

RESOLUTION NO. 2863

**A RESOLUTION OF THE GRAND COUNTY COUNCIL
ALLOCATING MINERAL LEASE FUNDS FOR 2009 WITH
REGARD TO HB-134 MINERAL BONUS ACCOUNT FUNDS**

WHEREAS, Sections 59-21-2-(2) Utah Code Annotated established a Mineral Lease Account and provided for the distribution of monies received by the State of Utah from the United States under the provisions of the Act of Congress of February 25, 1920, known as the "Mineral Lease Lands Leasing Act", U.S.C. Sec. 191, and

WHEREAS, Section 59-21-2-(2) Utah Code Annotated enumerates the requirements associated with the allocation of monies from the Mineral Lease Account to Utah counties, and

WHEREAS, Section 59-21-2-(2) (i)(i) of the Utah Code Annotated states (*emphasis added*) "The Legislature shall annually appropriate 5% of all deposits made to the Mineral Lease Account to the Department of Community and Culture to be distributed to:

(A) *special service districts established:*

(I) *by counties;*

(II) *under Title 17D, Chapter 1, Special Service District Act; and*

(III) *for the purpose of constructing, repairing, or maintaining roads; or*

(B) *special service districts established:*

(I) *by counties;*

(II) *under Title 17D, Chapter 1, Special Service District Act; and*

(III) *for other purposes authorized by statute"; and*

WHEREAS, Special Service District established under Title 17D, Chapter 1, Special Service District Act, by Grand County meets the requirements contained in Section 59-21-2-(2)(i)(ii) of the Utah Code and is eligible for appropriations of said funds in accordance with Section 59-21-2-(2)(i)(iv); and

WHEREAS, Section 59-21-2-(2)(i)(iv)(B) of the Utah Code Annotated states (*emphasis added*) "(B) after making the allocations described in Subsection (2)(i)(iv)(A), distribute the allocated revenues to special service districts established by the counties under Title 17D, Chapter 1, Special Service District Act, as determined by the executive director of the Department of Community and Culture after consulting with the county legislative bodies of the counties meeting the requirements of Subsections (2)(i)(ii) and (iii)"; and

WHEREAS, these funds shall be known as "Mineral Bonus Account Funds", and

WHEREAS, the Grand County Council wishes to allocate these Mineral Bonus Account Funds according to the provisions of Sections 59-21-2-(2) Utah Code Annotated,

Approved 12-16-08

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND COUNTY COUNCIL, STATE OF UTAH, THAT: Mineral Bonus Account Funds received during calendar year 2009 shall be distributed in the following manner:

100 % of funds received in the year 2009 shall be allocated to the Grand County Recreation Special Service District.

Further, County Staff shall provide the Utah Division of Housing and Community Development a copy of this resolution as notification of the Grand County Council's 2009 allocation of the Mineral Bonus Account Funds.

PASSED AND APPROVED THIS 16th DAY OF DECEMBER, 2008, BY THE FOLLOWING VOTE:

AYE: Ciarus, McNeely, Graham, Langianese, Lewis, Greenberg, Holyoak

NAY: _____

ABSENT: _____

ATTEST:

Diana Carroll
Diana Carroll, Clerk/Auditor

GRAND COUNTY COUNCIL

Gene L. Ciarus
Gene L. Ciarus, Chair