

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
January 8, 2014**

The Millard County Planning Commission met on Wednesday January 8, 2014 at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** Molly Stevens ..... Board Member  
David Sturlin ..... Board Member  
Brent Blake ..... Board Member  
Gary Walker ..... Board Member  
Joyce Barney ..... Board Member  
Gordon Chatland ..... Chairman

**EXCUSED:** Greg Greathouse ..... Board Member

**ALSO PRESENT:**

Richard Waddingham ..... County Attorney  
Amber Nickle ..... Secretary  
Bruce Parker ..... County Consultant  
Linda Gillmor ..... MEDA Director  
Josh Case ..... CEO Energy Capital Group  
Chris Herrod ..... Energy Capital Group  
Lou Brown ..... SITLA  
Josh Beazer ..... Avant Design  
Tony Fuller ..... Fuller Family Farms  
Todd Anderson ..... Deseret Heritage Legal Counsel  
Daron Smith ..... Millard County Commissioner

**1. Welcome, Call to Order**

Chairman Gordon Chatland called the meeting to order at 7:01 p.m. He welcomed all present.

**2. APPROVAL OF MINUTES – December 4, 2013**

The proposed minutes of the regular Planning Commission meeting held December 4, 2013 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner David Sturlin made a MOTION to approve the minutes, as corrected. Commissioner Joyce Barney SECONDED the motion. The voting was unanimous in the affirmative.

3. **REVISIT and POSSIBLE RECOMMENDATION** on application # Z-2013-036 for a proposed 300 MW Solar Energy System (major) located east of IPSC and more particularly described as sections 20-24, T15S, R6W on 1,754.28 acres. ECG Utah Solar 1, LLC (Energy Capital Group) – Applicant. SITLA – Owner.

Josh Case CEO of Energy Capital Group (ECG) approached the podium. Chairman Gordon Chatland asked if grass would grow under the solar panels. Mr. Case said that some of the top engineering firms have come out and visited the site and think that reseeding would be best. They also think that it's a great site for the project.

Commissioner Molly Stevens asked what type of structure they will build for the solar panels. Mr. Case stated there are still some Geo case studies that need to be done to find out the best structure to use.

Commissioner Joyce Barney asked about water rights. Mr. Case stated that IPP is more than happy to lease ECG water for the solar plant. Commissioner Barney asked if they would get that in writing. Mr. Case said he does not want to commit to IPP at this point because they have other options for renting water.

Commissioner Brent Blake asked what they had in mind for fencing. Mr. Case stated that they would definitely fence off the plant because they do not want cattle damaging the solar panels.

Commissioner Molly Stevens asked about the bond that would be required. Mr. Brown said there is a construction and reclamation bond and the amounts have not been determined at this point. They will have a third party engineer determine the amount when the permitting process is complete. Attorney Waddingham stated that they should have a bond through SITLA.

Mr. Parker stated that they have discussed the conditional use permit (CUP) conditions with ECG. He stated that they feel like there should be some more detail added to the conditions concerning water, dust control, etc.

Chairman Chatland asked when the application would be brought before the Board of County Commissioners (BOCC). The planning director, Sheryl Dekker stated that it would not go before the BOCC until the first part of February.

The applicant will be providing an application for a conditional use permit (CUP) for the transmission line in February. Mr. Case stated that they would really like to have a favorable recommendation tonight to stay ahead of other applicants who are vying for California's business.

Commissioner Gary Walker made a MOTION to make a favorable recommendation with the conditions that they are compliant with all local, federal and state agencies, with further conditions to be worked out with the staff prior to going before the Board of County Commissioners. David Sturlin SECONDED the motion. The voting was unanimous in the affirmative.

4. **REVIEW and POSSIBLE APPROVAL of FINAL PLATS** for three Subdivisions (Major) on amended applications # Z-2013-038A, # Z-2013-038B & # Z-2013-038C for properties located at approximately 4600 West between 200 South and 500 North – Fillmore Grid. Anthony Fuller – Applicant. Fuller Family Farms, LLC – Owner.

Mr. Fuller approached the podium and explained that there are now three different applications for subdivisions on the three different taxed parcels adjacent to his farm ground.

The County planner, Sheryl Dekker, stated that currently in the county ordinance there are requirements to have paved roads and a homeowners association for a platted subdivision.

Commissioner Walker stated that he would like to wait until the county ordinance is changed before the applications are approved so they can be approved under the new rules regarding subdivisions.

The county planner stated that we hope to have a public hearing in February to make the changes to the Subdivision Ordinance.

Commissioner David Sturlin made a MOTION to table the application until after the new Subdivision Ordinance is approved. Commissioner Brent Blake SECONDED the motion. The voting was unanimous in the affirmative.

5. **BRUCE PARKER – Presentation and Discussion of “Draft” Subdivision Ordinance, Title 11, and amendments to Title 10, Chapter 25, Table of Uses**

Mr. Waddingham stated there are a lot of issues we need to address because the current ordinance does not work. Mr. Parker stated that he needs the next ten days to get a draft prepared and that he would get that out to the board prior to the public hearing at the next meeting. The draft would be posted on the county website for public viewing.

Commissioner Walker asked to have some language that addresses shared wells added to the ordinance. Mr. Parker stated that they would address that issue. Mr. Parker stated that the language in the new ordinance will be much more appropriate for a rural county environment.

There was some discussion about recorded easements. Mr. Parker stated there would be language added to the ordinance that specifically addresses the water issues in the county.

Mr. Parker stated that 9 or less lots or a minor subdivision would be able to be approved by the Planning Commission. Ten or more lots or a major subdivision would need to go before the Board of County Commissioners for approval after a recommendation by the Planning Commission.

Mr. Parker anticipates another 30 pages being added to the Subdivision Ordinance to allow enough detail to direct the Planning Commission on exactly what is to be expected for each subdivision application.

## **6. PLANNING AND ZONING ADMINISTRATOR'S REPORT**

### **a. Review, Discussion and Possible Approval of "Draft" Rules of Order**

Chairman Chatland stated that he liked the Rules of Order and thought it outlined what we are currently doing. Planning director, Sheryl Dekker, stated that it should be included in the Zoning Ordinance that is distributed to the Planning Commission to give guidance to the existing board and to give necessary information to new board members. She stated that the Planning Commission would be able to approve the Rules of Order without it going to the Board of County Commissioners.

There was some discussion on attendance rules and guidelines. The Rules of Order state, "If a member of the Planning Commission is absent from three consecutive regular or work session meetings or four regular or work session meetings within a calendar year without being excused by the Chair, the Chair may recommend to the County Commission that the member be removed from the Commission for cause."

### **b. Review of Terms of Board Members and contact information**

There were some corrections to the board members contact information.

## **7. OTHER BUSINESS**

Commissioner Daron Smith reported that BLM has designated Leamington Canyon as the agency preferred alignment for the Transwest Express transmission line. The State director sent Commissioner Smith a letter that stated they have changed their preferred alignment to Millard County's preferred alignment, since the County has guidelines in place that do not allow for a transmission line to go through an AG 20 zone. Leamington Canyon is an AG 20 zone.

Mr. Parker stated that they would like to have a public hearing for minor corrections to the general plan in the February meeting.

Commissioner Walker stated that he was approached by a member in the community asking if there were provisions that protect Millard County from becoming a dumping ground for people's debris. The county planner, Sheryl Dekker, said she would check into it.

**8. POSSIBLE CLOSED MEETING Pursuant To Utah Code Annotated Section 52-4-4&5**

There was none.

**9. ADJOURNMENT**

Commissioner Gary Walker made a MOTION to adjourn. Commissioner David Sturlin SECONDED the motion. The voting was unanimous in the affirmative. The meeting adjourned at 8:15p.m.

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Gordon Chatland Chairman  
Millard County Planning Commission