

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 2nd DAY OF DECEMBER, 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 and Vicki Bennett..... County Auditor's Office  
Sierra Dickens..... County Recorder  
Hollie Miller..... County Assessor's Office  
Jacob Nielson..... County HR Director  
Richard Jacobson, Shane Brunson, Patrick Bennett, Rob Clark,  
Chelton Spendlove, and Jerid Bennett..... County Sheriff's Office  
Ben Coray and Jake Semtker..... County Sheriff's Office Search and Rescue  
Rachel West..... County Tourism Director  
Kalen Taylor..... USU Extension Office  
Adam Richins..... County Planner  
Shellie Dutson..... Millard County Chronicle Progress  
Duffy Williams..... Silver Tree Farm, Inc.  
Steve Styler and Ray Conley..... Creekstone Energy, LLC.  
Troy Herold ..... School and Institutional Trust Lands Administration (SITLA)  
Teressa Thompson and Michelle Steele ..... Delta Pickleball Fields  
See Attachment A. ..... 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 NOVEMBER 18, 2025 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held November 18, 2025 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of November 18, 2025 as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM NOVEMBER 18, 2025

There was none.

#### RATIFY THE APPROVAL OF A PURCHASING CARD FOR RENEE DIXON- ASSESSOR'S OFFICE

Commissioner Lyman made a motion to ratify a purchasing card for Renee Dixon.

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

#### RATIFY THE APPROVAL FOR RETIREES FROM THE SHERIFF OFFICE TO RETAIN THEIR SERVICE WEAPON

Auditor Smith explained that, for the two individuals who have already retired, too much time has passed for them to receive their service weapons as a fringe benefit and they would now be considered a gift for tax purposes.

Commissioner Lyman made a motion to ratify the approval for future retirees from the Sheriff's Office to retain their service weapon.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A ROAD MAINTENANCE AGREEMENT FOR THE TRANSWEST EXPRESS TRANSMISSION PROJECT

Interim Attorney Harris explained that one change had been made to require Transwest Express to contact the County before beginning any construction to provide updates on their plans.

Joe Tippits expressed concerns with the bond requirements that would be required based on this agreement.

Interim Attorney Harris explained the rewording of the contract so that it aligns with the current building permits which should not cause any problem for the construction project.

Commissioner Wright made a motion to approve the Road Maintenance Agreement for the Transwest Express Transmission Project.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF INCREASING THE PURCHASING CARD LIMIT FOR ADAM RICHINS - PLANNING/BUILDING DEPARTMENTS

Planner Richins explained the need to increase the limit of his purchasing card in order to meet the Department's needs. He requested that it be increased to \$5,000.00.

Commissioner Wright made a motion to increase the purchasing card limit to \$5,000.00, for Adam Richins.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF INDIGENT DEFENSE COMMISSION (IDC) GRANT MODIFICATION

Interim Attorney Harris addressed the grant modification, noting that it reflects a decrease in funds due to a discontinued program.

Commissioner Wright made a motion to approve the IDC grant modification.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF THE TOURISM DEPARTMENT PURCHASING 2 DRONES FOR THE MILLARD COUNTY SEARCH AND RESCUE- RACHEL WEST AND BEN CORAY

Director West, along with Ben Coray and Jake Semtker, introduced themselves. Director West explained that she still has funds in her mitigation budget and noted an issue they had identified for which she would like to utilize those funds. She proposed the purchase of two new drones dedicated specifically to search and rescue. They plan to use the State contract, which provides the lowest bid, and the drones would help support the cost of training volunteers and getting them licensed to operate them.

Sheriff Jacobson expressed his support and explained the benefits that this would provide.

Commissioner Johnson questioned why this had not been included in the budget earlier.

Sheriff Jacobson responded that they are simply catching up with current technology and the capabilities now available.

Tourism Director West explained that the funds for the drones and the volunteers' certification would come from this year's budget. She explained that she was the one who brought the need up to the Sheriff's Office, offering her assistance and funds.

Commissioner Wright made a motion to approve the Tourism Department purchasing two drones.

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

**PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ORDINANCE MAP AMENDMENT APPLICATION #Z-2025-061, REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 23.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 8200 NORTH HIGHWAY 125 (FOOL CREEK) FROM AGRICULTURE 20 (AG-20) TO AGRICULTURE (AG). ALLEN FOWLES, APPLICANT**

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on the ordinance map amendment, Application # Z-2025-061.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:24 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Bennett, Recorder Dickens, Deputy Assessor Miller, HR Director Nielson, Supervisor Penney, Kevin Morris, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Deputy Brunson, Deputy Clark, Deputy Spendlove, Captain Bennett, Planner Richins, Kalen Taylor, Shellie Dutson, Duffy Williams, Steve Styler, Ray Conley Troy Harold, Teressa Thompson, Michelle Steele, and see Attachment A.

Planner Richins presented the application and maps showing the land that would be affected. He explained that the applicant has built a home on the property and would like to separate a portion of the land to apply a different zoning. He stated that the Planning and Zoning Commission provided a favorable recommendation.

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 10:27 a.m..

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-12-02, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, CHANGING THE ZONING OF APPROXIMATELY 23.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 8200 NORTH HIGHWAY 125 (FOOL CREEK) FROM AGRICULTURE 20**

(AG-20) TO AGRICULTURE (AG)

Commissioner Wright made a motion to adopt Ordinance 25-12-02, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 23.13 acres of property located at approximately 8200 North Highway 125 from AG-20 to AG.

Commissioner Lyman SECONDED the motion. Deputy Clerk Freeman 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.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ORDINANCE MAP AMENDMENT APPLICATION #Z-2025-040, REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 617.23 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4000 WEST 4500 N DELTA FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI). 4-L RANCH COMPANY, APPLICANT

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on ordinance map amendment, Application #Z-2025-040.

Commissioner Lyman 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, Chief Deputy Bennett, Recorder Dickens, Assessor Miller, HR Director Nielson, Supervisor Penney, Kevin Morris, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Deputy Brunson, Deputy Clark, Deputy Spendlove, Captain Bennett, Planner Richins, Kalen Taylor, Shellie Dutson, Duffy Williams, Steve Styler, Ray Conley Troy Harold, Teressa Thompson, Michelle Steele, and see Attachment A.

Daron Smith and Jared Smith explained that the property is located near Topaz Road by Sutherland. They provided background on the land, noting that farming is no longer profitable because the ground is not well-suited for it. They stated that the property has geothermal potential and that they would like to pursue development of that natural resource. They said the requested zone change would better support that goal.

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 10:33 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-12-02A, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH,, CHANGING THE ZONING OF APPROXIMATELY 617.23 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4000 WEST 4500 N DELTA FROM AGRICULTURE (AG) TO LIGHT INDUSTRIAL (LI)

Planner Richins explained the eight points the Planning and Zoning Commission considers when making any recommendation for a zoning change. He noted that the Commission reviewed the criteria and provided a favorable recommendation.

Commissioner Johnson asked whether they had spoken with any geothermal companies. Mr. Smith responded that they had, explaining that it is easier for those companies to undertake projects on private property rather than Federal Land. He said there is a strong possibility of forming a partnership for development.

Commissioner Wright made a motion to adopt Ordinance 25-12-02A, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 617.23 acres of property located at approximately 4000 West 2500 North, Delta UT, from AG to LI.

Commissioner Lyman SECONDED the motion. Deputy Clerk Freeman 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.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ORDINANCE MAP AMENDMENT APPLICATION #Z-2025-060, REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 37.0 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 18000 WEST HIGHWAY 161 COVE FORT FROM RANGE & FOREST (RF) TO HIGHWAY COMMERCIAL (HC). SILVERTREE FARM INC., APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on ordinance map amendment, Application # Z-2025-060.

Commissioner SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:40 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Bennett, Recorder Dickens, Assessor Miller, HR Director Nielson, Supervisor Penney, Kevin Morris, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Deputy Brunson, Deputy Clark, Deputy Spendlove, Captain Bennett, Planner Richins, Kalen Taylor, Shellie Dutson, Duffy Williams, Steve Styler, Ray Conley Troy Harold, Teressa Thompson, Michelle Steele, and see Attachment A.

Duffy Williams, owner of Silver Tree, presented his application. He stated that he values his neighbors' property rights and does not want to disrupt the land, but noted that property rights apply to everyone, including his right to request a zoning change. He explained that, in his opinion, conditional use permits (CUPs) do not offer as much protection as a zoning change. He said the current zoning does not reflect his plans for the property and that, because it borders the highway, HC zoning makes more sense. He already has an approved plan and has previously been granted a CUP for commercial uses. He added that he does not intend to disrupt neighboring businesses.

John Pratt spoke in opposition, disputing Mr. Williams' claim that neighboring businesses would be unaffected. He pointed out discrepancies in the application and stated that it was out of order. He emphasized that no plans or proposals had been made public, arguing that the request lacked a clear plan. Mr. Pratt stated that the situation is much larger than Mr. Williams portrayed and

that, in his view, the application is not applicable as presented.

Jessie Pratt read a prepared statement. He said that neighbors feel intimidated by Duffy Williams, citing concerns about stalking and false reports to the Sheriff. He stated that there has been no due diligence in protecting the citizens of Cove Fort and argued that existing CUPs are sufficient.

Natasha Lewis expressed several concerns. She noted the limited emergency response resources in the area and stated that the applicant has previously told local fire volunteers not to enter his property. She also highlighted that there is no available water access for fire trucks and that there is no clear demand for development in Cove Fort.

John Kraut spoke in protest of the zoning change. He stated that he did not receive notice of changes to other highway commercial properties, including this one, and noted that he would have protested the previous change as well. His main concern is how the change will impact him, expressing worry about a “slippery slope.” He added that he will respect whatever decision the Commission makes but emphasized that commercial usage could reduce the quality of life in the area.

Nathan Pratt expressed clear opposition to the application. He stated that it fails to meet planning requirements and presents risks. He noted that the application is incomplete and lacks sufficient evidence to support a sound decision. He added that it is unsupported by emergency services and no credible mitigation measures have been proposed, putting surrounding residents at risk. He also pointed out that there is not enough water to support the potential commercial uses allowed under HC zoning and recommended maintaining the current CUPs.

Annalia Pratt spoke against the zoning change. She cited a lack of information and an incomplete application, noting that no plans were provided and no justification was given for the proposed zone change. She expressed concerns about emergency response times, which she stated could be at least 20 minutes, and concluded that the change would not benefit the community or the county.

Ben Pratt stated that no goal or reason for the zone change had been provided. He emphasized that there is no need for a commercial strip in Cove Fort and that changing the zoning from a rural designation is unnecessary.

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 11:19 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-12-02B, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, CHANGING THE ZONING OF APPROXIMATELY 37.0 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 18000 WEST HIGHWAY 161 COVE FORT FROM RANGE & FOREST (RF)

## TO HIGHWAY COMMERCIAL (HC)

Interim Attorney Harris confirmed that CUPs are already in place for the property and asked what would change if it were rezoned. She noted that she has not yet reviewed the existing CUP conditions.

Planner Richins stated that any activities currently allowed under existing regulations can continue, but anything not currently permitted cannot occur.

John Pratt stated that the existing CUP has not been fulfilled and that no activity has taken place under it.

Planner Richins provided the CUP requirements and outlined the uses that have been approved under the existing CUP application.

Commissioner Johnson asked why a zoning change is being requested if a CUP is already in place.

Mr. Williams stated that since a neighbor received a similar zoning change, the same should be allowed to him. He noted that he has already moved forward with investments in the property, including obtaining sewer and water connections, building permits, and performing work himself. He emphasized that he is not obligated to complete everything at once. Mr. Williams explained that the existing CUP limits what he can do and that he does not receive the same financial benefits he would with a zone change. He stated that the change is necessary for his financing requests.

Commissioner Lyman asked for clarification on Mr. Williams' plans, noting they are too vague. She emphasized that a valid, clear reason is needed for the Commission to make a decision, and that banks will accept CUPs for financing purposes.

Mr. Williams responded that he has not hidden any plans. He intends to build an RV park and campground and has commercial plans, but again stated that the zoning change is required for financial reasons, including the need for hotels.

Interim Attorney Harris clarified that there is no case law directly applicable to this situation. She explained that the reason for a zoning change must be debatable and compatible with surrounding properties. She explained that it is up to the Legislative Body to determine what best furthers the interests of the County. She noted that applicants should be treated fairly, that they are not required to present a concrete plan, and that nothing ties them to a specific use.

Commissioner Johnson commented that it is only a matter of time before Cove Fort becomes a larger community.

Mr. Williams acknowledged that neighbors do not support the change and noted that he already operates a commercial campground.

Planner Richins compared the CUP's permitted uses with the allowances under HC zoning and explained how the change would impact Mr. Williams.

Mr. Williams reiterated that his property is already commercially oriented, located along the highway, and argued that it should be zoned accordingly. He noted that he purchased it as an

investment with the intent of changing the zoning.

Planner Richins summarized the Planning and Zoning Commission's discussion regarding emergency services. The vote on the zoning change was split, resulting in an unfavorable recommendation.

Commissioner Wright noted that while CUPs had been approved for the property, the rezoning request itself had not been approved by the committee.

Commissioner Wright made a motion to deny the ordinance.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ORDINANCE MAP AMENDMENT APPLICATION # Z-2025-058 REQUESTING TO CHANGE THE ZONING OF APPROXIMATELY 8,938.27 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3 MILES SOUTHEAST OF DELTA FROM AGRICULTURE 20 (AG-20) TO RANGE & FOREST (RF). CREEKSTONE ENERGY LLC, APPLICANT

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on ordinance map amendment, Application # Z-2025-058.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:48 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Bennett, Recorder Dickens, Interim Assessor Fitch, HR Director Nielson, Supervisor Penney, Kevin Morris, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Planner Richins, Dennis Alldredge

Steve Styler and Ray Conley, CEO of Creekstone Energy, presented the application and thanked the Commission for its time.

Mr. Conley introduced himself and said that he has received feedback and taken citizens' concerns into account. He explained that data centers are strategic in the race for AI, noting that the United States should consider national competitiveness.

Mr. Styler provided background on the applications for grazing permits and discussions with SITLA. He said that solar energy was later introduced as a possibility. He explained that they are currently working only on the Phase 1 property and could move into the additional phases later, as long as they follow the limitations imposed by SITLA. He added that they want to work collaboratively with the County and were advised to consider rezoning all four phases at once rather than returning multiple times.

Mr. Styler clarified that the primary source of energy for the project will not be solar, but that solar will serve as an accelerator. He discussed the concerns they have heard, including the loss of grazing land and changes to views. Many residents do not want to see a solar farm, though the project

would generate property tax revenue. He outlined where the main concerns lie within the different land phases from their perspective. He said that they would not pursue Phases 2 and 4 because those areas have generated the most concern, while Phases 1 and 3 have received fewer objections, largely due to topography and reduced visibility. He added that they are considering berthing and other methods to screen the solar facilities from view. They are also exploring ways to help the grazers who may be impacted. SITLA has already terminated certain grazing permits in specific areas, and the company is willing to offer compensation to affected grazers. Overall, they are trying to find a win-win solution and minimize impacts.

Mr. Conley emphasized that the topography in the project area makes the solar farms largely unseen, particularly in Phases 1 and 3. He contrasted this with the situation in Mona, Utah, where solar facilities have generated public concern because they are highly visible from major roads, nearby homes, and open valley areas. He noted that, in Mona, the flatter terrain and open sightlines make it difficult to screen solar panels from view, which has contributed to complaints about visual impacts. He explained that the conditions in this project area are different, with natural land contours and elevation changes that help shield the facilities from public view.

Mr. Styler stated that they would like to move forward with Phase 1 and possibly a portion of Phase 3, and that they will withdraw the remaining areas in Phases 2 and 4. He explained that the project offers economic benefits that could positively impact the entire community, noting that the primary goal is to power the data centers. He described the taxable value each structure would bring to the County and emphasized that solar is not the main focus of the project but simply an element that helps accelerate the overall process.

Mr. Conley said that they have submitted an application to reopen IPP and expressed their desire to bring jobs to the County. He stated that their goal is to create opportunities and provide meaningful benefits to the community.

Troy Herold, SITLA's Planning Director, stated that SITLA is supportive of the project. He explained that trust lands are not public lands and that SITLA has a responsibility to ensure they are used to their maximum potential. He noted that these lands will be developed one way or another, and long-term planning requires looking 50 years into the future. He said that solar is an excellent interim use until other technologies become more viable, as it can be implemented immediately and the land can be easily reclaimed once the solar project is complete.

Colin Bennett read a prepared statement. He said that he understands the concerns of ranchers and farmers, but noted that younger generations are leaving the area and that change is needed. He emphasized the importance of economic development and stated that solar farms can provide meaningful benefits to the County when developed in a responsible manner. He said this project meets that objective.

Roger Oscorthorpe stated that the project would be detrimental to grazing operations and that the views are irreplaceable and cannot be restored once altered. He emphasized that the Commission should listen to the citizens of the community, who do not want the solar project in the area. He

expressed strong opposition, noting that both the grazing lifestyle and the visual landscape are critical components of the community's heritage.

Ron Larsen expressed support for the project, highlighting the potential financial benefits it could bring to the county. He drew comparisons to conversations held during the IPP project, noting that while there were initial concerns at that time, Creekstone has now made reasonable offers and the current situation has significantly improved. Larsen emphasized the importance of considering the economic development opportunities the solar project could provide to the local community.

Eldridge Travis shared concerns with the scale of the project, noting that while the initial proposal seemed manageable and appealing, subsequent requests have expanded to cover thousands of acres, which he does not support. He expressed frustration that the project has grown beyond what was originally presented and stated that IPP is not currently usable for them. Mr. Travis concluded that, based on the current scope, he is not in favor of the solar development.

Shim Callister, Mayor of Oak City, emphasized that the project would be detrimental to cattlemen and agricultural work, which are foundational to the town's economy and lifestyle. He referenced a survey conducted in the previous summer to determine community priorities and noted that agriculture remains the top priority for Oak City residents. Mayor Callister shared that the survey highlighted the preservation of grazing operations and views as primary concerns for the community, which he emphasized should guide the County's decision-making process.

Landon Kesler, who works in solar maintenance, acknowledged that change is coming and that farming and ranching are increasingly less viable as primary sources of income. He advocated for finding a compromise that balances the county's way of life with the need for economic development. Mr. Kessler highlighted that solar panels could bring financial benefits to the community, helping fund initiatives that support local values and maintain quality of life while embracing opportunities that benefit the county.

Spence Butler spoke in support of grazing and farming rights, stressing the importance of protecting the County's way of life and maintaining local control over land use. He cautioned that once projects of this type are approved, they are very difficult to reverse, and he emphasized the need for careful consideration to ensure that future generations can continue their agricultural practices.

Russell Finlinson emphasized the importance of maintaining land for farming and ranching. He expressed concern about environmental impacts, particularly the potential for sand and wind issues if the soil is disturbed by solar panel installations. Mr. Finlinson stressed the need for careful discussion and compromise before any approvals are granted, highlighting that the county has a heritage and agricultural tradition that must be protected.

DJ Finlinson raised concerns about potential changes to land value, noting that the land could become a sand dune and that visibility of the solar project would affect property values. He also questioned how wildlife habitats and local springs might be impacted. Mr. Finlinson emphasized that the issue is not solely about financial gain, but about preserving the lifestyle and environment that

residents value.

Jace Farnsworth highlighted the importance of supporting the agricultural community, protecting ecosystems, preventing wildfires, and preserving seasonal grazing. He noted that agricultural lands are crucial for food security and argued that the proposed location is not appropriate for a solar project due to these considerations.

Sandee Cropper, representing concerned citizens of Millard County, emphasized the level of public opposition, referencing 60,000 views on related online materials and a letter with 20,000 views. Ms. Cropper argued that the County must honor the community's wishes and consider the overwhelming evidence of opposition when making decisions.

Cris Hansen, a property owner adjacent to the proposed project, expressed concerns about the potential for property devaluation, increased exposure to wind, and the visual impact of the solar panels. Mr. Hansen suggested that buffer zones should be implemented if the project proceeds to minimize these impacts on neighboring properties.

Brian Anderson acknowledged that change is inevitable but emphasized the need to preserve the county's way of life. He cautioned that approving projects like this could set a precedent that would lead to uncontrolled development in the future, potentially undermining local control and the character of the county.

Erin Sorenson, Chairman of Planning and Zoning, supported the recommendation to deny the project. Drawing on her experience as a farm girl, she emphasized the importance of protecting agriculture, maintaining the County's character, and respecting the preferences of residents. Ms. Sorenson noted that while SITLA's primary responsibility is financial viability, the county must prioritize agricultural sustainability and local interests.

Maria Nye acknowledged that implementing change can be difficult but emphasized that decisions should be made for the County's long-term benefit. She expressed strong support for agriculture and submitted a letter from Marian Anderson to be included in the record to reinforce the importance of agricultural preservation.

Jarvis Jones cautioned that approving the solar project could open a "Pandora's Box," expressing concern about future requests for alternative developments on the land. He stressed that the County should not be blind sided and emphasized that the Commission works for the county, whose residents have made it clear that they do not want the project in this location.

John Nye agreed with previous opposition comments, stating that national security does not justify sacrificing Millard County land. He suggested that solar panels could be located farther from residential areas and communities where they would not have the same impacts, emphasizing the need to consider other potential uses of the land if the project is approved.

Donald Brown highlighted the county's agricultural heritage and the importance of

maintaining quality of life. He argued that solar projects should be placed on non-agricultural land and not on areas essential for farming and ranching. Mr. Brown noted that the Planning and Zoning had voted against the project and urged the Commission to respect their recommendation and the community's wishes.

Tom Nielson raised concerns with potential wildfire risks, noting that removing grazing lands could increase the likelihood of fires. He emphasized that financial considerations can not replace lifestyle and community values, which are essential to residents. Mr. Nielson argued that outsiders cannot understand or replace the county's way of life, and that money alone should not dictate land use decisions.

Cindy Butler stressed that preserving the community's lifestyle is the highest priority. She criticized Creekstone for not being fully transparent with citizens and the county, noting that certain project details are restricted due to NDAs with SITLA. Ms. Butler emphasized that residents must conduct their own research and remain vigilant to protect local interests and reminded them that the Planning and zoning gave an unfavorable recommendation.

There were no other comments made.

Commissioner Lyman made a motion to close the public hearing.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing closed at approximately 1:04 p.m..

#### DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 25-12-02C, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, CHANGING THE ZONING OF APPROXIMATELY 8,938.27 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3 MILES SOUTHEAST OF DELTA FROM AGRICULTURE 20 (AG-20) TO RANGE & FOREST (RF)

Commissioner Johnson thanked all members of the public for taking the time to attend and share their comments. He expressed sincere appreciation for the thoughtful input, recognizing the variety of perspectives and the depth of concern regarding the proposed project.

Commissioner Johnson emphasized that the Commission values community engagement and that each comment will be carefully considered as part of the decision-making process. He acknowledged the passion residents have for preserving the county's agricultural heritage, natural resources, and way of life, and assured attendees that their voices play an important role in guiding the Commission's deliberations.

Commissioner Lyman asked where the energy would come from at night, if solar panels were installed.

Mr. Conley explained that batteries could store energy for nighttime use, but that natural gas would remain the primary energy source. He noted that both solar and natural gas would work together to meet energy needs and emphasized that the system would not be connected to the grid.

Commissioner Johnson stated that, personally, he is not opposed to the project, but after listening to the public, he leans toward a “no” vote, emphasizing that he serves the interests of the community. He noted that while social media reflects significant opposition, there are also some who support the project.

Commissioner Johnson acknowledged the economic challenges of agriculture, recognizing that wages in farming are low and that it is a difficult and often unaffordable lifestyle. He expressed that he can understand both perspectives. He shared his concern that the solar component of the project came as a surprise, as natural gas had been presented as the primary energy source and little information about solar facilities was provided. He stated that the lack of transparency was not appreciated. He emphasized the importance of gathering accurate information before making a decision. He also clarified that the State has currently only issued a request for information (RFI) regarding IPP to gather details from interested parties, and that the process could take over a year before any actionable decisions are made.

Commissioner Wright stated that the project presented implications he wished he had received information on beforehand, but did not, making the request a surprise. He emphasized that it is difficult to make informed decisions without complete information.

Commissioner Wright noted that many concerns are related to location, and that selecting an alternative site could resolve numerous issues. He called for further exploration of options and expressed interest in how the IPP project will proceed. Acknowledging that change is inevitable and often unpredictable, Commissioner Wright emphasized the Commission’s responsibility to act cautiously, responsibly, and in an organized manner. He stressed the importance of being deliberate in all actions and decisions related to significant changes in the county.

Mr. Conley explained that Creekstone had submitted a proposal to acquire the state site before the RFI was issued. He noted that a coal plant is not suitable for powering a data center, and emphasized that their system is designed to use multiple energy sources so that the load is balanced. Mr. Conley acknowledged that when they first began discussions with SITLA, they did not anticipate the level of community response they have received. He stated that they have learned from this feedback and intentionally came to the community to engage rather than relying solely on SITLA’s approval or power.

Commissioner Wright commented that while the dollar values associated with the project are enticing, decisions cannot be made based solely on financial considerations. He cautioned that “too much of a good thing” may not always be beneficial and expressed uncertainty that all potential options have been fully explored. He noted that he supported the approval of the data centers, describing it as a good decision, but stated that he is not comfortable approving the solar component at this time, as he does not believe the company has thoroughly examined all alternatives. He emphasized that being put on the spot to make a decision today underscores the need to maintain balance, and while he wants to be helpful, he has not seen sufficient information to make an informed decision regarding the solar project.

Commissioner Lyman expressed appreciation for the work of Planning and Zoning and for the community members who have taken an interest in the welfare of the county and the importance

of controlled growth. She emphasized that other options should be explored and expressed concern about maintaining the county's rural character.

Commissioner Lyman noted that while some growth is necessary, it is important to ensure that priorities are carefully considered and kept in proper order.

Commissioner Wright commented on the financial aspects of the project, noting that economic development is needed in the county. He explained that with increased development, property taxes should decrease for residents, which he said serves as a clear indicator that the County government is fulfilling its responsibilities effectively.

Commissioner Wright emphasized that this approach focuses on supporting the community rather than expanding government power.

Commissioner Wright made a motion to deny the ordinance.

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

The Commission took a break before reconvening at 1:49 p.m..

#### DISCUSSION AND POSSIBLE APPROVAL OF THE LWFC GRANT OPPORTUNITY FOR PICKLEBALL COURTS IN DELTA

Teressa Thompson and Michelle Steele explained that they are currently \$7,000.00 away from meeting the requirements to apply for the grant but expressed confidence that they will reach the necessary amount. They noted that official approval from the County is required to pursue the grant. The total estimated cost of the project is \$250,000.00.

HR Director Nielson explained the County Grant Policy and how it would apply to this specific grant. He outlined the County's obligations should the Commission decide to pursue the grant and described the procedures and responsibilities that would follow if the County were to receive the funding.

Commissioner Wright made a motion to approve the County applying for the LWFC Grant.

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

Teressa Thompson and Michelle Steele will talk to the Auditor's Office on how best to manage the funds.

#### DISCUSSION AND POSSIBLE APPROVAL OF THE HOLIDAY CLOSURES FOR 2026

Auditor Smith presented the list of holiday closures for 2026 for approval.

Commissioner Johnson asked about adding an extra day to the Thanksgiving Holiday.

Auditor Smith suggested that it be discussed tonight at the budget meeting.

Commissioner Wright made a motion to approve the holiday closures for 2026.

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

## MONTHLY FINANCIAL REVIEW

Auditor Smith and Treasurer Camp presented the monthly financial review.

## DISCUSSION AND POSSIBLE AUTHORIZATION FOR MILLARD COUNTY TO PARTICIPATE WITH BEAVER COUNTY IN PREPARING AND SUBMITTING A COORDINATED RESPONSE TO THE BLM PINE VALLEY WATER SUPPLY PROJECT AFEIS

Planner Richins explained that the County is a coordinating entity on this project and the has an opportunity to provide comment.

This will be on the next agenda for further discussion.

## DISCUSSION AND POSSIBLE APPROVAL OF POTENTIALLY TAKING OVER THE STAGING AREA IF THE SAND ROCK RIDGE RIDERS ATV CLUB DISSOLVES

HR Director Nielson inquired about the County's obligations related to the grant.

Interim Attorney Harris responded that she is still researching the matter and noted that additional actions would likely be required for the club to receive the grant. She emphasized that the County would need to assume those responsibilities and raised questions regarding whether it would be worthwhile and what the associated costs might be.

Commissioner Lyman expressed concerns regarding road maintenance and noted the potential implications raised by the Road Department.

HR Director Nielson stated that the grant must be reviewed under the same County Grant Policy as all other applicants, indicating that further research is necessary to fully understand the grant's requirements and expectations before the County can proceed.

Mr. Alldredge explained that there is an existing road at the site, but it requires stabilization. He noted that it is currently just a dirt road, which will develop ruts during the winter, and that new paths often form as people drive around the damaged areas.

This item was tabled for further discussion in a future meeting.

## DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH THE SAND ROCK RIDGE RIDERS ATV CLUB FOR THE COUNTY TO CONSTRUCT THE ATV STAGING ACCESS ROAD

This item was tabled in discussion with previous agenda item.

## DISCUSSION AND POSSIBLE DECISION ON MILLARD COUNTY ECONOMIC DEVELOPMENT (MEDA)BOARD'S RECOMMENDATION FOR AWARDING OF 2025 ECONOMIC DEVELOPMENT GRANTS

Planner Richins explained that, due to a clerical error, the original public hearing recommendation meeting for the Economic Development Grant was not properly noticed, necessitating a second meeting. The MEDA minutes from the second meeting were presented to the Commission for their review.

Planner Richins explained that further discussions were held regarding the scoring of the grant applications, and the anonymous scoring process was conducted. The outcome produced the same list of recommendations. He then explained the recommendations in detail and presented them for the Commission's approval, including the amended actions regarding the grant to SFC Welding.

Commissioner Wright made a motion to approve the MEDA Board's amended recommendation for the 2025 Economic Development grants as presented.

Commissioner Lyman SECONDED the motion. Commissioner Wright voted YES. Commissioner Lyman voted YES. Commissioner Johnson voted NO. The motion passed by majority vote.

## DISCUSSION AND POSSIBLE APPROVAL OF DONATING THE FOREST SERVICE CONTRACT PROCEEDS OF THE MILLARD COUNTY PEACE OFFICERS ASSOCIATION

Auditor Smith emphasized the importance of annual transparency, noting that this approval is requested every year to ensure accountability and openness in county operations.

Commissioner Wright made a motion to approve the donation of the Forest Service Contract proceeds of the Millard County Peace Officers Association.

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

## DISCUSSION REGARDING THE NATIONAL GUARD TRAINING SITE - PAUL RAYMOND

Commissioner Wright expressed concerns regarding the SITLA lands located in the middle of the project sites.

Sheriff Jacobson explained that he has been in contact with the National Guard regarding the airstrip near the site and provided information about ongoing communications.

This item was tabled to a future meeting.

## PUBLIC INPUT

There was none.

## OTHER BUSINESS

Auditor Smith requested the transfer of \$15,000.00 from the County's landfill fund to the Fillmore City Landfill to cover operational overages.

Interim Attorney Harris explained that the transfer will be included in a resolution for ratification at the next meeting.

Commissioner Lyman made a motion to approve the transfer of \$15,000.00 from the County's landfill fund to the Fillmore City Landfill to cover operational overages.

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

Commissioner Lyman stated that the Road Department recently acquired radios for workers and would like to purchase additional units at a cost of \$15,000.00. She noted that the purchase would need to be sole-source to ensure all radios are from the same manufacturer.

Auditor Smith explained the steps required to proceed with a sole-source purchase in compliance with county procedures.

Commissioner Lyman reported that Supervisor Wingett is coordinating with Rocky Mountain Power to help upgrade lighting. A meeting will be held at the Delta Road Barn to discuss available options. Commissioner Lyman noted that the County's responsibility would be to cover half of the cost, approximately \$15,000.00, which would be funded by the Road Department.

Auditor Smith noted that if the purchase is sole-source, the County must follow the required procedures for sole-source procurement.

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

There was none.

## DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Clerk Rowley reported that there are potentially two openings on the Planning and Zoning Commission. Planner Richins noted that they will be publicly noticed in the newspaper tomorrow.

Clerk Rowley also noted that one seat is currently open on the Millard Care and Rehabilitation Board.

## 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

There was none.

## 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 2:40 p.m.

Chief Deputy Auditor Bennett presented a late appeal regarding Parcel D-758, owned by Cecil F. Crow. She noted that the owner is requesting approval for eight apartments. She explained that if the Commission agrees to hear the appeal, it would proceed through the established process with a hearing officer.

Commissioner Lyman made a motion to accept the application.

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

Chief Deputy Auditor Bennett presented the Assessor Adjustment for Melvin Dutson.

Commissioner Lyman made a motion to approve the assessor adjustment for Melvin Dutson.

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

Commissioner Wright made motion to enter into a closed BOE.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The closed BOE meeting started at 2:50 p.m.

After the closed BOE meeting the regular BOE meeting reconvened at 2:55 p.m..

Commissioner Lyman made a motion to follow the hearing officer's recommendations for all five parcels owned by the Foundation for Enlightenment.

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

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 2:56 p.m.

## POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

There was none.

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

There was none.

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 3:00 p.m..

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

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