

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 7TH DAY OF APRIL, 2008
AT THE MILLARD COUNTY BUILDING, DELTA, UTAH

PRESENT: John C. Cooper Chairman
Kathy Y. Walker Commissioner
Daron P. Smith Commissioner
Richard Waddingham County Attorney

ALSO PRESENT: Jetta Swalberg Secretary
Shelley Teuscher and Mike Pappalardo UPC Wind
Cindy Gubler UNEV

SUBJECT: Millard County, Utah Ordinance No. 08-04-07 and Resolution No. 08-04-07

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news media and posted in three public places or on the Millard County website, as required by law, the following proceedings were had:

PUBLIC WAS WELCOMED

The meeting began at 2:00 p.m. after a brief welcome by Commissioner Cooper to the public and Commission members.

DISCUSSION AND POSSIBLE ACTION ADOPTING AN ORDINANCE AMENDING ORDINANCE NO. 07-11-20 “TEMPORARY LAND USE REGULATIONS OF MILLARD COUNTY, UTAH 2007-1.”

Attorney Waddingham gave an overview of the Ordinance and explained that this ordinance amends the Temporary Land Use ordinance passed last November. Mr. Waddingham reviewed each Section of the new ordinance and made special note that no land use application will be approved or denied while the Temporary Land Use Ordinance remains in effect. Applications may be received, processed and discussed but no final action shall be taken. He also pointed out that this ordinance will be in effect until May 20, 2008 unless sooner repealed by the County Commission, and that he is not personally aware of any pending applications.

Commissioner Smith asked if planning and zoning can discuss and make recommendations on applications. Mr. Waddingham answered that all processes with applications can be considered except final action on the applications.

Commissioner Smith made a motion to approve Ordinance 08-04-07, amending Ordinance 07-11-20. Commissioner Walker SECONDED the motion.

ROLL CALL VOTE: Commissioner Smith - Yes
Commissioner Walker - Yes
Chairman Cooper - Yes

Mr. Waddingham will have an ordinance summary published this week in the Millard County Chronicle Progress. Mr. Waddingham pointed out that since this was an emergency measure the fifteen (15) day period after publication was waived and the ordinance would be effective upon publication Wednesday.

DISCUSSION AND POSSIBLE ACTION ADOPTING RESOLUTION NO. 08-04-07, A RESOLUTION AMENDING APPLICATION FEES FOR VARIOUS CONDITIONAL USE APPLICATIONS AND PROVIDING APPLICATION FEES FOR CONDITIONAL USE PERMIT LAND USE APPLICATIONS NOT PRESENTLY PROVIDED IN THE APPLICATION FEE SCHEDULES OF MILLARD COUNTY.

SUBJECT: Millard County, Utah Resolution #08-04-07

Attorney Waddingham reviewed the Resolution which involves modifying land use application fees for large scale projects. He discussed the fact that the costs incurred by the County to process and review Land Use Applications should be based on a “user fee” system provided by Land Use Application fees and not subsidized and funded by other revenues and funds of the County. He requested that the table adopted by the Resolution establishing the fee schedule be incorporated into the Resolution by reference. Accordingly, he requested that Section 1 of the Resolution be reworded to state: “Millard County Land Use Application fees for the uses identified by Table 1 shall be established as identified by Table 1, attached hereto and incorporated herein by reference.”

Chairman Cooper made the addition and initialed the change. Mr. Waddingham discussed the table which would be used to set the application fee at \$1,500.00 with all additional costs being borne by the applicant.

Commissioner Smith asked if the application fee was due at the time the application was submitted and the additional costs would be presented to the applicant as incurred. Mr. Waddingham stated that was correct.

Commissioner Walker made motion to approve the Resolution. Commissioner Smith **SECONDED** the motion.

ROLL CALL VOTE: Commissioner Smith -	Yes
Commissioner Walker -	Yes
Chairman Cooper -	Yes

Mr. Waddingham pointed out that this Resolution becomes effective upon adoption.

Commissioner Walker made a motion to adjourn the meeting. Commissioner Smith **SECONDED** the motion. Chairman Cooper adjourned the meeting.

Attest: _____ Approved: _____