

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
January 5, 2011**

The Millard County Planning Commission met on Wednesday January 5, 2011 at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Greg Greathouse Board Member
Joyce Barney..... Board Member
Molly Stevens Board Member
David Sturlin..... Board Member
Gary Walker..... Board Member
Gordon Chatland Board Member

EXCUSED: Robin Smith..... Chairman
Richard Waddingham County Attorney

ALSO PRESENT:

Amber Nickle Secretary
Sheryl Dekker..... Planning Administrator
Dexter Anderson..... Resident
Teresa Turner..... Resident
Megan Greathouse..... Visitor

1. Welcome, Call to Order

Vice Chairman Gordon Chatland called the meeting to order at 7:01 p.m. He welcomed all present and welcomed the new board member Gary Walker.

2. APPROVAL OF MINUTES – November 3, 2010

The proposed minutes of the regular Planning Commission meeting held November 3, 2010 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 Molly Stevens SECONDED the motion. The voting was unanimous in the affirmative.

3. CONSIDERATION and POSSIBLE RECOMMENDATION of a Non Plat Subdivision Application # Z-2010-027 for Teresa Turner for Property Located at 3900 West 800 North, Delta, Utah.

Teresa Turner approached the podium. Gordon Chatland asked for questions from the board. Greg Greathouse asked Sheryl Dekker about water rights in regards to approving a non-plat subdivision application. Teresa Turner said she has one acre-foot of water for the house. She said she would be sharing the well

with her parents and there would be one acre-foot per household. Gordon Chatland asked what would happen if the homes were sold. Molly Stevens said that there would have to be a shared well agreement. Greg Greathouse said that the applicants could be made to show the water they currently have and a written agreement for an easement.

Dexter Anderson, Teresa's father, stated that he has no problem doing an easement from his existing well to the new parcel to guarantee the water for that house. He said that otherwise she can drill her own well on her property. He said that since it is in Flowell there should be no problem getting a water right.

Joyce Barney asked Teresa to clarify what family she was referring to in the application. Teresa stated that her family includes her two children.

Gary Walker asked if all the neighbors were notified. County planner Sheryl Dekker said yes.

Greg Greathouse said that if the house is sold, the water right does not automatically go with the house since it is coming from the parent's house on the adjacent property. Mr. Greathouse asked Dexter, the father, to write up a legal agreement that if the house sells the water right would go with the house. Sheryl Dekker asked if the agreement needs to be filed with the non-plat subdivision application. The consensus was that there should be proof of water filed with the application for future reference.

Joyce Barney clarified what the board is saying about the water right. Sheryl Dekker stated that the applicant does not need to prove there is an acre-foot of water for the house until the applicant applies for a building permit.

There was more discussion about the water.

Gordon Chatland asked if there were any more questions. There were none. Greg Greathouse made a motion to give a favorable recommendation to the board of commission for the non-plat subdivision application. Gary Walker SECONDED the motion. The voting was unanimous in the affirmative.

4. OTHER BUSINESS

Molly Stevens has finished out Paula Christensen's term on the planning commission board. Greg Greathouse and David Sturlin have also finished out their terms. They all plan to be reappointed.

Bruce Parker is getting a copy of the general plan with changes for the board to review.

A public hearing will be on the agenda in February to add an ordinance about hillside development in Fillmore.

Gary Walker commented that all counties including Millard County are mandated by law to adopt the urban interface code. He clarified that the code regulates the materials that can be used in high fire risk areas.

Daron Smith stated that UNEV came in and made a report yesterday and said they were being fined by Wildlife Resources. They were at a standstill but now they are up and running and things are going well. A lot of employees were laid off before Christmas because construction was interrupted. Some employees have come back now and are continuing construction.

5. Possible Closed Meeting Pursuant to Utah Code Annotated Section 52-4-4&5

There was none.

6. Adjourn

David Sturlin made a MOTION to adjourn. Gary Walker SECONDED the motion. The voting was unanimous in the affirmative.

Robin Smith, Chairman
Millard County Planning Commission