

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
July 16, 2025**

The Millard County Planning Commission met on Wednesday July 16, 2025, at 6:30pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Erin Sorenson Planning Commission Chairman
John Nye..... Planning Commission Vice Chair
Phil Morrison.....Planning Commissioner
Shane Church.....Planning Commissioner
Wayne JacksonPlanning Commissioner
Phil Diaz.....Planning Commissioner
Pat Manis.....Planning Commissioner
DeMar IversonPlanning Commissioner

EXCUSED: Denton Peterson.....Millard County Deputy Attorney

ALSO PRESENT:

Adam Richins..... Millard County Planner
Mallori Wood..... Secretary
Matt Ward Millard County Chronicle Progress
Mark McDougal..... Joule/Triple C
Stephen Green Wheeler Machinery
Kyle C. Wright..... Oakland Construction
Casey Whitmill AE ORBIA
Tim Minor..... Wheeler Machinery
Shane Minor Wheeler Machinery
George Fisbit Millard County Resident
Paul Phalen Oakland Construction
F. Roper..... Millard County Resident
Elaine Brown..... Millard County Resident
Sierra Smith Millard County Resident
Rayette Jones..... Millard County Resident
Kyle Ashby..... Millard County Resident
Maria Nye Mountain View Dairy
Brett Wardle..... Millard County Resident

Shannon Wardle	Millard County Resident
Eric Carlson	Millard County Resident
Mont Bradfield.....	Millard County Resident
Lisa Bradfield	Millard County Resident
Kalen Taylor.....	Millard County Resident
Lenny Harward	Millard County Resident
Kelli Anderson.....	Millard County Resident
Dale Dyer.....	Millard County Resident
Jarvis Jones.....	Millard County Resident
Darron P Smith	Millard County Resident
Whitt Sorenson	Millard County Resident
Dave Dallin	Millard County Resident
Conner Wardle.....	Millard County Resident
Natalie Hurtado.....	Millard County Resident
Jaime Hurtado	Millard County Resident
Shirlynn Wauk.....	Millard County Resident

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 Commissioner Erin Sorenson called the meeting to order at 6:30 pm. She welcomed everyone present.

2. PUBLIC INPUT- Nobody approached the commission.

3. PUBLIC HEARING for a Zone Change—Application #Z-2025-036 requesting a zone change from Agriculture 20 (AG-20) and Agriculture (AG) to Heavy Industrial (HI) of approximately 4,000 acres of property located at approximately 11000 N McCornick Road (Fillmore Address Grid). Joule Capital Partners LLC, Applicant.

Commissioner John Nye made a MOTION to open the Public Hearing. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

Maria Nye approached the commission. She is wondering if a zone change of such magnitude would be a good thing for Millard County. She stated that 4000 acres is a

tremendous amount. She is wondering if the water use will need to be changed as well. Planner Adam Richins stated that the water change would be at a state level, not a county level.

Sierra Smith approached the commission. She is worried about the agriculture land in the zone change and would like to know how many times land can be divided and is concerned that making this zone change would bring other businesses to the area to buy up the agricultural ground and push others out.

Shirlynn Wauk approached the commission. She is concerned with the construction companies that will come to the area. She would like to know if this will bring jobs to the area for people that want to be in and a part of the county. She is also concerned about housing and the water in the area. She loves the area and would hate for it to be destroyed.

Darrin Smith approached the commission. He suggested that the applicant give a presentation before the public hearing to give the audience more information.

George Faulk approached the commission. He is concerned with the agriculture that is disappearing.

Mark McDougal with Triple C Farms approached the commission and introduced everyone that is a part of Joule Capital Partners LLC and gave a description of the application. He stated that the application for the zone change is to allow other activities in the area and that they are still planning on farming. They currently farm 2500 of the 4000 acres in the area. He and Joule Capital Partners LLC believe that by changing the zone to heavy industrial, they will be able to better utilize all of the property.

They are planning on creating the power in the building where the electricity will be consumed. By doing that the need for transmission will be eliminated and overhead power lines, large substations and mass water consumption won't be necessary. The technology they've decided to use is called RICE, reciprocating internal combustion engines.

Shane Minor with Wheeler Power Systems approached the commission and talked about the noise decibel level.

Mark McDougal stated that the water that will be used is Triple C's deeded water. They will not need to acquire anymore.

Brett Wardle approached the commission. He is a neighbor to the area and is concerned with the traffic that will be in the area. He is also wondering if there is already a customer for the data center and who that person is. He asked if the applicant had talked with IPA about using the gas line that runs through the property. He would like to

know why the applicant isn't building out by the existing power plant in the existing Energy Corridor.

Kalen Taylor approached the commission. He lives in McCornick and is conflicted with the idea. He believes people should be able to use their property the way they would like. He is also concerned about the ag in the area.

Maria Nye approached the commission and stated there is already a heavy industrial zone in the county. She would like to know why they aren't using that area.

Jarvis Jones approached the commission. He is concerned with already having another data center approved close to the proposed zone change what that will do to traffic, and housing. He is concerned for the citizens of Millard County.

Kalen Taylor asked if the zone change will affect the zone of his property and whether that will cause problems when or if he wants to sell.

Elaine Brown approached the commission. She is concerned with the dust storms that we get in the area and whether that will cause fires.

Jaime Hurtado approached the commission. He was born and raised in McCornick. He left the area for a while and has recently moved back and is building a home. He likes the area and believes that the existing farm will help his family grow and learn. He is also concerned about the wildlife in the area.

Shirlyn Wauk approached the commission. She agrees that this will benefit the county but is concerned with safety and whether the county is prepared.

Whit Sorenson approached the commission. He would like to know about the Green Belt taxes and whether the applicant will pay them or if they'll pay heavy industrial tax.

Planner Adam Richins clarified where the Energy Corridor is located.

Natalie Hurtado approached the commission. She would like the county to preserve the way of life in the area.

Commissioner Phil Morrison made a MOTION to close the public hearing. Commissioner Wayne Jackson SECONDED the motion. Voting was unanimous in the affirmative.

4. REVIEW and POSSIBLE RECOMMENDATION— Application #Z-2025-036 requesting a zone change from Agriculture 20 (AG-20) and Agriculture (AG) to Heavy Industrial (HI) of approximately 4,000 acres of property located at approximately 11000 N McCornick Road (Fillmore Address Grid). Joule Capital Partners LLC, Applicant.

Mark McDougal approached the commission and addressed some of the concerns from the public.

There was discussion about the number of acres in the zone change when there will only be 6 buildings. Mark McDougal stated they're wanting to rezone that amount to be able to generate the electricity needed for future projects. He stated that the gas line is not owned by IPA. It is owned by a company called Kern River and he has been in contact with them.

Planner Adam Richins discussed Overlay Zones and Tech Zones within the current zone.

There was discussion about why the proposed data centers are scattered throughout the 4000 acres and not in one location. Mark McDougal stated that it is due to the emissions and not dispersing them all in one area.

Commissioner Pat Manis was excused at 7:59 pm.

There was discussion about whether it would have to be zoned as Heavy Industrial or if could be zoned as Light Industrial.

Commissioner Wayne Jackson made a MOTION to send a favorable recommendation for application Z-2025-036 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. to the BOCC. Commissioner Shane Church SECONDED the motion. Commissioners Phil Morrison and John Nye opposed. Motion carried.

RECOMMENDATION

A. Approve the zone change from Agriculture (AG-20) and Agriculture (Ag) to Heavy Industrial (HI) if it is determined through consideration that the application meets the criteria (below).

B. In considering a land use ordinance amendment application, the Planning Commission in formulating a recommendation, and the Board of County Commissioners (BOCC) in deciding a land use ordinance amendment application shall consider the following factors, among others:

1. Consistency of the proposed amendment with the county General Plan.
2. The effect of the proposed amendment on the well-being of the county.
3. The effect of the proposed amendment on the public health, welfare, and safety.
4. The effect of the proposed amendment on the interests of the county, and its residents.
5. The ability of the county, and other service providers, as applicable, to provide all infrastructure, facilities, and services required by the uses and activities allowed by the proposed amendment.

6. Compatibility of the proposed uses and activities with nearby and adjoining properties.
7. The suitability of the properties for the uses and activities proposed.
8. The effect of the proposed amendment on the existing goals, objectives, and policies of the General Plan, and listing any revisions to the county's Land Use Ordinances, and any other ordinances and resolutions required to implement the amendment. (Ord. 12-12-04, 12-4-2012)

Commissioner Erin Sorenson called a short recess at 8:25 pm.

Commissioner DeMar Iverson was excused at 8:29 pm.

Commissioner Erin Sorenson resumed the meeting at 8:31 pm.

5. PUBLIC HEARING C-1 Conditional Use Permit Application #Z-2025-039 for Storage, wholesale and warehousing at approximately 2730 W 4000 S Delta. Sean Jansson, Applicant.

Commissioner Shane Church made a MOTION to open the public hearing. Commissioner Wayne Jackson SECONDED the motion. Voting was unanimous in the affirmative.

Nobody came forward.

Commissioner Phil Diaz made a MOTION to close the public hearing. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

6. REVIEW and POSSIBLE RECOMMENDATION— Application #Z-2025-039 for Storage, wholesale and warehousing at approximately 2730 W 4000 S Delta. Sean Jansson, Applicant.

The applicant was unable to attend the meeting. Planner Adam Richins gave a description of the application.

There was discussion about a road maintenance agreement.

Commissioner Wayne Jackson made a MOTION to approve application #Z-2025-039, with the recommendations as amended, based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3 Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

The conditional use application as submitted complies with the requirements of this title, all other applicable ordinances and resolutions, and the building codes as adopted, and should be considered for approval with establishment of reasonable conditions.

PROPOSED REASONABLE CONDITIONS FOR APPROVAL OF STORAGE, WHOLESALE AND WAREHOUSING

A. A Road Maintenance Agreement be established with Millard County.

B. Setbacks and proposed structures shall be substantially as described in the submitted site plan.

C. Access to the property shall be limited to existing access locations.

D. No offsite parking shall be permitted.

E. Onsite waste containers be provided for solid waste. All waste be disposed of in permitted landfill.

F. Signage shall comply with Millard County sign regulations.

G. Site area lighting shall be downward directed and any existing lighting is to be changed to downward directed.

H. Owner shall be responsible for all site security.

I. Permit shall be subject to review at any time to ensure the operation is in compliance with all conditions and requirements of approval. Additionally, this permit may be reviewed at any time in the event of complaint or request from any surrounding property owner.

7. OTHER BUSINESS

8. APPROVAL OF MINUTES – The proposed minutes of the Planning Commission Meeting held June 25, 2025 were presented for consideration and approval. Following review and minor corrections, Commissioner Phil Diaz made a MOTION to approve the minutes from June 25, 2025. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

9. ADJOURNMENT – Commissioner Shane Church made a MOTION to adjourn at 8:42 PM. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

Dated this ____ day of _____ 2025
Erin Sorenson, Planning Commission Chairman
Millard County Planning Commission