

MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 17th DAY OF FEBRUARY, 2026
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Trevor Johnson..... Chairperson
Vicki Lyman..... Commissioner
Bill Wright..... 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
Hollie Miller..... Interim County Assessor
Copeland Anderson and Greg Prows County Fire Wardens
Jacob Nielson..... County HR Director
Patrick Bennett and Jerid Bennett County Sheriff’s Office
Brendan Turner East County Recreation Supervisor
Brandon Wingett County Road Supervisor
Klint Penney County Maintenance Supervisor
Adam Richins County Planner
Kalen Taylor USU Extension Office
Chet Simper and Landon Kessler McCornwood Enterprises, LLC
Sheldon Nye and Paul Conrad Escalante Desert Resources LLC
Richard Anderson. Central Utah Counseling Center
Bill Myers and Arikka Von Aces One
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 Johnson said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF FEBRUARY 3, 2026 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held February 3, 2026 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of February 3, 2026 as corrected.

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

FOLLOW UP ACTION ITEMS FROM FEBRUARY 3, 2026

There were one.

IGP WAIVERS

Six IGP waivers were presented, one waiver for soccer at \$40.00 and five waivers for volleyball at \$40.00 each. One of the volleyball waivers will be funded with \$28.70 paid by the Central Utah Health Department grant and \$11.30 paid by the County.

Commissioner Wright made a motion to approve the IGP waivers as presented.

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

DISCLOSURE STATEMENTS

Disclosure statements were presented for the following:

- Adam Richins
- Derek Curtis

DISCUSSION AND POSSIBLE APPROVAL OF PARTICIPATION IN THE UAC CENTRALLY ASSESSED PROGRAM

Commissioner Wright explained the pros and cons of participating in the UAC Centrally Assessed Program. He suggested that the County continue managing assessments locally, stating there is no need to join and pay additional costs for a service that would not benefit the County.

Commissioner Lyman explained that there may come a time when the County will need to work with other counties, and that participation in the program could be beneficial.

Commissioner Johnson asked how much the County would be required to pay, expressing concern that counties with more centrally assessed properties, like Millard County, may end up paying higher costs to cover fees for other counties.

Commissioner Wright made a motion to decline participation in the UAC Centrally Assessed Program.

Commissioner Johnson stepped from the chair and SECONDED the motion. Commissioner Wright voted YES. Commissioner Johnson voted YES. Commissioner Lyman voted NO. The motion carried by majority vote.

FINANCIAL REVIEW

Auditor Smith and Treasurer Camp presented the financial review for January 2026.

DISCUSSION AND POSSIBLE APPROVAL OF SOLE SOURCE PROCUREMENT OF A M.E.R.T. TRAILER.

Captain Bennett explained the need for a sole source procurement of a M.E.R.T. trailer from Powell Safety. He stated that having a M.E.R.T. trailer on both sides of the County at all times is necessary to ensure adequate coverage.

Commissioner Lyman made a motion to approve the sole source procurement of a M.E.R.T. trailer.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON OPENING THE BUDGET FOR THE 2026 YEAR TO AMEND THE SOLID WASTE/LANDFILL BUDGET, INCREASING FROM RESTRICTED FUNDS HELD FOR CLOSURE/POST CLOSURE IN ORDER TO FINALIZE THE PERMITTING TO FILLMORE CITY. ALL OTHER FUNDS/BUDGETS MAY BE CONSIDERED AS NECESSARY

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on opening the budget for the 2026 year to amend the Solid Waste/Landfill Budget, increasing from restricted funds held for closure/post closure in order to finalize the permitting to Fillmore City.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:17 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Turner, Copeland Anderson, Greg Prows, Supervisor Penney, Supervisor Wingett, Deputy Bennett, Captain Bennett, Planner Richins, Kalen Taylor, Chet Simper, Landon Kessler, Sheldon Nye, Paul Conrad, Richard Anderson, Bill Myers, Arikka Von, and See Attachment A.

Auditor Smith requested moving \$202,500.00 from the Restricted Closure & Post Closure Class 4 Landfill Budget to the Fillmore Site Budget to finalize the permit transfer of the Landfill to

Fillmore City. She also explained that \$130,700.00 from prior years MEDA grants were allocated but not all paid out from 2025.

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 10:17 a.m..

Commissioner Wright made a motion to approve Resolution 26-02-17, a resolution of the Board of County Commissioners of Millard County, Utah, amending the Solid Waste/Landfill Budget, moving \$202,500.00 from the Restricted Closure & Post Closure Class 4 Landfill Budget to the Fillmore Site Budget to finalize the permit transfer of the Landfill to Fillmore City.

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.

The resolution will be ratified during the next commission meeting.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2026-003 FOR SURFACE MINING AT APPROXIMATELY 11000 N 400 W (MCCORNICK). MCCORNWOOD ENTERPRISES LLC, APPLICANT

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on C-2 Conditional Use Permit Application #Z-2026-003.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:23 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Turner, Copeland Anderson, Greg Prows, Supervisor Penney, Supervisor Wingett, Deputy Bennett, Captain Bennett, Planner Richins, Kalen Taylor, Chet Simper, Landon Kessler, Sheldon Nye, Paul Conrad, Richard Anderson, Bill Myers, Arikka Von, and See Attachment A.

Chet Simper and Landon Kessler introduced themselves and presented the application for surface mining. Mr. Simper explained that McCornwood Enterprises, LLC will supply the water using existing water rights. Mr. Kessler explained that the material is being tested for aggregate use, with the possibility of usage in concrete and that test results are still pending. He said that they have met with the neighbors and other project managers.

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 10:28 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2026-003 FOR SURFACE MINING AT APPROXIMATELY 11000 N 400 W (MCCORNICK)

Commissioner Lyman asked about dust control.

Mr. Kessler stated that magnesium chloride would be used.

Mr. Simper explained that the State closely monitors dust control for projects like this.

Commissioner Lyman asked who the closest neighbors were and if any one of them are directly downwind.

Mr. Kessler responded that the closest residence is approximately one mile away.

Planner Richins reported that the Planning and Zoning Board provided a favorable recommendation and noted that a project like this is common in the County. He also said that a dust mitigation plan can be added.

Commissioner Lyman made a motion to approve the C-2 Conditional Use Permit Application #Z-2026-003, with an added dust mitigation plan.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2026-007 FOR AN ELECTRICAL SUBSTATION AT APPROXIMATELY 9400 N 4300 W (DELTA). ESCALANTE DESERT RESOURCES LLC, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on C-2 Conditional Use Permit Application #Z-2026-007.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:38 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Turner, Copeland Anderson, Greg Prows, Supervisor Penney, Supervisor Wingett, Deputy Bennett, Captain Bennett, Planner Richins, Kalen Taylor, Chet Simper, Landon Kessler, Sheldon Nye, Paul Conrad, Richard Anderson, Bill Myers, Arikka Von, and See Attachment A.

Sheldon Nye and Paul Conrad introduced themselves and discussed the need for a reactive compensation substation. They explained that the substation is necessary due to three power plants being built in Beaver County and that a substation is also needed in Millard County. Mr. Nye explained that a reactive compensation substation regulates voltage by managing reactive power to

maintain a stable and reliable power system.

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 10:43 a.m..

DISCUSSION AND POSSIBLE APPROVAL OF C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2026-007 FOR AN ELECTRICAL SUBSTATION AT APPROXIMATELY 9400 N 4300 W (DELTA)

Commissioner Johnson asked when construction would begin.

Mr. Nye stated that construction may begin in May or June of 2026.

Commissioner Lyman asked if all electricity generated in Beaver County would come to this substation facility.

Mr. Nye confirmed that it would.

Commissioner Lyman asked how much power the substation could produce.

Mr. Conrad responded that the design is not yet finalized and he is unable to provide an answer at this time.

Commissioner Wright asked about the potential build-out.

Mr. Conrad explained that the build-out will depend on demand and interest from purchasers; therefore, a specific number cannot be provided.

Commissioner Wright asked whether the project would be centrally or locally assessed.

Planner Richins responded that it would most likely be centrally assessed; however, the plants are separate facilities and may therefore be assessed separately and locally. Confirmation would need to come from the assessor.

Commissioner Johnson made a motion to approve the C-2 Conditional Use Permit Application #Z-2026-007.

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

INDEPENDENT AUDIT FOR CENTRAL UTAH COUNSELING CENTER

Richard Anderson from the Central Utah Counseling Center presented the independent audit for the County. He reported that construction has begun on a new center in Richfield and read the auditor's opinion statement, which found that the financial statements were presented fairly. He noted a positive change in net position, expressed optimism for additional revenue streams, and reported that the Center complied with all State requirements, with no instances of noncompliance.

ACES ONE YEARLY UPDATE - BILL MYERS AND ARIKKA VON

Bill Myers and Arikka Von presented the Aces One Project's yearly update. Mr. Myers reported that the project is nearing the finish line and stated that multiple components have been completed, including two caverns, two brine ponds, an operations complex, an evaporation pond, a hydrogen conversion facility, and associated roads. He then presented highlights from the past year, noting that the integration of the equipment and the integrity of the caverns have been proven and that the system is functioning as intended.

Ms. Von reported that she met with the local communities, Snow College, and Utah State University regarding curriculum development and scholarships, with a focus on supporting education and job opportunities.

Commissioner Wright thanked them for their efforts to provide educational and employment opportunities within the County. He stated that the greatest asset the County can have is training high school students to qualify for local jobs.

DISCUSSION AND POSSIBLE AWARDED OF THE 2026 KENWORTH T880 SERIES HEAVY HAUL CONVENTIONAL TRACTOR BID

Road Supervisor Brandon Wingett reviewed the bids and stated that the lowest bid was not consistent. He recommended accepting MHC as the lowest responsive bid.

Commissioner Lyman made a motion to award the 2026 Kenworth T880 Series Heavy Haul Conventional Tractor bid to MHC.

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

OPENING OF BIDS FOR MAGNESIUM CHLORIDE FOR ROAD DUST CONTROL

The following bids were opened from:

- Road Solutions - \$150.00 per ton
- EnviroTech Services - \$125.00 per ton

Commissioner Wright made a motion to accept the bids.

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

OPENING OF BIDS FOR TWO TRUCKS FOR THE ROAD DEPARTMENT

The following bids were opened from:

- Murdock Ford, Inc - 2026 F-350 - \$60,251.00
- Droubay Chevrolet - 2026 Chevrolet Silverado 3500HD - \$61,059.00
- Sahara Motors, Inc. - 2026 3500 Big Horn Crew Cab - \$62,495.50

Commissioner Wright made a motion to accept the bids.

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

OPENING OF BIDS FOR AT LEAST FOUR TRUCKS FOR PATROL DEPLOYMENT AND ONE SUV FOR PATROL K9 DEPLOYMENT

The following bids were opened from:

- Droubay Chevrolet - 2026 Chevrolet Silverado 1500 - \$53,784.00; 2026 Chevrolet Tahoe - \$60,884.00
- One Nation Distribution, LLC - 2025 Ford F150 - \$59,989.00; 2026 Ford Police Interceptor - \$59,589.00
- Murdock Ford, Inc - 2026 Police Interceptor Utility - \$47,878.33; 2026 F150 Police Responder - \$50,735.19
- GovMark LLC - Truck -\$64,988.00; SUV - \$59,888.00
- Sahara Motors, Inc.- 2026 Dodge Durango - \$40,949.50 or \$43,746.50; 2026 Ford F150 - \$49,408.50; 2026 Ram 1500 - \$46,300.50
- -

Commissioner Wright made a motion to accept the bids.

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

OPENING OF BIDS FOR DENTAL SERVICES FOR THE JAIL

The following bids were opened from:

- Blue Mountain Dental - amount will be negotiated if awarded the bid.

Commissioner Wright made a motion to accept the bid.

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

OPENING OF BIDS FOR SUBSTANCE ABUSE PREVENTION & TREATMENT PROGRAMMING

The following bids were opened from:

- Sandstone Psychology - individual therapy at \$85.00/hr and group therapy at \$64.00/hr

Commissioner Wright made a motion to accept the bids.

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

DISCUSSION REGARDING THE HORSE TRACK - RICK CARTER

Mr. Carter raised several concerns over removing the horse track, including that no notice

was given to remove the existing facility and that he was not aware of a usage survey or any logistical planning. He explained that the change would reduce opportunities for youth diversity and result in excessive water use if the area were converted to grass, stating that the site is better as it currently exists.

Mr. Carter further noted that the decision would eliminate a viable business that supports five families and contributes to the IFA store and local farmers. He expressed concern that it would remove a facility currently used by the County. He also cited the costs associated with tearing the facility down, increased maintenance, additional equipment needs, and other related expenses. Finally, he noted a continued downward trend in removing equine equipment, specifically stalls, and facilities, which has led to decreased use and lack of promotion.

Mr. Carter stated that more public input should have been obtained before making such a significant decision and expressed that County citizens feel they have been pushed out. He questioned why the matter was not shared more publicly, emphasizing that the goal should be to benefit everyone. He also outlined the benefits of keeping the facility as an equine facility, specifically as a training facility.

Jere Brinkerhoff spoke about the agreement he had with the County regarding advertising and racing. He discussed the efforts that were made, stating that all new panels and generators were sent to Delta and that he was unsure why. He emphasized his attempts to promote events and opportunities, noting that these issues with promotion and lack of events began seven or eight years ago when the stalls were destroyed.

Supervisor Turner said that he has worked closely with five different promoters in his role overseeing east-side recreation. He noted that the promoters chose to pull out, not Millard County. He described efforts made to prepare the track for events, but stated that communication was discontinued, and in some cases the promoters failed to show after the track was prepared.

Ben Hunter stated that the area is agriculturally based and emphasized the need to maintain equine and agricultural opportunities. He noted that while sports are beneficial, they may not provide the same long-term professional opportunities for youth. He stated that there is no need to tear down existing facilities.

Mr. Carter emphasized the importance of diversity and event opportunities related to horse training and suggested designating the facility as an official training site.

Savanah Canales stated that the problem began when the stalls were removed. She explained that events are typically held on weekends, which is a broader issue in Utah, as the only official training centers are located in the north and south. She noted that Millard County is centrally located and that removing the stalls eliminated many use opportunities. She stated that the stalls were consistently full when they were in place and that equine events are significant and could generate substantial revenue and statewide interest. She explained that events cannot be held now, which is where the core problem lies.

Commissioner Johnson said that people would come here to play sports because the location

is central and accessible.

Ms. Canales said that the County could potentially generate significantly more daily revenue through equine events.

Supervisor Penney stated that he has heard many derogatory comments directed toward the maintenance staff. He noted that the maintenance crew did work the events and that Mr. Brinkerhoff was hired to help run them; however, he described the situation as disorganized and stated that no events were properly promoted. Supervisor Penney further explained that maintenance staff were required to police the area due to vandalism and theft, that some participants failed to pay, and that accounts fell significantly behind. He emphasized that it was unfair for maintenance staff to be blamed for the issues, noting that problems related to abuse of facilities and equipment have existed for a long time.

Ms. Canales stated that there is significant potential for revenue and profit through the use of the facility as a training center. She explained that races are no longer run the same way due to increased regulations and that official competition races cannot be held; however, the facility could still be used equitably for other purposes.

Mr. Carter proposed leaving the current infrastructure in place and maximizing the internal space for soccer use rather than parking, stating that vehicles are not needed within the area. He suggested utilizing the North Park for additional fields, including possible baseball fields, and envisioned a complex in the area where the current fields are located. He noted that the County could double-utilize two baseball fields for soccer, which could help make up the difference and allow both uses to be maintained if a better solution is identified. He stated that there needs to be diverse opportunities available. Mr. Carter presented a letter from Eugene Larsen. See Attachment B.

Todd MacFarlane stated that the fundamental issue is the failure to follow basic principles, including due process. He raised concerns regarding prior appropriation and usability, noting that the facility is currently being used, even if not to its full potential. He emphasized that there is no need to tear down existing infrastructure that is part of the County's agricultural heritage, particularly when soccer fields could be located elsewhere. He cautioned that once the infrastructure is removed, it will be gone permanently.

Commissioner Johnson stated that he is open to further discussion and will keep the public informed.

Commissioner Wright stated that something does need to be done with the racetrack and that decisions will be made. He acknowledged the value of agriculture and opportunities for children, but noted that improvements must be funded. He explained that the County will likely not be able to complete the work on its own and that the Commissioners are limited in what they can do.

Commissioner Lyman stated that Fillmore City would like to hold a public meeting and that she has been in discussions with state legislative members regarding the racetrack. She noted that while there has been considerable discussion, action is needed, including the development of a

concrete plan with public involvement and action.

PUBLIC INPUT

Steve Gail expressed his opinions on multiple issues not related to County business.

Vicki Mitchell stated that she was raised at the horse track, which was originally built in 1912. She explained that her family helped rebuild the track and arena in 1963 and that efforts are underway to pursue placement on the historic registry. She emphasized that involving youth in agriculture and working with animals helps keep kids out of trouble. She also noted that Fillmore has significant potential due to its location and that people need opportunities to build on that potential and make it work.

Commissioner Johnson said that the Commission will reassess the situation.

OTHER BUSINESS

Auditor Smith presented an indigent burial request by the mortuary for Jackie Robertson and explained that cremation is the least expensive option. She also asked to increase the amount allocated for each approved burial by 2.7 percent

Commissioner Lyman made a motion to approve the indigent burial for Jackie Robertson and increase the amount allocated for each approved burial by 2.7 percent.

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

The motion will be ratified during the next Commission meeting.

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

Interim Attorney Harris provided the following responses:

“In response to the question about procurement extensions: Millard County cannot extend the deadline for bids or proposals. However, under Section XII(I) of the Millard County Procurement Code, Millard County reserves the right to reject all bids if they are not sufficiently responsive to the invitation for sealed bids or upon a determination that awarding the bid would not be in the best interest of Millard County. As such, Millard County is not obligated to award a bid.”

“In response to Commissioner Lyman’s question about the requirement of providing substance abuse counseling: SB115 was passed into law (UCA § 17-72-501) in May of 2025 which requires correctional facilities to use an evidence-based screening tool to screen each inmate for substance use disorders and use the results of the screening to assist with providing programming and treatment options for the prisoner.”

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

There was none.

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

Commissioner Lyman made a motion to adjourn the meeting.
The meeting adjourned at 12:54 p.m..

Attest: _____

Approved: _____