MEETING OF THE MILLARD COUNTY PLANNING COMMISSION

MEETING MINUTES October 1, 2025

The Millard County Planning Commission met on Wednesday October 1, 2025, at 6:30pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT:	Erin Sorenson John Nye Phil Morrison Shane Church Wayne Jackson Phil Diaz Phil Morrison	. Planning Commission Vice ChairPlanning CommissionerPlanning CommissionerPlanning CommissionerPlanning Commissioner
EXCUSED:	DeMar IversonPat Manis	
ALSO PRES	SENT: Adam Richins	SecretaryMillard County Deputy AttorneyRocky Mountain PowerRodatherm EnergyMillard 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 6:29 pm. She welcomed all present
- 2. PUBLIC INPUT- There wasn't any public input.
- **3. REVIEW and POSSIBLE APPROVAL**—C-1 Conditional Use Permit Application #Z-2025-051 for an Accessory Dwelling Unit for an Owner/Employee. Marylynn Bundy Applicant.

Marylynn Bundy approached the commission and gave a description of her application. She has an existing building on her property that she wants to turn into an apartment for her children that have moved home after graduation and possibly an employee in the future.

Commissioner Wayne Jackson made a MOTION to approve application Z-2025-051 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

- 1. Approve the C-1 Conditional Use Permit Application permitting the construction of an accessory dwelling unit.
- 2. Basis for Recommendation or Approval of the C-1 Conditional Use Permit:
- 10-8-3: Procedures and Review Standards for Conditional C-1 Use, Conditional C-1 Sign, and Conditional C-2 Use Applications
- a) The proposed use is a conditional use within the zoning district as identified in section 10-25-1 Appendix A, table of uses.
- b) The proposed use complies with all requirements of the zoning district, including all minimum area, setbacks, height, and all other requirements as applicable.
- c) The proposed use will be conducted in compliance with the requirements of this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.
- d) The property on which the use is proposed is of adequate size to permit the conduct of the use or sign in a manner that will not be detrimental to adjoining and surrounding properties.

- e) The proposed use with all site plan and building requirements, as provided and required by this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.
- f) The proposed use complies with all applicable dedication requirements of the county and provides the necessary infrastructure, as required.
- g) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the county as a whole
- **4. PUBLIC HEARING** C-2 Conditional Use Permit Application #Z-2025-053 for a Geothermal Energy System (Major) located in Section 4, Township 26 South, Range 10 West (approximately ½ mile east of Highway 257 along the County Line). Rodatherm Energy Corporation, applicant.

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

Michael Dabbs with Rodatherm Energy approached the commission and gave a description of the application.

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

5. REVIEW and POSSIBLE APPROVAL— C-2 Conditional Use Permit Application #Z-2025-053 for a Geothermal Energy System (Major).

Commissioner Erin Sorenson asked for clarification of the remaining BLM acreage has the option to be used for something else.

The application is missing the signature of the Millard County Sheriff. Planner Adam Richins stated he was out of the office and that there wasn't a concern from him about the application.

Commissioner Phil Diaz asked if there are other companies using propane. Michael Dabs stated that the company has been working on this for about 4 years. They are the first one to use propane, and that everything is patented.

There was discussion of how the power will be transmitted.

Commissioner Shane Church made a MOTION to send a favorable recommendation of application Z-2025-053 to the BOCC based on its conformance with the Millard County General Plan. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

- 1. Recommend approval of the C-2 Conditional Use Permit Application with reasonable conditions.
- 2. Basis for Issuance of a Conditional Use Permit:
- a) The proposed use is a Conditional Use within the Zoning District as identified in Appendix A, Table of Uses.
- b) The proposed use is allowed within the Zoning District as identified in Chapter 8.
- c) The proposed use complies with all requirements of the Zoning District, including all minimum area, setbacks, height, and all other requirements as applicable.
- d) The proposed use will be conducted in compliance with the requirements of this Ordinance, all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- e) The property on which the use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties.
- f) The proposed use complies with all site plan and building requirements, as provided and required by this Ordinance all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- g) The proposed use complies with all applicable dedication requirements of the County and provides the necessary infrastructure, as required.
- h) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the County as a whole. (Ord. 12-12-04, 12-4-2012)
- 3. Approve the Permit with the following reasonable conditions:
- 1. Facility Boundaries and Mapping. Applicant shall submit to the County Planner, for approval, a surveyed map and legal description of the pad sites and access roads prior to commencing onsite construction.

- 2. Permitting and Compliance. Applicant shall obtain, maintain, and comply with all required federal, state, and local permits for construction and operation.
- 3. Reporting and Documentation. Applicant shall simultaneously transmit to the County Attorney, and County Planner copies of all submittals, reports, or notices of violation submitted to any regulatory agency during construction and operation.
- 4. Construction Management Plan. Prior to site disturbance, Applicant shall submit a Construction Management Plan to the County Planner for approval. The Plan shall address schedule, working hours, haul routes, staging areas, storm-water control, noise control, and public-notice procedures.
- 5. Dust Control and Mitigation. Applicant shall submit and implement a Dust Control and Mitigation Plan, approved by the County, detailing water use, track-out prevention, contingency measures for high-wind conditions, and identification of responsible parties.
- 6. Road and Infrastructure Maintenance. Before mobilizing heavy equipment, Applicant shall execute with the County a Road Maintenance Agreement, including performance guarantees for repair of County roads damaged by project traffic.
- 7. Traffic Safety and Management. Applicant shall coordinate with UDOT and the County Road Department on all access points. Any required traffic impact analysis and mitigation measures shall be implemented prior to or concurrent with construction.
- 8. Public Safety, Emergency Management, and Sheriff Coordination. Applicant shall prepare, and thereafter update annually, a comprehensive Emergency Response Plan approved by the County Planner in consultation with the Sheriff's Office, Fire District, and other responders. At the Sheriff's request, Applicant shall convene coordination meetings and grant Sheriff personnel reasonable access to all areas of the Facility for familiarization and response training.
- 9. Noise Management. Applicant shall implement noise-reduction measures during drilling and operations.
- 10. Water and Sanitary Services. Applicant shall provide potable water by trucked service and haul all sewage from trailers and offices to an approved disposal facility. No onsite discharge is permitted.
- 11. Lighting Plan. Applicant shall submit a dark-sky-compliant exterior lighting plan, approved by the County, requiring all luminaires to be fully shielded, downward directed,

and motion controlled where practicable.

12. Waste Management Plan. Applicant shall submit a Waste Management Plan identifying solid and liquid waste streams, storage, and disposal methods, including

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management of concrete washout. The approved plan shall be implemented throughout construction and operation.

- 13. Spill Prevention and Containment. Applicant shall maintain spill kits on site, provide secondary containment for all fueling operations, and immediately report any spill or release to the County within 24 hours and to regulatory agencies as required.
- 14. Weed Control and Reclamation. Applicant shall use certified weed-free seed and mulch, clean equipment prior to site entry, and monitor/treat noxious weeds during and after construction. Final reclamation shall achieve at least 70% vegetative cover or equivalent stabilization.
- 15. Bonding and Financial Assurance. Prior to construction, Applicant shall post financial assurance acceptable to the County Attorney guaranteeing site reclamation and removal of facilities not covered by federal bonding.
- 16. Reclamation and Financial Assurance. Before issuance of a certificate of occupancy, Applicant shall post financial surety acceptable to the County Attorney guaranteeing site reclamation, including equipment removal, regrading, and revegetation.
- 17. Permit Duration. This Conditional Use Permit shall be reviewed by December 31, 2026. Construction shall commence by December 31, 2027 or the permit shall expire unless extended by the BOCC for good cause.
- 18. Amendments Amendment requests shall follow County procedures; minor modifications may be approved by the County Planner.
- 19. Recordation. Applicant shall record the executed Conditional Use Permit with the County Recorder within thirty (30) days of approval and shall provide copies to the County Attorney, and County Planner.
- 20. Successors and Assigns. All conditions herein shall run with the land and bind successors and assigns. Any inconsistency shall be interpreted in favor of the County.
- **6. PUBLIC HEARING** C-2 Conditional Use Permit Application #Z-2025-044 for a Solar Energy System (Major) in Sections 19, 20, 21, 28, 29, 30, 33 Township 19 South, Range 8 West (approximately 1 mile west of Highway 257 north of Pot Mountain). Neptune Solar Energy Park, LLC, applicant.

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

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Robert Wilson approached the commission and gave a description of the application.

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

7. REVIEW and POSSIBLE RECOMMENDATION—C-2 Conditional Use Permit Application #Z-2025-044 for a Solar Energy System (Major).

Commissioner Wayne Jackson asked who the owner of the property is right now. Robert Wilson stated he is the applicant and it is a BLM lease application.

There was discussion about the lifespan of the solar panels and what happens with them when they're expired.

There was discussion about the timeline of the project.

There was discussion about dust mitigation and water usage.

There was discussion about the taxes that will be collected.

There was discussion about housing for the employees during construction.

Commissioner Phil Morrison made a MOTION to send a favorable recommendation to the BOCC for application Z-2025-044 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner Wayne Jackson SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

- 1. Approve the C-2 Conditional Use Permit with reasonable conditions.
- 2. Basis for Issuance of a Conditional Use Permit:
- a) The proposed use is a Conditional Use within the Zoning District as identified in Appendix A, Table of Uses.
- b) The proposed use is allowed within the Zoning District as identified in Chapter 8.
- c) The proposed use complies with all requirements of the Zoning District, including all minimum area, setbacks, height, and all other requirements as applicable.
- d) The proposed use will be conducted in compliance with the requirements of this Ordinance, all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.

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- e) The property on which the use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties.
- f) The proposed use complies with all site plan and building requirements, as provided and required by this Ordinance all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- g) The proposed use complies with all applicable dedication requirements of the County and provides the necessary infrastructure, as required.
- h) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the County as a whole. (Ord. 12-12-04, 12-4-2012)
- 3. Approve the Permit with the following reasonable conditions:
- 1. The Facility. Applicant shall provide a surveyed site boundary and accurate facility map/legal description.
- 2. Limited Approval. This Conditional Use Permit shall apply only to the properties described in the legal description.
- 3. Permitting Requirements. All Federal, State, and Local permits, licenses, and plans (including BLM NEPA EA) are incorporated as conditions of approval. Updates shall be submitted to the County within 10 business days of submittal to the issuing agency.
- 4. Notices and Reporting. Applicant shall provide a copy of all reports, materials, and other correspondence concerning the construction and operation of the Facility to the BOCC, County Attorney, and County Planner at the time such reports, materials, and other correspondence are provided to the governmental agencies regulating the Facility.
- 5. Public Safety and Emergency Response. Prior to construction and on an annual basis thereafter, Applicant shall consult with the County to establish and update detailed public safety, fire, and emergency medical response protocols for the Facility. Approval shall be subject to review by the County Planner, Sheriff, and Fire Marshal and shall not be unreasonably withheld.
- 6. Road Maintenance Agreement. No construction activities may commence until the Road Maintenance Agreement is executed that addresses issues of possible County Road deterioration as a result of construction equipment used during construction. Such Agreement shall be reviewed and revised, as necessary, by the County Attorney and approved by the BOCC. This Agreement shall include provisions for adequate road maintenance and repair bonding for any road deterioration caused by construction, acceptable to the County Attorney, and all other performance guarantees and

guarantee periods, as determined necessary by the County Attorney, and approved by the BOCC.

- 7. Site Security Plan. Applicant shall prepare a security plan and emergency response plan in consultation with the Millard County Sheriff's Office. A copy of the Plan as approved shall be provided to the Millard County Planner's office.
- 8. Fire Prevention Program. Applicant develop a Fire Prevention Program in consultation with the appropriate Federal, State and Local agencies. This Plan shall outline fire prevention practices and fire related emergency management protocols. A copy of the Plan as approved by the applicable regulatory authority shall be provided to the Millard County Planner's office.
- 9. Facility Reclamation. Applicant shall post a bond guaranteeing full reclamation, removal of improvements, and revegetation at project's end. The bond shall be reviewed by the County Attorney for sufficiency prior to issuance of a building permit.
- 10. Warning Signage. All necessary Facility warning signage of a size, design and locations as required for the construction and operation of the Facility by all applicable laws, ordinances, and regulations shall be provided.
- 11. Insurance. Applicant shall provide a list of all Applicant insurance coverage to the Millard County Attorney, with such insurance coverage required to remain in place and valid until the Facility is abandoned. Applicant shall provide updated lists from time to time as needed to reflect changes in Applicant insurance coverage(s).
- 12. Necessary Conditional Use Permit Modifications. The BOCC reserves the right to initiate necessary modifications, amendments, and additions to this Conditional Use Permit upon a finding that such modifications, amendments, and additions are necessary to protect the public health, welfare and/or safety of the County. All such modifications, amendments, and additions shall comply with the procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.
- 13. Amendments. All changes and modifications to this Amended and Restated Conditional Use Permit, and not determined to be a minor facility plan modification that can be approved by the County Planner shall be considered by the Planning Commission and BOCC as an amendment to the CUP and shall be required to comply with all procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.
- 14. Permits Runs with Land. In accordance with state law, this Amended and Restated Conditional Use Permit shall run with the land, and the obligations and benefits of the CUP shall, respectively, be binding on and inure to the benefit of all successors and assigns of Applicant in the ownership or development of any portion of the Project.

- 15. Incorporation by Reference. All information, permits, licenses, attachments, and all other information referenced herein are hereby incorporated into this Conditional Use Permit by reference.
- 16. Inconsistencies and Ambiguities. Any inconsistencies or ambiguities in the materials and information provided to the County by Applicant and any ambiguities or inconsistencies in the Conditional Use Permit shall be interpreted and applied in favor of the County.
- 17. Recordation. Upon the approval and execution, the Conditional Use Permit shall be recorded in the Office of the Millard County Recorder, with all Attachments being on file in the Office of the County Clerk and Office of the County Planner, with copies of the recorded document provided to the County Attorney, County Planner, and Applicant.
- 18. Conditional Use Permit Review and Expiration. The approval of this Conditional Use Permit shall be reviewed on or before December 31, 2027 at which time, if a completed Building Permit Application with the applicable fees has not been submitted and approved and a valid Building Permit issued for any above ground structures that require a permit under the applicable provisions of the International Building Code, the BOCC may extend the Conditional Use Permit approval, but in no case later than to December 31, 2028, upon a recommendation to do so from the County Planner and County Attorney, and with a finding by the BOCC of extenuating circumstances beyond the control of Applicant. Any extensions must be requested in writing before permit expiration. If construction at the Site is not commenced by December 31, 2028, the Conditional Use Permit shall expire and be void.
- **8. PUBLIC HEARING** C-2 Conditional Use Permit Application #Z-2025-045 for an Electric Transmission Right of Way (Major) in Sections 20, 21, Township 19 South, Range 8 West (west of Highway 257 near the Black Rock Substation. Neptune Solar Energy Park, 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

Robert Wilson approached the commission and gave a description of the application.

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

9. REVIEW and POSSIBLE RECOMMENDATION— C-2 Conditional Use Permit Application #Z-2025-045 for an Electric Transmission Right of Way (Major).

Commissioner Phil Diaz asked if the transmission line will be above ground or below. Robert Wilson stated that it will be above ground.

Commissioner Wayne Jackson made a MOTION to send a favorable recommendation of application #Z-2025-045 to the BOCC 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

- 1. Approve the C-2 Conditional Use Permit with reasonable conditions.
- 2. Basis for Issuance of a Conditional Use Permit:
- a) The proposed use is a Conditional Use within the Zoning District as identified in Appendix A, Table of Uses.
- b) The proposed use is allowed within the Zoning District as identified in Chapter 8.
- c) The proposed use complies with all requirements of the Zoning District, including all minimum area, setbacks, height, and all other requirements as applicable.
- d) The proposed use will be conducted in compliance with the requirements of this Ordinance, all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- e) The property on which the use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties.
- f) The proposed use complies with all site plan and building requirements, as provided and required by this Ordinance all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- g) The proposed use complies with all applicable dedication requirements of the County and provides the necessary infrastructure, as required.
- h) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the County as a whole. (Ord. 12-12-04, 12-4-2012)
- 3. Approve the Permit with the following reasonable conditions:
- 1. The Facility. Applicant shall provide a surveyed ROW alignment, pole locations, and legal description.

- 2. Limited Approval. This CUP applies only to the properties and alignment described in the approved ROW map and legal description.
- 3. Permitting Requirements. All Federal, State, and Local permits (including BLM ROW grants and NEPA approvals) are incorporated as conditions of approval. Updates must be provided to the County within 10 business days of agency submittal.
- 4. ROW Width ROW width shall be consistent with the BLM ROW grant and sufficient to comply with NESC safety standards, but in no case shall the permanent ROW be less than 100 feet in total width unless otherwise approved in writing by the BLM and accepted by Millard County.
- 5. Notices and Reporting. Applicant shall provide a copy of all reports, materials, and other correspondence concerning the construction and operation of the Facility to the BOCC, County Attorney, and County Planner at the time such reports, materials, and other correspondence are provided to the governmental agencies regulating the Facility.
- 6. Public Safety and Emergency Response. Prior to construction and on an annual basis thereafter, Applicant shall consult with the County to establish and update detailed public safety, fire, and emergency medical response protocols for the Facility. Approval shall be subject to review by the County Planner, Sheriff, and Fire Marshal and shall not be unreasonably withheld.
- 7. Road Maintenance Agreement. No construction activities may commence until the Road Maintenance Agreement is executed that addresses issues of possible County road deterioration as a result of construction equipment used during construction. Such Agreement shall be reviewed and revised, as necessary, by the County Attorney and approved by the BOCC. This Agreement shall include provisions for adequate road maintenance and repair bonding for any road deterioration caused by construction, acceptable to the County Attorney, and all other performance guarantees and guarantee periods, as determined necessary by the County Attorney, and approved by the BOCC.
- 8. Site Security and Access. Applicant shall coordinate with the Sheriff's Office to establish ROW access control and security measures during construction.
- 9. Fire Prevention Program. Applicant develop a Fire Prevention Program in consultation with the appropriate Federal, State and Local agencies. This Plan shall outline fire prevention practices and fire related emergency management protocols. A copy of the Plan as approved by the applicable regulatory authority shall be provided to the Millard County Planner's office.
- 10. Facility Reclamation. Applicant shall post a bond sufficient to guarantee removal of poles, structures, and restoration of disturbed ROW areas at the end of the facility's useful life. Bond sufficiency shall be reviewed by the County Attorney.

- 11. Warning Signage. Appropriate safety signage shall be installed at ROW access points and along the alignment as required by law.
- 12. Insurance. Applicant shall provide proof of all Applicant insurance coverage to the Millard County Attorney, with such insurance coverage naming Millard County as an additional insured. Coverage shall remain in effect until facility decommissioning is complete. Applicant shall provide updated lists as needed to reflect changes in Applicant insurance coverage(s).
- 13. Necessary Conditional Use Permit Modifications. The BOCC reserves the right to initiate necessary modifications, amendments, and additions to this Conditional Use Permit upon a finding that such modifications, amendments, and additions are necessary to protect the public health, welfare and/or safety of the County. All such modifications, amendments, and additions shall comply with the procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.
- 14. Amendments. All changes and modifications to this Amended and Restated Conditional Use Permit, and not determined to be a minor facility plan modification that can be approved by the County Planner shall be considered by the Planning Commission and BOCC as an amendment to the CUP and shall be required to comply with all procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.
- 15. Permits Runs with Land. In accordance with state law, this Amended and Restated Conditional Use Permit shall run with the land, and the obligations and benefits of the CUP shall, respectively, be binding on and inure to the benefit of all successors and assigns of Applicant in the ownership or development of any portion of the Project.
- 16. Incorporation by Reference. All information, permits, licenses, attachments, and all other information referenced herein are hereby incorporated into this Conditional Use Permit by reference.
- 17. Inconsistencies and Ambiguities. Any inconsistencies or ambiguities in the materials and information provided to the County by Applicant and any ambiguities or inconsistencies in the Conditional Use Permit shall be interpreted and applied in favor of the County.
- 18. Recordation. Upon the approval and execution, the Conditional Use Permit shall be recorded in the Office of the Millard County Recorder, with all Attachments being on file in the Office of the County Clerk and Office of the County Planner, with copies of the recorded document provided to the County Attorney, County Planner, and Applicant.
- 19. Conditional Use Permit Review and Expiration. The approval of this Conditional Use Permit shall be reviewed on or before December 31, 2027 at which time, if a completed

Building Permit Application with the applicable fees has not been submitted and approved and a valid Building Permit issued for any above ground structures that require a permit under the applicable provisions of the International Building Code, the BOCC may extend the Conditional Use Permit approval, but in no case later than to December 31, 2028, upon a recommendation to do so from the County Planner and County Attorney, and with a finding by the BOCC of extenuating circumstances beyond the control of Applicant. Any extensions must be requested in writing before permit expiration. If construction at the Site is not commenced by December 31, 2028, the Conditional Use Permit shall expire and be void.

- 20. Severability. If any condition of this CUP is determined by a court of competent jurisdiction to be invalid, the remaining conditions shall continue in full force and effect.
- **10. OTHER BUSINESS-** Planner Adam Richins discussed the work meeting that was held prior to this meeting with the Planning Commissioners who weren't present.

There was discussion about the data centers beginning construction.

- **11. APPROVAL OF MINUTES** The proposed minutes of the Planning Commission Meeting held September 3, 2025 were presented for consideration and approval. Following review and minor corrections, Wayne Jackson made a MOTION to approve the minutes from September 3, 2025. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative
- **12. ADJOURNMENT-** Commissioner Shane Church made a MOTION to adjourn at 7:49 pm. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

Dated this ____day of _____ 2026
Erin Sorenson, Planning Commission Chairman
Millard County Planning Commission