MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 16th DAY OF SEPTEMBER, 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
Sierra Dickens. . . . . County Recorder
Lora Fitch and Hollie Miller. . . . . County Assessor
Klint Penney.. . . . . County Maintenance
Shane Brunson. . . . . Emergency Manager County Sheriff's Office
Wade Allinson. . . . . Division of Outdoor Recreation
Rahul Rambhaltam, Tysen Eyr, Travis Monson, Tyson Barber, Sam Wells,
Sarah Jewitt, Brandon Law, and Tom Elb. . . . . Fervo Energy
Jess Peterson. R6
Copeland Anderson and Greg Prows. . . . . County Fire
Mark McDougal and Aaron McDougal . . . . Joule Capital Partners LLC
Dennis Alldredge, Tim Minor, Paul Phaben, Jason May,
Fred Allison, and Glade Nielson.. . . . . 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 SEPTEMBER 2, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held September 2, 2025 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of September 2, 2025 as corrected.

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

FOLLOW UP ACTION ITEMS FROM SEPTEMBER 2, 2025

There were none.

DISCUSSION AND POSSIBLE APPROVAL OF A PARTICIPATION AGREEMENT FOR THE NATIONAL OPIOID SETTLEMENT WITH PURDUE (AND CERTAIN OF ITS AFFILIATES) AND THE SACKLER FAMILY

Interim Attorney Harris explained that approval is required in order to participate in the settlement. The digital contract will be sent to Commissioner Johnson.

Commissioner Wright made a motion to approve the participation agreement for the National Opioid Settlement with Purdue (and certain of its affiliates) and the Sackler Family.

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

DISCUSSION AND POSSIBLE APPROVAL TO PARTICIPATE IN NATIONAL OPIOIDS SECONDARY MANUFACTURERS SETTLEMENT

Interim Attorney Harris explained that approval is required in order to participate in the settlement. The digital contract will be sent to Commissioner Johnson.

Commissioner Wright made a motion to participate in the National Opioids Secondary Manufacturers Settlement.

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

DISCUSSION AND POSSIBLE APPROVAL OF BUDGET TRANSFERS TO THE EAST MILLARD POOL BUDGET

Auditor Smith explained that an invoice for stucco work completed on the East Millard Pool was received by her office, with a higher than expected cost of $7,000.00, requiring a budget transfer in order to cover the expense.

Interim Attorney Harris addressed some confusion regarding capital projects and the procurement process as this project contained both new construction and maintenance. She recommended bringing the procurement code back for further discussion, particularly on the distinction between maintenance and new construction.

Auditor Smith provided a working definition of maintenance versus improvements, which will be addressed in a future meeting.

Commissioner Lyman made a motion to approve the budget transfers to the East Millard Pool Budget as discussed.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 25-09-16, AMENDING 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 explained there has been some confusion regarding the definitions of commercial and non-commercial businesses and the associated fees in order to participate in the Tourism Farmer's Market. She suggested not charging a fee until the event becomes larger.

Commissioner Wright made a motion to approve Resolution 25-09-16, a resolution of the Board of County Commissioners of Millard County, Utah, amending Resolution 25-08-05C by removing the fees as discussed.

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.

PRESENTATION OF AVAILABLE OHV AND OTHER RECREATION PROGRAMS - WADE ALLINSON - DIVISION OF OUTDOOR RECREATION

Wade Allinson, from the Division of Outdoor Recreation, introduced himself and presented on the various programs available to the County, including opportunities related to off-highway vehicles (OHV) and other outdoor recreation initiatives. He also mentioned the Explore Utah program, which will provide promotional videos of the County at no cost. He outlined the resources the Division offers to support local recreation, explained how counties can apply for funding or program assistance, and highlighted ways these programs can and have enhanced both community use and tourism.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE C-2 CONDITIONAL USE PERMIT AMENDMENT APPLICATION #Z-2025-048 FOR DATA CENTER AND ELECTRICAL GENERATING FACILITY LOCATED AT APPROXIMATELY 11000 N MCCORNICK ROAD. JOULE CAPITAL PARTNERS LLC, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on the C-2 conditional use permit amendment (CUP) for application #Z-2025-048.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:29 a.m..

Present were: Treasurer Camp, Auditor Smith, Recorder Dickens, Supervisor Penney, Kevin Morris, Tourism Director West, Planner Richins, Dennis Alldredge, Wade Allinson, Rahul Rambhaltam, Jess Peterson, Copeland Anderson, Greg Prows, Mark McDougal, Aaron McDougal, Tysen Eyr, Travis Monson, Sam Wells, Sarah Jewitt, Brandon Law, Tom Elb, Tyson Barber, Tim Minor, Paul Phaben, Jason May, Fred Allison, Gralde Nielson, and Deputy Shane Brunson.

Mark McDougal, from Joule Capital Partners LLC, provided a brief update on the project and the CUP.

There were no other comments made.

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 10:36 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF THE C-2 CONDITIONAL USE PERMIT AMENDMENT APPLICATION #Z-2025-048 FOR DATA CENTER AND ELECTRICAL GENERATING FACILITY LOCATED AT APPROXIMATELY 11000 N MCCORNICK ROAD. JOULE CAPITAL PARTNERS LLC, APPLICANT

Commissioner Johnson asked if water usage is addressed in the CUP.

Mr. McDougal responded that, while water usage is a private matter monitored by the State, it has been addressed and he will report to the Commission on their water usage. He explained how water will be used within CCHP (Combined Cooling, Heating, and Power) cooling systems, which use significantly less water than agriculture, and noted that meters have been installed.

Commissioner Wright discussed the role of government, noting that while some residents oppose the data center, others support it. He emphasized the importance of considering all opinions when making decisions for the County and stressed that existing ordinances must be upheld with consistency and without bias.

Commissioner Wright made a motion to approve the C-2 CUP amendment for application #Z-2025-048.

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

INTRODUCTION OF THE BLANFORD STATION PROJECT - RAHUL RAMBHALTAM - FERVO ENERGY

Rahul Rambhaltam, Brandon Law, and Sarah Jewitt from Fervo Energy, gave a presentation on the Blanford Station Project, a large-scale enhanced geothermal system (EGS) primarily located in Beaver County, Utah. Ms. Jewitt explained that the project will provide carbon-free energy for large data centers and uses innovative drilling techniques to create underground reservoirs. Ms. Jewitt also discussed the potential impact on Millard County and their desire to build within Millard County, noting that the project's clean energy output could directly benefit the data centers expected to locate in the area and support broader economic development within the region. She said that Fervo would like to move forward with a exploration project on State land to see if Millard County would be a viable location.

Commissioner Wright asked about permanent job opportunities.
Ms. Jewitt replied that construction would require around two hundred employees and once it is completed the project would require fifteen to twenty five permanent employees. She explained that they are working with Rocky Mountain Power to transmit the power once it has been produced.

INTRODUCTION OF THE ROAD STUDY FOR R6 REGION - JESS PETERSON - R6

Jess Peterson provided an introduction to the upcoming road study that will be carried out across the R6 region, which includes Millard County. He explained that the study is grant funded and will evaluate current road conditions, identify areas in need of maintenance or upgrades, and help guide future transportation planning efforts within the region. He said that UDOT would like two representatives from each county to help coordinate.

The Commissioners decided that the two representatives would be selected once more information is provided to ensure they are suitable for the role.

PUBLIC INPUT

There was none.

OTHER BUSINESS

Supervisor Penney submitted a request to repurpose $17,000.00 from the Capital Projects Fund in order to seal cracks on the parking lots at the Public Safety Building, the Court House on Main Street, and the Senior Citizen Building. It is recommended that the work be done this fall while temperatures are cooler. He said that the seal coating would be completed next year.

Commissioner Lyman made a motion to approve the repurpose in the amount of $17,000.00.
Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

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

There was none.

DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

There was none.

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

Auditor Smith requested that the budget be opened in October and briefly outlined the items that will need discussion.

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 11:24 a.m..

Chief Deputy Auditor Bennett and Assessor Fitch presented a list of assessor adjustments for approval.

Commissioner Wright made a motion to approve the list of assessor adjustments.
Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried.

Chief Deputy Auditor Bennett and Assessor Fitch presented a list of stipulations for approval.

Commissioner Lyman made a motion to approve the list of stipulations.
Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

Chief Deputy Auditor Bennett reported that the appeal deadline was yesterday and if no evidence was submitted, the Auditor's Office will be sending a notice of dismissal, and the appellant will have ten days to respond. She also reported that one appeal has been withdrawn.

Chief Deputy Auditor Bennett presented the recommendations from the hearing officer for review and approval.

Commissioner Wright made a motion to approve the hearing officer's recommendation to not change the assessed value for parcel number 5918-A-2, Owner - Carma Brown.

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

Commissioner Wright made a motion to change the assessed value to $600,000.00 for parcel number F-MV-13, Owners - Jaden and Madison James.

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

Chief Deputy Auditor Bennett presented a disability tax abatement application for Shawn and Sheri Hackworth. She explained that the Commission can abate up to fifty percent.

Auditor Smith provided an update on discretionary decisions, noting that any abatements must be publicly posted.

Commissioner Wright made a motion to approve the disability tax abatement application for Shawn and Sheri Hackworth at fifty percent.

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

Commissioner Lyman made a motion to go into a closed BOE session for the purpose of discussing commercial information.

Commissioner Wright SECONDED the motion. All three commissioners voted unanimously and the motion carried. The session started at 11:56 a.m.. and closed at 12:10 p.m.. Also present were Auditor Smith, Assessor Fitch, and Deputy Assessor Miller.

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 12:11 a.m..

POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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.

After the closed executive session the regular meeting reconvened at 12:19 p.m..

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 12:20 p.m..

Attest:______________________________ Approved:____________________________