

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 1ST DAY OF APRIL, 2025
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Trevor Johnson..... Chairperson
Bill Wright..... Commissioner
Vicki Lyman..... Commissioner

Elise Harris..... Interim County Attorney
Marki Rowley..... County Clerk
Kayla Freeman..... Deputy County Clerk

ALSO PRESENT: Kristine Camp..... County Treasurer
Bonnie Smith..... County Auditor
Klint Penney..... County Maintenance Supervisor
Sierra Dickens..... County Recorder
Jacob Nielson..... County HR Director
Richard Jacobson, Patrick Bennett, and Jerid Bennett... County Sheriff's Office
Adam Richins..... County Planner
Nate Sechrest and Roy Dorr..... Ares Strategic Mining
Travis Kyhl, Cassandra Calhoon, and Lindsay Archibald..... R6
Dennis Alldredge, Gary Webster, James Newman,
Andy Bray and Katie Poulsen..... Citizens

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED TO each member of the governing body, posted at the principal office of the Millard County Commission, posted on the Utah Public Notice 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:

PUBLIC WAS WELCOMED

The meeting began at 10:00 a.m. after a brief welcome by Commissioner Johnson to the public and Commission members.

OPENING STATEMENTS

Commissioner Wright said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF MARCH 18, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held March 18, 2025 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of March 18, 2025 as corrected.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

FOLLOW UP ACTION ITEMS FROM MARCH 18, 2025

There were none.

IGP WAIVERS

Three IGP waivers in the amount of \$40.00 each, one for coach pitch, one for tee ball, and one for softball, were presented for approval.

Commissioner Wright made a motion to approve the IGP waivers for the total amount of \$120.00.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF THE FY26 COURT CONTRACT

Clerk Rowley presented the FY26 Court Contract for approval, with no significant changes.

Commissioner Lyman made a motion to approve the FY26 Court Contract.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

REPORT FROM ARES STRATEGIC MINING - NATE SECHREST

Nate Sechrest , with Ares Strategic Mining, presented a report on its project, outlining the history of mining operations and the diverse applications of the extracted minerals before sharing the latest updates. He highlighted new funding programs designed to support projects that mine these valuable resources and noted an upcoming meeting with the Community Impact Board (CIB), where he hopes to secure access to state interest funds.

Commissioner Wright made a motion to add Ares Strategic Mining's project onto the County's recommendation list to CIB.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE AWARDING OF MCSO PATROL TRUCKS BID

Captain Bennett stated that after reviewing the bids, the Sheriff's Office recommends awarding the contract to Sahara Motors.

Commissioner Lyman made a motion to award the MCSO patrol trucks bid to Sahara Motors. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

OPENING OF THE REQUEST FOR PROPOSALS (RFPS) FOR INMATE DENTAL SERVICES

Auditor Smith opened the following RFP:

- Dental Power - \$1,200.00 per visit, \$723,000.00 annual contract

Commissioner Wright made a motion to accept the RFP, as presented, and review its specifications, before making a decision.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

OPENING OF THE REQUEST FOR PROPOSALS (RFPS) TO PROVIDE SUBSTANCE USE PREVENTION TREATMENT (SUPT) PROGRAM SERVICES FOR UTAH STATE INMATES HOUSED IN THE MILLARD COUNTY JAIL

Auditor Smith opened the following RFP:

- Katie Poulsen and Denielle Johnson - \$100.00 per treatment hour.

Commissioner Johnson disclosed that Denielle Johnson is his wife.

Commissioner Wright made a motion to accept the RFPs, as presented, and review its specifications, before making a decision.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE AWARDING OF ROAD OIL BID

Road Supervisor Wingett recommended the contract be awarded to the lowest bidder.

Commissioner Wright made a motion to award the road oil bid to NuRock Asphalt.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON A LEASE AGREEMENT WHICH INCLUDES THE SALE OF COBBLE AND AGGREGATE FOR \$2.00 PER TON LOCATED AT PARCEL 7454-1

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on a lease agreement which includes the sale of cobble and aggregate for \$2.00 per ton located at parcel 7454-1.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:32 a.m..

Present were: County Treasurer Camp, Auditor Smith, Recorder Dickens, HR Director Nielson, Supervisor Penney, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Planner Richins, Gary Webster, Dennis Alldredge, and James Newman.

James Newman asked for clarification on who it could be leased to.

Commissioner Johnson clarified that the parcel in question will not be leased to anyone at this time, as it is not currently zoned for mining and gravel pits. He explained that once the zoning is corrected, it could be open to public bids.

Commissioner Wright made a motion to close the public hearing.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:34 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF A LEASE AGREEMENT WHICH INCLUDES THE SALE OF COBBLE AND AGGREGATE FOR \$2.00 PER TON LOCATED AT PARCEL 7454-1

Commissioner Johnson noted that during his research on this topic, he found that many mines are not properly zoned.

Planner Richins provided an overview of how gravel pits are uniquely managed by Planning and Zoning, most often based on historic use.

Commissioner Lyman said that the Road Department is concerned that Fillmore City wants to annex land next to the parcel.

Planner Richins explained that they are very much protected and will provide more information to the Commission.

Mr. Alldredge clarified that Fillmore City is not actively looking to annex land, but there is activity in the area by private land owners.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-04-01, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPOINTING TRUSTEES TO THE BOARDS OF MILLARD COUNTY DRAINAGE DISTRICTS

Clerk Rowley stated that Dallas Anderson from District 1 has expressed interest in renewing his term.

Commissioner Wright added that Todd Holt from District 2, Jared Bryan from District 3, and

Dean Anderson from District 4 also expressed their desire to renew their terms

Commissioner Wright made a motion to approve Resolution 25-04-01 a resolution of the Board of County Commissioners of Millard County, Utah, reappointing Dallas Anderson, Todd Holt, Jared Bryan, and Dean Anderson as trustees to the Boards of Millard County Drainage Districts 1-4.

Commissioner Lyman SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Wright voted YES. Commissioner Lyman voted YES. Commissioner Johnson voted YES. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF REPURPOSING PROJECT FUNDS AND TRANSFERRING CAPITAL BUDGET BETWEEN PROJECTS

Supervisor Penney explained that additional funds are needed to complete a capital project for the HVAC system in the Public Safety Building.

Auditor Smith explained that they are requesting a transfer in the amount of \$16,500.00.

Commissioner Lyman made a motion to transfer Capital funds in the amount of \$16,500.00 for the HVAC system in the Public Safety Building.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

Auditor Smith explained that the Gunnison Bend Reservoir project is short \$500.00. She also requested an additional \$8,320.00 in order to add more features to the current budgeting software.

Commissioner Lyman made a motion to approve repurposing project funds in the amount off \$500.00 for the Gunnison Bend Reservoir project and \$8,320.00 for the budgeting software as discussed.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ZONING ORDINANCE MAP AMENDMENT APPLICATION # Z-2025-003 REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 15.00 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2300 W 500 N FILLMORE FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI). ANDY BRAY, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on a zoning ordinance map amendment, Application # Z-2025-003.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:51 a.m..

Present were: County Treasurer Camp, Auditor Smith, Recorder Dickens, HR Director Nielson, Supervisor Penney, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Planner Richins, Dennis Alldredge, Gary Webster, James Newman, Andy Bray, Travis Kyhl, Cassandra Calhoon, and

Lindsay Archibald.

Planner Richins explained that the Planning and Zoning Board has approved the request to subdivide the parcel included in the application. As a result, only the specific fifteen acre portion of the original parcel is being considered for a zoning change, while the rest will remain unchanged. He said that the Planning and Zoning Board has given a favorable recommendation.

Mr. Alldredge asked for clarification on what road this land is adjacent to.

Mr. Bray explained that it is Flowell Road.

There were no other comments made.

Commissioner Lyman made a motion to close the public hearing.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 10:59 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-04-01, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION BOARD OF COMMISSION, CHANGING THE ZONING OF APPROXIMATELY 15.00 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2300 W 500 N FILLMORE FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI)

Commissioner Wright made a motion to adopt Ordinance 25-04-01, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 15.00 acres of property located at approximately 2300 W 500 N Fillmore from AG to LI.

Commissioner Lyman SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Lyman voted YES. Commissioner Wright voted YES. Commissioner Johnson voted YES. The voting was unanimous and the motion carried.

R6 UPDATE - TRAVIS KYHL

Travis Kyhl, Cassandra Calhoon, and Lindsay Archibald introduced themselves and provided an update on R6's recent activities and projects within the County.

Commissioner Wright expressed concerns that the State Legislature has infringed upon County rights and encouraged R6 to prioritize protecting the rights of rural counties.

Commissioner Johnson also expressed concerns regarding HB48, which would require a tax for fire districts, and wanted R6 to be aware of it.

PUBLIC INPUT

Gary Webster, from Senator Lee's Office, outlined the Senator's stance on various national issues, including housing shortages, voting eligibility, and energy policies.

OTHER BUSINESS

Commissioner Lyman inquired about an unpaid bill for the cleanup of ponds and sought confirmation on who is responsible for the payment.

Commissioner Wright stated that the responsibility falls on Fillmore City.

Auditor Smith confirmed that Fillmore City is responsible for the payment, as per its agreement with the County, and advised that the bill be sent to them.

Captain Bennett stated that the County's Peace Officers Association has received State approval for its organization.

Interim Attorney Harris clarified that the IPA contract discussed in the last meeting will be solely between the School District and IPA, with no involvement from the County.

DISCUSSION AND POSSIBLE APPROVAL FOR THE SALE OR TRANSFER OF SURPLUS PROPERTY

There was none.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Clerk Rowley reminded the commissioners to review and update the County Boards they oversee to ensure they are current.

POSSIBLE APPROVAL OF APPLICATION(S) FOR SETTLEMENT OR DEFERRAL OF DELINQUENT PROPERTY TAX

There was none.

DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

There was none.

POSSIBLE BOARD OF EQUALIZATION (BOE) DISCUSSION AND/OR ACTION

Commissioner Lyman made a motion to enter into a BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 11:27 a.m.

Auditor Smith explained that, following the denial of IHC's request to be included on the tax exemption list, clarification from the Commission is needed regarding reasons for its decision.

Commissioner Wright explained that, in his opinion, the County already provides sufficient support to IHC, and that IHC has not adequately addressed the needs of Millard County nor

responded to the issues within the County.

Interim Attorney Harris asked what information IHC provided as justification for their tax-exempt status.

Auditor Smith explained that the information given was a very general overview.

The commissioners each expressed a desire to receive more specific details on what IHC is doing in the County and a response to the issues that have been brought to IHC's attention.

Commissioner Lyman made motion to close the BOE.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 11:35 a.m.

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

HR Director Nielson, explained that he is currently reviewing all policies and contracts to ensure the County remains compliant and that this will be an ongoing process.

POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-204 & 205

Commissioner Lyman made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Wright SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were all three commissioners, Interim Attorney Harris, and Auditor Smith.

After the closed executive session, the regular meeting reconvened at 12:21 p.m..

Commissioner Lyman made a motion to approve the settlement agreed upon during the closed session.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

WHERE UPON THE MEETING ADJOURNED

Commissioner Lyman made a motion to adjourn the meeting.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

The meeting adjourned at 12:22 p.m..

Attest: _____

Approved: _____