

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 3RD DAY OF JUNE, 2025  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Bill Wright..... Commissioner  
Vicki Lyman..... Commissioner  
  
Elise Harris..... Interim County Attorney  
Marki Rowley..... County Clerk  
Kayla Freeman..... Deputy County Clerk  
  
EXCUSED: Trevor Johnson..... Chairperson  
  
ALSO PRESENT: Kristine Camp..... County Treasurer  
Bridgett King, Lora Fitch, Hollie Miller..... County Assessor's Office  
Bonnie Smith and Vickie Bennett..... County Auditor  
Sierra Dickens..... County Recorder  
Jacob Nielson..... County HR Director  
Adam Richins..... County Planner  
Shaun Kjar..... R6  
Matt Ward..... Millard County Chronicle Progress  
Mike Squires, Jackie Combs, and  
Scott Messersmith..... Utah Associated Municipal Power Systems (UAMPS)  
Matt Hurst, Dennis Alldredge, J. Shea Owens, Greg Prows, Kyle Ashby,  
CoDi Ashby, Mark McDougal, Jason May, Daniel Griffiths,  
Lane Livingston, Jarvis Jones, Ron Larsen, Copland Anderson,  
Chet Simper and Rayette Jones..... 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 Wright to the public and Commission members.

OPENING STATEMENTS

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

Commissioner Wright excused Commissioner Johnson from the meeting.

#### APPROVAL OF MAY 20, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held May 20, 2025 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Lyman made a motion to approve the minutes of May 20, 2025 as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM MAY 20, 2025

There were none.

#### RATIFICATION OF GIFTING THE USED IT LAPTOP TO RETIREE, RICHARD BECKSTRAND

Commissioner Lyman made a motion to ratify the approval of gifting the used IT laptop to retiree, Richard Beckstrand.

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

#### DISCUSSION AND POSSIBLE APPOINTMENT OF A CHIEF ADMINISTRATIVE OFFICER(S) FOR DATA POLICY

HR Director Nielson explained that Clerk Rowley would be the Chief Administrative Officer with himself as the assistant.

Commissioner Lyman made a motion to approve the appointment of Clerk Rowley of as Chief Administrative Officer for Data Privacy with HR Director Nielson as the assistant.

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

#### PRESENTATION FROM R6 - SHAUN KJAR

Mr. Kjar presented an update on recent activities and initiatives from R6, with a particular focus on the region's efforts to support and promote agricultural development. He provided a brief historical context of R6's involvement in agriculture and outlined current strategies aimed at fostering sustainable growth. He highlighted the Central Utah Agri-Park, noting that the Agri-Park not only supports local agricultural producers but also encourages innovation, economic development, and long-term resource stewardship in the region.

Commissioner Wright inquired about the source of the water.

Mr. Kjar explained that the water is being obtained through private sales.

Commissioner Lyman inquired about the potential need for a new slaughterhouse.

Mr. Kjar responded that, based on current resources and existing facilities, the region's slaughterhouses are adequately meeting current demand.

Commissioner Lyman also asked whether grain silos are included in the current plan.

Mr. Kjar responded that, while not part of the initial phase, the need for grain silos is a potential future consideration they anticipate addressing as the project evolves.

## MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Camp presented the monthly financial report for review.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING COMMENT ON ZONING ORDINANCE MAP AMENDMENT APPLICATION # Z-2025-030 REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 1143.8 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3999 E (HWY 50) 4500 S DELTA FROM AGRICULTURE 20 (AG-20) TO HEAVY INDUSTRIAL (HI). FIBERNET MERCURY DELTA, LLC, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on Zoning ordinance map amendment, application #Z-2025-030.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:30 a.m..

Present were: Treasurer Camp, Auditor Smith, Recorder Dickens, HR Director Nielson, Planner Richins, Dennis Alldredge, J. Shea Owens, Greg Prows, Kyle Ashby, CoDi Ashby, Mark McDougal, Jason May, Daniel Griffiths, Lane Livingston, Jarvis Jones, Ron Larsen, Copland Anderson, Chet Simper, Rayete Jones, Rayette Jones, Mike Squires, Jackie Combs, Matt Ward, Shaun Kjar, and Scott Messersmith.

Jason May introduced himself along with Lane Livingston and Daniel Griffiths who are in charge of design and building the project. Mr. May expressed their views that the application satisfies the requirements for a zone change and expressed hope that it will be approved. He added that he is available to answer any questions.

Commissioner Wright said that the Commission has received a letter in opposition from Kyle Ashby.

Commissioner Lyman read the letter for the record. See attachment A.

Jarvis Jones, a nearby resident of the proposed land change area, expressed his opposition to the zone change, citing concerns about its impact on the agricultural community. He

recommended relocating the project to a site that is already zoned for HI use.

Reyette Jones, a resident of Delta City, also voiced her opposition to the zone change, citing concerns about increased traffic and a potential rise in accidents, which could further strain emergency response resources. She suggested holding an evening public hearing or placing the issue on the ballot to allow residents to decide whether they want the project to proceed in the County.

Dennis Alldredge expressed empathy for those opposing the project but noted that the concerns raised would be addressed through conditional use permits. He also expressed a favorable view of the project, particularly emphasizing its potential to create higher education jobs for the next generation and provide tax relief to citizens, similar to the impact felt when IPP was built in the County.

Ron Larsen also expressed his support for the project, noting that the concerns raised should be addressed and managed through conditional use permits.

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 10:56 a.m..

#### DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-06-03, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION CHANGING THE ZONING OF APPROXIMATELY 1143.8 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3999 E (HWY 50) 4500 S DELTA FROM AGRICULTURE 20 (AG-20) TO HEAVY INDUSTRIAL (HI)

Commissioner Wright explained that several organizations and businesses have expressed interest in establishing operations in Millard County. He emphasized that this growing interest highlights the County's potential for economic development and the opportunities it presents for future growth and diversification. While he acknowledged that the zone change may not immediately lead to development, he underscored the significant benefits a large company could bring to the County, including job creation, increased tax revenue, and enhanced community resources.

Planner Richins provided an overview of the zone change and conditional use permit processes, along with a detailed update on the Planning and Zoning Commission's involvement in this project. He outlined the steps completed thus far and discussed the ongoing considerations and regulatory requirements that remain. He reported that the Planning and Zoning Commission issued a favorable recommendation regarding the proposed zone change.

Interim Attorney Harris explained that the zone change would allow for approximately 30 new potential land uses. However, she clarified that discussions about conditional use permits are premature, as the zone change does not guarantee that the current development proposal will proceed as planned.

Commissioner Lyman shared that she was initially opposed to the arrival of IPP to the County. However, after observing the substantial benefits and contributions the company made to the community, she said her perspective shifted and recognizes similar potential advantages in welcoming large companies to rural areas. She said that she does approve of a data center but expressed some concerns over the exact location in relation to the roads and suggested a buffer zone.

Planner Richins clarified that conditional use permits would address location as well.

Commissioner Lyman made a motion to adopt Ordinance 25-06-03, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 1143.8 acres of property located at approximately 3999 E (HWY 50) 4500 S, Delta, Utah from AG-20 to HI.

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

#### CONTINUED DISCUSSION AND POSSIBLE ACTION REGARDING A POSSIBLE THROUGHPUT INFRASTRUCTURE FUND LOAN REGARDING ARES STRATEGIC MINING

Commissioner Wright explained that the project can continue with no action from the County.

#### PRESENTATION AND DISCUSSION OF SETTING A TAX RATE FOR REDUCTION UNDER SB 295

Auditor Smith confirmed that a tax rate must be submitted by June 22, 2025. However, she noted that she is currently awaiting a response from the State before proceeding. She also explained that she had invited Matt Hurst to provide further insight into Senate Bill 295. Mr. Hurst joined the meeting virtually.

Mr. Hurst provided an overview of the process the State uses to assess and calculate tax rates for counties. He outlined the key factors involved in the assessment and discussed how recent legislative change will affect the calculation of the benchmark, specifically concerning centrally assessed properties.

Commissioner Wright inquired about the revenue generated from new growth.

Mr. Hurst explained how and where those figures are calculated within the State's assessment process.

Commissioner Wright asked about the County's current tax collection rate.

Mr. Hurst responded that it is 97.3 percent. He explained that for tax rates, they are required to use last year's numbers.

Commissioner Wright requested additional information regarding the data presented,

including how it is calculated and the sources from which the data is derived.

Mr. Hurst explained that the figures are based on a three-year average, which helps smooth out year-to-year fluctuations.

Commissioner Lyman asked about the potential consequences of lowering the tax rates below the recommended level.

Mr. Hurst explained that doing so could result in reduced revenue for the County and would typically result in a truth-in-taxation hearing, unless the adjustment falls under provisions outlined in the new legislation.

## DISCUSSION REGARDING POSSIBLE POWER PLANT PROJECT - UAMPS- MIKE SQUIRES

Mike Squires and Scott Messersmith from the Utah Associated Municipal Power Systems (UAMPS) introduced themselves and provided a brief explanation of what UAMPS is and the role it plays in providing energy projects and the resources it has access to.

Mr. Messersmith explained that the project they propose to bring to the County is a peaker plant, which would use stationary reciprocating internal combustion (RICE) engines fueled by natural gas to generate electricity. He noted that the project is currently in the design phase, with the proposed location just outside of Holden, Utah. He elaborated on the benefits the plant would offer, including economic opportunities for the area. He emphasized that it would be a relatively small facility, requiring only 20 to 30 acres, and pointed out that it would place minimal demand on local water resources due to its use of an air-cooled system. He explained that there are some constraints that they will have to work through including energy transmission, but anticipates construction to begin in 2028.

Commissioner Wright asked about the anticipated cost of energy production.

Mr. Messersmith responded that they expect the cost to be approximately \$120.00 per megawatt.

Commissioner Wright agreed that this will be a benefit to the County.

## PUBLIC INPUT

There was none.

## OTHER BUSINESS

Commissioner Lyman noted the need to establish an agreement for the employee residing in the County-owned house in Garrison.

HR Director Nielson explained that the house has been recently renovated, and a rental agreement is currently being drafted. He recommended that the new road operator be the one to live there.

Commissioner Lyman mentioned that Brandon Winget had previously discussed the use of

retaining ponds. With vegetation beginning to regrow on the mountainside, he questioned whether the ponds are still necessary. He noted that it would be acceptable to keep them for another year to monitor the impact of runoff but expressed a desire to eventually close them.

Commissioner Wright clarified that the maintenance and management of the retaining ponds fall under the jurisdiction of Fillmore City, not the County.

Clerk Rowley provided the contract and affirmed that it is Fillmore City's responsibility but that the County would help as needed.

Commissioner Lyman raised the question of who should be responsible for managing the culverts under County roads, particularly in relation to drainage districts and irrigation companies. She noted that the County Road Department would prefer not to be responsible for their maintenance.

Commissioner Wright responded that if the culverts are associated with private companies, those companies should be responsible for their own maintenance. However, he added that the County should provide support to drainage districts, as they operate differently from private entities.

#### 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 reported that she has received only one additional set of bylaws for her records.

Commissioner Lyman noted that the Weed Board operates under the State's bylaws.

#### 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

Clerk Rowley stated that the municipal candidate filing period opened yesterday and will close this Friday at 5:00 p.m.

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

There was none.

#### POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Clerk Rowley presented the municipal contracts from Holden and Delta City, authorizing the County to manage their upcoming elections.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 12:46 p.m..

Attest: \_\_\_\_\_

Approved: \_\_\_\_\_