

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 19<sup>th</sup> DAY OF MAY 2026  
AT THE COURTHOUSE, FILLMORE, UTAH

PRESENT: Trevor Johnson ..... Chairperson  
Vicki Lyman ..... Commissioner  
Bill Wright ..... Commissioner

Elise Harris..... Interim County Attorney  
Kayla Freeman ..... Deputy County Clerk

EXCUSED: Marki Rowley ..... County Clerk

ALSO PRESENT: Kristine Camp ..... County Treasurer  
Bonnie Smith and Vickie Bennett..... County Auditor’s Office  
Sierra Dickens ..... County Recorder  
Jacob Nielson ..... County HR Director  
Hollie Miller ..... County Assessor  
Kalen Taylor ..... USU Extension Office  
Taylor Lewis ..... Bureau of Land Management (BLM)  
Copeland Anderson and Greg Prows ..... Fire Wardens  
Landon Kesler and Chet Simper ..... McCornwood  
Curtis Hare ..... Fillmore City Mayor  
Payton Harris ..... Fillmore City Attorney  
Rachel West ..... County Tourism Director  
Todd Cusick, Taylor Larson ..... CMC Rock  
Richard Jacobson, Jerid Bennett, Robert Clark, and  
Lindsay Mitchell ..... County Sheriff’s Office  
Adam Richins ..... County Planner  
Mark McDougal, Aaron McDougal, Kurt Spencer, Dennis Alldredge,  
Steven Gale, Camille Gale, Becky Chapman, Matt Masner,  
Amanda Fahey, Kris Ewert, Steve O’Camb,  
Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch,  
Irene Carter, Abbie King, Russell Anderson, Rendon Hughes  
Vickiann Mitchell and Matt Ward ..... 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. Clerk Rowley was excused from the meeting.

#### OPENING STATEMENTS

Commissioner Wright said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

#### APPROVAL OF MAY 12, 2026 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held May 12, 2026 were presented for consideration and approval. Following review, Commissioner Wright made a motion to approve the minutes of May 12, 2026 as presented.

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

#### FOLLOW UP ACTION ITEMS FROM MAY 12, 2026

There were none.

#### DISCUSSION AND POSSIBLE APPROVAL REGARDING LANDFILL TRANSFER - MAYOR CURTIS HARE

Fillmore City Mayor Curtis Hare and Fillmore City Attorney Payton Harris introduced themselves. Attorney Harris gave a brief history regarding misunderstandings surrounding the cost estimates for the closure and post closure costs regarding the landfill transfer. He said that the new cost estimates were not presented to the City, and there were a number of revisions made without the City's involvement. He expressed concern regarding actions being taken without city involvement or approval. Attorney Harris expressed his desire that he be involved in these decisions.

Mayor Hare stated that the issue is about the process and city involvement, not just the money involved. He expressed concern over county decisions being made that affect cities and towns, which have their own elected officials and governing bodies. Mayor Hare stated that the City was effectively forced into taking over the landfill and expressed his displeasure with what he described as the County Commission dictating the process to the City.

Commissioner Wright explained that the closing costs were not provided by the County, but by an engineering firm.

Commissioner Johnson stated that the County had only asked for a second opinion regarding the costs.

Mayor Hare responded that their issue was that new numbers had been obtained and submitted to the State without consulting or involving the City. He reiterated that the primary

concern was the process itself and stated that the City would have been willing to discuss the costs had they been included in the discussions. He said Fillmore City should have been allowed to work with the County and negotiated collaboratively. He also expressed concern that updated numbers had been taken to the State without first consulting the city.

Fillmore Attorney Harris explained the actions he took in an effort to better understand the closure and post-closure costs. He stated that regardless of what the final numbers may have been, the City still needed to be involved in the discussions throughout the process. He added that it appeared the State had requested a letter containing updated numbers, but that information was not then provided to the city's legislative body.

Commissioner Wright stated that the amount involved is important and noted that the County has a procurement policy in place. He expressed that it is the responsibility of the Commission to seek and review multiple bids as part of that process.

HR Director Nielson explained his involvement in the process and stated that he had intended to continue communication with the City, but acknowledged that he failed to follow through on his part. He further expanded on the history of his involvement and stated that there was no malicious intent behind the actions taken. He acknowledged that there was a failure in communication and follow-through, but emphasized that there was no bad motive involved.

Mayor Hare expressed again that the process of how this occurred is their main concern.

Commissioner Wright asked whether the number presented was sufficient.

Mayor Hare responded that the City could work with the numbers, but reiterated that the main issue remains that the Commission seems to be making decisions without City involvement.

#### DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-05-19, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION, AMENDING, RESTATING, AND CODIFYING THE MILLARD COUNTY PROCUREMENT CODE BY INCLUDING AN EXEMPTION FOR USE OF GOVERNMENT CONTRACTS, RECONCILING PROCUREMENT PROCEDURES WITH RESOLUTION 20-12-01A, AMENDING THE CONSIDERATIONS FOR LOCAL PREFERENCE, AMENDING THE SOLE SOURCE EXEMPTION, AND CLARIFYING PROCEDURES TO FURTHER COMPETITION AND TRANSPARENCY

Commissioner Johnson briefly explained the ordinance and how it would affect local bids and still create a competitive bid process.

Amanda Fahey asked how this changes the use of government contracts.

Interim Attorney Harris explained that this allows the County to review and use a previous government contract as an example or framework for the County to follow.

Commissioner Wright explained the importance of having a functioning procurement process in place in order to ensure a fair and competitive bidding process. He stated that the goal is to make the most effective use of the funds the County has available.

Interim Attorney Harris also explained how this affects sole source procurement.

Commissioner Wright made a motion to adopt Ordinance 26-05-19, an ordinance of the Board of County Commissioners of Millard County, Utah, amending, restating and codifying the Millard County Procurement Code.

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 ZONING ORDINANCE MAP AMENDMENT APPLICATION #Z-2026-018 REQUESTING A ZONE CHANGE FROM RANGE & FOREST (RF) TO AGRICULTURE (AG) OF APPROXIMATELY 39.62 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 9431 N 400 W, HOLDEN. MCCORNWOOD, OWNER; GREG KESLER, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on zoning ordinance map amendment application #Z-2026-018.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:37 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amanda Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer , and Vickiann Mitchell

Landon Kessler requested a rezone of the property from RF to AG in order to subdivide the parcel and build a house.

Chet Simper explained that the RF zone does not allow for subdivision for a house, while the AG zone does permit it.

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 10:38 a.m..

Interim Attorney Harris read the list of required factors of consideration that the commissioners have to consider for a zone change:

1. Consistency of the proposed amendment with the County General Plan.
2. The effect of the proposed amendment on the well being of the County.

3. The effect of the proposed amendment on the public health, welfare, and safety.
4. The effect of the proposed amendment on the interests of the County, and its residents.
5. The ability of the County, and other service providers, as applicable, to provide all infrastructure, facilities, and services required by the uses and activities allowed by the proposed amendment.
6. Compatibility of the proposed uses and activities with nearby and adjoining properties.
7. The suitability of the properties for the uses and activities proposed.
8. The effect of the proposed amendment on the existing goals, objectives, and policies of the general plan, and listing any revisions to the County's land use ordinances, and any other ordinances and resolutions, required to implement the amendment.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-05-19A, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, CHANGING THE ZONING OF APPROXIMATELY 39.62 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 9431 N 400 W, HOLDEN FROM RF TO AG

Planner Richins said that the Planning and Zoning provided a favorable recommendation.

Commissioner Wright made a motion to adopt Ordinance 26-05-19A, an ordinance of the Board of County Commissioners of Millard County, Utah, changing the zoning of approximately 39.62 acres of property located at approximately 9431 N 400 W, Holden from RF 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 ZONING APPLICATION #Z-2026-026 FOR A LEGISLATIVE DEVELOPMENT AGREEMENT REQUESTED BY JOULE CAPITAL PARTNERS FOR A PROPOSED 24-INCH NATURAL GAS PIPELINE PROJECT BETWEEN HOLDEN AND MCCORNICK

Commissioner Wright made a motion to enter into a public hearing for the purpose of receiving public comment on zoning application #Z-2026-026.

Commissioner Lyman SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:43 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amada Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer, and Vickiann Mitchell

Mark McDougal explained that the purpose of the application is to facilitate construction of a 24-inch pipeline connecting the project to the Kern River Gas Transmission gas line. He also explained where the pipeline would begin and end, as well as the properties the pipeline would cross. He stated that the goal is to complete the project with the least possible interruption to the current use of the land. Mr. McDougal further stated that a traffic plan would be provided outlining how roadways would be impacted during construction. He estimated that the project would take approximately nine to eleven months from start to finish.

Taylor Lewis, an employee of the Bureau of Land Management, asked whether any portion of the proposed pipeline would cross public lands.

Mr. McDougal responded that a portion of the pipeline would cross public lands. He stated that documentation had been provided to the BLM, but no comments or responses had yet been received.

Mr. Lewis then asked for the dates and email addresses the documentation had been sent to so he could follow up on the matter.

Steven Gale asked how the decision was made to use a twenty four-inch pipeline.

Mark McDougal responded that the size was determined by engineers based on the requirements for a lateral line, applicable regulations that must be followed, and the necessary volume capacity for the project.

Matt Masner stated that if the consideration is approved, he has concerns regarding the two exits in Holden and the possibility of supply trucks traveling through town. He asked whether it could be made a condition of approval that trucks use the north exit rather than driving through the town.

Daniel Stevens, a landowner near the proposed right-of-way, stated that although the Commission has approved the project, he asked that the public interest be kept in mind. He also asked how many buildings were planned as part of the project. He also expressed concern, as a private landowner whose property could be crossed by the pipeline, that he should have the ability to deny access to the project on his own property.

Mark McDougal responded that the total number planned is thirty one.

Mr. Stevens also asked about gas pipeline statistics related to the project. Mr. McDougal responded that he did not have specific numerical information available at that time.

Amanda Fahey expressed concerns regarding the research conducted on water usage and the potential strain on the water supply. She also voiced concern that the project and approvals appeared to be moving too quickly.

Mr. McDougal responded that the water usage numbers being referenced were greatly overestimated.

Commissioner Johnson explained that the matter ultimately comes down to water rights and property rights.

Commissioner Wright further explained that water rights are private rights regulated by

the State and are not governed by the County.

Commissioner Lyman stated that the State is aware of the water concerns and is working toward a solution, but that management of water rights and related issues is not within the Commission's purview.

Steve Gale stated that there are a large number of data centers being developed in Utah and expressed concern about the amount of power they consume. He voiced his concerns regarding how the proposed data centers could affect the climate in the future.

Planner Richins explained how CUP's work and how limitations and regulations are placed on projects.

Copeland Anderson asked that the project plans be shared with the fire district and inquired about the anticipated construction start date.

Mark McDougal responded that plans had already been shared and stated that the goal is to begin work as soon as possible.

Captain Bennett asked about the expected workforce numbers for the project.

Mr. McDougal explained that there would be two primary crews consisting of excavators and welders, with approximately a dozen workers in each group. He added that contractors would also be present at the site, bringing the estimated total workforce to roughly thirty six individuals. He further stated that the project team plans to remain in communication with all entities connected to the project.

Amanda Fahey asked about environmental studies and whether they would only be required for public lands, expressing concern about impacts to private lands as well.

Mr. McDougal responded that all studies required by the State would be completed and that the project would comply with all necessary environmental study requirements.

Ms. Fike then asked whether the study results would be published.

Mr. McDougal responded that the information would not be published because it is considered private information.

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 11:18 a.m..

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-05-19B, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPROVING A LEGISLATIVE DEVELOPMENT AGREEMENT REQUESTED BY JOULE CAPITAL PARTNERS FOR A PROPOSED 24-INCH NATURAL GAS PIPELINE PROJECT BETWEEN HOLDEN AND MCCORNICK**

Commissioner Lyman expressed concern about whether approval of the project could eventually lead to eminent domain issues.

Planner Richins explained that the Commission is the only body that could implement eminent domain.

Interim Attorney Harris asked whether there was interest in permitting the pipeline and stated that, if so, there were concerns and changes to the agreement that she would recommend. She explained the purpose of a legislative development agreement and noted that there are no clearly defined requirements, specifically referencing Section 5. She stated that the agreement still needed additional work and further explained that the process functions differently than a Conditional Use Permit (CUP) and should not be treated the same way.

Mark McDougal stated that he was willing to work further on the agreement.

Planner Richins further explained the differences between a legislative development agreement and a CUP.

Commissioner Lyman stated that she was willing to continue working with the project applicants.

Interim Attorney Harris reiterated that additional details were still needed.

Commissioner Johnson asked whether CUP's would still be used.

Interim Attorney Harris and Planner Richins explained that the agreement effectively serves as the CUP and includes the conditions associated with the approval process. Explained that all the public services heads, commission, and project heads, and attorney will need to meet together to write up the contract.

Commissioner Wright expressed his desire that this meeting happen sooner rather than later and that everything is done correctly the first time.

Planner Richins summarized the discussion for clarity, stating that representatives from all entities involved within the County and the project need to meet together in order to develop the agreement before it can be approved.

Commissioner Johnson stated that the goal is for those discussions and the agreement preparation to occur prior to the June 2, 2026 Commission agenda meeting.

**PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ZONING APPLICATION #Z-2026-025 FOR A LEGISLATIVE DEVELOPMENT AGREEMENT REQUESTED BY RENDON J. HUGHES AND LORIE HUGHES TO ALLOW CERTAIN USES NOT OTHERWISE PERMITTED WITHIN THE R1 (SINGLE-FAMILY RESIDENTIAL) ZONE, INCLUDING AN RV PARK CONSISTING OF UP TO TWELVE (12) SPACES; LIVESTOCK EXCEEDING RESIDENTIAL ZONE LIMITATIONS; AND A FUTURE SINGLE-FAMILY DWELLING AND ACCESSORY DWELLING UNIT (ADU) ON PROPERTY LOCATED AT 1240 NORTH 350 EAST, DELTA**

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on zoning application #Z-2026-025.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:37 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amanda Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer, and Vickiann Mitchell

Rendon Hughes explained that he previously operated under a temporary permit for an RV park, but is no longer able to continue because the permit has expired. He asked what steps would be required in order to make the RV park permanent and legally continue operations. It is currently zoned residential not commercial.

Russell Anderson stated that he also operates an RV park and expressed concern that Rendon Hughes has been operating illegally for some time. He explained that the temporary allowance was originally permitted during the IPP project in order to relieve housing pressure associated with the project. Mr. Anderson stated that if those circumstances no longer exist and the property is not located in the proper zoning area, then an exception should not continue to be made. He expressed that the applicant should be required to follow the same rules and regulations as everyone else.

Abby King stated that she did not see an issue with having an RV park there and supported the proposal. She noted that the location is away from town and provides options for those with horses and livestock.

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 11:44 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-05-19C, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPROVING A LEGISLATIVE DEVELOPMENT AGREEMENT ALLOWING CERTAIN USES NOT OTHERWISE PERMITTED WITHIN THE R1 (SINGLE-FAMILY RESIDENTIAL) ZONE, INCLUDING AN RV PARK CONSISTING OF UP TO TWELVE (12) SPACES; LIVESTOCK EXCEEDING RESIDENTIAL ZONE LIMITATIONS; AND A FUTURE SINGLE-FAMILY DWELLING AND ADU ON PROPERTY LOCATED AT 1240 NORTH 350 EAST, DELTA

Planner Richins reported that the Planning and Zoning Commission discussed the matter and forwarded an unfavorable recommendation. He explained that the property is not in the correct location for an RV park and noted that RV parks are not currently permitted in any County zoning designation, particularly not within a residential zone. He further stated that approving the request would go against current County practices and zoning standards. He also explained the current County ordinances in regard to RV parks.

Commissioner Johnson asked about the limitations and duration of the temporary permits.

Planner Richins explained that all temporary permits expired after six months, with the intent that if the need no longer existed and the County did not issue new permits, the properties would revert back to their previous use and conditions. Anybody still operating under those expired permits are operating illegally.

Commissioner Lyman stated that she had received feedback and opinions indicating that the trailers were not wanted in various locations throughout the County. Based on the information she had gathered, she felt the properties should return to their prior state and that individuals should instead utilize existing RV parks already operating in the area.

Commissioner Wright stated that government regulations are a necessary evil and emphasized that the permits had expired. He said expectations had been clearly established and that exceptions should not continue to be made. Government needs to stay consistent.

Planner Richins explained that zoning regulations and conditions are intended to create clear expectations and provide certainty to citizens regarding what uses are permitted within the County. He stated that exemptions to those standards should not routinely be made.

Commissioner Wright made a motion to deny Ordinance 26-05-19C.

Commissioner Lyman 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 (CUP) APPLICATION #Z-2026-028 FOR SURFACE MINING ON PROPERTY LOCATED AT APPROXIMATELY 9431 N 400 W, HOLDEN (MCCORNICK). STEPHENSON CATTLE CO., OWNER; CMC ROCK LLC, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on the C-2 CUP application #Z-2026-028.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:52 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director

West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amanda Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer, and Vickiann Mitchell

Todd Cusick explained that the previous rezoning request had already been approved and that the project was now moving into the next phase of the process involving CUPs. He stated that the request had been reviewed by Planning and Zoning, and after consideration, the commission gave a favorable recommendation for the CUP application to move forward.

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 11:54 a.m..

#### DISCUSSION AND POSSIBLE APPROVAL OF C-2 CONDITIONAL USE PERMIT APPLICATION #Z-2026-028 FOR SURFACE MINING ON PROPERTY LOCATED AT APPROXIMATELY 9431 N 400 W, HOLDEN (MCCORNICK)

Commissioner Wright stated that there is no water located on the property and noted that if water is to be leased, the lease agreement should be provided in writing and submitted to the Planning and Zoning Commission so there is a record of it.

Mr. Nye stated that providing the lease agreement is already a required condition of the permit.

Planner Richins added that many of the same concerns discussed are addressed through standard conditions already in place for surface mining operations.

Commissioner Wright made a motion to approve the C-2 CUP application #Z-2026-028.

Commissioner Lyman 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 AMENDMENT APPLICATION #Z-2026-030 AMENDING C-2 CONDITIONAL USE PERMIT #Z-2020-023 TO CONDUCT SURFACE MINING NEAR PAHVANT BUTTE. ROMEO CIUPERCA, PVT MATERIALS, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on the C-2 CUP application # Z-2026-030.

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

motion carried. The public hearing began at 10:59 a.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amanda Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer, and Vickiann Mitchell

Planner Richins explained the project on behalf of the applicants, who were unable to attend the meeting. He stated that the project is unique to the geography surrounding Pahvant Butte and involves permitting mining activities around the butte for various minerals, as well as the collection and processing of ash and dirt materials specific to the area. He explained that the operation is located on land leased from SITLA and that the operation is limited to working within a specific acreage at any given time.

Planner Richins noted that the applicant is already operating at the site and that the current request is simply to expand the area in which operations can occur.

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 12:03 a.m..

**DISCUSSION AND POSSIBLE APPROVAL OF C-2 CONDITIONAL USE PERMIT AMENDMENT APPLICATION #Z-2026-030 AMENDING C-2 CONDITIONAL USE PERMIT #Z-2020-023 TO CONDUCT SURFACE MINING NEAR PAHVANT BUTTE**

Commissioner Wright asked about the CUP concerning access roads associated with the project.

Planner Richins explained that access road maintenance and requirements are addressed and included within the permit conditions.

Commissioner Wright made a motion to approve the C-2 CUP #Z-2026-030 amendment.

Commissioner Lyman 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 AMENDMENT APPLICATION #Z-2026-024 AMENDING C-2 CONDITIONAL USE PERMIT #Z-2026-003 TO CONDUCT SURFACE MINING ON PROPERTY LOCATED AT APPROXIMATELY 11000 NORTH 400 WEST HOLDEN.**

MCCORNWOOD, OWNER, GREG KESLER, APPLICANT

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on the C-2 CUP application #Z-2026-003.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 12:06 p.m..

Present were: Treasurer Camp, Auditor Smith, Chief Deputy Auditor Bennett, Recorder Dickens, Interim Assessor Miller, HR Director Nielson, Supervisor Penney, Tourism Director West, Sheriff Jacobson, Deputy Bennett, Captain Bennett, Lieutenant Bennett, Deputy Clark, Lindsay Mitchell, Planner Richins, Dennis Alldredge, Kalen Taylor, Taylor Lewis, Copeland Anderson, Greg Prows, Landon Kesler, Chet Simper, Mark McDougal, Aaron McDougal, Dennis Alldredge, Steven Gale, Camille Gale, Becky Chapman, Matt Masner, Amanda Fahey, Kris Ewert, Steve O’Camb, Sheldon Birch, Ron Larson, Amber Rausch, Weston Rausch, Irene Carter, Abbie King, Russell Anderson, Rendon Hughes, Todd, Cusick, Taylor Larson, Kurt Spencer, and Vickiann Mitchell

Landon Kessler explained that this is the final step for this mining project.

Kalen Taylor, a resident of McCornick, expressed concerns regarding the increase in truck traffic associated with the project and asked what could be done through Utah Department of Transportation (UDOT) to consider adding a turn lane to improve traffic flow and safety.

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 12:10 p.m..

DISCUSSION AND POSSIBLE APPROVAL OF C-2 CONDITIONAL USE PERMIT AMENDMENT APPLICATION #Z-2026-024 AMENDING C-2 CONDITIONAL USE PERMIT #Z-2026-003 TO CONDUCT SURFACE MINING ON PROPERTY LOCATED AT APPROXIMATELY 11000 NORTH 400 WEST HOLDEN

Commissioner Johnson stated that he believed discussions with UDOT regarding turn lanes were already underway.

Planner Richins explained that the primary project connected to the roadway improvements is the entity expected to implement those recommendations. In this case, the responsibility is tied to the data center development, specifically involving Joule Energy. He stated that traffic studies conducted for the project indicate turn lanes are necessary and that the project developers would be required to install them.

Sheriff Jacobson reiterated that he had previously discussed the same traffic concerns with the data center projects and stated that he would be willing to follow up with those entities regarding the status of those conditions and roadway improvements.

Commissioner Johnson stated that even though responsibility for the turn lanes may ultimately fall on another entity, this project is still benefiting from opportunities created by the larger development. He suggested that the applicants become involved in communicating with the primary project developers regarding the traffic and roadway concerns.

Interim Attorney Harris suggested that they be a part of the road maintenance agreement for cost sharing, which was agreed to by the Commission

Commissioner Wright made a motion to approve the C-2 CUP application #Z-2026-003, including amendments to include participating in a road maintenance agreement.

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

#### MONTHLY FINANCIAL REVIEW

Treasurer Camp presented the March and April 2026 monthly review.

#### DISCUSSION AND POSSIBLE APPROVAL OF PROFESSIONAL SERVICE AGREEMENT WITH BLUE MOUNTAIN DENTAL FOR DENTAL SERVICES IN THE MILLARD COUNTY JAIL

Lt. Bennett stated that he does not yet have the contract prepared. He explained that he will reach out to the Commission once the contract is finalized and ready for approval.

#### DISCUSSION AND POSSIBLE APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN DNR, MILLARD COUNTY, AND FILLMORE CITY REGARDING MAINTENANCE OF THE DEBRIS BASINS

Interim Attorney Harris reviewed the MOU which had been previously discussed by the Commission and is now amended to include a 3-year term.

Commissioner Lyman made a motion to approve the MOU regarding the maintenance of the debris basins.

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

#### PUBLIC INPUT

Sheldon Birch introduced himself and stated that he is running for Utah House District 29.

#### OTHER BUSINESS

Commissioner Lyman mentioned that she had discussions with the Road Department

regarding the funds that had originally been set aside to place asphalt on Cedar Mountain Road. She explained that the project is currently waiting on Rocky Mountain Power to come remove the power poles before work can move forward. In the meantime, she stated that she would like to redirect those funds toward the purchase of oil road trucks instead, and indicated that they are planning to proceed with that approach.

Commissioner Lyman also mentioned that she has been working with surrounding counties in an effort to stop the proposed water grab in Pine Valley. She explained that the counties worked together to submit an appeal regarding the issue; however, a letter was later received rejecting the appeal.

Auditor Smith explained that funds originally allocated for certain projects are being considered for repurposing. She noted that the money for each request is already budgeted within the individual department budget funds. The first project discussed, as previously mentioned, was the repurposing of funds for the purchase of oil trucks for the Road Department.

She also reviewed additional project needs, including tuck-point work for the ambulance building and the Main Street courthouse building, noting that funding for those projects has likewise already been allocated within their respective budgets.

In addition, she reported that a controller had gone out in the East Side Pool and has already obtained a quote for the project work.

Commissioner Wright made a motion to repurpose the funds as discussed.

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

Tourism Director West provided an update on upcoming events and reported that tickets for the 4th of July celebration are now live and available for purchase. She also clarified that the carnival which had set up over the past weekend was not sponsored by the Tourism Department.

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

There was none.

#### DISCUSSION AND POSSIBLE APPOINTMENTS TO VARIOUS COUNTY BOARDS

Deputy Clerk Freeman reported that the vacancy for the Deseret Hinckley Cemetery Board was advertised on February 18, 2026; Therefore, the Commission is able to appoint Angie Meinhardt to the Board.

Commissioner Lyman made a motion to appoint Angie Meinhardt to the Deseret Hinckley Cemetery Board.

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

Commissioner Lyman explained that the positions for the Weed Board had been advertised; however, no applications were received. She stated that Van Mitchell is willing to continue serving and would be appointed to a new 4-year term.

She also recommended reappointing Tony Anderson and Brett Bunker to additional 4-year terms. In addition, RB Probert and Randy Fowles were recommended for 2-year terms on the board.

Commissioner Lyman made a motion to appoint Van Mitchell, reappoint Tony Anderson, and Brett Bunker for four year terms, and reappoint RB Probert and Randy Fowles for two year terms in order to fill the terms. All terms will move back to alternating four year terms once the two year terms are completed.

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

#### POSSIBLE APPROVAL OF APPLICATION(S) FOR SETTLEMENT OR DEFERRAL OF DELINQUENT PROPERTY TAX

Auditor Smith presented information regarding Parcel No. H-2042 and H-2043, owned by Janet McDermaid, which are properties currently listed for tax sale due to approximately five years of unpaid taxes. She explained that one parcel is the owner's primary residence, while the second parcel consists of vacant land. She noted that some payments had been made toward the delinquent taxes. Auditor Smith indicated that the owner qualifies for a fifty percent hardship consideration.

Interim Attorney Harris explained that the request involves two separate abatements, one concerning a primary residence and the other involving non-primary residential land, and noted that each carries different considerations under the applicable policies.

Commissioner Lyman suggested granting a fifty percent abatement on the primary residence parcel only.

Commissioner Wright suggested granting a fifty percent abatement on both parcels, noting that the owner has been making payments toward the delinquent taxes.

Commissioner Johnson also suggested granting a fifty percent abatement on both parcels, contingent upon the owner entering into an agreed-upon payment plan.

Commissioner Wright made a motion to abate fifty percent on both parcels with an agreed upon payment plan.

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

#### DISCUSSION BY EACH COMMISSIONER, COUNTY ATTORNEY, ELECTED OFFICIAL AND SECRETARY

There was none.

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

There was none.

## POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Sheriff Jacobson introduced the discussion regarding ambulance relicensing noting that it must be completed by the end of December. He explained the new legislative and stated that one of the major decisions involves determining who would be providing those services to the county.

Lindsay Mitchell stated that she would be willing to assist with the process. She suggested issuing one Request for Proposals (RFP) for all ambulance services and combining all entities and municipalities within the County into a single countywide RFP. She noted that this is a general process that has been utilized in other rural areas. She further explained that the County is working to place all agencies onto the same four-year licensing cycle. She stated that the RFP process would allow any ambulance service within the state to submit proposals if they wished to take over ambulance services in the County. She explained that the County would not be required to submit its own proposal and that the final selection of ambulance providers would ultimately be made by the Commission.

Interim Attorney Harris asked whether an agreement was anticipated as part of the process.

Ms. Mitchell explained that agencies are required to contract with an ambulance service and stated that the biggest immediate concern is securing the ambulance relicensing. She added that another consideration is potentially involving municipalities financially in supporting ambulance services. She noted that a rural hospital tax could potentially help provide funding assistance, but implementation would require the Commission to place the matter on an election ballot for voter approval.

Interim Attorney Harris commented that the timing for those efforts could become complicated.

Sheriff Jacobson responded that securing the ambulance licensing is the highest priority at this time, while additional funding sources and tax-related revenue options could be pursued later to help relieve financial burdens on ambulance services.

Commissioner Lyman made a motion approve a County wide RFP for ambulance services.

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

Tourism Director West presented a catering contract for the ATV Jamboree with Austin Bruhler. She explained that the contract includes providing both breakfast and dinner meals for the event, with breakfast priced at \$10 per plate and dinner at \$15 per plate. She noted that the contractor will provide everything needed for the meals and added that he also handled the catering services for the event last year.

Commissioner Lyman made a motion approve the contract with Buhler's Gourmet for the ATV Jamboree.

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

The motion will be ratified during the next Commission meeting.

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 1:08 p.m..

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

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