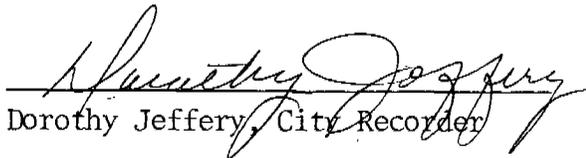


Delta City JP. Mr. Young has agreed to work for Delta City as a JP for the sum of \$200.00 per month. Mr. Young will keep the city and the county's records separate.

Councilman Bird stated his concerns on having only one JP on the West side of the county and suggested Delta hire their own JP. No decision was made on the hiring of a JP.

Mayor Roper asked if there was any further business. There being none, a motion to adjourn the meeting was made by Councilman Bennett, seconded by Councilman Bird. Meeting adjourned at 10:45 p.m..

Leland J. Roper, Delta City Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A PUBLIC HEARING HELD FRIDAY, FEBRUARY 21, 1980

Minutes of a Public Hearing held Friday, February 21, 1980, at 7:00 p.m. at the Delta City Offices.

PRESENT:

Leland J. Roper	Mayor and presiding
Max Bennett	Councilman
Don Bird	Councilman
Thomas Callister	Councilman
Willis Morrison	Councilman

ABSENT:

Cecil Losee	Councilman
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OTHERS PRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
J. R. Skidmore	County Resident
Peggy Overson	City Resident
Pat Thomas	County Resident
Max Shaw	County Planner
T. Scarle	County Property Owner
Dave Church	Planning/Zoning Commission
Sherry Lewis	Planning/Zoning Commission
Ralph Ross	County Resident
Beulah Ross	County Resident
Bert Sorenson	County Resident
J. H. Rowlette	City Resident
Doris Brown	County Resident
Opal Pratt	County Resident
Lyle Bunker	Contractor
Gayle Bunker	Contractor
Paul Cahoon	County Resident
Betty Cahoon	County Resident
Roma Thomas	County Resident
Mr. and Mrs. Scott Anderson	City Residents
Orvil Jeffery	City Resident
Mr. and Mrs. Fay Jacobson	County Residents
Ruth Corry	County Resident
Bob Pendray	Pendray Construction
Don Webb	City Resident
Shirl Debenham	Contractor
Mr. and Mrs. Carl Warner	County Residents
Rick Anderson	County Resident

Mayor Roper being present called the meeting to order at 7:00 p.m. Dorothy Jeffery being present acted as secretary.

The Mayor stated that the meeting was a Public Hearing for the purpose of the consideration of adopting the Policy Declaration Statement for Annexation. The Mayor then told those in attendance that Planning/Zoning Committee member Dave Church would explain in detail the Policy Statement after which the meeting would be open for public questions and discussion.

Mr. Church stated the Public Hearing had been advertized in accordance of the law for the required period of time, the hearing is for the sole purpose of Delta City adopting the Policy Declaration Statement for Annexation". The reason this procedure has been followed is in 1979 the Utah State Legislature passed a law called the "Utah Boundary Commission Act" in the Utah Annotated Code 10-2-4-14. It requires cities and towns to draw up a policy statement of criteria of the annexation, including a map of the territory proposed for annexation. If the people so desire and petition to be annexed to the city. It does not mean that the city is going to immediately annex all of the property included on the annexation map. What the law stipulates is that within our "Declaration Statement" we put down some criteria and possible conditions as to what we will do. Mr. Church then explained in detail the displayed annexation map which includes one half ($\frac{1}{2}$) mile to the West, one half ($\frac{1}{2}$) mile to the North, one half ($\frac{1}{2}$) mile to the South and three-fourths ($\frac{3}{4}$) mile to the East of the existing city limits. This additional property could possibly be annexed if the property owners petitioned and if the legislative body agreed the property to be annexed was of benefit to Delta City and to the majority of the property owners and if there are no protests to the annexation of the particular property. This same law also sets up the Boundary Commission which we now have and heretofore have not had. It is organized now and is with the county and any entity wishing to protest any annexation could file a protest with the Boundary Commission for this purpose.

At this point in the meeting, Mr. Church read the following statement:

POLICY DECLARATION STATEMENT FOR ANNEXATION:

The city of Delta in the County of Millard and the State of Utah is primarily concerned with the needs and desires of its citizenry. The utmost concern of Delta City is to maintain and improve facilities, services, utilities, transportation, and roads, aesthetics and excellent quality of life for the residents at the most economically feasible and cost efficient manner. This will be done by careful planning using professional engineering studies, professionals in the areas of land use development, tax consultants, cost efficiency analysts, and the Planning Commission Legislative Body and lay citizens.

Projected anticipated growth studies indicate that Delta City will need to annex considerable land to accomodate new residents, businesses, schools, churches, and public facilities.

It is the purpose of this document to describe in some detail a map of present surrounding unincorporated territory around the city of Delta and describe specific criteria and standards which the city would favor upon receiving a petition for annexation.

Delta City and Millard County must work closely and cooperatively and be as consistent as possible in planning and zoning areas which may be considered for annexation to prevent disharmony, duplicate services and spot zoning.

In any annexation petition consideration, the first concern will be that of "Does the proposed annexation benefit the city of Delta proper and its residents or will it be a liability?"

The second consideration will be "Does the proposed annexation petition meet the annexation standards which are set forth later in this document?"

The third consideration will be the cost feasibility to the city in providing public services, utilities, recreation, etc.

The fourth consideration is how the proposed annexation affects the present character of Delta and how it will affect all other public entities such as schools, Millard County, and the anticipated occupants of the land itself.

The fifth consideration will include an estimate of the tax consequences to residents in both new and old territory of Delta and will require an indepth study concerning costs and who will be responsible for those costs.

The sixth consideration will be the proposed time frame for development and plans for the extension of municipal services.

CRITERIA:

1. The topography of the land must be conducive to equitable and economically feasible hookups and servicing for utilities to be determined by the city of Delta.
2. The land must be contiguous to the city of Delta.
3. At least one-third (1/3) of the assessed property value and fifty-one percent (51%) of the property owners within a proposed Annexation Plat must have signatures by the owners of said property.
4. Any annexation consideration must fall within the Boundary Map of this Annexation Declaration Document.
5. The petition for annexation should include signatures, an accurate plat map, and a statement of intent as to the proposed use of the land.
6. Land use campatability concerning existing zones will be followed as closely as possible, maintaining the integrity of the present zoning map of the city of Delta.
7. Annexation petitions including land which is easily accessible to existing roads, water, sewer, etc. and are relatively free from physical barriers such as major canals, railroads, etc. which may pose safety hazards as well as potential high cost for services, will be considered favorably.
8. Land which is presently used for residential purposes, presently receiving City services, contiguous to Delta City limits and presently unincorporated will be very favorable.
9. Annexation petitions which include land that will enhance the asthetics of Delta and is relatively free from environmental pollution such as strong odors, excessive noise, and has a high quality of air would be looked upon with favor.
10. Petitions which indicate the intent of immediate capabilities to help alleviate the expected fast growth in population and high impact possibility which faces the city of Delta.

After reading the statement, Mr. Church opened the meeting for public input and questions regarding annexation:

Pat Thomas: "If we have animals and want to keep them, are we required to annex if our neighbors petition for annexation or can we oppose the annexation?"

Mr. Church: "Yes, you don't have to sign the petition. Delta City will not require anyone to annex at this time. You must remember it takes one-third (1/3) of the value of the property or fifty-one percent (51%) of the property owners to petition for annexation. You are not required to sign the annexation petition if you are opposed to it."

Pat Thomas: "If we do annex and we have animals at the time of annexation, would we be allowed to keep our animals?"

Mr. Church answered in the affirmative, as long as the animals had not been off of the property for more than twelve (12) months.

Melba Jacobson asked, "If we take our cattle out of the corral for the summer months to graze, could they be returned in the fall?"

Mr. Church explained as long as the cattle are not out of the corral for twelve months they can be returned.

Opal Pratt asked if there is a well on the property to be annexed, what happens to the well rights?

Mr. Church explained the city may ask for a certain amount of water rights when the property is annexed.

Mr. T. Searle asked about the ground with no water rights.

Mayor Roper told Mr. Searle the city may require the property owner with no water rights to purchase the required amount of water rights on the open market as a

condition for annexation.

Superintendent Forster explained Delta City only has enough water rights to supply the property within the existing city limits.

Opal Pratt asked, "If we give Delta City some water rights at the time of annexation, does this entitle us to free water/sewer hookups?"

Mr. Church stated the city had made no decision on that issue, but the city would be fair with the property owners.

Doris Brown asked Mr. Church to explain what a person would do if they did not have any water rights but wanted to be annexed.

Mr. Church said that person would have to purchase water rights from someone that had water rights to sell.

Mr. Ralph Ross asked if Lyman Row would all be annexed at once or what was the procedure.

Mr. Church explained it would have to be one-third (1/3) of the property value or fifty-one percent (51%) of the land owners requesting annexation.

Mr. Ross stated, "I am against the annexation of my property. I am also under the green belt amendment. What will annexation do to my taxes?"

Mr. Church told Mr. Ross his understanding was that he would be protected under the green belt amendment.

Mr. Gayle Bunker stated the difference in taxes would be approximately \$2.00 per acre.

It was asked if your property is surrounded by the city limits, would you then have to be annexed. Mr. Church explained this would be considered an island and the city could then request you to annex; however, this situation is all probability will not arise in the near future.

Mr. Church explained to petition to be annexed, you must present a plat and a signed petition for annexation to the city council. The council must advertise the proposed annexation and hold a public hearing at which time you may oppose the annexation. You also have five (5) days after the public hearing to present your opposition of the annexation to the City Council.

There was a question on what a plat was. Mr. Max Shaw explained a plat can be five (5) acres or more.

Ruth Corry asked, "If your property is on a proposed plat and you are opposed to the annexation, how do you fight the annexation?"

Mr. Max Shaw explained that if you do not want your property annexed, you do not sign the petition for annexation.

Mr. Bert Sorenson informed council of the ball park in Lyman Row that belongs to the county. Would the ball park also be annexed?

Mr. Dave Church told Mr. Sorenson if the county did not oppose the annexation of the ball park property it could be annexed and continue to be used as a ball park.

Mr. Ralph Ross asked, "If Lyman Row is annexed, could the city use the ball park for anything other than a ball park?"

Mr. Shaw replied the ball park would only be changed if the zoning was changed in that area.

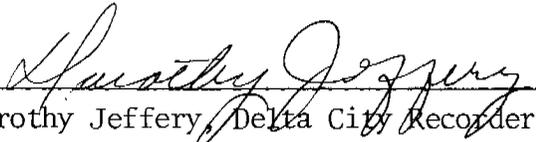
Mayor Roper stated property for parks, schools, streets, and water rights will be required from those petitioning for annexation.

Mr. Church asked if there were any further questions or discussion. There being none, he returned the chair to the Mayor.

Shirl Debenham asked Mayor Roper is the annexation process would be completed by June, to which Mayor Roper replied the minimum time would be ninety (90) days.

Mayor Roper asked if there was any further business or questions regarding the Policy Declaration Statement for Annexation or the proposed annexation map. There being none, the meeting adjourned at 7:55 p.m..

Leland J. Roper, Delta City Mayor


Dorothy Jeffery, Delta City Recorder

MINUTES OF A REGULAR COUNCIL MEETING HELD MONDAY, FEBRUARY 25, 1980

PRESENT:

Leland J. Roper	Mayor and Presiding
Don Bird	Councilman
Cecil Losee	Councilman
Max Bennett	Councilman
Thomas Callister	Councilman
Max Bennett	Councilman

ABSENT:

None

OTHERS PRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Bob Pendray	Pendray Construction
Jim Pendray	Pendray Construction
Harding Russell	Engineer
Eric DeHaan	Engineer
Jess Wilson	KNAK Radio Station
Harvey Rowlette	City Resident
Jim Robson	Curley's Lounge
Carl Robson	Curley's Lounge

Mayor Roper being present called the meeting to order at 7:00 p.m. Dorothy Jeffery being present acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place, and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

Minutes of a Public Hearing held February 19th for the purpose of discussion of the subdivision ordinance was approved upon a motion by Councilman Morrison, seconded by Councilman Bennett and received the unanimous affirmative vote of all councilmen present.

Minutes of a Regular Council Meeting held February 19th at 8:00 p.m. were read and approved upon a motion by Councilman Bird, seconded by Councilman Callister and received the unanimous affirmative vote by all councilmen present.

Minutes of a Public Hearing held February 21 for the purpose of discussion and adopting the "POLICY DECLARATION STATEMENT FOR ANNEXATION" were read and approved by a motion by Councilman Bennett, seconded by Councilman Bird, and received the unanimous affirmative vote of all councilmen present.

Councilman Callister requested a review of the following suggested fees for the 1980 business licenses: