

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 15th DAY OF APRIL 2008  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: John C. Cooper ..... Chairman  
Kathy Y. Walker ..... Commissioner  
Daron P. Smith ..... Commissioner

Richard Waddingham ..... County Attorney  
Norma Brunson ..... County Clerk  
Janice Robins ..... Deputy County Clerk

ALSO PRESENT: Shelley Teuscher & Mike Pappalardo ..... UPC Wind  
John & Marilou Heath ..... Citizens  
Lindsay Mitchell ..... Sheriff's Office  
Dean Draper ..... Chronicle Progress  
Jolene Johnson ..... USU Extension  
Darlene Russell ..... Citizen  
Gary Walker ..... Millard County  
Alonzo Cahoon ..... A & R Tires  
Bruce Parker ..... Millard County Consultant  
John Hansen ..... Millard County Treasurer  
Brandy Grace ..... Millard County Auditor

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:

COORDINATION SESSION

The Commissioners scheduled events for the months of April and May 2008.

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Cooper to the public and Commission members.

OPENING STATEMENTS

Commissioner Smith and Commissioner Walker read quotes and Commissioner Cooper offered the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

FOLLOW UP ACTION ITEMS FROM MINUTES OF APRIL 1, 2008

There were none.

#### APPROVAL OF APRIL 1, 2008, COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 1, 2008, were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Walker made a motion to approve the minutes of April 1, 2008, as corrected.

Commissioner Cooper stepped from the chair and SECONDED the motion. The voting was unanimous and the motion carried.

#### AUDITORS REPORT

Auditor Brandy Grace gave the Commissioners various invoices to review and approve for payment through the Auditor's Office.

Auditor Grace gave the Commissioners the Check Edit Report of April 14, 2008 to review and sign.

The Commissioners gave approval for a VISA Purchasing Card with a limit of \$1,500 to be issued to Derrell Owens, the new Millard County Building Official.

Commissioner Walker made a motion to accept the American Legion's bid of six hundred and fifty dollars (\$650.00) for the surplus hutch at the Millard County Care & Rehabilitation, LLC.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Grace said that Fillmore City officials had looked at surplus County property and they are interested in acquiring a desk, a chair, two filing cabinets and a copier. The Commissioners and Attorney discussed if the equipment could be given to the city.

Commissioner Walker made a motion for Millard County to donate the equipment to Fillmore City based on the fact that the equipment is being shared with the other agencies who benefit the County's citizens.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried.

#### REQUEST FOR AMBULANCE ABATEMENTS-LINDSAY MITCHELL SHERIFF'S OFFICE

Lindsay Mitchell said Jamie Brunson has asked to have the Commissioners consider reducing or waiving her ambulance bill of two thousand six hundred twenty-six dollars and fifty-two cents (\$2,626.52). Mrs. Brunson's household income, assets and debts had been provided.

After reviewing and discussing Mrs. Brunson's financial information, Commissioner Smith made a motion to deny the ambulance abatement based on her income doesn't meet the poverty level guidelines. A payment plan can be worked out for her.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried.

REQUEST FOR COMMISSIONERS' CONSIDERATION TO WAIVE PENALTY AND INTEREST ON PROPERTY TAXES FOR DIANE LUBECK- REPRESENTED BY DARLENE RUSSELL

Darlene Russell, represented Diane Lubeck who was not able to be in attendance. Mrs. Russell has been helping Ms. Lubeck pay her bills for the last four years. She explained Ms. Lubeck's situation to the Commissioners and asked for consideration to waive the penalties and interest on the \$1,480.20 owed on her 2004, 2005, 2006 and 2007 property taxes. Monthly payments between \$50.00 and \$100.00 are being made. The Commissioners reviewed the ownership of the property, Ms. Lubeck's debts and income and found that she did not meet the poverty guidelines.

Commissioner Smith made a motion to deny the request to waive the penalty and interest for Diane Lubeck. Mrs. Russell was encouraged to continue making payments for Diane Lubeck until the balance is paid.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION ON 4-H ASSISTANT JOB DESCRIPTION AND SALARY-JOLENE JOHNSON  
USU EXTENSION FCS/4-H AGENT

Jolene Johnson, USU Extension FCS/4-H Agent presented a job description and a request for a salary increase for Darlene Scott, the new 4-H Staff Assistant.

After reviewing the written job description and request, Commissioner Walker made a motion to deny the request for a wage increase.

Commissioner Smith SECONDED the motion with discussion. He suggested that after a three-month probation period, the issue will be reviewed again. The voting was unanimous and the motion carried.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE MILLARD COUNTY ZONING DISTRICTS MAP AND IDENTIFYING VARIOUS PROPERTIES PROPOSED TO BE INCLUDED IN AN AGRICULTURAL 20 ("AG-20") ZONING DISTRICT

Commissioner Smith made a motion to enter into a public hearing to receive comment on the Millard County Zoning Districts map and identifying various properties proposed to be included in an AG-20 Zoning District.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:05 a.m.

Present were: Shelly Teuscher and Mike Pappalardo, UPC Wind, Recorder Connie Hansen, John and Marilou Heath, Reporter Dean Draper, Gary Walker, Alonzo Cahoon and Wayne Jackson.

Commissioner Smith said that the proposed map has gone through the Planning and Zoning Commission's public hearing process and written comments from Simplot, UPC Wind and the BLM were received. See Exhibits A, B & C. A summary of the UPC Wind and the BLM's comments were that the new map and zone would cause any major utility corridor to be located on public land. Simplot would like its property excluded from the zone change.

Shelly Teuscher, UPC Wind, showed maps of the possible re-route around property owners who have not yet given permission to cross their land. The jog would take in the north 500 feet of Section 25, T15S, R8W, SLB&M and would remain in Range and Forest. See Exhibit D. UPC Wind is working on a proposal with the Wusichs in case an easement can't be worked out with the Tongs. UPC Wind would like forty-five days to acquire an easement from the Tongs.

Mike Pappalardo explained that the set back formula of a transmission line is the Height of the Turbin + the Blade Tip+10 percent = The Total Width. With the 500 feet easement there could possibly be only one transmission line, depending on the size.

Commissioner Smith asked Gary Walker if there were any more comments that people had brought up at any of the other meetings?

Gary Walker said that several people south of Kanosh expressed concern about the zone change but are not to the public hearing today so it is assumed their questions have been answered.

Commissioner Walker said that Susan and Ron Peterson had expressed concern and found the Ag-20 will not be changed.

Commissioner Walker made a motion to close the public hearing.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried. The hearing ended at 11:35 a.m..

#### REQUEST FOR COMMISSION WAIVER BY MERRIE JO SMITH FOR DELTA AREA CHAMBER OF COMMERCE/CHAMBER SUMMIT

Commissioner Walker made a motion to waive the fees 50 percent based on county policy.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried.

#### DISCUSSION ON THE COUNTY PURCHASING POLICY AND COUNTY BUSINESS LICENSE POLICY-ALONZO CAHOON

Alonzo Cahoon, owner of A & R Tires came before the Commission with a complaint that there doesn't appear to be any penalty for people competing with the legitimate business owners who are subject to all the requirements and permit fees. He said there is nothing being done to enforce the zoning and the granting of business licenses in the County.

Mr. Cahoon was invited to provide names, addresses and a list of complaints of any alleged

violations, in writing, directly to Attorney Waddingham or one of his secretaries.

#### REVIEW AND ACTION-MILLARD COUNTY NON PLAT SUBDIVISION RECORDATION CERTIFICATE AND AFFIDAVIT FOR LEANNA HUTSELL AND JASON C. EDWARDS

Commissioner Walker made a motion to approve the non plat subdivision certificate and affidavit for LeAnna Hutsell and Jason C. Edwards.

Commissioner Smith **SECONDED** the motion. The voting was unanimous and the motion carried. The documents were signed by Commissioner Cooper and Attorney Waddingham will send them to the Edwards for them to record.

#### REVIEW AND ACTION-MILLARD COUNTY NON PLAT SUBDIVISION RECORDATION CERTIFICATE AND AFFIDAVIT FOR RICHARD AND KIMBERLY HERBST

Commissioner Walker made a motion to approve the non plat subdivision certificate and affidavit for Richard and Kimberly Herbst.

Commissioner Smith **SECONDED** the motion. The voting was unanimous and the voting carried. The documents were signed by Commissioner Cooper and Attorney Waddingham will mail the documents to the Herbsts for them to record.

Commissioner Smith made a motion to adjourn the meeting for lunch.

Commissioner Walker **SECONDED** the motion. The voting was unanimous and the motion carried. The meeting adjourned for lunch at 12:15 p.m. and reconvened at 1:45 p.m..

#### DISCUSSION OF JUNE PRIMARY ELECTION POLLING LOCATIONS-MILLARD COUNTY CLERK NORMA BRUNSON

Millard County Clerk had proposed at an earlier meeting that the Commissioners authorize all non incorporated areas of the County be declared as “by mail” voting precincts in an effort to try and save the County money on the upcoming primary election. She had reported a higher percentage of voters voted in the Western States Primary from the “by mail” precincts. The Commissioners said they had talked to a few people in several precincts who had expressed that it was more important to keep their polling place than save money.

Commissioner Smith made a motion to keep the polls of the unincorporated areas open.

Commissioner Walker **SECONDED** the motion. The voting was unanimous and the motion carried.

#### POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR PAVANT RANGE TOURS & A.T.V. RENTAL- OWNER ROBYN PROWS

After reviewing the application and finding all the signatures in order, Commissioner Walker made a motion to approve the business license for Pavant Range Tours & A.T.V. Rental-Owner Robyn Prows.

Commissioner Smith SECONDED the motion. The voting was unanimous and the motion carried.

POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR UTAH WATER HOLDINGS, LLC-  
OWNER ANTHONY FULLER

This item was tabled.

DISCUSSION AND ACTION-CONSIDERATION OF ORDINANCE NO. 08-04-15, AN  
ORDINANCE OF MILLARD COUNTY ADOPTING THE ZONING DISTRICTS MAP AS THE  
OFFICIAL ZONING DISTRICTS MAP OF MILLARD COUNTY, UTAH. (THIS ORDINANCE  
ALSO IDENTIFIES VARIOUS PROPERTIES PROPOSED TO BE INCLUDED IN AN  
AGRICULTURE (A-20) ZONING DISTRICT)

Bruce Parker, County Consultant, explained that the draft ordinance establishes the geography of the area proposed to be re-zoned from Range and Forest to Ag-20 zone. The effects of this proposal on property owners for most uses are the same as Range and Forest. Some incompatible uses in the Agricultural Zone have been deleted and the density stays the same. One of the goals was to permit the general plan to protect the agricultural land in the County from incompatible uses and adopt the map itself as the official map of the County. The Planning and Zoning Commission recommends that the ordinance be adopted with minor changes to the map. The alignment for the UPC Wind's transmission line is running into problems with getting access from a couple of property owners. UPC Winds' attorney and Millard County discussed the following options.

- 1 If the County re-zones the map as part of the Conditional Use Permit process of UPC Wind for the transmission line, a re-zone application must be filed to run concurrently to change the zone out of AG-20 back to Range and Forest.
- 2 If the map is adopted today the proposed re-zone wouldn't be effective for a couple of months.
- 3 Take the properties out and leave them in Range and Forest until UPC Wind can establish its alignment and then the County can adjust if necessary. The County can always re-zone the property back to AG-20.

The third option seems to be less cumbersome. More discussion followed related to concerns from Simplot, UPC Wind and the County.

Commissioner Walker made a motion for Millard County to adopt Ordinance No. 08-04-15, adopting the map designating the AG-20 zone as recommended by the Millard County Planning and Zoning Commission and adopting the official zoning map of Millard County with one modification to include the north 500' of Section 25, T15S, R8W, SLB&M which would remain Range and Forest.

Commissioner Smith SECONDED the motion. Attorney Waddingham said that since ordinances have to be in writing he will pencil the alignment in on the map and have Adam Britt print up a new map. Clerk Norma Brunson called for a roll call vote. Commissioner Walker voted YES. Commissioner Smith voted YES. Commissioner Cooper voted YES. The voting was unanimous and the motion carried. See Ordinance No. 08-04-15 with accompanying maps.

The moratorium for the temporary land use ordinance could be lifted after the fifteen-day waiting period has passed. It could officially be lifted at the meeting on May 6, 2008 which will allow UPC Wind time for its meeting with the County's Planning and Zoning Commission.

#### DISCUSSION OF PROPERTY TAX REQUEST FOR THOMAS STANWORTH

County Treasurer John Hansen sent a letter to Mr. Stanworth and has not yet heard back from him.

Commissioner Walker made a motion to deny the property tax request from Thomas Stanworth until further information is received.

Commissioner Smith **SECONDED** the motion. The voting was unanimous and the motion carried. Treasurer Hansen will notify Mr. Stanworth of the decision.

#### OTHER BUSINESS

Several payroll increases were mentioned, no motion was made.

Commissioner Smith said that County Recorder Connie Hansen will be sending out notices to six or seven licensed surveyors to bid putting in section corners. An ad will not be put in the newspaper.

Commissioner Cooper received a letter and CD from the Nevada State BLM Office concerning the groundwater development from Clark County, Lincoln County and White Pine County. The BLM will be accepting comments until May 15, 2008. A technical workshop with the cooperating agencies will be held in Las Vegas on May 6, 2008. The Commissioners will send the CD to Mark Ward for review.

Commissioner Cooper was asked by Dr. Jeffery Durrant from Brigham Young University to do a public land survey questionnaire and the results will be published and provided at a later date.

#### DISCUSSIONS FROM EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIALS AND SECRETARY

On April 2, 2008, Commissioner Walker, Commissioner Cooper and Economic Development Director Linda Gillmor attended the Six-County Leadership Summit in Richfield, Utah. That evening the Commissioners attended the Republican Convention.

Commissioner Walker and Commissioner Cooper attended Millard County Care and Rehabilitation, Inc.'s open house. The new administrator Jeff Christensen and Bryon Erickson, CEO of Traditions Health Care, greeted the visitors. The Board of Directors were on hand to answer questions. Thanks was given to all the County officials and employees who attended the festivities. Barbeque hotdogs and hamburgers were served.

On April 7, 2008, Commissioner Walker participated in interviews for an office specialist at the Delta Office. Thirty-five applications were submitted with seven well-qualified applicants interviewed for the position. Amber Nickle was selected based on qualifications and being the “best fit” for the position.

All three Commissioners attended a Special Commission meeting on April 7, 2008, that was held at the Millard County Offices in Delta. Following the Commissioners met to discuss the County’s west-wide energy corridor with UNEV representatives. UNEV is proposing a 400-mile, 12-inch petroleum pipeline originating in North Salt Lake with terminals near Cedar City and North Las Vegas.

On April 9, 2008, Commissioner Walker, Economic Director Linda Gillmor and County Planner Sheryl Dekker met with Quantum Development representatives and SITLA staff Rodger Mitchell and Lou Brown. Discussion focused on possible zoning changes needed if a proposed industrial park site, similar to Port 15 in Cedar City, proceeds. The proposal is in preliminary stages and a decision to proceed has not yet been reached.

Commissioner Walker attended a Delta Area Chamber of Commerce meeting with Senator Dennis Stowell as guest speaker. Among the issues addressed by Senator Stowell were the proposed water pipeline in Nevada, the possible appropriation of \$35,000 ongoing funds for remodeling of the Pod in Fillmore and health care.

On April 10, 2008, Commissioner Walker attended the monthly Millard County Care and Rehabilitation, Inc. board meeting. The bylaws for the board have now been completed.

Commissioner Smith reported he had signed an agreement for the road department to do the labor on eleven cattle guards to coincide with the fencing projects that are needed because of the Milford Flat Fire. The Bureau of Land Management will pay for the cattle guards.

The Millard County Wellness Committee is sponsoring a gardening class in Delta on April 14, 2008 and in Fillmore on April 16, 2008.

Commissioner Smith reported on the meeting with NRCS and Oak City Officials regarding a water shed project to help find solutions to the flooding issues in Oak City.

Commissioner Cooper said that the grazing test case on the Squidike allotment begins today and the results of the early grazing will be studied. The Devil’s Kitchen allotment will be postponed as a test site for now.

Commissioner Cooper said that opponents of the Sevier Power Plant are requesting Central Utah Public Health (“CUPH”) to conduct studies. CUPH will send a letter to the opponents stating that the DEQ has already addressed the issues and no additional studies are needed in its opinion.

Millard County Clerk Norma Brunson gave Attorney Waddingham a copy of the attachment to the State Court contract to review and he recommended the document be signed.

Commissioner Smith made a motion to approve the attachment to the State Courts Contracts.

Commissioner Walker SECONDED the motion. The voting was unanimous and the motion carried. The approval will be ratified at the next meeting.

Commissioner Walker read a complimentary letter to the Sunset View Golf Course, the pro, staff and pro shop, from a former golf pro in Logan, Utah.

Attorney Waddingham presented a deed to Jim Robson from Millard County giving a small parcel of land to Mr. Robson to build a drive through window for a coffee shop. The land has no value to Millard County but will result in an economic benefit to the County. The deed was signed by Commissioner Cooper and was given to Attorney Waddingham to return to Mr. Robson for recording.

Attorney Waddingham gave Commissioner Cooper a deed for LouraDean Priest Galvez to be signed. The deed transfers back to Ms. Galvez certain gravel rights. The document was given to Commissioner Smith to return to Ms. Galvez for recording.

Attorney Waddingham said there have been problems with not getting things put on the Commission meeting agenda. It was determined that each department head should make sure its items of business are put on the agenda and provide the appropriate verbiage so the agenda can be sent out by noon the Thursday before Commission meeting. Commissioner Cooper as the chairperson will approve all items put on the agenda on or before Thursday morning.

## PUBLIC INPUT

Shelley Teusher, UPC Wind, thanked the County for all its help in getting things done in a timely fashion. She invited the Commissioners to an open house on April 22, 2008, in Delta, Utah.

Reporter Dean Draper reported the winds have been blowing in Millard County today between twenty and sixty miles per hour with the dust from the Milford Flat Fire making the day pretty miserable.

He asked for a clarification on the job description of the three County employees.

Commissioner Walker responded with the following information:

- Sheryl Dekker is the new Millard County Planner.
- Linda Gillmor is the new Commissioners' Assistant and Millard County Economic Development Director.
- Deb Haveron's new assignments are office manager, Millard County Tourism and West Millard Justice Court Judge.
- As of today, no one has been assigned to the Land Fill Administrator position.

## POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-

4&5

There was none.

WHERE UPON THE MEETING ADJOURNED

Commissioner Smith made a motion to adjourn the meeting.

Commissioner Walker SECONDED the motion. The voting was unanimous and the meeting adjourned at 3:35 p.m..

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_

## UPC WIND RECOMMEND LAND USE MATRIX NOTE MATERIAL

NOTE #!

“ In order to provide flexibility in locating an Electric Transmission Right-of-Way (Major) and to accommodate non-participating land owners, the Land Use Authority may, in connection with a Conditional Use Permit Application, approve the limited encroachment of an Electric Transmission Right-of-Way (Major) into the Agricultural 20 (AG-20) Zoning District provided that each affected landowner consents in writing to such encroachment and provided that any such encroachment shall not exceed five hundred (500) feet.”



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
FILLMORE FIELD OFFICE

35 East 500 North  
Fillmore, Utah 84631



In Reply Refer to:  
2800  
(UT-010)

March 31, 2008

Millard County Commissioners  
Millard County Offices  
71 South 200 West  
Delta, UT 84624

Commissioners:

The Bureau of Land Management (BLM), Fillmore Field Office (FFO) submits the following comments to the proposed amendments to Millard County's General Plan, Utilities Element and the proposed AG 20 Zone. The FFO would be affected by the proposed amendments to Millard County's General Plan – Utilities Element and the proposed AG 20 Zone.

The AG 20 Zone as proposed by Millard County includes BLM land. The County's proposed planning is not in conformance with the FFO's current resource management plans (RMP). The FFO has land use planning decisions in place that designate right-of-way corridors across public land. The FFO currently works under two RMPs: House Range Resource Area, Resource Management Plan, Record of Decision, October 1987; and Warm Springs Resource Area, Resource Management Plan, Record of Decision, April 1987. Rights-of-way corridors were designated in both of these RMPs. BLM designates corridors to: concentrate utilities; restrict and minimize impacts to threatened and endangered plants and animals, wildlife, cultural resources, riparian/wetland areas, etc.; minimize habitat fragmentation by keeping disturbances as confined as possible, reduce impacts to visual resources and expedite right-of-way application processing. Existing corridors were designated along existing major rights-of-way. The proposed AG 20 Zone directly affects five designated corridors: Sigurd to Nevada Transmission Line; U.S. Highway 50 & 6, Interstate 15, State Highway 257 and Union Pacific Railroad; IPP to Mona; and at least one undesignated corridor, Kern River Pipeline.

BLM's RMPs are used by prospective applicants to identify proposed routes for local, interstate and intrastate rights-of-way projects. Millard's County's proposals, that exclude the issuance of conditional use permits for major utility rights-of-way within the proposed AG 20 Zone, present challenges regarding the use of BLM designated corridors through these areas. If these areas aren't available to proponents, they would be required to look at more costly alternatives that increase new disturbance on public land. Connections between existing facilities (electrical substations, power sources, the national grid, refineries, etc.) would be affected by the county's proposal.

The FFO recommends that Millard County notify existing major right-of-way holders of the proposed AG 20 Zone and the amendment to the General Plan - Utilities Element. This proposal may affect these existing authorized uses in regards to maintenance or future upgrades of their rights-of-way on land within Millard County.

We appreciate this opportunity to comment. Should you have any questions about our comments, please contact Patricia Bailey, Acting Field Manager, at 435-743-3100 or Clara Stevens, Realty Specialist, at 435-743-3119.

Sincerely,

Patricia Bailey  
Acting Field Office Manager

EXHIBIT C

**Simplot**  
CORPORATE HEADQUARTERS

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET  
P.O. BOX 27 BOISE, IDAHO 83707 208/336-2110

*Setback  
H + blade tip + 10% to*

FAX COVER LETTER

TO:		Transmittal Time:	
<b>Millard County Planning &amp; Zoning</b>	Fax No. <b>(435) 864-1404</b>	DATE: <b>4/10/08</b>	
COMPANY:		No. of pages including cover sheet: <b>1</b>	
FROM: <b>George Andrade</b> Land & Development	Direct Dial Number <b>(208)389-7326</b>	FAX NO. <b>(208) 389-7333</b>	
<p><b>CONFIDENTIALITY NOTICE:</b> <u>This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law.</u> If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the transmission to us at the above address via the US Postal Service. Thank You.</p>			

We understand Millard County is currently considering adopting a zoning map that would zone to AG20 a portion of our property located in the NE¼ of the NW¼, Section 25, Township 15 South, Range 8 West. We respectfully request that our property not be zoned AG20, but remain zoned Range and Forest.

**ORDINANCE NO. 08-04-15**

**AN ORDINANCE OF MILLARD COUNTY, UTAH  
AMENDING THE MILLARD COUNTY ZONING DISTRICTS MAP AND DESIGNATING  
CERTAIN PROPERTIES AS AGRICULTURAL 20 (AG-20) AND ADOPTING THE  
MILLARD COUNTY ZONING DISTRICTS MAP AS THE OFFICIAL ZONING  
DISTRICTS MAP OF MILLARD COUNTY AS PART OF THE MILLARD COUNTY  
CODE, TITLE 10 ZONING REGULATIONS**

**WHEREAS**, the Millard County Planning Commission and the Millard County Board of County Commissioners have now completed the public hearings and public processes required to amend the Millard County Zoning Districts Map, as required by the laws of the State of Utah; and

**WHEREAS**, the Millard County Board of County Commissioners received a recommendation from the Millard County Planning Commission recommending that various properties be rezoned from the Range and Forest (RF) Zoning District to the Agricultural 20 (AG-20) Zoning District; and

**WHEREAS**, the Millard County Board of County Commissioners received a recommendation from the Millard County Planning Commission that the Millard County Zoning Districts Map, as amended, be identified as the Official Zoning Districts Map of Millard County, Utah; and

**WHEREAS**, the Millard County Board of County Commissioners have now considered the recommendations of the Planning Commission and all verbal and written comments received; and

**WHEREAS**, the Millard County Zoning Districts Map is a component of the Millard County Code; and

**WHEREAS**, the Millard County Board of County Commissioners find that amendments to the Millard County Zoning Districts are necessary and appropriate; and

**WHEREAS**, the Millard County Board of County Commissioners finds that it is necessary and appropriate that the Millard County Zoning Districts Map be revised from time-to-time to achieve the purposes of the Millard County General Plan; and

**WHEREAS**, the Millard County Board of County Commissioners has determined that it is in the best interests of Millard County that the Millard County Zoning Districts Map be revised and amended to more fully advance the policies of the Millard County General Plan and protect the public health, welfare, and safety of Millard County residents.

**NOW, THEREFORE**, the County Legislative Body of Millard County ordains as follows:

**Section 1 – Adoption of an Official Millard County Zoning Districts Map.**

The Millard County Zoning Districts Map, attached hereto and incorporated herein by reference, is hereby adopted as the Official Zoning Districts Map of Millard County, Utah.

**Section 2 – Designating certain properties within the Agricultural 20 (AG-20)**

**Zoning District.** The Official Zoning Districts Map of Millard County, adopted hereby, identifies and designates certain properties as Agricultural 20 (AG-20), as more fully set forth and identified on said Millard County Zoning Districts Map.

**Section 3 – Effective Date and Reference.**

This Ordinance shall take effect fifteen (15) days from the passage thereof and upon publication of this ordinance or a summary thereof in the Millard County Chronicle-Progress, a newspaper having general circulation within Millard County, Utah.

**Section 4 – Severability.**

If any section, part, or provision of this Ordinance is held to be invalid or unenforceable by a court of competent jurisdiction such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 5 – Repeal of Conflicting Ordinances.**

To the extent that any ordinances, policies or zoning district maps of Millard County conflict with the provisions of this ordinance, they are hereby amended to be in accordance with the provisions hereof.

**PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH ON THIS 15<sup>th</sup> DAY OF APRIL, 2008.**

**VOTING**

Commissioner Walker

  X                                
Yes                      No

Commissioner Smith

  X                                
Yes                      No

Commissioner Cooper

  X                                
Yes                      No

MILLARD COUNTY COMMISSION

By: John C. Cooper  
John C. Cooper, Chairperson

Norma Brunson  
Norma Brunson, Clerk