

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
November 3, 2010**

The Millard County Planning Commission met on Wednesday November 3, 2010 at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Robin Smith Chairman
Greg Greathouse Board Member
Joyce Barney..... Board Member
Molly Stevens Board Member
David Sturlin Board Member
Gordon Chatland Vice-Chair / Board Member

EXCUSED: Jim Withers..... Board Member

ALSO PRESENT:

Richard Waddingham County Attorney
Sheryl L Dekker Millard County Planner
Amber Nickle Secretary
Tony Fuller ADF Holdings

1. Welcome, Call to Order

Chairman Robin Smith called the meeting to order at 7:00 p.m. He welcomed all present.

2. APPROVAL OF MINUTES – October 6, 2010

The proposed minutes of the regular Planning Commission meeting held October 6, 2010 were presented for consideration and approval. Following review and consideration of minor corrections including the amendment, Commissioner Gordon Chatland made a motion to approve the minutes as corrected. Commissioner Joyce Barney SECONDED the motion. The voting was unanimous in the affirmative.

3. CONSIDERATION and POSSIBLE APPROVAL of an amendment to Conditional Use Permit # Z-2005-006 by Anthony Fuller, ADF Holdings, LLC. Applicant is requesting release of all or part of the \$35,000 cash bond posted with the Millard County Treasurer in February 2006.

This agenda item was tabled from “Other Business” in the October 6, 2010, meeting. Gordon Chatland stated that he would like to come to a standard policy on how to handle bonds in the future so there is a standard for all industrial

operations. There was some discussion on what operations are in business now with and without a bond.

Millard County Attorney Richard Waddingham stated that operations that would require the County to spend money on clean up should the operation be abandoned, should have a bond to protect the County interest. Chairman Smith stated that if gravel pits are going to be required to carry a bond, then it seems that dairies should be required to put up a bond also to protect the county's interest for reclamation.

Mr. Waddingham stated that if a bond requirement is going to be in place then it should be in the County Zoning Ordinance. He said that any time ground is disturbed for a large scale operation there should be a bond in place for reclamation purposes.

Joyce Barney asked what the county assessment for Mr. Fuller's land was valued at. Mr. Fuller said last year it was appraised for \$20 an acre and this year it was appraised at \$200 an acre.

Chairman Smith asked what the consensus was on if there should be a bond or not and for how much. Molly Stevens asked how much Neil Bradshaw was required to bond for. Mr. Bradshaw had an Irrevocable Letter of Credit from State Bank of Sothern Utah in the sum of \$8,000 according to Millard County Planner Sheryl Dekker.

Molly Stevens asked Mr. Fuller how much he believes the bond should be for if a bond was to be required. Mr. Fuller said that he did not mind having a bond but he just wanted to be held to the same regulations as everyone else.

Gordon Chatland made a motion to reduce the amount of ADF Holdings' current bond from \$35,000 to \$8,000. David Sturlin SECONDED the motion. Voting was unanimous in the affirmative.

5. OTHER BUSINESS

Chairman Smith asked if there was going to be a planning and zoning Christmas dinner. There was discussion as to whether a dinner could be held after a meeting. Sheryl Dekker stated that she would send out an email with some possible dates.

Sheryl Dekker stated that Jim Withers cannot serve on the board after January 1st, since he was elected to the Board of Millard County Commissioners. She asked everyone to think about who they would like to nominate to take Mr. Withers place.

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

There was none.

7. Adjourn

Gordon Chatland made a MOTION to adjourn. David Sturlin SECONDED the motion. The voting was unanimous in the affirmative. The meeting adjourned at 7:40 p.m.

Robin Smith, Chairman
Millard County Planning Commission