

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 5th DAY OF AUGUST, 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 and Madison James..... County Treasurer's Office
Bonnie Smith and Vickie Bennett..... County Auditor's Office
Sierra Dickens..... County Recorder
Susan Wilcox and Hollie Miller..... County Assessor's Office
Jacob Nielson..... County HR Director
Patrick Bennett..... County Sheriff's Office
Adam Richins..... County Planner
Jon Haderlie..... Larson and Co.
Sarah Richins and Lucy Draper..... ALA Girls State
Rachel West, Jackie Bryan, and Kevin Morrison. . . County Tourism Department
Mark McDougal, Aaron McDougal, Conor Andrus,
and Brad Andrus..... Joule Capital Partners
Copeland Anderson..... County Fire Warden
ML Jenkins, Todd Petersen, Ryan Wany..... ABC 4 News
Tony Stanworth and Scott Bassett . . . Delta Sutherland Oasis Cemetery District
Debra Wagner, Rick Moody, Matt Eliason, and
Skip Taylor..... Hinckley Deseret Cemetery District
Travis Kyhl..... R6
Dennis Alldredge, Denise Dennison, Brett Wardle, D. Greener,
Ian Barlow, Stephen Green, Paul Phalen, Carl Aldrich,
JB Lovell, Rachel Wood, Jarvis Jones, Mike Anderson, Ron
Larsen, and Devan Shields..... 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 Johnson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF JULY 1, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held July 1, 2025 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of July 1, 2025 as corrected.

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

FOLLOW UP ACTION ITEMS FROM JULY 1, 2025

There were none.

INTERIM SUCCESSORS

The following offices submitted interim successors:

- Auditor's Office
- Road Department
- Landfill Department
- West Recreation Department
- Planning and Zoning Department

IGP WAIVERS

Four IGP waivers in the amount of \$50.00 each for soccer, one IGP waivers in the amount of \$40.00 for soccer, and one IGP waiver in the amount of \$40.00 for flag football were presented for approval.

Commissioner Wright made a motion to approve the IGP waivers for the total amount of \$280.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE INDIGENT BURIAL OF CHRISTINE

KINSEY

Commissioner Wright made a motion to approve the indigent burial for Christine Kinsey in the amount of \$1,770.00.

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

GIRLS STATE 2025 REPORT

Sarah Richins, the County sponsor for the Girls State program, shared letters from three participants who were unable to attend the meeting. She introduced Lucy Draper, who was present in person. Miss Draper spoke about her experiences during the week-long leadership and citizenship program; describing the insights she gained into the legislative process; the responsibilities of elected officials, and the operation of state and local governments. She expressed gratitude for the opportunity to participate and for the County's support in making it possible.

DISCUSSION AND POSSIBLE APPROVAL OF A BUSINESS LICENSE FOR V-TWIN SERVICE SPECIALIST, OWNER -CHANCE MEINBURG

A business license application was presented for V-Twin Service Specialist, Owner - Chance Meinburg, a motorcycle service and repair business. After review of the application and finding all signatures in order, Commissioner Lyman made a motion to approve a business license for V-Twin Service Specialist, Owner - Chance Meinburg.

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

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Clerk Rowley presented the interlocal agreement for the 2025 General Municipal Election from Fillmore City.

Commissioner Wright made a motion to approve the interlocal agreement for the 2025 General Municipal Election from Fillmore City.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON A ZONING ORDINANCE MAP AMENDMENT APPLICATION #Z-2025-036 REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 4,000 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 11000 N MCCORNICK ROAD (FILLMORE ADDRESS GRID) FROM AGRICULTURE 20 (AG-20) AND AGRICULTURE (AG) TO HEAVY INDUSTRIAL (HI). JOULE CAPITAL PARTNERS LLC, 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-2025-036.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:16 a.m..

Present were: Treasurer Camp, Chief Deputy Treasurer James, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, HR Director Nielson, Kevin Morris, Tourism Director West, Jackie Bryan, Captain Bennett, Planner Richins, Dennis Alldredge, Mark McDougal, Aaron McDougal, Conor Andrus, Brad Andrus, Jon Haderlie, Copeland Anderson ML Jenkins, Todd Petersen, Ryan Wany, Tony Stanworth, Scott Bassett Debra Wagner, Rick Moody, Matt Eliason, Skip Taylor, Travis Kyhl, Denise Dennison, Brett Wardle, D. Greener, Ian Barlow, Stephen Green, Paul Phalen, Carl Aldrich, JB Lovell, Rachel Wood, Jarvis Jones, Mike Anderson, Ron Larsen, and Devan Shields,

Mark McDougal, representing Joule Capital Partners, introduced his application for the development of an energy and data center campus. He began by providing a detailed overview of the proposed project, including its intended location, scope, and the potential benefits to the County. Mr. McDougal shared a slide show outlining key components of the project, such as infrastructure design, energy sourcing strategies, water rights, anticipated data center capacity, and the projected economic and community benefits.

Brett Wardle, a residential neighbor, questioned why all 4,000 acres need to be re-zoned and expressed his concern that the data center will lower their quality of rural life.

Captain Bennett, from the County Sheriff's Office, inquired about the size of the construction workforce and the potential impact on traffic along McCornick Road.

Mr. McDougal responded that, at peak construction, approximately 300 tradesmen would be on site.

Captain Bennett also asked about road access to the project site.

Mr. McDougal explained that the primary access would be via ancillary roads, minimizing direct impact on major thoroughfares.

JB Lovell shared a statement in support of Mr. Wardle, expressing concerns that the proposed Data Center would negatively impact the quality of rural life in the area.

Ron Larson expressed his support for the proposed data center, explaining that the concerns raised would be more appropriately addressed during the conditional use permit process rather than the zoning change stage. He also voiced strong support for the project, emphasizing the significant positive impact it is expected to have on the County.

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 10:41 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-08-05 AN ORDINANCE OF THE MILLARD COUNTY COMMISSION CHANGING THE ZONING OF APPROXIMATELY 4,000 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 11000 N MCCORNICK ROAD (FILLMORE ADDRESS GRID) FROM AG-20 AND AG TO HI

Commissioner Lyman asked Planner Richins about alternative options to a blanket re-zoning approach.

Planner Richins explained that other possibilities could include zoning the area as Agricultural/Industrial, which would be more restrictive, implementing overlay zones, or entering into development agreements. He noted that pursuing these alternatives would require additional meetings and would likely extend the overall time line of the process.

Commissioner Johnson expressed his belief that most public concerns stem from uncertainty about what types of developments could occur in the future if the area is rezoned as HI. However, he voiced his support for the proposed data center, stating that of all the potential industrial projects that could come to the County, a data center offers substantial economic benefits with relatively low impacts.

Planner Richins agreed, noting that while there has been significant interest from industrial developers, many of the higher-impact proposals tend to filter themselves out due to a lack of incentives. He added that the types of projects residents are most concerned about are unlikely to materialize under current conditions.

Commissioner Lyman raised a concern about the potential for the project to spread and encroach on nearby residential areas.

Mr. McDougal responded that this concern had been considered during the planning process. He explained that the request for a larger area to be rezoned is intended to ensure that data center facilities can be set back from residential properties—typically between half a mile to a full mile—while also allowing sufficient space for site layout and building separation. He added that the project will be approached in phases, with each building evaluated as it is constructed. Ongoing discussions will take place to address any unforeseen circumstances that may arise throughout the development process.

Commissioner Johnson asked whether there was a way to limit non-data center developments from being built within the proposed HI zone. He acknowledged community concerns about the long-term implications of the project, specifically questioning what might happen if the data center were to leave in the future, that a replacement project could potentially be less desirable.

Planner Richins explained that re-zonings are generally considered long-term decisions and do not strictly regulate who can build within the zone, as long as proposed developments comply with the permitted uses under the zoning designation. However, he noted that the County retains the authority to amend or revert zoning designations in the future if a project is deemed incompatible with community goals or land use plans. He emphasized that no decision made at this stage would limit the County's ability to take future action if needed.

Commissioner Lyman outlined the types of developments that are permitted within the HI zone, providing context for the range of potential uses that could occur under the proposed zoning.

Mr. McDougal responded that concerns about future uses would be addressed through the conditional use permit process. He added that re-zoning the entire privately owned property provides the flexibility and control needed to make long-term financial and investment decisions especially with project that is this expensive and large in scope.

Commissioner Wright stated that, from a financing standpoint, proper zoning must be in place before the project can move forward. He acknowledged the concerns raised by community members but also emphasized the potential economic benefits of the data center. He said that while change can be challenging, it is important to recognize and uphold the rights of private property owners and explained that landowners have the legal right to seek development opportunities on their property, as long as those plans comply with local zoning laws and regulations. He said that supporting such rights is a fundamental principle in land use policy and essential for encouraging responsible growth and private investment within the County. He also emphasized the importance of consistency in the County's decision-making process. He stated that if a project meets all applicable requirements and aligns with the County's established economic development plans and long-term goals, there should be no reason to deny the re-zoning request. He noted that fair and consistent application of zoning regulations is essential for maintaining public trust, encouraging investment, and ensuring that decisions are made based on objective criteria rather than shifting public sentiment.

Commissioner Wright made a motion to adopt Ordinance 25-08-05, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 4,000 acres of property located at approximately 11000 N McCornick Road (Fillmore address grid) from AG-20 and AG to HI.

Commissioner Lyman agreed that the Planning and Zoning department does a thorough and well-researched review of all applications. She also concurred that data centers represent the best option for economic growth with minimal impact on the majority of rural residents. She also noted that such projects help create economic opportunities and can contribute to lowering property taxes. She emphasized that this type of industry aligns with the County's goals for attracting sustainable and beneficial development.

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.

Commissioner Wright recommended that anyone with questions or concerns to research the conditional use permit process and bring their suggestions or feedback directly to the commissioners.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-08-05B, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AUTHORIZING THE HINCKLEY DESERET CEMETERY DISTRICT VOLUNTEER BOARD TO PROCEED WITH A TAX INCREASE AND THE TRUTH IN TAXATION PROCESS

Matt Eliason explained the background of the funding challenges and the complexities of the Truth in Taxation process affecting the Hinckley/Deseret Cemetery District. He acknowledged that he had not fully grasped how the Truth in Taxation process would impact the district's ability to raise funds and maintain operations. Mr. Eliason also expressed confusion with why the Hinckley Deseret Cemetery District was not incorporated within the neighboring Delta/Sutherland/Deseret-Oasis Cemetery District, which function as separate tax entities, but collaborate regionally. He emphasized that the current small residential tax base limits Hinckley Deseret Cemetery District's capacity to increase taxes without causing undue hardship, thus, they are reluctant to pursue additional taxation measures. As a solution, he recommended consolidating all the cemetery districts into one single unified district.

Debra Wagner, Treasurer of the Hinckley/Deseret Cemetery District, elaborated on the financial constraints and explained that even doubling the tax rate compared to the Delta/Sutherland/Deseret-Oasis Cemetery District would still fail to generate adequate revenue to cover operational costs. She highlighted that such an increase would trigger a Truth in Taxation hearing; a process that is time-consuming and potentially contentious. She noted that a tax increase of this magnitude would only yield approximately \$59,000.00 in additional revenue, which she considered insufficient to justify the administrative burden and community impact.

Commissioner Johnson emphasized the urgency of resolving the funding and administrative issues affecting the cemetery districts. He proposed facilitating a meeting between the boards of the Hinckley Deseret and Delta/Sutherland/Deseret-Oasis Cemetery Districts to encourage open dialogue and collaborative problem-solving. To provide further insight, he invited Scott Bassett, a long-serving member of the Delta/Sutherland/Deseret-Oasis Cemetery Board, to share his perspective.

Mr. Bassett expressed openness to any viable solutions and welcomed discussions aimed at addressing the districts' challenges. He candidly admitted that he had not been previously involved or informed about the specific issues facing the Hinckley/Deseret District. Drawing upon his extensive experience dating back to the 1970s, Mr. Bassett provided historical context, explaining that the cemetery districts were originally combined but later separated due to tax entity regulations that required them to function independently.

Mrs. Wagner reiterated that she has engaged with the County Auditor to explore the possibility of raising the tax rate. However, after thorough consideration, she concluded that the effort, expense, and community impact of pursuing a Truth in Taxation hearing outweigh the potential financial benefits.

Commissioner Wright voiced his support for the idea of combining the districts, provided that all stakeholders engage in comprehensive discussions to address concerns and ensure a smooth transition. He emphasized the importance of collaboration and transparency in reaching an agreement that will benefit all parties involved.

Mr. Bassett further detailed the administrative and operational history of the cemetery

districts, elaborating on the County's oversight and involvement. He expressed his willingness to actively participate in ongoing discussions and encouraged other board members and community representatives to engage constructively in finding a solution.

REPORT FROM LARSEN AND COMPANY ON THE 2024 INDEPENDENT AUDIT

Jon Haderlie, an auditor with Larsen and Co., provided a comprehensive overview of the independent audit process as it pertains to counties. He explained the auditor's responsibilities, which include verifying the accuracy of financial disclosures, ensuring compliance with accounting standards, and assessing the effectiveness of internal controls. Mr. Haderlie emphasized that independent audits play a crucial role in maintaining transparency and public trust in local government financial management.

Mr. Haderlie then presented the findings from the most recent independent audit of Millard County. He reported that the audit did not identify any major issues or material weaknesses, indicating that the County's financial practices and controls are sound.

In addition to the general financial audit, Mr. Haderlie noted that they also performed an audit of federal awards received by the County. This portion of the audit ensures that federal funds are used appropriately and in compliance with all relevant regulations and guidelines. He confirmed that no significant findings or compliance issues were discovered in this area either.

Mr. Haderlie recommended that the County enhance its efforts to provide more comprehensive training on cyber security for its staff. He emphasized the growing importance of cyber security measures in protecting sensitive data and preventing potential breaches, especially given the increasing prevalence of cyber threats in public sector organizations. However, he clarified that while cyber security is a critical concern, it was not part of the scope of the current audit. Therefore, his recommendation is based on best practices and observations rather than audit findings.

Captain Bennett stated that he has actively worked to improve cybersecurity processes and training by collaborating closely with Tech Legion. His efforts are focused on strengthening the County's defenses and ensuring that staff are well-prepared to handle potential cyber threats.

HR Director Nielson also noted that he is also working with Tech Legion to provide cybersecurity training to employees, further supporting the County's commitment to enhancing its security posture.

Commissioner Wright made a motion to approve the 2025 independent audit.

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

R6 UPDATE - TRAVIS KYHL

Travis Kyhl informed the Commission that the renewed membership fee with R6 has increased and noted that this year's Congressional briefing has been canceled.

Regarding housing initiatives, Mr. Kyhl reported that the Rent-to-Own Homes program, managed by Crown Housing, is progressing, with six houses currently under construction in Fillmore. In addition, work is underway on multi-family housing projects to address a variety of community needs. He also explained that the nonprofit has expanded its focus beyond housing, exploring potential grants and funding opportunities to support broader community development efforts.

Mr. Kyhl also reported that the Senior Nutrition Program has experienced increases in both meal distribution and donations—an encouraging sign that the program is effectively reaching and supporting the County’s senior population. He expressed hope that the County would consider not requiring receipts for donors, allowing contributions to remain entirely anonymous.

Mr. Kyhl noted that R6 remains under contract with SITLA and that an archaeological study is currently being conducted as part of the due diligence process on the Agripark project, . He expressed optimism that they will eventually be able to purchase the property outright rather than lease it.

DISCUSSION AND POSSIBLE APPROVAL OF CROSS ACCESS EASEMENT WITH UDOT

Clerk Rowley informed the Commission that the road segment in question had been sold by Mike Peterson to April and Randy Mullins. Therefore, Mike Peterson is no longer involved.

Ms. Mullins that she is working with UDOT to obtain a cross easement. She noted that they are considering a different location for the easement and asked about the County’s requirements.

Planner Richins explained that once UDOT grants approval, the County does not need to be involved in the process.

Commissioner Johnson confirmed that the easement Ms. Mullins is pursuing does not involve the County.

DISCUSSION AND POSSIBLE APPROVAL OF APPLICATION AND ACCEPTANCE OF THE OHV RECREATION GRANT TERMS

Kevin Morris explained that this grant would enable Tourism to purchase an OHV (Off-Highway Vehicle) to assist with trail maintenance. He requested the County’s approval of both the grant application and the associated terms. He presented a budget sheet on what would be purchased and how it would be purchased. He said that the County would need to match twenty five percent of the grant.

Commissioner Wright noted that even with the acquisition of new equipment, adequate manpower would still be necessary to effectively maintain the trails.

Director West responded by stating that Mr. Morris would receive appropriate training and would be hired as a seasonal employee to operate the equipment and carry out trail maintenance duties. She emphasized that the deteriorating condition of many trails is primarily the result of increased usage driven by Tourism-sponsored events and promotional efforts. Given this, she explained that the Tourism Department feels a responsibility to help address the issue and would like

to take a more active role in being part of the solution, especially where the Road Department has already stated that they do not have the time to maintain trails.

Commissioner Wright inquired about how this approach would compare to contracting out the work.

Ms. Jackie Bryan explained that improved staff time is one of the major advantages of having in-house seasonal staff, which has been a recurring issue when relying on outside contractors.

Director West explained that the required matching funds for the grant would come from the department's 2026 equipment budget, or through a combination of that budget and mitigation funds.

Commissioner Wright expressed concern with the proposed solution, stating that he is not comfortable moving forward. He noted that, historically, the Tourism Department has not been responsible for trail maintenance, despite the recognized need. He emphasized that infrastructure maintenance traditionally falls under the responsibilities of the County Road Department.

Commissioner Johnson said that the Bureau of Land Management (BLM) and the Forest Service only conduct trail repairs approximately once every four years.

Director West added that the BLM has even asked the Tourism Department not to promote certain trails, as the increased traffic is causing issues they are unable to address in a timely manner. She explained that the machinery they want to purchase is specific for trail maintenance and creation, as mountain bike trails are also becoming a problem.

Commissioner Lyman made a motion to approve the OHV Recreation grant terms.

Commissioner Johnson stepped from the chair and SECONDED the motion. Commissioner Wright opposed; the motion passed by majority vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-08-05A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, RECOGNIZING AND APPROVING THE MILLARD COUNTY UTAH 250 COMMUNITY COMMITTEE

Director West explained the potential benefits of establishing a "250 Community Committee" in recognition of the upcoming 250th anniversary of the United States, as part of a federal celebration program. She stated that the purpose of the committee would be to help coordinate, enhance, and/or create local celebrations and activities to commemorate the milestone event. Additionally, she noted that there are specific grants available that the County could apply for to help fund these efforts.

Commissioner Wright expressed his approval of participating in this program.

Commissioner Wright made a motion to approve Resolution 25-08-05A, a resolution of the Board of County Commissioners of Millard County, Utah, recognizing and approving the Millard County Utah 250 Community Committee.

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.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-08-05C, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH ADOPTING A MILLARD COUNTY TOURISM MARKET FEE SCHEDULE

Tourism Director West presented a proposal to begin hosting a weekly Market Night event from May through September, with one location in Delta and another in Fillmore. The events would feature food trucks and local vendors, providing a space to promote local businesses and encourage community engagement. She confirmed that the concept has been reviewed by the County Attorney's Office to ensure it complies with all legal requirements. Director West stated that the next step is to adopt a resolution establishing a fee schedule to structure and charge a fee for participating vendors to hold a booth at this event. She presented a proposed fee schedule.

Commissioner Johnson asked how the collected fees would be used.
Director West explained that the fees would be used for other activities costs.

Commissioner Johnson and Commissioner Wright suggested not to charge a fee to non-commercial participants.

Commissioner Wright made a motion to approve Resolution 25-08-05C, a resolution of the Board of County Commissioners of Millard County, Utah, adopting a Millard County Tourism Market Fee Schedule. See Attachment A.

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 RESOLUTION 25-08-05, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, CREATING A CLOTHING ALLOWANCE POLICY

HR Director Nielson explained that the intent of the proposed resolution is to clarify the County's existing policy regarding required clothing or uniforms. He stated that if specific clothing is necessary for an employee's job duties, the employee will receive a designated amount in their paycheck to cover the associated costs.

Captain Bennett requested clarification on whether this policy would apply to the Sheriff's Office.

HR Director Nielson responded that the Sheriff's Office would continue to follow its established procedures and this policy would not alter its current process.

Commissioner Lyman made a motion to approve Resolution 25-08-05, a resolution of the Board of County Commissioners of Millard County, Utah, creating a clothing allowance policy.

Commissioner Wright 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 THE NEXT HIGHEST BID FOR AUCTION NO. 3753162 (PARCEL NO. D-743) OF THE 2025 TAX SALE

Chief Deputy Auditor Bennett explained that the next two bidders declined to purchase the property, so it will be deeded back to the County.

Commissioner Lyman made a motion to deed Parcel no. D-743, Auction 3753162, of the 2025 tax sale back to the County.

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

MONTHLY FINANCIAL REVIEW

Treasurer Camp and Chief Deputy Auditor Bennett presented the monthly financial review.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-08-05D, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, APPROVING THE FILING OF CROSS-APPEALS TO 2025 APPEALS FILED BY TAXPAYERS SUBJECT TO CENTRAL ASSESSMENT

Chief Deputy Auditor Bennett explained that this allows the County to be a part of any cross-appeal filed by taxpayers.

Commissioner Wright made a motion to approve Resolution 25-08-05D, a resolution of the Board of County Commissioners of Millard County, Utah, approving the filing of cross-appeals to 2025 appeals filed by taxpayers subject to central assessment.

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 REGARDING A COOPERATOR WILDFIRE SYSTEM AGREEMENT - DNR FORESTRY FIRE AND STATE LANDS (FFSL)

This item was tabled.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Commissioner Lyman reported that Brandon Wingett expressed interest in purchasing another gravel pit closer to Delta and inquired about possible funding options if the purchase were approved.

The Commission discussed the possibility of having a hearing officer for this year's property tax appeals-abatement requests. Both Commissioners Johnson and Wright did not think one was necessary.

Chief Deputy Auditor Bennett stated that based on a previous Commission meeting, she was under the impression that one of the commissioners agreed a hearing officer would be wanted for commercial matters, but not for residential matters.

Deputy Assessor Miller reported that there are six state commercial appeals from 2024 and a response will not be received for approximately two months.

Commissioner Lyman reported that during the recent NACO meetings, a presenter discussed artificial intelligence (AI)-powered cameras that could be installed in forest areas to detect smoke and help prevent forest fires. She noted that the technology is currently cost-prohibitive but suggested it may be worth considering in the future.

Commissioner Lyman reported that Steve Styler, attorney for the proposed data center southeast of Delta, had spoken with individuals involved in the inland port to see if there was interest with the data center being designated as part of the inland port. If they choose to pursue the idea further, the matter will be presented to the commissioners for consideration.

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

There were none.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There were none.

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

There were none.

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

There were none.

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

Commissioner Wright made a motion to enter into a BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The BOE began at 1:46 p.m.

Chief Deputy Auditor Bennett explained the purpose of BOE meetings, as explained in 56-2-10 of the Utah Code.

Chief Deputy Auditor Bennett presented the personal property appeal from Pavant Solar II, LLC along with the recommendation by the County hired hearing officer Randall Henderson. The appellant is asking for lower property taxes due to depreciation of the property.

Commissioner Wright explained that the Commission can deny the request in which Pavant Solar II, LLC may appeal to the State, if they would like to do so, as the rates are set by the State.

Commissioner Wright made a motion to deny the personal property appeal from Pavant Solar II, LLC and uphold the hearing officers recommendation of no change.

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

Chief Deputy Auditor Bennett presented two assessor adjustments for approval.

Commissioner Wright made a motion to approve the assessor adjustments as stated.

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

Commissioner Wright made a motion to close the BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The BOE closed at 1:58 p.m..

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 and the purchase of real property.

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

After the closed executive session the regular meeting reconvened at 2:19 p.m..

WHERE UPON THE MEETING ADJOURNED

Commissioner Wright made a motion to adjourn the meeting.

Commissioner Johnson SECONDED the motion. The voting was unanimous and the motion

carried.

The meeting adjourned at 2:20 p.m..

Attest: _____

Approved: _____