

**Beaver County  
Planning & Zoning Commission  
August 18, 2020  
6:30p.m.**

**Minutes**

Attendance: Drew Coombs- Chairman, Kolby Blackner- Acting Chairman, Karianne Jarvis, Brandon Yardley, Brady Bradshaw, Jared Gillins representing the Zoning Department, Jenny Atkin from the Attorney’s Office and Kyle Blackner as Zoning Administrator. Don Noyes and Bryan Graham were not in attendance.

Visitors: None

As Chairman, Drew Coombs, would be joining the meeting late, Acting Chairman, Kolby Blackner, called the meeting to order at 6:32 p.m.

**MINUTES:**

A prayer was offered by Brandon Yardley and the Pledge of Allegiance was led by Brady Bradshaw. Minutes from the June 16, 2020 meeting were reviewed. With a minor correction, Brady Bradshaw made a motion to approve the minutes. Karianne Jarvis seconded the motion. Kolby Blackner and Brandon Yardley voted for, thus the motion passed unanimously.

**PUBLIC HEARING:**

Brandon Yardley made a motion to open the meeting to a Public Hearing for comment on Ordinance 2020-08 Drinking Water Source Protection Plan. Karianne Jarvis seconded the motion. Brady Bradshaw and Kolby Blackner voted for, thus the motion passed unanimously. As no visitors were in attendance, Karianne Jarvis made a motion to close the Public Hearing. Brandon Yardley seconded the motion. Kolby Blackner and Brady Bradshaw voted for, thus the motion passed unanimously.

Mr. Blackner explained to the board that the draft before them had the least restrictive requirements, but would meet state standards. Brandon Yardley stated that he wanted to make this ordinance as bare bones as possible. Drew Coombs arrived at 6:43pm. Kolby Blackner mentioned a conversation that he had with Roger Fridall, chairman of the drinking water board for the state of Utah, who felt that perhaps the state was requiring too much of the local jurisdictions. Kolby then asked who would be the “public drinking water system” required to collect samples and be compensated accordingly. Mr. Blackner stated that it would only be for those community wells that service a minimum of twenty-five individuals, that it is currently collected/tested for existing community wells and will be required of developing and future community/subdivision wells. Kolby Blackner had several concerns about the “Dispute Procedures” section and all of the hoops and potential expense an applicant could incur. It was his suggestion to eliminate as many steps as possible and only use the procedures that are currently state regulated. Brady Bradshaw supports the ordinance, likes the protection and wants to be involved in making policy for our own county, rather than just leaving it up to the state. Brandon Yardley had an issue with “Protection Zones” 3 & 4, as they would limit agriculture growth throughout the county and is also concerned about the “Pollution Source” definition and suggested some draft changes.

Karianne Jarvis feels that the ordinance is necessary and as written, accurately reflects state guidelines. After a question from Drew Coombs, Mr. Blackner explained to board members that the SouthWest Utah Health Department has strict guidelines for septic installation and regulates the location, quantity and proximity to neighboring land owners. After extensive discussion, all board members were in agreement that we could; remove Zone 4, change the “Dispute Procedure” to only enforce state regulations, change the definition of “Pollution Source” and remove “Definitions 1 & 2”. Kolby Blackner then passed the chair back to Drew Coombs and thanked the board for their willingness to compromise and work together. Brady Bradshaw made a motion to recommend the County Commission adopt Ordinance 2020-08 with the proposed draft changes. Karianne Jarvis seconded the motion. Kolby Blackner and Brandon Yardley were opposed. Drew Coombs passes the chair to Kolby Blackner and voted for, (because although he did not agree with it, knew it was required of us) thus the motion passed 3-2. Kolby Blackner then passed the chair back to Drew Coombs.

### **WORK MEETING:**

Mr. Blackner shared an update from Craig Blackner Trucking, regarding their pending annexation into Minersville Town. Blackners met with Minersville Town Council on August 3, 2020. They explained the situation that they were in with Beaver County and our suggestion for them to annex into Minersville Town. The town council made a motion to move forward with the annexation request and send it to the town P/Z Board for further review and recommendations. Kolby Blackner elected to recuse himself and then mentioned that the entire Minersville P/Z Board has just been appointed and they will need some adequate training, prior to consideration of this issue.

Next, board members reviewed/discussed agriculture definitions at length. The initial question was, is there a need to change the definition or leave it as it is written. Drew Coombs stated that our current definition does not specifically state that agricultural producers are permitted to work on their own equipment on their own property and suggested that we may need to add something for that purpose. Kolby Blackner felt that we needed to expand our agricultural definition to include Industrial Agriculture uses. Mr. Blackner referred Kolby to the “Agricultural Industry or Business” definition in our county code. Brandon Yardley initially stated that he likes the current definition as it reads. Board members were conflicted about where to draw the line between someone meeting their own agricultural needs and that of a commercial business, as there is a lot of gray area when one private individual benefits from the abilities of another’s maintenance/repair or installation of products/services. There was ongoing discussion and many examples and opinions shared because there is the “footprint” issue as well as the zoning district use issue. Kolby Blackner suggested perhaps we make it an item on a Conditional Use Permit. Mr. Blackner stated that it should be listed as a Qualifying Regulation in the Agricultural Districts, as we don’t require a Conditional Use Permit for agricultural uses in agricultural districts. After further discussion, Drew Coombs suggested we add something to the agriculture definition that allows for agricultural producers to maintain/repair their own equipment. Brady Bradshaw then added that we also need to allow for others to do it for them, on their own (the producer’s) property. Brandon Yardley provided a verbal suggestion to add to the definition. At that point, Mr. Blackner suggested we table this item for further discussion at our next meeting, as an agenda item, so we could then act on it.

Finally, Mr. Blackner addressed the pressing issue with the Central Iron County Water Conservancy District attempting to import groundwater from the west desert of Beaver County.

He strongly suggested that board members individually submit a letter to the BLM stating their concerns and the devastating impact it will have on the residents/land within Beaver County. He also offered to draft and send a letter on behalf of the entire P/Z Board. Brandon Yardley, made a motion that the Zoning Administrator send a letter to the BLM on behalf of the P/Z Board. Brady Bradshaw seconded the motion. Kolby Blackner & Karianne Jarvis voted for, thus the motion passed unanimously.

Kolby Blackner made a motion to adjourn. Brandon Yardley seconded the motion. Karianne Jarvis and Brady Bradshaw voted for, thus the motion passed unanimously

The meeting concluded at 9:14 p.m.

Minutes approved on \_\_\_\_\_.

\_\_\_\_\_  
Drew Coombs- Chairman