

GRAND COUNTY, UTAH  
**RESOLUTION NO. 3230 (2020)**

**SUPPORTING THE EXCLUSIVE USE OF SOLID WASTE LANDFILL FACILITIES  
OPERATED BY THE SOLID WASTE SPECIAL SERVICE DISTRICT #1 FOR  
SOLID WASTE GENERATED BY RESIDENTS AND BUSINESSES LOCATED  
WITHIN GRAND COUNTY, UTAH**

**WHEREAS**, the Grand County Council adopted Resolution No. 2156 on March 23, 1993 creating the Grand County Solid Waste Management Special Service District No. 1 (the "District") pursuant to the provisions of the Utah Special Service District Act, Title 17A, Chapter 2, Part 13, Utah Code (1992), and Article XIV, Section 8 of the Constitution of the State of Utah, declaring that the public health, convenience, and necessity required the establishment of the District and that all property included within the boundaries of the District would be benefitted by its creation; and

**WHEREAS**, as stated in the Notice of Intention to Create the District (Grand County Resolution No. 2146), the District was created for the purpose of constructing, maintaining, and operating a sanitary landfill facility for the disposal of solid waste generated by residents and businesses in Grand County, Utah, to operate a recycling program in Grand County, Utah, and otherwise manage solid waste, and to finance the construction, maintenance, and operation of such facilities and programs through charges for solid waste disposal and the levy of taxes on property in Grand County, Utah, thereby additionally conferring to the District the powers and duties defined in the Utah Solid Waste Management Act [Utah Code Ann. §19-6-5]; and

**WHEREAS**, as stated in Grand County Resolution No. 2146, the established boundaries of the District are the boundaries of Grand County, including the incorporated cities or towns of Moab and Castle Valley, less the incorporated area of the City of Green River, Utah; and

**WHEREAS**, upon the creation of the District in 1993, the City of Moab relinquished its responsibility to manage and operate the Moab Landfill to the District on City-owned property until such time as closure of the landfill is complete as documented in a letter dated January 15, 1997; and

**WHEREAS**, a variety of sanitary landfill sites in Grand County were evaluated as part of a 1993 study entitled "Grand County Solid Waste Management Plan" resulting in the recommended and locally-preferred location being in the Klondike Flats geographic area, and

**WHEREAS**, the Permanent Community Impact Fund Board authorized a \$1,005,675 loan to the District for the construction of a new certified landfill on December 1, 1994; and

**WHEREAS**, the County Council of Grand County, Utah recognized the need and importance of providing and constructing a cost effective and efficient solid waste disposal system for the residents of Grand County and issued its support for the construction of the Klondike Landfill as proposed by the District through the passage and approval of Grand County Resolution No. 2247 on May 15, 1995; and

**WHEREAS**, the Moab City Council recognized the need and importance of providing and constructing a cost effective and efficient solid waste disposal system for the residents of Moab City and issued its support for the construction of the Klondike Landfill as proposed by the District through the passage and approval of Resolution No. 06-95 on May 23, 1995; and

**WHEREAS**, the United States of America gave and granted the District an eighty (80) acre parcel of land in the Klondike Flats geographic area in Grand County, Utah for use as a regional sanitary landfill on August 7, 1995; and

**WHEREAS**, the Klondike Landfill was constructed, and the District was issued a Class I Solid Waste Landfill Permit from the Utah Department of Environmental Quality to operate a sanitary landfill for the disposal of municipal solid waste and other nonhazardous solid wastes at the Klondike Landfill on October 31, 1996; and

**WHEREAS**, Utah Administrative Code (UAC) Rule R315 requires owners or operators of permitted solid waste disposal facilities to provide financial assurance for closure and post-closure care costs; and

**WHEREAS**, solid waste disposal facility closure plans and cost estimates are contained in each associated landfill permit with a post-closure performance standard and monitoring requirement for a minimum of thirty (30) years subsequent to closure to ensure ongoing protection of human health and the environment; and

**WHEREAS**, Grand County is a county of the State of Utah and, as such, may provide municipal-type services to the residents of unincorporated Grand County; and

**WHEREAS**, the City of Moab is a municipal corporation of the State of Utah and, as such, provides municipal-type services to its residents; and

**WHEREAS**, Grand County, Utah and Moab City adopted a joint resolution declaring that satisfying financial assurance requirements may be prohibitively expensive to the District, and that expense may be passed on to the residents of the County and the City, and provided a guarantee, in accordance with the requirements of UAC Rule R315-309-3(8), of the District's financial assurance requirements concerning closure and post-closure care at the Klondike Landfill on January 20, 1998 and December 23, 1997, respectively (Resolution 17-97); and

**WHEREAS**, Grand County, Utah and Moab City adopted a joint resolution of financial assurance of the Moab Landfill declaring that satisfying financial assurance requirements may be prohibitively expensive to the District, and that expense may be passed on to the residents of the County and the City, and acknowledging and agreeing that as owners of the Moab Landfill, they are financially responsible for the costs of providing closure and post-closure care and corrective action, if needed, on October 19, 1998 and October 20, 1998, respectively (Grand County Resolution No. 2411 and City of Moab Resolution #24-98); and

**WHEREAS**, on April 25, 2000, the District's loan from the Permanent Community Impact Fund Board for the construction of the Klondike Landfill was transferred to the Utah Permanent Community Impact Fund Board in the form of 1997A Series Landfill Revenue Bonds with a total principal sum of \$555,853 and interest rate of three percent (3.0%) per annum with annual principal and interest payments to be made by the District through calendar year 2027; and

**WHEREAS**, the State legislature mandated that a special service district created before May 1, 2000, may not use the word "county" in its name after January 1, 2005 without the written consent of the local county [Utah Code Ann. §17-50-103(2)(b)]; and

**WHEREAS**, District Resolution #2003-2 established that the name of the District shall be "Solid Waste Special Service District #1" by which name the District shall thenceforth be known and under which name the District shall thenceforth conduct business effective February 13, 2003; and

**WHEREAS**, all rules, regulations, resolutions, Board motions, policies and procedures, or parts thereof, contracts, agreements, grants, conveyances, and other documents shall remain in full force and effect, including those that contain the name "Grand County Solid Waste Management Special Service District #1" shall, to the extent allowed by law, from and after the effective date of February 13, 2003, be deemed to have been modified and amended to replace "Grand County Solid Waste Management Special Service District #1" with "Solid Waste Special Service District #1" (the "District") as adopted by Resolution No. 2003-2; and

**WHEREAS**, the District currently manages and operates three (3) solid waste management facilities in Grand County, Utah: the Klondike Class I Municipal Solid Waste Landfill, the Moab Class IVb Construction and Demolition Debris Landfill, and the Community Recycle Center; and

**WHEREAS**, the Moab Landfill is permitted to accept construction and demolition debris, yard waste, and inert waste as defined in UAC R315-301 for landfilling and has an estimated lifetime of twenty (20) to thirty (30) years of usable airspace remaining; and

**WHEREAS**, the Klondike Landfill is permitted to accept municipal, commercial, and industrial solid waste and construction and demolition debris as defined in UAC R315-301, and certain special wastes and other nonhazardous solid wastes in accordance with its Class I Landfill Permit, and has an estimated lifetime of sixty (60) to one-hundred and twenty (120) years of usable airspace remaining; and

**WHEREAS**, Grand County and the City of Moab have adopted robust sustainability goals, especially as they relate to reducing the generation and atmospheric releases of anthropogenic greenhouse gases; and

**WHEREAS**, the Moab and Klondike Landfills are not considered to be point source generators or emitters of methane, a potent greenhouse gas, due to the arid regional environment and relatively low moisture content of solid waste delivered for disposal at the District's solid waste management facilities; and

**WHEREAS**, quarterly methane emissions monitoring is conducted at the Moab and Klondike Landfills to monitor for the presence or absence of explosive gases as a condition of their landfill permits; and

**WHEREAS**, no measurable or elevated ambient concentrations of methane or other explosive gases have ever been recorded during quarterly methane emissions monitoring at the Moab and Klondike Landfills; and

**WHEREAS**, the District has developed and continues to enhance solid waste diversion programs, including but not limited to the reclamation of green waste for beneficial reuse, the separation, collection, and recycling of scrap steel, and the institution of a landfilling ban for recyclable cardboard at the Moab Landfill, maintaining and continually enhancing a public recycling drop-off site for source-separated recyclable materials with demonstrated domestic markets, providing an outlet for hard-to-recycle items, including electronic and universal wastes, at the Community Recycle Center while ensuring that recyclable commodities are processed and recycled into new products domestically with an emphasis on local markets, and the development of educational materials and programs that promote the integrated waste management hierarchical philosophies of reduce, reuse, and recycle; and

**WHEREAS**, the Moab Landfill is the closest landfill in proximity to the major areas of solid waste generation in Grand County, Utah and Moab, Utah that is permitted to accept construction/demolition debris, yard waste, inert waste, and waste tires for disposal, reclamation, or both; and

**WHEREAS**, the Klondike Landfill is the closest landfill in proximity to the major areas of solid waste generation in Grand County, Utah and Moab, Utah that is permitted to accept municipal, commercial, and industrial solid waste as defined in UAC R315-301, and certain special wastes and other nonhazardous solid wastes in accordance with its Class I Landfill Permit; and

**WHEREAS**, the Districts primarily funds the operations of its solid waste management facilities and administrative functions through an enterprise fund system by charging fees and collecting revenues for the goods and services it provides.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The District provides critical services for residents and businesses located within Grand County, Utah, through the operations of its solid waste management facilities and overall purview of solid waste management in Grand County, Utah; and
2. Solid waste management facilities operated by the District provide cost-effective, environmentally-sound, and efficient services for the disposition of solid waste generated by residents and businesses of Grand County, Utah; and
3. The District continues to benefit public health, welfare, and the environment through the operations of its solid waste management facilities in Grand County, Utah; and
4. Utilizing the District's solid waste landfill facilities for the disposal of solid waste discarded by residents and businesses located within Grand County, Utah, provides the most fiscally-sound, efficient, and environmentally-responsible means and methods for solid waste disposal in Grand County, Utah; and
5. Early closure of the District's solid waste landfill facilities would be cost prohibitive to the District, Grand County, and the City of Moab; and
6. Grand County, Utah supports the exclusive use of the District's solid waste landfill facilities for all solid wastes generated by residents and businesses of Grand County, Utah that are discarded, collected, transported, and transferred for disposal in Grand County, Utah.

PASSED THIS 7th DAY OF JULY 2020, by the following vote:

Those voting aye: McGann, Paxman, Woytek, Wells, Hawks, Clapper, Halliday

Those voting nay: \_\_\_\_\_

Absent: \_\_\_\_\_

GRAND COUNTY

  
\_\_\_\_\_  
Mary McGann, Chair  
Grand County Council

ATTEST:  
  
\_\_\_\_\_  
Quinn Hall, Clerk/Auditor