

MINUTES OF BOARD OF COUNTY COMMISSIONERS  
MILLARD COUNTY THE 12<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  
Marki Rowley..... County Clerk  
Kayla Freeman..... Deputy County Clerk

ALSO PRESENT: Denton Peterson..... Deputy County Attorney  
Kristine Camp..... County Treasurer  
Bonnie Smith and Vickie Bennett..... County Auditor’s Office  
Sierra Dickens..... County Recorder  
Brandon Wingett..... County Road Supervisor  
Jacob Nielson..... County HR Director  
Rachel West..... County Tourism Director  
Richard Jacobson, Jerid Bennett, and  
Lindsay Mitchell..... County Sheriff’s Office  
Adam Richins..... County Planner  
David Nixon..... Sand Rock Ridge Riders ATV Club President  
Ron Larsen, John Plaza, Kris Ewert, Luke Marvin, and  
Kevin Morris,..... 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 Lyman said the invocation. Everyone stood and said the Pledge of Allegiance to the Flag.

APPROVAL OF APRIL 21, 2026 COMMISSION MINUTES

The proposed minutes of a regular County Commission meeting held April 21, 2026 were presented for consideration and approval. Following review and consideration of minor corrections, Commissioner Wright made a motion to approve the minutes of April 21, 2026 as corrected.

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

#### FOLLOW UP ACTION ITEMS FROM APRIL 21, 2026

There were none.

#### DISCUSSION AND POSSIBLE APPROVAL OF STATE OF UTAH ADMINISTRATIVE OFFICE OF THE COURTS CONTRACT NO. 242337 FOR FY 26-27

Clerk Rowley presented the annual 4th District Court service contract. She noted that there is a positive increase in the County's favor to cover expenses incurred above the contract amount last year.

Commissioner Lyman made a motion to approve the State of Utah Administrative Office of the Courts Contract No. 242337 for FY 26-27.

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

#### RATIFICATION OF THE 26-27 FY INDIGENT DEFENSE COUNCIL (IDC) GRANT AGREEMENT

Commissioner Lyman made a motion to ratify the FY 26-27 IDC grant.

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

#### RATIFY AWARDING OF THE BID FOR THE TWO-TANK WATER HEATER SYSTEM FOR THE WEST COUNTY POOL

Commissioner Lyman made a motion to ratify the approval for the two-tank water heater system for the west county pool.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF A PURCHASING CARD LIMIT INCREASE FOR KLINT PENNEY - MAINTENANCE SUPERVISOR

Auditor Smith recommended increasing the purchasing card limit for Klint Penney, Maintenance Supervisor, to \$4,000.00.

Commissioner Lyman made a motion to increase the purchasing card limit for Klint Penney. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

#### DISCUSSION AND POSSIBLE APPROVAL OF A PURCHASING CARD FOR VICKIE BENNETT - AUDITOR'S OFFICE

Auditor Smith recommended approval of a purchasing card for Vickie Bennett with a spending limit of \$1,000.00.

Commissioner Lyman made a motion to approve a purchasing card for Vickie Bennet. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

#### DISCUSSION AND POSSIBLE APPROVAL OF THE \$10.00 TICKET SALE FOR THE 4TH OF JULY CONCERT

Tourism Director West explained that everything is ready for the event, but ticket sales have not yet opened. She proposed setting all ticket prices at \$10.00 regardless of seating location.

Sheriff Jacobson stated that he has been in communication with the Tourism Department regarding the event and asked about the planned maximum seating capacity of the event.

Director West explained that the maximum seating capacity is 4,200 attendees.

Commissioner Lyman made a motion to approve the \$10.00 ticket sale for the 4<sup>th</sup> of July concert.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF THE SOLE-SOURCE PROCUREMENT FROM CA JOHNSON FOR THE MILLARD COUNTY RESURFACING OF THE FOREST SERVICE ROADS PROJECT

Road Supervisor Wingett explained the project and stated that, aside from the Forest Service, only one company in the area has the proper equipment to complete the work. He also asked where the funding for the project would come from.

Auditor Smith explained that the funding would come from the Road Department budget and noted that the Auditor's Office would help the Road Department properly track the expenditures.

Commissioner Lyman made a motion to approve the soul-source procurement from CA Johnson for the Millard County Resurfacing of the Forest Service Roads Project.

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

## DISCUSSION AND POSSIBLE APPROVAL OF THE SOLE-SOURCE PROCUREMENT FROM THESHERIFFAPP.COM

Sheriff Jacobson explained the sole-source procurement from TheSheriffApp.com and the services it would provide. The platform is a mobile application designed for sheriff's offices and local law enforcement agencies to communicate and share updates with the public. Its primary purpose is to help keep communities informed by improving communication between law enforcement and residents through faster notifications, easier access to public safety information, and a more direct connection with the Sheriff's Office.

Commissioner Lyman made a motion to approve the soul-source procurement from TheSheriffApp.com.

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

A contract will be brought to the Commission for approval at a later date.

## DISCUSSION AND POSSIBLE APPROVAL OF BUSINESS LICENSE KNOTS N NAILS BY KORT, OWNER - KORTNEY DIPO

A business license application was presented for Knots N Nails by Kort , Owner - Kortney Dipo, a massage and nails business. After review of the application and finding all signatures in order, Commissioner Lyman made a motion to approve a business license for Knots N Nails by Kort, Owner - Kortney Dipo.

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

## DISCUSSION AND POSSIBLE APPROVAL OF AMBULANCE ABATEMENT(S)

Ms. Mitchell presented an ambulance abatement application from Patient 11054.

Commissioner Lyman made a motion to abate 60% of the ambulance bill for Patient 11054. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

Ms. Mitchell presented an ambulance abatement application from Patient 10938.

Commissioner Lyman made a motion to abate 10% of the ambulance bill for Patient 10938. Commissioner Wright SECONDED the motion. The voting was unanimous and the motion carried.

## DISCUSSION AND POSSIBLE APPROVAL OF PROFESSIONAL SERVICE AGREEMENT WITH SANDSTONE PSYCHOLOGY FOR SUBSTANCE USE PREVENTION TREATMENT

## PROGRAM IN THE MILLARD COUNTY JAIL

Lt. Bennett presented the contract with Sandstone Psychology. He explained that the decision had previously been made to award the request for proposal to Sandstone, and the agreement is now being presented in contract form for approval. He stated that a total of eighteen inmates can be enrolled in the program and that the County gets reimbursed more for the inmates in the program.

Commissioner Wright explained that opioid settlement funds could be used for county inmates and directed staff to work with the Auditor's Office to properly track payments.

Interim Attorney Harris reviewed the terms of the agreement and explained that it is a five-year contract.

Sheriff Jacobson explained with state contracted inmates the reimbursements to the County have increased each year.

Commissioner Wright suggested a three year contract.

Commissioner Lyman made a motion to approve the five year Professional Service Agreement with Sandstone Psychology for the Substance Use Prevention Treatment Program in the Millard County Jail.

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

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

Lt. Bennett requested that this be rescheduled, explaining that the contract with Blue Mountain Dental is not yet ready for approval.

## DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE NO. 26-05-12, AN ORDINANCE OF THE MILLARD COUNTY COMMISSION, AMENDING AND RESTATING 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, AND CLARIFYING PROCEDURE TO FURTHER COMPETITION AND TRANSPARENCY

Interim Attorney Harris reviewed the proposed amendments to the Millard County Procurement Code and explained the exemptions and revisions that need to be addressed. She stated that one amendment would allow the County to utilize government contracts procured through another governmental entity's procurement process rather than requiring the County to complete its own procurement process. She explained that an agreement with Utah Department of Transportation brought the issue to her attention.

Interim Attorney Harris also reviewed proposed revisions related to local preference, which would allow local vendors to receive preference if their bid is within 5% of a non-local bid and are willing to bring the cost down to the lowest bid. She further explained proposed language changes regarding how bids are received and revisions related to building construction projects. She noted that Resolution 20-12-01A established procedures that must be followed when improvements are made and that the ordinance amendments would update the language to align with the County's procurement policy, including clarifying the definitions of improvements versus maintenance. She also explained that another proposed change would require documentation of efforts made during procurements from provisions to ensure the purchasing process remains competitive.

Following discussion regarding the proposed revisions, the Commission agreed that the ordinance would be brought back at a future meeting for further discussion and possible approval.

#### DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUESTS FROM THE SAND ROCK RIDGE ATV CLUB TO CONSTRUCT A ROAD TO THE STAGING AREA AND ASSUME RESPONSIBILITY FOR THE STAGING AREA

Dave Nixon, president of the club, continued the discussion that was previously held at an earlier Commission meeting.

Commissioner Wright stated that the County does not want to take ownership of the property, but would consider updating it one time and then leave future maintenance responsibilities to the owners.

Interim Attorney Harris stated that a Memorandum of Understanding (MOU) would need to be created for the situation.

Sheriff Jacobson requested confirmation that the property would not be considered public property, noting that the designation would affect the responsibilities and authority of the Sheriff's Office. He explained that the public needs to have proper expectations regarding the property remaining private and that assumptions should not be made regarding what the Sheriff's Office can or cannot enforce by statute. He added that those details would need to be clarified.

Interim Attorney Harris agreed details would need to be clarified, noting the definition of highway under Utah Code Ann. § 1-6a-102(34)

Mr. Nixon stated that he is still seeking a conservation easement and a commitment letter in order to apply for the grant. He explained that the grant cycle for this year had already been missed and that the application would need to be submitted during the next grant cycle.

Commissioner Wright and Commissioner Johnson both stated that the County does not want to commit to taking ownership or responsibility for the staging area.

Interim Attorney Harris said that if the County is going to sign anything, it must be

reviewed by the Attorney's Office first. She will draft a letter of willingness as requested, which is not legally binding.

#### DISCUSSION AND POSSIBLE APPROVAL OF A REIMBURSEMENT AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR PRELIMINARY ENGINEERING SERVICES RELATED TO PROPOSED RAILROAD CROSSING MODIFICATIONS ON COUNTY ROAD 3869

Deputy Attorney Peterson explained that the agreement with Union Pacific Railroad Company for preliminary engineering services required for the proposed railroad crossing modifications associated with the project on County Road 3869. He explained that the County would initially pay for the engineering services related to the construction of the crossover road over the railroad tracks and would later be reimbursed for those costs, with a cap of \$60,000.00.

Commissioner Lyman made a motion to approve the reimbursement agreement with Union Pacific Railroad Company, contingent upon SITLA agreement.

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

#### DISCUSSION AND POSSIBLE APPROVAL OF FIRST AMENDMENT OF COUNTY ROAD MAINTENANCE AGREEMENT WITH ECG UTAH SOLAR 1, LLC, TO FACILITATE REIMBURSEMENT FROM ECG TO MILLARD COUNTY FOR RAILROAD MODIFICATIONS ON COUNTY ROAD 3869

Deputy Attorney Peterson explained that, due to the engineering services that have been completed for the required roadway improvements and the road that has been constructed, the County Road Maintenance Agreement with ECG Utah Solar 1, LLC needs to be amended. He stated that the amendment would include future road maintenance costs associated with the roadway crossing over the railroad tracks as part of the project.

Commissioner Lyman made a motion to approve the first amendment of the County Road Maintenance Agreement with ECG Utah Solar 1, LLC, contingent upon SITLA agreement.

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

#### PUBLIC INPUT

There was none.

#### OTHER BUSINESS

Commissioner Lyman stated that she had received a text message from Shelly Dutson asking whether the Gunnison Bend Reservoir could be opened early. Following discussion, the Commissioners agreed to open the reservoir early.

Commissioner Lyman explained that she had spoken with Erin Sorenson in Planning and Zoning regarding ways to slow the development of data centers until the County has a better understanding of how they may affect the community. She stated that the County could be more selective with zone change approvals for a period of time in order to help alleviate residents' concerns until the long-term impacts are better understood.

Deputy Attorney Peterson advised that the County has several options available and could choose to delay approving zone changes if desired.

Interim Attorney Harris explained that the Commission has the greatest level of discretion during the zone change process, but significantly less discretion in approving applications for uses currently allowed in designated zones. She also noted that any future code changes would not affect projects or approvals that have already been granted.

Planner Richins stated that no additional applications for zone changes have been received. He explained that the current process has been discussed and that the general sentiment has been to take time and avoid rushing the process. He added that the Planning and Zoning Board is comfortable with the current procedures and does not currently see a reason to make changes.

Commissioner Wright explained that the County has already taken proactive steps regarding growth and stated that the existing processes and ordinances adequately address what is needed.

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

Auditor Smith presented a list of items to be sold at auction, including assets 2303,4337,4431,4432,3010,3382,3424,1870,2869,1631,3031, and 3030.

Commissioner Lyman made a motion to approve the list of surplus property.

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

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

Clerk Rowley presented Jerry Shurtz and Matt Masner, for appointment to the Housing Authority Board.

Commissioner Lyman made a motion to approve the appointments.

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

Clerk Rowley explained that there are currently three vacancies on the Weed Board and that no applications or names have been received. Commissioner Lyman stated that she would reach out to the current board members regarding the vacancies and possible reappointment. This

will be brought back for appointment at a later meeting.

Clerk Rowley stated that Angie Meinhardt was interested in serving on the Deseret-Hinckley Cemetery Board. However, it was unknown if the vacancy was noticed to the public. She said that she would find out and bring this back to a future meeting.

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

Auditor Smith presented an application from Jolie Thomas regarding Parcel -710. She explained that Ms. Thomas has made payments toward the delinquent taxes, but the parcel remains on the tax sale list due to the outstanding balance. Auditor Smith asked whether the Commission would like to remove the parcel from the tax sale list and whether any additional assistance should be provided.

Commissioner Lyman stated that she would be willing to remove the parcel from the tax sale list.

Commissioner Wright asked whether Ms. Thomas qualifies for any assistance programs.

Auditor Smith explained that, based on the hardship abatement scale, Ms. Thomas qualifies for a 50% abatement.

Commissioner Lyman made a motion to remove Jolie Thomas, Parcel - 710 from the tax sale list and grant an abatement of 50%.

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

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

Clerk Rowley let the Commission know that the ballot box located on Main Street in Fillmore had been moved to the back of the building for better security and a true drive and drop. She explained that ballots for the Republican Primary Election will be mailed on or around June 2, 2026. She also noted that early voting dates have been posted on the website and that Election Day will be held on June 23, 2026.

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

There was none.

#### POSSIBLE REVIEW OF COUNTY POLICIES AND CONTRACTS

Clerk Rowley explained that an invoice, rather than a formal contract, had been received for Tom Dimond and asked whether an official contract was needed.

Interim Attorney Harris stated that she was comfortable accepting the invoice in place of a formal contract.

Tourism Director West presented County Fair contracts for Fyre God, Fiona Bates, and Dirtroad Creations..

Interim Attorney Harris explained that there was an existing MOU between the Utah Department of Natural Resources (DNR) and Millard County that has now been amended to include Fillmore City regarding the Pine Creek and Dry Creek debris basins. She explained that the agreement includes three-year maintenance terms.

The Commission asked that the MOU between DNR, Millard County, and Fillmore City regarding maintenance of the debris basins be placed on the agenda for next week's meeting.

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

Commissioner Lyman made a motion to go into a closed executive session for the purpose of discussing pending and/or threatened litigation.

Commissioner Wright SECONDED the motion. All three commissioners voted unanimously and the motion carried. Present in the closed session were Commissioner Wright, Commissioner Johnson, Commissioner Lyman, Interim Attorney Harris, and Road Supervisor Wingett.

After the closed executive session the regular meeting reconvened at 12:31 p.m..

WHERE UPON THE MEETING ADJOURNED

The meeting adjourned at 12:32 p.m..

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

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