kamalu, Chair

Commissioner Kamalu voted _____
Commissioner Stevenson voted _____
Commissioner Elliott voted_____

ATTEST:

_____
Brian Mckenzie
Davis County Clerk

RESOLVED this ____ day of_____, 2023

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By_____
Gage Froerer, Chair

Commissioner Froerer voted _____
Commissioner Harvey voted _____
Commissioner Bolos voted_____

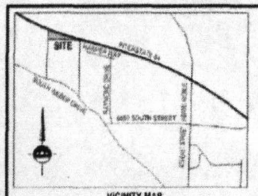
ATTEST:

_____
Ricky Hatch, CPA
Weber County Clerk/Auditor

RIVERWOOD WEBER/DAVIS ANNEXATION PLAT

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 20
TOWNSHIP 5 NORTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
SOUTH WEBER , DAVIS COUNTY AND WEBER COUNTY, UTAH
JANUARY 2023

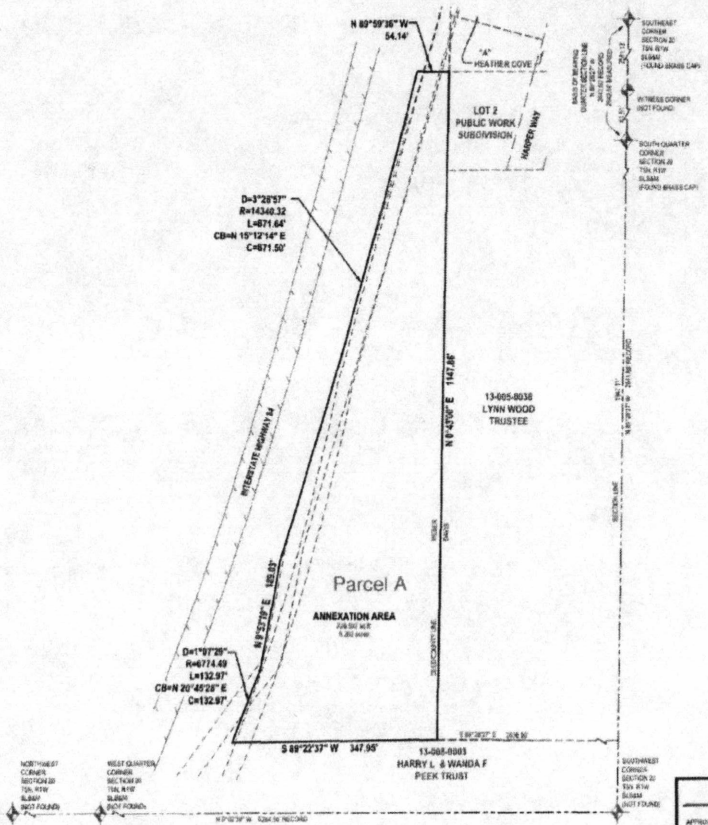
Boundary Line Adjustment



VICINITY MAP
NO SCALE
SOUTH WEBER, DAVIS COUNTY & WEBER COUNTY, UTAH

LEGEND

- SECTION CORNER
- PROPOSED STREET MONUMENT
- SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSIGN ENG. & LAND SURV"
- PROPERTY LINE
- SECTION LINE TIE
- SECTION LINE
- EASEMENT



HORIZONTAL GRAPHIC SCALE

I, TRENT R. WILLIAMS, do hereby certify that I am a licensed Professional Land Surveyor in the State of Utah and that I hold License No. 5438679, in accordance with Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Act. I further state that by authority of The Owners, I have completed a survey of this property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements and that the monuments shown on the plat are located as indicated and are sufficient to accurately establish the boundaries of the hereon described tract of real property and that it has been drawn correctly and is a true and correct representation of the hereon described lands included in said subdivision based on data compiled from The County Recorder's office. I further certify that all lots meet frontage width and area requirements of applicable zoning ordinances.

RIVERWOOD WEBER/DAVIS ANNEXATION DESCRIPTION

A parcel of land, situate in the Southwest Quarter of Section 20, Township 5 North, Range 1 West, Salt Lake Base and Meridian and parcel also situate in South Weber City, Davis County, Utah, more particularly described as follows:

Beginning at a point North 89°31'53" East 1847.51 feet along the southerly section line of Section 20 (NAD83 Bearing being South89°07'36" East) between the South Quarter Corner and the Southeast Corner of said Section 20 per the Davis County Township Reference Plat) and North 84°26'27" West 20.66 rod feet from the South Quarter Corner of said Section 20 and running thence

thence South 89°22'37" West 347.95 feet to a point on the southerly right-of-way of Interstate 84;

thence along said southerly right-of-way of Interstate 84 the following three (3) courses and distances:

1. northerly 132.97 feet along the arc of a 6774.49 foot radius non-tangent curve to the left (center bears North 85° 40'47" West and the long chord bears North 20° 45'28" East 132.97 feet with a central angle of 01° 07'25");
2. North 20° 57'31" East 105.03 feet;
3. northerly 671.64 feet along the arc of a 14340.32 foot radius non-tangent curve to the left (center bears North 73° 59'19" West and the long chord bears North 15° 12'14" East 671.50 feet with a central angle of 02° 41'57");

thence South 89°59'35" East 54.14 feet;
thence South 00°42'40" East 1147.88 feet to the Point of Beginning.

Contains: 229,560 square feet or 5.302 acres.

Date

TRENT R. WILLIAMS
License no. 5438679

RIVERWOOD WEBER/DAVIS ANNEXATION PLAT

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 20
TOWNSHIP 5 NORTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
SOUTH WEBER , DAVIS COUNTY AND WEBER COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ 20__
AT _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

ENSIGN

LAYTON
SALT LAKE CITY
TOOELE
CEDAR CITY
ROOSEVELT

WEBER COUNTY APPROVAL

APPROVED THIS _____ DAY OF _____ 20__
BY THE WEBER COUNTY

WEBER COUNTY

DAVIS COUNTY APPROVAL

APPROVED THIS _____ DAY OF _____ 20__
BY THE DAVIS COUNTY

DAVIS COUNTY

SHEET 1 OF 1
PROJECT NUMBER: 2558
MANAGER: T WILLIAMS
DRAWN BY: C. ROMEY
CHECKED BY: T. WILLIAMS
DATE: 01/06/2023

Exhibit A

B

EXHIBIT B

Legal Descriptions of Parcel Nos. 07-079-0034, 0007, & 0056.

Parcel No. 07-079-0034

PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT A POINT ON THE SOUTH LINE OF WEBER COUNTY WHICH BEARS SOUTH 660 FEET AND EAST, 759 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 20;THENCE EAST, 815 FEET; THENCE NORTH, 190 FEET, MORE OR LESS,TO THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY;THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE(1° CURVE TO THE RIGHT), 475 FEET, MORE OR LESS, THENCE NORTH 79°26' WEST 196.44 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5869.58 FEET FOR A DISTANTCE OF 195 FEET; THENCE SOUTH 425 FEET TO THE POINT OF BEGINNING.

Parcel No. 07-079-0007

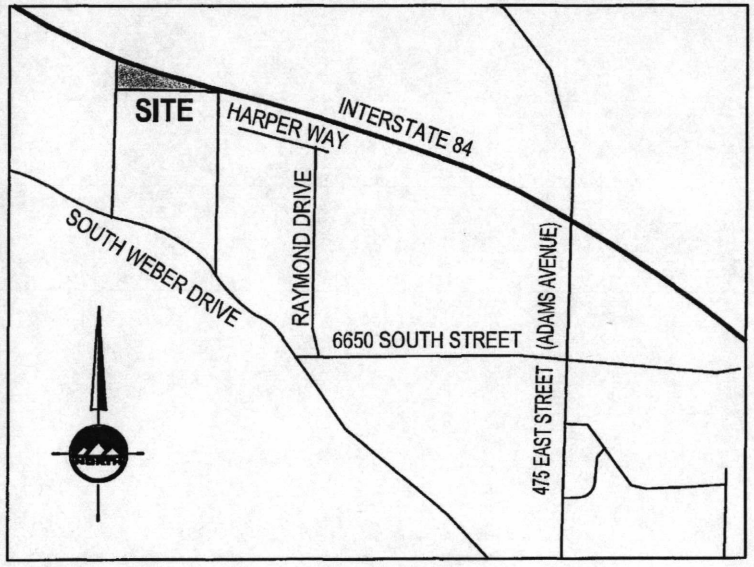
PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE NORTH LINE OF SAID QUARTER SECTION 12 CHAINS EAST AND SOUTH 10 CHAINS TO THE DAVIS COUNTY LINE AND EAST 815 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION;RUNNING THENCE EAST 181.6 FEET THENCE NORTH 150 FEET; THENCE NORTHWESTLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE 1° CURVE TO THE RIGHT 178 FEET; THENCE SOUTH 190 FEET TO THE PLACE OF BEGINNING.

Continued next page.

EXHIBIT B cont'd.

Parcel No. 07-079-0056

PARCEL OF LAND BEING ALL OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTHEAST QUARTER SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS: BEGINNING 10.8 CHAINS WEST AND 10 CHAINS SOUTH FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 20, THENCE WEST 2.5 CHAINS ALONG THE SOUTH BOUNDARY LINE OF SAID ENTIRE TRACT TO THE WEST BOUNDARY LINE OF SAID ENTIRE TRACT, THENCE NORTH 150 FEET, MORE OR LESS, ALONG SAID WEST BOUNDARY LINE OF SAID ENTIRE TRACT, THENCE NORTH 150 FEET, MORE OR LESS, ALONG SAID WEST BOUNDARY LINE TO A POINT 110.0 FEET RADIALLY DISTANT SOUTHWESTERLY FROM THE CENTER LINE OF THE EASTBOUND LANE OF SAID FREEWAY, THENCE SOUTHEASTERLY 154 FEET, MORE OR LESS, ALONG THE ARC OF A SPIRAL TO THE LEFT WHICH IS CONCENTRIC WITH AND 110.0 FEET RADIALLY DISTANT SOUTHWESTERLY FROM AN 800.0 FOOT 10-CHORD SPIRAL FOR 1°00' CURVE TO A POINT OF REVERSE SPIRAL OPPOSITE ENGINEER STATION 103+90 (NOTE: TANGENT TO SAID SPIRAL AT ITS POINT OF BEGINNING BEARS APPOXIMATELY SOUTH 75°27' EAST); THENCE SOUTHEASTERLYALONG THE ARC OF SPIRAL TO THE RIGHT WHICH IS CONCENTRIC WITHAND 110.0 FEET RADIALLY DISTANT SOUTHWESTERLY FROM AN 800.0 FOOT 10-CHORD SPIRAL FOR A 0°30' CURVE TO THE EAST BOUNDARY LINE OF SAID ENTIRE TRACT (NOTE: TANGENT TO SAID SPIRAL AT ITS POINT OF BEGINNING BEARS SOUTH 75°36' EAST); THENCE SOUTH 110FEET, MORE OR LESS, ALONG SAID EAST BOUNDARY LINE TO THE POINTOF BEGINNING. ABOVE DESCRIBED PARCEL OF LAND CONTAINS 0.50ACRE, MORE OR LESS, (NOTE: GLO SURVEY BEARING OF THE WEST LINE OF SAID SECTION 20 IS ROTATED 0°18'53" CLOCKWISE TO MATCH HIGHWAY SURVEY BEARINGS. ALL BEARINGS AND DISTANCES IN THE ABOVE DESCRIPTIONS ARE BASED UPON THE UTAH STATE PLANE COORDINATE SYSTEM).



VICINITY MAP

NO SCALE

SOUTH WEBER, DAVIS COUNTY & WEBER COUNTY, UTAH

NILSON HOMES

May 23, 2023

Jeff Oyler,
Davis County Planning Manager
Via email - joyler@daviscountyutah.gov

Re: **Minor Boundary Line Adjustment – Davis and Weber Counties, in South Weber City**

Dear Jeff;

This letter is a request to make a minor adjustment to the boundary between Davis and Weber Counties, pursuant to Utah Code Ann.§ 17-2-209. Please see the attached map showing the location. South Weber City has requested that we pursue this adjustment, because most of this development is in South Weber, and they are the only entity that can serve this area.

We are also working with Weber County on this matter. Their staff understands and agrees with the reasoning for the adjustment. Weber County has scheduled a work meeting on June 5, 2023 with the County Commissioners to review the proposed adjustment. We have also attached, for your reference, a draft resolution based on a previous boundary line adjustment made just east of this area.

We appreciate Davis and Weber Counties as well as South Weber City for working with us on this matter. Please call if you have any questions or need further information.

Sincerely,
Nilson Homes

Steve Anderson

Steve Anderson, P.E.
801.430.3996

E


Riverdale City
Washington Terrace
Union Pacific
Weber River
I-84 W BOUND FWY
I-84 EAST BOUND FWY
Harper Way
E South Weber Dr
Raymond Dr
E 6475 S
S 275 E
S 350 E
Proposed Boundary Line
Recommended Additions to Area
Proposed Boundary Adjustment Area
Current Davis-Weber Boundary Line

Effective 2/27/2023

17-2-209 Minor adjustments to county boundaries authorized -- Public hearing -- Joint resolution of county legislative bodies -- Notice and plat to lieutenant governor -- Recording requirements -- Effective date.

(1)

(a) Counties sharing a common boundary may, in accordance with the provisions of Subsection (2) and Article XI, Section 3, of the Utah Constitution and for purposes of real property tax assessment and county record keeping, adjust all or part of the common boundary to move it, subject to Subsection (1)(b), a sufficient distance to reach to, and correspond with, the closest existing property boundary of record.

(b) A boundary adjustment under Subsection (1)(a) may not create a boundary line that divides or splits:

(i) an existing parcel;

(ii) an interest in the property; or

(iii) a claim of record in the office of recorder of either county sharing the common boundary.

(2) The legislative bodies of both counties desiring to adjust a common boundary in accordance with Subsection (1) shall:

(a) hold a joint public hearing on the proposed boundary adjustment;

(b) at least seven days before the public hearing described in Subsection (2)(a), provide written notice of the proposed adjustment to:

(i) each owner of real property whose property, or a portion of whose property, may change counties as the result of the proposed adjustment; and

(ii) any of the following whose territory, or a portion of whose territory, may change counties as the result of the proposed boundary adjustment, or whose boundary is aligned with any portion of the existing county boundary that is being proposed for adjustment:

(A) a city;

(B) a town;

(C) a metro township;

(D) a school district;

(E) a special district governed by Title 17B, Limited Purpose Local Government Entities - Special Districts;

(F) a special service district governed by Title 17D, Chapter 1, Special Service District Act;

(G) an interlocal entity governed by Title 11, Chapter 13, Interlocal Cooperation Act;

(H) a community reinvestment agency governed by Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act;

(I) a local building authority governed by Title 17D, Chapter 2, Local Building Authority Act; and

(J) a conservation district governed by Title 17D, Chapter 3, Conservation District Act; and

(c) adopt a joint resolution approved by both county legislative bodies approving the proposed boundary adjustment.

(3) The legislative bodies of both counties adopting a joint resolution under Subsection (2)(c) shall:

(a) within 15 days after adopting the joint resolution, jointly send to the lieutenant governor:

(i) a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and

(ii) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and

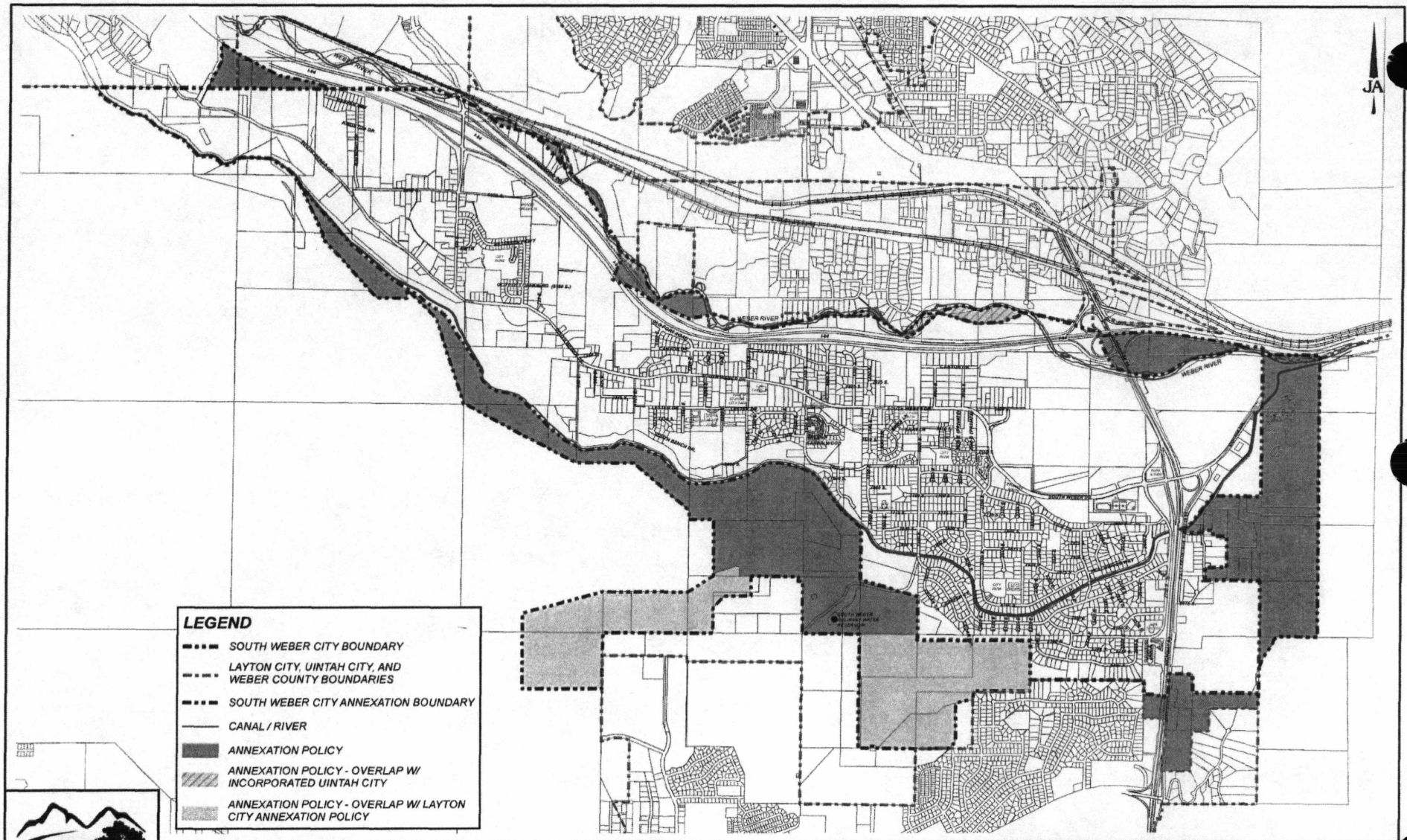
(b) upon the lieutenant governor's issuance of a certificate of boundary adjustment under Section 67-1a-6.5, jointly submit to the recorder of the county in which the property is located after the boundary adjustment:

(i) the original notice of an impending boundary action;
(ii) the original certificate of boundary adjustment;
(iii) the original approved final local entity plat; and
(iv) a certified copy of the joint resolution approving the boundary adjustment.

(4)
(a) As used in this Subsection (4):
(i) "Affected area" means an area that, as a result of a boundary adjustment under this section, is moved from within the boundary of one county to within the boundary of another county.
(ii) "Receiving county" means a county whose boundary includes an affected area as a result of a boundary adjustment under this section.
(b) A boundary adjustment under this section takes effect on the date the lieutenant governor issues a certificate of boundary adjustment under Section 67-1a-6.5.
(c)
(i) The effective date of a boundary adjustment for purposes of assessing property within an affected area is governed by Section 59-2-305.5.
(ii) Until the documents listed in Subsection (3)(b) are recorded in the office of the recorder of the county in which the property is located, a receiving county may not:
(A) levy or collect a property tax on property within an affected area;
(B) levy or collect an assessment on property within an affected area; or
(C) charge or collect a fee for service provided to property within an affected area.

(5) Upon the effective date of a boundary adjustment under this section:
(a) all territory designated to be adjusted into another county becomes the territory of the other county; and
(b) the provisions of Sections 17-2-207 and 17-2-208 apply in the same manner as with an annexation under this part.

Amended by Chapter 15, 2023 General Session



SOUTH WEBER city

NOTES:

SCALE: 1 in = 2,000 ft

DATE: 09/23/2014

DESIGNED BEB
DRAWN BEB
CHECKED BKJ

JA JONES & ASSOCIATES CONSULTING ENGINEERS
1716 East 5600 South
South Ogden, Utah 84403 (801) 476-9767

SOUTH WEBER CITY CORPORATION
GENERAL PLAN

ANNEXATION MAP

SHEET 3 OF SHEETS 0

H