

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
September 6, 2023**

The Millard County Planning Commission met on Wednesday September 6, 2023, at 6:30 pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** David Sturlin ..... Planning Commission Chairman  
Joyce Barney ..... Planning Commission Vice Chairman  
John Nye.....Planning Commissioner  
Peter Greathouse .....Planning Commissioner  
Erin Sorenson .....Planning Commissioner  
DeMar Iverson .....Planning Commissioner  
Phil Morrison.....Planning Commissioner

**EXCUSED:**  
Mallori Wood..... Secretary

**ALSO PRESENT:**  
Adam Richins..... Millard County Planner  
Denton Peterson ..... Deputy County Attorney  
Dennis Alldredge ..... Millard County Resident  
Russell Condie..... Dixie Power  
James Walker ..... Ares Strategic Mining  
Erin Bibeau ..... 174 Power Global  
Patrick Shim..... 174 Power Global via telephone  
Betsy Biesty ..... 174 Power Global via telephone  
Stephanie Lauer ..... 174 Power Global via telephone  
Janet Lee ..... 174 Power Global via telephone  
Rajesh Goriparthi..... 174 Power Global via telephone  
Samantha Marta ..... 174 Power Global via telephone  
Shane Church..... SFC Welding  
Scott Barney ..... Millard County Resident  
Duane Howlett ..... Howlett Farms

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED to each member of the Planning Commission, posted at the Millard County Offices in Delta, the Public Safety Building in Fillmore, and the Main Street Courthouse in Fillmore, posted on the Utah Public Notice Website and the Millard County Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah as required by law, the following proceedings were had:

**1. WELCOME, CALL TO ORDER** – Chairman David Sturlin called the meeting to order at 6:30 pm. He welcomed all present.

**2. PUBLIC INPUT** - There wasn't any public input.

**3. REVIEW and POSSIBLE APPROVAL** – C-1 Conditional Use Permit Application #Z-2023-053 for a Wireless Telecommunications Site/Facility at approximately 495 N 3200 W St, Fillmore—Dixie Escalante Rural Electric Association, Owner.

Russell Condie approached the commission and gave a description of the application.

There is currently a 60-foot wood pole on the north side of the building. Their plan is to remove the old tower and replace it with a lattice style communication tower on the west side of the building.

There was discussion about fencing in the area.

There was discussion about lighting.

The tower will be built out of galvanized or weathering steel so that they will not require a lot of maintenance and are designed for life.

There was discussion about preventative measures to keep people out of the area.

Commissioner DeMar Iverson made a MOTION to approve application Z-2023-053 with the proposed reasonable conditions as it is in conformance with the general plan. Commissioner Peter Greathouse SECONDED the motion. Voting was unanimous in the affirmative.

## **RECOMMENDATION**

1. Approve the Conditional Use Permit for a Wireless Telecommunications Site/Facility.

2. Basis for Issuance of a Conditional Use Permit:

a) The proposed use is a conditional use within the zoning district as identified in section 10-25-1 of this title, appendix A, table of uses.

b) The proposed use complies with all requirements of the zoning district, including all minimum area, setbacks, height, and all other requirements as applicable.

c) The proposed use will be conducted in compliance with the requirements of this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.

d) The property on which the use is proposed is of adequate size to permit the conduct of the use or sign in a manner that will not be detrimental to adjoining and surrounding properties.

e) The proposed use with all site plan and building requirements, as provided and required by this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.

f) The proposed use complies with all applicable dedication requirements of the county and provides the necessary infrastructure, as required.

g) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the county as a whole. (Ord. 12-12-04, 12-4-2012)

3. Approve the Permit with the following reasonable conditions:

a) The proposed site be fully enclosed with chain link fence not less than 6' in height.

b) Site/Facility be responsible for its own site security.

c) Building permits be obtained for the construction of the tower and accessory equipment.

d) Signal interference testing be conducted and signal be adjusted to minimize impact with adjacent cell towers.

**4. REVIEW and POSSIBLE APPROVAL – C-2 Conditional Use Permit Application #Z-2023-054) for Industrial/Manufacturing Activity (General) at approximately 1365 N HWY 6, Delta—Ares Strategic Mining Inc., Owner**

James Walker and Shane Church approached the commission and gave a description of the application.

This is a fluorspar product used in the manufacturing of steel, aluminum, glass industry, and cement. This is a critical mineral and is considered by the government to be vital to the security of the country.

There was discussion about the existing water wells in the area.

There was discussion about dust mitigation.

There was discussion about the amount of traffic this will add to the roadways.

There was discussion about the area in Lynndyl where the product will be shipped by railway.

Planner Adam Richins stated that in the heavy industrial zone there is not a default setback and that would need to be established with the conditional use permit.

The commission expressed concerns about the health and wellness of the community

Planner Adam Richins stated that the applicant is to check with air quality and water quality to see if permits are required. If they aren't, the commission can't require them to get the permits.

Deputy County Attorney Denton Peterson stated it would be helpful for the applicant to provide some defined parameters and a scope of what the applicant is going to be doing initially. Then if the operation exceeds whatever those are, there will need to be an amendment to the application.

Commissioner Erin Sorenson made a MOTION to postpone application number Z-2023-054 pending more information. Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative.

**5. REVIEW and POSSIBLE APPROVAL – C-2 Conditional Use Permit Application #Z-2023-006 for a Solar Energy System (Major) at approximately 7500 N Jones Road, Delta—Intermountain Solar Plant, LLC, Applicant.**

Commissioner Peter Greathouse made a MOTION to have a five-minute recess for the applicant to get their computer set up. Commissioner David Sturlin SECONDED the motion. Voting was unanimous in the affirmative.

Erin Bibeau with 174 Power Global approached the commission and gave a presentation of the application with her team by way of telephone.

The Intermountain Solar Project is a proposed PV solar and battery energy storage system project that would take place on 1600 acres of provable land north of Delta in Millard County.

There was discussion about the impact of farm surrounding the area. Erin stated that the panels are designed to absorb the lights rather than reflect it. They will absorb between 96 and 98 percent of the light that goes into the panel.

There was discussion the utility corridor.

Janet Lee stated that they do have an easement with the state of Utah trust lands for the transmission power line.

There was discussion about the height of the gen-tie structures.

There was discussion about the lines crossing county roads. Janet stated that any county roads and other third-party utilities that the project will cross they will secure crossing agreements.

The applicant will have a more detailed site management plan to conserve the vegetation in the area.

The estimated project time will be 40 years. After that the project would either be extended or the land would revert back to agriculture.

Commissioner Peter Greathouse asked if the area could have multiple uses, such as grazing under the panels. Rajesh Goriparthi stated that the panels will be placed on a tracker that will determine the height of each panel depending on the slope and aspect of the site. Samantha Marta stated that on most projects throughout Texas they've had sheep onsite to keep up with vegetation and grazing.

There was discussion about cleaning the panels.

There was discussion about the estimated number of employees required to build the project. Erin Bibeau stated they estimate between 700 and 900 employees. Most of those employees would be for the construction of the project that is projected to take approximately 14 months to complete.

There was discussion about the impact from the voltage in the lines to surrounding areas. Rajesh Goriparthi stated that every metal component and every operating component in the entire facility is grounded right at the source and then continually grounded so that they're safely isolated.

There was discussion about whether notifying surrounding property owners and holding a Public Hearing would be beneficial.

There was discussion about the percentage of the 1600 acres that would be covered with the panels.

There was discussion about dust mitigation in the area.

There was discussion about the setbacks.

There was discussion about a reclamation plan.

Commissioner Peter Greathouse made a MOTION to postpone this application to give the commission more time to research other solar projects. Commissioner Joyce Barney SECONDED the motion. Voting was unanimous in the affirmative.

**6. OTHER BUSINESS-** Planner Adam Richins talked about the status of the subdivision ordinance.

**7. POSSIBLE CLOSED MEETING** Pursuant to Utah Code Annotated Section 52-4-204 & 205

**8. APPROVAL OF MINUTES** –The proposed minutes of the Planning Commission Meeting held on July 12, 2023 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner John Nye made a MOTION to approve the minutes from July 12, 2023. Commissioner Joyce Barney SECONDED the motion. Voting was unanimous in the affirmative.

Commissioner Joyce Barney made a MOTION to postpone the approval of the August 2, 2023 Planning Commission to the next scheduled meeting. Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative.

## **9. ADJOURNMENT**

Commissioner Joyce Barney made a MOTION to adjourn at 8:45 PM Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

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Dated this \_\_\_\_ day of \_\_\_\_\_ 2023

David Sturlin, Chairman

Millard County Planning Commission