MINUTES OF BOARD OF COUNTY COMMISSIONERS
MILLARD COUNTY THE 1st DAY OF SEPTEMBER 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: Madison James .... Chief Deputy County Treasurer
Bonnie Smith .... County Auditor
Sierra Manis .... County Recorder
Jacob Nielson .... County HR Director
Steve O'Camb, Pat Bennett, Rob Clark, and
Linsday Mitchell .... County Sheriff's Office
Greg Prowse .... County Fire Warden
Adam Richins .... County Planner
Jackie Coombs, Rhonda Perkes, and Mike Squires .... UAMPS
Devin Shields .... Sunrise Engineering
Ron Larsen .... Jones and DeMille Engineering
Dennis Alldredge, Leo Stott, Howard Quackenbush, Kevin Morris,
Russell Anderson, Blake Stevens, Brad Christensen, Leo Stott,
Loreen Bliss, Tim Bliss, Demar Iverson, Carson Brown, David Steele,
David Wood, Landon Kesler, Eugene Larson, Jason Dodd,
and Kim Thomas .... 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:

NOTE: Not all items were followed in order as published.

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 AUGUST 18, 2026 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held August 18, 2026, were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of August 18, 2026, as corrected.

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

FOLLOW UP ACTION ITEMS FROM AUGUST 18, 2026

There was none.

RATIFY AWARDING THE REQUEST FOR QUALIFICATIONS, RFQ, FOR THE EMERGENCY WATER SHED MITIGATION TO JONES AND DEMILLE ENGINEERING AND SUNRISE ENGINEERING

Commissioner Wright made a motion to ratify the RFQ to Jones and DeMille Engineering and Sunrise Engineering.

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

RATIFY APPROVAL OF THE RURAL COMMUNITY GRANT (RCG) AGREEMENT

Commissioner Lyman made a motion to ratify the approval of the RCG Agreement.

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 26-09-01, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, APPROVING THE INTERLOCAL COOPERATION AGREEMENT FOR ROAD OIL DISTRIBUTION SERVICES WITH ENOCH CITY

Commissioner Lyman made a motion to approve Resolution 26-09-01, a resolution of the Board of County Commissioners of Millard County, Utah, approving the Interlocal Cooperation Agreement for Road Oil Distribution Services with Enoch City.

Commissioner Wright 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.

MONTHLY FINANCIAL REVIEW

Auditor Pfaff and Chief Deputy Treasurer James presented the monthly financial review for July 2026.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ZONING ORDINANCE MAP AMENDMENT APPLICATION #Z-2026-048, REQUESTING A ZONE CHANGE FROM AGRICULTURE 20 (AG-20) AND AGRICULTURE (AG) TO HEAVY INDUSTRIAL (HI) FOR APPROXIMATELY 323.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 8900 N WHISKEY CREEK ROAD, HOLDEN. MCCORNWOOD, OWNER; UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS (UAMPS), 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-2026-048.
Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:11 a.m..

Present were: Chief Deputy Treasurer James, Auditor Pfaff, HR Director Nielson, Recorder Manis, Interim Sheriff O'Camb, Lindsay Mitchell, Deputy Clark, Captain Bennett, Planner Richins, Dennis Alldredge, Greg Prows, Jackie Coombs, Rhonda Perkes, Mike Squires, Devin Shields, Ron Larsen, Leo Stott, Howard Quackenbush, Kevin Morris, Russell Anderson, Blake Stevens, Brad Christensen, Leo Stott, Loreen Bliss, Tim Bliss, Demar Iverson, Carson Brown, David Steele, David Wood, Landon Kesler, Eugene Larson, Austin Johnson, Jason Dodd, and Kim Thomas

Mike Squires and Jackie Coombs, representing UAMPS, presented information on the project and clarified the amount of acreage requested. The request is now for sixty-five acres. The proposed facility would be an 184-megawatt peaking plant. They provided background information on UAMPS and explained the purpose and function of a peaking plant.

Landon Kessler, speaking on behalf of McCornwood, stated that they have agreed to the change in acreage.

Blane Stevens, a landowner adjacent to the proposed project and President of the UACD Millard District, expressed concern about the rate at which the County is rezoning property to Heavy Industrial (HI). He questioned why previously zoned HI land could not be used for the project. He also asked UAMPS for additional clarification regarding potential pipeline modifications. Stevens emphasized the importance of protecting community members and maintaining the rural character of the area. He also questioned whether towns and the County receive reduced power rates or other financial benefits from these types of projects.

David Steel, representing Oak City, stated that he could not speak to tax rates but expressed concern about obtaining affordable power for the town. He said the community is looking for immediate solutions to address lease and power costs. He stated that the project could help diversify the area's power sources and expressed support for the project.

Eugene Larson, Fillmore City Council member and UAMPS Board member, expressed support for the project. He spoke to the integrity of UAMPS and explained that the proposed facility would not be a water-consuming power plant. Instead, it would use an internal combustion system with the ability to start quickly and provide power when it is needed. He stated that the communities need this additional power capacity.

David Wood, Holden City Council member and UAMPS Board member, stated that the energy market has changed and that increased demand has created new requirements. He said that the project could benefit the County by providing a local solution rather than requiring the County to purchase power from other counties.

Mr. Stevens stated that UAMPS had held a meeting in Holden and that the proposed location had been moved from the original site. He expressed concern that council members were not accurately representing the views of their communities. He questioned potential impacts related to noise, traffic, and emissions and suggested that there may be better locations for the facility that would place it farther from Holden.

Mr. Wood responded that he had spoken with members of the Holden community and that the response he received was generally positive.

Mr. Kessler stated that the property is privately owned and is strategically located for the project. He explained that McCornwood was initially approached about leasing the property and declined. UAMPS later approached them again. As part of the arrangement, McCornwood will continue to own three sides of the property surrounding the project and will not sell any water rights to UAMPS. UAMPS would need to obtain or purchase its own water rights. Kessler stated that the project is needed.

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 10:30 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-09-01, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING THE ZONING MAP OF MILLARD COUNTY TO RECLASSIFY APPROXIMATELY 323.13 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 8900 N WHISKEY CREEK ROAD, HOLDEN, FROM AGRICULTURE 20 (AG-20) AND AGRICULTURE (AG) TO HEAVY INDUSTRIAL (HI)

Mr. Squire stated that some questions had been addressed during the public comments but asked whether the Commission had any additional questions.

Commissioner Lyman asked about noise mitigation.
Mr. Squire stated that the plant would operate when power is needed.
Ms. Coombs stated that the project would meet all County requirements.

Commissioner Johnson asked what the benefit of the project would be to Millard County.
Mr. Squire stated that one benefit would be approximately 15 full-time employment opportunities. He also noted that the project's proximity to the communities being served was a benefit.
Commissioner Johnson noted that the project would serve five communities but that UAMPS serves more than twenty communities elsewhere. He questioned whether there was any other benefit to locating the project in Millard County and stated that the location did not appear to provide a significant benefit to the County.
Ms. Coombs stated that UAMPS's goal is to achieve the lowest incremental cost for all members. She explained that because of the project's location, it provides the lowest cost option for all members and that there was no favoritism involved in selecting the location.

Commissioner Lyman asked whether a new gas line would be required.
Ms. Coombs stated that a new connecting line would need to be constructed.

Commissioner Lyman expressed appreciation that the requested zoning change had been reduced to sixty five acres.

Mr. Kessler stated that the project would be set back fifty feet from the road and would not interfere with the Kern River or Joule project.
Mr. Stevens stated that, based on conversations with Joule, he understood that the Joule pipeline would be at maximum capacity.

Commissioner Johnson asked for clarification regarding the map and the actual location of the proposed project. He stated that he was not in favor of the proposed location because the area is heavily used for recreational activities, including hunting, camping, and other outdoor activities. He noted that there are areas zoned Heavy Industrial within city limits and questioned whether the project could instead be located within Fillmore City limits.

Ms. Coombs presented a map and explained the considerations involved in selecting the location. She stated that the transmission grid is complex and that UAMPS had completed a transmission grid study based on the proposed location. If the location were changed, the study would have to be restarted. She stated that the project is time-sensitive and that changing the location would result in significant delays.

Commissioner Johnson again questioned the benefit of locating the project in Millard County when the project would not serve the majority of County residents.

Commissioner Wright made several comments regarding the potential impact on County roads. He stated that a road maintenance agreement may be necessary and noted that the issue had not been discussed during the Planning and Zoning process. He stated that the County does not solicit industrial development and that private property owners are making decisions regarding their private property and how they want it to be used. He also noted that the County has a plan for locating developments in areas where they would have less impact.

Commissioner Lyman stated that there are limitations on the number of projects that can be located in areas already zoned Heavy Industrial. She explained that locating the project near the IPP is not an option due to state regulations. She stated that she wished the project could benefit more County residents. However, from an economic standpoint, she stated that the proposed location is ideal, even though she personally did not favor the location. She also expressed interest in determining whether the pipeline capacity could be increased by working with Joule.

Commissioner Wright stated that conditional use permits could be utilized to address concerns associated with the project. He noted that the Planning and Zoning Commission had given the project a favorable recommendation.

Commissioner Wright made a motion to adopt Ordinance 26-09-01, an ordinance of the Board of County Commissioners of Millard County, Utah, amending the zoning map of Millard County to reclassify approximately sixty five acres of property located at approximately 8900 N Whiskey Creek Road, Holden, from AG-20 and AG to HI.

Commissioner Lyman SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Wright voted YES. Commissioner Lyman voted YES. Commissioner Johnson voted NO. The motion carried.

Commissioner Johnson clarified his vote saying that he is happy that the project is coming to the County and supports the project, just not the location and lack of benefit to the County.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ZONING ORDINANCE MAP AMENDMENT APPLICATION #Z-2026-064 REQUESTING A ZONE CHANGE FROM AGRICULTURE (AG) AND AGRICULTURE 20 (AG-20) TO LIGHT INDUSTRIAL (LI) FOR APPROXIMATELY 160 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2900 N STATE HIGHWAY one hundred, PAHVANT/FLOWELL. AUSTIN JOHNSON, OWNER/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-2026-064.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 10:54 a.m..

Present were: Chief Deputy Treasurer James, Auditor Pfaff, HR Director Nielson, Recorder Manis, Interim Sheriff O'Camb, Lindsay Mitchell, Deputy Clark, Captain Bennett, Planner Richins, Dennis Alldredge, Greg Prows, Devin Shields, Ron Larsen, Leo Stott, Howard Quackenbush, Kevin Morris, Russell Anderson, Blake Stevens, Brad Christensen, Leo Stott, Loreen Bliss, Tim Bliss, Demar Iverson, Carson Brown, Austin Johnson, Jason Dodd, and Kim Thomas

Austin Johnson explained the request and the reasoning behind it. He stated that the property consists of one hundred and sixty acres and that he would like to rezone the property to LI in order to divide it into lots for affordable housing and small businesses. He stated that he plans to drill a well and provide services to the lots through its own system. The lots could be sold or rented. He stated that the project would be an asset to the community and County and would help stimulate growth. He stated that any issues that arise would be addressed as the project gets closer to development. The first step is to obtain the requested zoning change.

Leo Stott, a landowner adjacent to the property and President of LB Ranch, which is also adjacent to the property, expressed concerns about the proposed development. He stated that, according to the application, the proposal calls for 2.5acre lots, which would result in approximately sixty four lots. He stated that there had been no discussion regarding housing and that the proposal appeared to be focused on businesses.

As a neighboring agricultural landowner, Mr. Stott expressed concern about having that many urban businesses adjacent to agricultural property. He stated that people unfamiliar with agricultural practices may not understand the impacts of farming activities, creating the possibility of future lawsuits.

Mr. Stott also expressed concerns regarding water. He stated that he already owns two wells adjacent to the property and that water levels are already low. He stated that additional development could be detrimental to farming operations. He noted that Mr. Johnson has only owned the property for a few months and expressed concern that there are no specific development plans and that the intent may simply be to increase the value of the property through rezoning. He stated that the proposed zoning change could negatively impact neighboring landowners and noted that there are already areas zoned for these types of projects. He recommended that the zoning change be denied.

Mr. Johnson stated that he had conducted research regarding the water supply and does not believe the project would be detrimental to the community. He stated that the property had been on the market for some time before he purchased it and that no one else had purchased it. He believes the property is a good location for industrial growth and does not believe the proposed development would create an issue.

Demar Iversen expressed concern about the highway serving the area. He stated that the highway is very narrow and does not have sufficient capacity to accommodate the needs of the proposed industrial projects. He also noted that there are significant numbers of cattle and wildlife in the area and stated that the location is not appropriate for Light Industrial zoning. He suggested that businesses should be located within the city rather than placing them in an agricultural area. Mr. Iversen also expressed concern about water availability and stated that water is already a problem in the area, with some wells reportedly going dry.

Mr. Johnson stated that the roads are privately maintained. He stated that the project would comply with all other applicable utility regulations and requirements. He explained that it would take years to develop the property and estimated that full development could take twenty years or more. Mr. Johnson stated that he respects the concerns raised by the neighboring landowners.

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 11:10 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-09-01A, AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AMENDING THE ZONING MAP OF MILLARD COUNTY TO RECLASSIFY APPROXIMATELY 160 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2900 N STATE HIGHWAY 100, PAHVANT/FLOWELL, FROM AGRICULTURE (AG) AND AGRICULTURE 20 (AG-20) TO LIGHT INDUSTRIAL (LI)

Commissioner Johnson asked whether Mr. Johnson had any existing business plans for the property.
Mr. Johnson stated that he currently has interest from one welding shop and a trucking company. Those are the only businesses that have expressed interest at this time.

Commissioner Johnson stated that water availability is a significant concern in the area. He explained that water rights are private state rights and that if a person holds the appropriate rights, they may use them; however, water resources are managed by the State. He stated that his biggest concern with the proposal is the lack of a specific business plan and that the request appears to be a zoning change in anticipation of future development.

Commissioner Lyman asked whether there is currently a water well on the property.
Mr. Johnson stated that there was an abandoned well on the property but that he would drill a new well.
Commissioner Lyman stated that if a well has been abandoned for seven years or more, the associated water rights may no longer be valid.
Mr. Johnson stated that he does own the water rights but does not yet know what the water needs will be because there is not a concrete development plan for the property.

Commissioner Wright stated that one of the challenges is acquiring land but being unable to use it due to a lack of water. He reiterated that the County does not have authority over water rights and stated that, while he appreciates the concerns regarding water, the County cannot address those concerns through the zoning process. He stated that the same applies to the highway concerns. Commissioner Wright stated that he has encouraged farmers to consider placing their property into agricultural protection status and noted that there are tools available to agricultural landowners. He stated that the proposal received a favorable recommendation from Planning and

Zoning by a vote of 4-3. He acknowledged that there are valid reasons for concern but stated that there is also value in supporting the possibility of future development.

Commissioner Johnson questioned why the full acreage needed to be rezoned if there is not currently a plan for development of the entire property. He suggested reducing the scope of the request by approximately fifty percent.

Planner Richins stated that the request includes four parcels and that the application could be amended to apply only to specific parcels.

Commissioner Lyman stated that she did not like the proposed location and did not believe it was a good location for the development. She also expressed concern about water availability and stated that she opposed the request.

Mr. Stott asked whether residential development could be permitted within LI zoning.

Planner Richins stated that residential use would be a conditional use.

Commissioner Johnson asked about limiting the zoning change to the parcels located next to the highway.

Mr. Johnson stated that he would be willing to start with a smaller area and evaluate the demand before expanding the development.

Commissioner Johnson stated that this approach would allow for controlled growth.

Planner Richins clarified that the discussion at this time is now limited to Parcel 6813, which consists of approximately forty acres.

Commissioner Wright made a motion to adopt Ordinance 26-09-01A, an ordinance of the Board of County Commissioners of Millard County, Utah, amending the zoning map of Millard County to reclassify approximately forty acres of property located at approximately 2900 N State Highway 100, Pahvant/Flowell, from AG and AG-20 to LI.

Commissioner Johnson stepped from the chair and SECONDED the motion. Clerk Rowley called for a roll call vote. Commissioner Wright voted YES. Commissioner Lyman voted NO. Commissioner Johnson voted YES. The motion carried.

DISCUSSION AND POSSIBLE AWARDING OF RFP FOR EMS AMBULANCE SERVICES AND EXECUTION OF DESIGNATION LETTER - SHERIFF'S OFFICE

Lindsay Mitchell stated that no RFPs were received for EMS ambulance services; therefore, the County will continue to provide the services. She explained that the designation letter is required for relicensure. Scipio has its own ambulance service, which functions as a separate entity.

Commissioner Lyman made a motion to approve the RFP for EMS Ambulance Services and execution of designation letter.

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

DISCUSSION AND POSSIBLE APPROVAL OF DONATION TO NEW HORIZON'S CRISIS CENTER

Ms. Mitchell stated that she was contacted about the County participating in an event to be held on September 25 to raise funds for New Horizon's Crisis Center. The Commission discussed donating up to $100.00 toward a raffle prize for the event.

Commissioner Lyman made a motion to approve donation to New Horizon's Crisis Center not to exceed $100.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF A ROAD MAINTENANCE AGREEMENT WITH RODATHERM ENERGY CORPORATION FOR A RODATHERM GEOTHERMAL ENERGY SYSTEM PROJECT

Interim Attorney Harris said that the County Attorney's Office had reviewed the agreement and found it to be acceptable. Road Department Supervisor Wingett also has reviewed the agreement and had no concerns with it.

Commissioner Lyman made a motion to approve the Road Maintenance Agreement with Rodatherm Energy Corporation for a Rodatherm Geothermal Energy System Project.

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

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON ZONING APPLICATION #Z-2026-047 FOR A LEGISLATIVE DEVELOPMENT AGREEMENT REQUESTED BY TIM AND LOREEN BLISS TO ALLOW CERTAIN USES NOT OTHERWISE PERMITTED WITHIN THE AGRICULTURE (AG) ZONE, INCLUDING TWENTY-FIVE (25) RV SPACES AND TEN (10) TENT SITES ON PROPERTY LOCATED AT 380 N 2000 W, DELTA

Commissioner Lyman made a motion to enter into a public hearing for the purpose of receiving public comment on zoning application #Z-2026-047.

Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried. The public hearing began at 11:35 a.m..

Present were: Chief Deputy Treasurer James, Auditor Pfaff, HR Director Nielson, Recorder Manis, Interim Sheriff O'Camb, Lindsay Mitchell, Deputy Clark, Captain Bennett, Planner Richins, Dennis Alldredge, Greg Prows, Devin Shields, Ron Larsen, Leo Stott, Howard Quackenbush, Kevin Morris, Russell Anderson, Blake Stevens, Brad Christensen, Leo Stott, Loreen Bliss, Tim Bliss, Demar Iverson, Carson Brown, Austin Johnson, Jason Dodd, and Kim Thomas

Tim and Loreen Bliss introduced themselves and explained that they are requesting a legislative development agreement under Utah law to allow twenty-five RV spaces and ten tent sites on their property. They stated that they initially believed the use was permitted but later learned that camping spaces are not allowed in an agricultural zone. They expressed concerns about how the County has handled their conditional use permits and the confusion surrounding the County Code. They stated that, due to administrative oversight, they believe the County has authority under State Law to allow the use. They requested consideration of a legislative development agreement.

Kim Thomas expressed several concerns regarding the proposed RV park. He stated that the RV park was originally intended to accommodate workers associated with improvements at the IPP and that the area has now become densely populated. He stated that he does not want the operation to expand and believed it was intended to be temporary. He expressed concerns about current congestion and stated that the operation has been noncompliant since the beginning of the project.

Mr. Thomas stated that no permission or permits were requested for some aspects of the operation. He stated that the State is already reviewing the project regarding water rights and alleged that water is being used without the appropriate rights. He expressed concern that the property owners are making money from an operation he believes is not legal and stated that they have been informed multiple times that they are in violation of County requirements. He stated that the current request would provide special permission for an RV park that is not allowed under the existing zoning. He noted that Planning and Zoning recommended denial of the request by a vote of 0-7. Mr. Thomas asked the Commission to listen to the concerns of the community and stated that residents want the RV park removed as required under the original agreement.

Brad Christensen stated that he owns property south and west of the site and expressed concern that the RVs are using his private property for access and to turn around. He stated that there is no established road system in that area. Mr. Christensen echoed Mr. Thomas's concerns and stated that the applicants are in violation of the current agreement, which has expired.

Mr. Christensen expressed concern about the impact of the RV park on neighboring farming operations. He stated that the operation has continued to expand and that he believes the expansion has occurred without proper authorization. He stated that he initially tolerated the operation because he believed the property owners had the right to operate it, but after learning that the operation was continuing after the permits had expired and observing the situation worsen, he now wants the RV park removed. He stated that the past three years have been difficult and that the operation has caused problems for neighboring property owners.

Russell Anderson stated that many of the concerns raised by the previous speakers were well stated. He said that similar situations have occurred in the past involving illegal RV parks and attempts to modify or circumvent existing requirements. He acknowledged that camping had been discussed as part of the proposal and expressed concern about long-term stays. He stated that he believes the applicants could be setting the County up for a potential lawsuit and that the system has been taken advantage of. He stated that there is no longer a need for the RV park because the original need associated with IPP construction has ended and that the RV park should have been removed when that need ended rather than continuing to expand. Mr. Anderson stated that he had developed an RV park and followed the required county and state processes, including obtaining the necessary permits. He stated that the same requirements should apply to the Bliss property. He asked the Commission to treat the operation in the same manner as other RV parks that have operated without proper authorization.

Mrs. Bliss responded that there are roads providing access to the campground and that permits have been obtained for each septic tank. She stated that she did not know why those permits were not appearing in the County's records. Mrs. Bliss stated that the property does have short-term campers and that the operation continued to expand because they were told the expansion was allowed and that there was a need for additional camping. She said that people want to live near the lake and that she does not believe the operation is illegal because they were told they could continue operating while working toward obtaining permanent permits. She stated that they are trying to meet an existing need and make the operation permanent. She explained that they have invested a significant amount of money into the property and entered into the project with the understanding that they would eventually seek permanent status. She also stated that they did not receive clear guidance from the County when they initially established the campground as a temporary operation. She said that they made decisions based on the information and direction they received at the time and are now seeking a compromise that would allow the operation to continue legally.

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 approximately11:59 a.m..

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 26-09-01B, 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 AGRICULTURE (AG) ZONE, INCLUDING TWENTY-FIVE (25) RV SPACES AND TEN (10) TENT SITES ON PROPERTY LOCATED AT 380 N 2000 W, DELTA

Commissioner Wright stated that a significant amount of information had been presented during the meeting. He requested input from the County Attorney’s Office to ensure that any decision would be consistent with County policy and legally appropriate. He asked Planner Richins what options were available.

Commissioner Johnson stated that, in order to remain consistent with how similar situations have been handled, the answer should be no. He stated that the temporary allowance was no longer in effect and that the County had intended the allowance to be temporary, regardless of any financial benefits associated with the operation.

Commissioner Lyman stated that consistency was important.

Planner Richins provided background regarding the temporary RV housing established at the beginning of the IPP project. He stated that the County anticipated a large number of workers would be coming to the area and that temporary housing would be needed. He explained that the project itself was not expected to result in an increase in permanent jobs and that housing options were discussed at the time.

Planner Richins stated that the County subsequently adopted an ordinance allowing temporary housing and provided detailed requirements and instructions to property owners providing the temporary housing. He stated that the requirements clearly established that the use was intended to expire. The temporary allowance could be extended for six months through a new application. Those who legally applied were allowed to operate under those rules for the additional six-month period, after which the authorization expired. He stated that no one was given express written or verbal approval to continue operating after the authorization expired.

Planner. Richins stated that there was not immediate enforcement following the expiration of the temporary allowances but that the County attempted to apply the requirements equally and not selectively. He stated that all parties operating campgrounds or similar facilities outside of the current requirements are considered out of compliance.

Regarding whether the applicants had vested rights, Planner Richins explained that there are specific requirements for an application to become vested. An application must be complete, submitted, and for a legal use that complies with applicable ordinances and standards. He stated that the applicants did submit an application for a campground, but prior to the meeting it was determined that the proposed use was not legal under the existing zoning and the application did not move forward.

Planner Richins stated that it would be impractical for the County to individually notify the public each time an ordinance or requirement changes. He acknowledged that the County website is not always current but stated that staff provides the most up-to-date information during conversations with applicants.

Planner Richins stated that the County had received numerous comments and letters regarding this specific application, both in support of and opposition to the request. He explained that the current request is for a special legislative allowance. Otherwise, the applicants would need to pursue a zone change and potentially a text amendment. He stated that the decision ultimately rests with the Commission. Regarding enforcement and past operations, he stated that the County generally considers what would need to occur for the use to become legal going forward. He acknowledged that there are valid points on both sides of the discussion.

Interim Attorney Harris stated that the original application was submitted under the temporary RV ordinance that had been approved by the County. She stated that the 2025 C-1 conditional use permit application was not compliant because a campground is not an allowed use within the AG zone and was therefore rejected.

Mrs. Bliss stated that they believe their situation is unique. She acknowledged that the C-1 application had been submitted and that the required fees had been paid.

Planner Richins apologized for the miscommunication regarding the application.

Mrs. Bliss stated that they chose to pursue a legislative development agreement because they believe their situation is unique.

Mr. Bliss stated that he had heard that the County was working on creating a campground or RV zoning designation.

Planner Adams stated that there had been discussions regarding the possibility but that there were no current or pending changes to the zoning ordinance.

Mrs. Bliss asked whether there was a possible compromise or another way to extend their authorization.

Commissioner Johnson stated that the Bliss property was not the only property that had operated under the temporary agreement. He stated that everyone was aware from the beginning that the authorization was temporary and that the County did not intend for it to become permanent.

Commissioner Wright stated that Planning and Zoning had denied the request and that he supported that decision.

Commissioner Lyman stated that the County needs to remain consistent in applying its rules. She acknowledged that everyone may believe their situation is special or unique but stated that the rules still need to be followed. She reiterated that the original authorization was temporary.

Commissioner Wright made a motion to deny Ordinance 26-09-01B.

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

DISCUSSION AND POSSIBLE APPROVAL OF THE 2027 MILLARD COUNTY PREDATION MANAGEMENT PLAN GRANT AGREEMENT WITH THE UTAH DEPARTMENT OF AGRICULTURE AND FOOD (UDAF)

Auditor Smith stated that the grant agreement had been reviewed and vetted and was ready for approval.

Commissioner Lyman made a motion to approve the 2027 Millard County Predation Management Plan Grant Agreement.

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

DISCUSSION AND POSSIBLE APPROVAL OF ORDER FOR SPECIAL MEETING TO BE HELD THURSDAY, SEPTEMBER 3, 2026

Commissioner Lyman made a motion to approve the Order for Special Meeting to be held Thursday, September 3, 2026 at 8:30 a.m..

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

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 26-09-01A, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MILLARD COUNTY, UTAH, AUTHORIZING THE BASE HOUR REDUCTION FOR THE FULL-TIME POSITION OF BUILDING INSPECTOR TO 32 HOURS PER WEEK

HR Director Nielson explained the proposed reduction of the Building Inspector position from full-time hours to a 32-hour workweek.

Commissioner Wright made a motion to approve Resolution 26-09-01A, a resolution of the Board of County Commissioners of Millard County, Utah, authorizing the base hour reduction for the full-time position of building inspector to 32 hours per week.
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.

DISCUSSION AND POSSIBLE SIGNING OF THE BOND RELEASE WITH THE DNR, DIVISION OF OIL, GAS AND MINING

Commissioner Lyman stated that a bond had been issued for a gravel pit and that the Utah Department of Natural Resources (DNR), Division of Oil, Gas and Mining, is requesting to close out the bond and return the funds to the County.

Commissioner Lyman made a motion to approve the bond release with the DNR, Division Of Oil, Gas and Mining.
Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH BEAVER COUNTY FOR EMERGENCY ASSISTANCE FOR FLOOD RESPONSE

Interim Attorney Harris stated that she had not received any response from Beaver County regarding the proposed MOU.

This item will not be place on a future agenda until the County receives the amended agreement from the Beaver County's Attorney's Office.

DISCUSSION AND POSSIBLE APPROVAL FOR SEVERAL GRANTS FOR FIRE AND FLOOD MITIGATION, EMS, AND PUBLIC SAFETY

Auditor Pfaff stated that her office had reviewed several grant applications and agreements and was comfortable with all of them.

The grants included:
- NRCS – Natural Resources Conservation Service Watershed Mitigation Grant. The award amount is unknown at this time. This is a reimbursable grant.
- FMAG – Fire Management Assistance Grant. The award amount is unknown at this time. This is a reimbursable grant.
- PCG Dispatch – Per Capita Grant for Dispatch. The current award amount is $2,300.00.
- PCG EMS – Per Capita Grant for EMS.
- HMEP – Hazardous Materials Emergency Preparedness Grant. The prior-year award was $3,200.00.
- RHTP – Rural Health Transformation Program Grant for EMS equipment. The potential award amount is unknown at this time.

Lindsay Mitchell explained the RHTP grant and the goals associated with the funding, if awarded. She stated that the grant focuses on technology-based improvements and innovation. She noted that the application process is very detailed.

Commissioner Lyman made a motion to approve the grants for fire and flood mitigation, EMS, and public safety as discussed.

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

DISCUSSION AND POSSIBLE APPROVAL OF A PURCHASING CARD FOR JACOB NIELSON

Auditor Smith requested a purchasing card for Jacob Nielson in the amount of $2,000.00.

Commissioner Wright made a motion to approve the purchasing card for Jacob Nielson in the amount of $2,000.00.

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

DISCUSSION AND POSSIBLE APPROVAL OF A VEHICLE ASSIGNMENT FOR JACOB NIELSON

HR Director Nielson explained that he would be assigned the former Clerk vehicle. He stated that there are liability concerns and that the vehicle would be tested to assess its condition and determine whether repairs are feasible.

Commissioner Wright made a motion to approve the vehicle assignment for Jacob Nielson.

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

DISCUSSION AND POSSIBLE APPROVAL OF TRANSFERRING BUDGET FROM ONE

DEPARTMENT TO ANOTHER WITHIN THE SAME FUND

Auditor Pfaff stated that additional funds are needed to cover sanity hearings. She requested a transfer of $1,500.00 from the Special Prosecution Department to the Sanity Hearings Department.

Commissioner Lyman made a motion to approve the budget transfer from one department to another within the same fund as discussed.

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

DISCUSSION AND POSSIBLE APPROVAL OF JONES & DEMILLE ENGINEERING GENERAL SERVICES AGREEMENT

Interim Attorney Harris stated that an updated agreement with Jones & DeMille Engineering is needed for approval. She explained that the agreement contains the standard general terms and conditions. Specific project agreements will be brought before the Commission for approval as needed. She stated that the Commission could approve the general services agreement at this time, with the agreement to be signed at a later date.

Commissioner Wright made a motion to approve the Jones & DeMille Engineering General Services Agreement.

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

DISCUSSION AND POSSIBLE APPROVAL OF ENGINEERING SERVICES AGREEMENT FOR EWP PROJECT

Interim Attorney Harris explained the agreement. She stated that the agreement outlines the scope of work for the project and the associated payment terms.

Commissioner Wright made a motion to approve the engineering services agreement for the EWP Project.

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

PUBLIC INPUT

Ron Larsen stated that general services agreements are beneficial because they streamline the procurement process and facilitate a quicker process.

OTHER BUSINESS

Auditor Pfaff clarified that invoices for flood mitigation were initially expected to be paid through LATCF funds. However, the costs were greater than anticipated, so the expenses will instead be processed through the Road Department with the understanding that the County will receive one hundred percent reimbursement.

Commissioner Lyman stated that Road Supervisor Winget has been working a significant number of emergency hours due to the recent natural disasters.

HR Director Nielson clarified how the County is receiving reimbursement for the emergency work.

Commissioner Lyman noted that Supervisor Winget is a salaried employee and therefore, does not receive overtime pay.

Commissioner Johnson stated that it would be difficult to establish such an arrangement for one employee without considering similar circumstances for other employees. He stated that the County should not pick and choose who receives additional compensation and that a more thorough discussion is needed.

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

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 12:49 p.m.

Auditor Pfaff presented a list of assessor adjustments for approval.

Commissioner Wright made a motion to approve the list of assessor adjustments.

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

Auditor Pfaff presented three stipulations for approval. She explained that a stipulation means the Assessor and the appellant have reached an agreement following an inspection of the property.

The stipulations were for the following parcels:

- Parcel F-515, owner Jose Nunez.
- Parcel F-7030-8, owner Robert Monsen.
- Parcel M-1555-1, owner CK Huff Investments LLC.

Commissioner Wright made a motion to approve the list of stipulation as presented.

Commissioner Lyman 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 12:55 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 12:58 p.m..

Attest:______________________________ Approved:______________________________