

MINUTES OF BOARD OF MILLARD COUNTY
COMMISSIONERS SPECIAL MEETING
MILLARD COUNTY THE 27TH DAY OF SEPTEMBER 2007
AT THE MILLARD COUNTY OFFICES, DELTA, UTAH

Present: Daron SmithMillard County Commission Chairman
Kathy Walker Millard County Commissioners
Richard Waddingham Millard County Attorney
Sheryl Dekker..... Commission Assistant

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, the local news media and located on the front and back doors of the County Courthouse as required y law the following proceedings were had:

12:00 Noon Public is Welcomed

Commissioner Kathy Walker made a motion to convene for a Special Meeting of the Millard County Commission. Chairman Daron Smith stepped from the Chair and seconded the motion. The motion carried without opposition.

Opening Statements

Commissioner John Cooper was excused from the meeting as he was speaking at a funeral during the meeting.

Commissioner Daron Smith read into the minutes the following:

“Order of a Special Meeting by Millard County Commission

Pursuant to Section 17-53-205, Utah Code Annotated, the undersigned have ordered a special meeting of the Millard County commission to be held on September 27, 2007, at 12:00 p.m. at the Millard County Offices located at 71 South 200 West, Delta, Utah for the purposed of considering a proposed ordinance enacting a county optional sales and use tax authorized by Title 59, Chapter 12, Pat 11, Utah Code Annotated (1053 ed.) as amended. Dated this 17th day of September, 2007.” Signed by Daron P. Smith, Commission Chairperson and Kathy Walker, Commissioner, John Cooper Commissioner was excused.

Possible Adoption of Ordinance No. 07-09-27, an Ordinance of Millard County
Commission Enacting a Millard County Sales and Use Tax.

Commissioner Kathy Walker made a motion to adopt Ordinance No. 07-09-27, an ordinance of the Millard County Commission enacting an optional sales and use tax authorized by Titled 59-12-11 UCA 1953, as amended. Commissioner Daron Smith stepped from the chair and seconded

the motion. Discussion on the motion-County Attorney Richard Waddingham stated that ordinances should become effective upon filing the ordinance with the clerk, and upon publication and 15 days, and the statute says that if, “in the opinion of the county legislative body are necessary for the immediate preservation of the peace, health, or safety of the county and the county’s inhabitants may, if so provided in the **ordinance**, take effect immediately.” So, in other words it waives the fifteen days. Attorney Waddingham said this ordinance should become effective upon filing and upon publication based on the immediate preservation of the peace, health and safety of the county can be affected by possibility of lost revenue. So the ordinance should become effective upon publication on October 2, 2007, although the actual tax will not be imposed until January 1, 2008.

There was not further discussion. A roll call voted on the motion was held as follows:

Commissioner Smith - Aye

Commissioner Walker - Aye

Voting was unanimous in the affirmative and the motion carried.

Public Input

There was none.

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

There was none.

Commissioner Kathy Walker made a motion to adjourn. Commissioner Daron Smith stepped from chair to second the motion.

The meeting adjourned at 12:09 p.m..

Attest: _____ Approved: _____