IRON COUNTY COMMISSION MEETING
OCTOBER 26, 2026

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 26, 2026 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Kenneth Robinson	Commission Chair
Michael Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Chad Dotson	County Attorney
Lucas Little	County Auditor
Nick Hulet	CJC
Bradden Beaumont	Deputy Assessor
Sam Woodall	Deputy Attorney
McKayla Meinhardt	Deputy Auditor
David Johnson	Economic Development
Richard Wilson	Engineer
Spencer Rollo	Fire Warden
Jennifer Bradbury	HR Director
Lori Eichelberger	Justice Court
Bruce Anderson	Public Works
Jaden Thomas	Victim Advocate
Amber Hatch	Weed Department

Others present:

Ingrid Akerblom	Desi Ayers	Elaine Bennett
Rand Bettridge	Chanel Borhardt-Slayton	Tamra Borhardt-Slayton
Shelby Chipesse	Laura Cotts	Jared Dannelly
Samantha Dannelly	Britney Ford	Natalie Garrido
Daniel Goldstein	Craig Gubler	Ashton Jessop
Jessica Lamborn	Adrian Lambrinos	Terrence Mitchell
Bobby Moyer	Marion Munn	Frank Nichols
Aftyn Oliver	Benji Park	Melissa Peck
Brian Petty	Tyler Pristre	Samia Quainin
Joe Reasen	Kenny Reasen	Russell Reber
Jeff Richards	Ray Sadd	Sharon Sadd
Mavi Sill	Danny Stewart	Mary Stults
Kyle Verzello	Spencer Viernes	CJ Wanser

Keith Wanser | Bruce Washburn | Laurel Yellowhorse

N. S.

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INVOCATION

An invocation was offered by Paul Cozzens.

PLEDGE OF ALLEGIANCE

Those assembled were led in the Pledge of Allegiance by Kenneth Robinson.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held on October 12, 2026. Second by Kenneth Robinson. Voting: Michael Bleak, Absent; Paul Cozzens, Aye; Kenneth Robinson, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve Claims for Payment from October 12, 2026 to October 25, 2026. Second by Kenneth Robinson. Voting: Michael Bleak, Absent; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DEPARTMENTAL REPORTS

Chad Dotson, Iron County Attorney, noted that the Attorney's Department was under budget, and that he had no concerns about going over the budget.. Chad reported that since January 1st, the Attorney's Office had reviewed 2,136 Criminal Cases, compared to 2,083 in 2025. From those cases, there were 979 District Court cases filed, 1,004 Justice Court cases filed, 43 Juvenile Cases, 110 civil cases, and 8 trials. There were 394 cases assigned to a Victim Advocate, and 80 cases that had been declined or returned for follow-up. Chad gave an update on

6 Jury Trials that were all convictions. He reported that he had met with Homeland Security and the Sheriff's Office. Homeland Security reported that in Cedar City alone 426 individuals were here illegally and had been given final orders from a judge to be removed and deported. The Sheriff's Office would be working with Homeland Security and ICE to begin the process.

Nick Hulet, Children's Justice Center (CJC) Director, noted that the budget was on track. Nick reported that during the 2026-2027 first quarter of the grant cycle, the CJC had completed 61 Interviews and 15 Medical exams. To date, there were 235 interviews and 59 medical exams. He noted that in the year 2026, the monthly average was 26 interviews and 6.5 medical exams per month, compared to 24.8 interviews and 5.2 medical exams in 2025. With help from the Auditor's Office, the Quarterly Report was submitted, along with reimbursement requests for the first quarter of the fiscal year. Similar to 2025, the VOCA Grants were not sufficient to support the needs of the clients in Mental Health sessions. To date, 42% of the budget was spent on mental health sessions, and he would have to reallocate fundraising monies to support these families to supplement shortfalls from grant monies. Other sources of assistance through Crime Victims Reparations (CVR) were taking upwards of 3 months to receive assistance. The allocated funds for salaries have 74% of the funds remaining, and the allocated funds for Fringe Benefits had 80% remaining. Nick reported that the number of sessions billed to the VOCA Grant was 95 for this quarter, with an average to date of 96 sessions per quarter. He noted that the annual Dancing with the Community Starts fundraiser event would be held on November 17th at the Heritage Center Theater. The lobby would open at 6:00 p.m., the theater would open at 6:30 p.m., and the show would be from 7:00 p.m. to 9:00 p.m. Nick listed the judges and contestants for this year's program.

Lori Eichelberger, Iron County Justice Court Administrator, noted that the budget was on track at 67.83% spent. Lori reported that the department was fully staffed, and she expressed her appreciation to all the Judicial Assistants. The person hired as a Spanish interpreter was constantly called on and was a great asset to the department. She noted that Sam Woodall, Iron County Deputy Attorney, would submit the recertification application on November 9th. Lori gave a Justice Court Recap Report from January to September 2026. DUI's, theft, assaults, and miscellaneous misdemeanors/infractions were up by 137 cases, and Impaired driving DUI, driver's license violations, moving violations, non-moving violations, controlled substance/narcotics, and domestic violence were down by 924 cases. Revenue collected was down by $89,548, Revenue disbursed was down by $47,355, and Revenue regained was down by $42,213. Citation comparisons were down from Cedar City, SUU, and UHP by 201, but up from the ICSO by 79.

Jaden Thomas, Iron County Victim Advocate Services Program Manager, reported serving 183 clients from July 1st to September 16th. To date, there were 506 clients served. Of those 183, 9 of those clients had more than one victimization. The most frequent victimizations were domestic violence-related crimes at 49, 44 child sexual abuse, 21 child physical abuse, 20 adult sexual assaults, and 17 stalking/harassment crimes. Jaden reported that local victim advocates participated in a research study out of Denver, Colorado, regarding programs that had implemented alternative legal services via Community Justice Advocates. He noted that the Iron County program was highlighted in a recent journal article by the Community Justice Advocates of Utah and Innovation for Justice. Jared read a letter from a client: "It seems like maybe having CJA's is something that isn't a big deal, but it is a big deal because the average person doesn't know where to start when abuse occurs. I probably would not have received the protective order had I gone about it by myself, just because I didn't have a pathway to understand how to do it, nor could I afford an attorney. Even if I could afford an attorney, I felt like the CJA was more on my level, and it made the entire process more manageable."

Michael Bleak, Iron County Commissioner, noted that he spent a lot of time and many late hours with Brett Hamilton, Terry Palmer, and staff working on the zoning ordinance. Mike said he had the opportunity to present a report on the ordinance before the Homebuilders Association luncheon with Terry, and Brett gave an update on building and projects happening in Iron County. He attended the Micro-Home groundbreaking at the Carroll Micro Home for the Iron County Care and Share. These micro homes would not only serve the immediate homeless

need, but also help folks transition into a little bit more stable circumstances and overcome some intergenerational poverty. Mike met with the Cedar City Iron County Economic Development Committee, where they discussed different projects, what could be done to move things along, to recruit, and to support local entities that were already in place. He met with a local group that was developing an AI Emergency Management platform that would be a resource on your phone to help with emergency preparedness. There would be more meetings in the future, and he would introduce George Colson, Iron County Emergency Manager, to the group. Mike attended a coordinating meeting with Iron County Tourism, Utah Summer Games, and SUU to discuss the general purpose of the new Arena building project at SUU.

Paul Cozzens, Iron County Commissioner, attended the Southwest Public Health (SWPH) Five-County meeting with Dr. Blodgett, SWPH Director, who was an amazing leader, and was the only medical doctor who was a director of a public health department in the state of Utah. He also met with the Steering Committee which comprised of a representative from each county, which included a County Commissioner, School Board member, and a Mayor Representative from each city, and Darin Bushman was doing a great job as the new Director. Paul reported that the Iron County budget meetings concluded, and Luke Little, Iron County Auditor, would present the tentative budget later in the agenda. He noted that he was grateful for the moisture that Iron County had received. There was a little flooding in Kanarraville, but he had not heard of anything else that was too problematic. Paul noted that one great result from the last series of storms was that it soaked the mountains really well so that in the spring, when the snow melts, and comes down, that water would be used to recharge and versus it soaking into dry soils on the mountain, and Paul read that in the last 30 days Lake Powell had risen approximately 7½ feet. Unfortunately, residents in Bluff and the surrounding areas were getting too much water right now from Colorado. Commissioner Cozzens noted that he spent a lot of time with different people talking about the overlay ordinance that was on the agenda today for discussion. Paul expressed his appreciation for the work that had gone into the ordinance and to everyone involved with it.

Kenneth Robinson, Iron County Commissioner, noted that as Paul mentioned, the budget hearings were completed, and they would continue to address that throughout the coming weeks. Ken reported that he had meetings with Brett Hamilton, Iron County Planner, and others regarding the Strategic Development Zone (SDZ) Overlay, trying to get a better understanding of the SDZ, and he spent many hours reading through the ordinance. He attended the Heritage Festival, which was a great opportunity to be proud of our community. Ken noted that he had a Zoom call with other County Commissioners and Senator Lee to go over some work that Senator Lee was doing on some bills. He received an update from the Cedar Mountain group that went to Washington, D.C., to represent the Wool Growers Association. They represented Iron County, the State of Utah. They provided some very positive feedback of what went on in that meeting. It became a debate between the United States producers and producers from around the world, with a lot of pushback from Australia and New Zealand, The UAE seems like a good place to start. The United States represented an excellent case, and hopefully there would be some pushback on the imports that were coming in with the lamb and wool industry. He was very appreciative of the rain that had been received and was very beneficial. There were many good reports on the mountain receiving multiple inches of rain.

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF ORDINANCE 2026-23, AMENDMENTS TO THE IRON COUNTY ZONING ORDINANCE, INCLUDING REPEALING AND REPLACING CHAPTER 17.37 TO ESTABLISH THE STRATEGIC DEVELOPMENT ZONE OVERLAY, CHAPTER 17.33 RELATED TO SOLAR POWER PLANTS, CHAPTER 17.20 RELATED TO USE DEFINITIONS AND CHAPTER 17.16 RELATED TO THE TABLE OF USES

Brett Hamilton, Iron County Planner, presented the Strategic Development Zone Overlay (SDZ) and reported on the changes made during the Iron County Planning Commission (ICPC) October 12th meeting. He noted that the framework remained and the changes included the following areas: the Scope-Industrial Campus category was removed; Thresholds for solar and

geothermal were increased to 100MW; Compatibility had a language change, specifically separation distance; the Process-Outreach section had been modified to avoid any First Amendment rights issues; a clarification in the Overlay Expiration; modifications in the Implementation or existing approved projects that had Conditional Use Permits (CUP); and the Air Quality and Water Review Sections. Brett explained the changes in each section

Kenneth Robinson, Iron County Commission Chair, declared a Public Hearing open regarding Ordinance 2026-23, Amendments to the Iron County Zoning Ordinance.

Laurel Yellowhorse, Piute Indian Tribe Chairperson, read a letter in behalf of the tribe out of necessity because the ICPC failed to conduct any real level of consultation, which was a legal requirement, or discussion with the Paiute Indian Tribe of Utah regarding the Antelope Data Center and the SDZ Overlay. Laurel noted that based on previous drafts of the SDZ, Iron County appears to have some sense of understanding that consultation was required. The original version of the SDZ included language requiring applicants to provide the tribe with project plans information and it clearly outlined a process that would allow the tribe to participate meaningfully. It stated that the tribe would have at least 30 days for written comments on a request for a staff level mitigation meeting. However, the updated version of the SDZ removed the consultation language and replaced it with much more limited requirements that do not allow any time for tribal written comments or the ability for the tribe to call for a meeting with the county. Consultation with the Pioneer Tribe of Utah about such drastic actions as the SDZ is a moral and ethical requirement. For centuries, the tribe has been caretakers of these lands and we will continue to be for centuries to come. She noted that the tribe holds significant ties to the land, water, and natural resources around us. These ties will be severely adversely affected by the SDZ and any development thereafter. We have been trying to present the county with an opportunity to incorporate tribal knowledge as a core competence of responsibility. The county and the Board of Commissioners have already taken unlawful action by approving the Antelope Data Center without consultation with the tribe, and the tribe was considering taking separate action to rectify that issue. The tribe requests that the board postpone any vote until meaningful government to government consultation with the tribe occurs. We invite the board to our tribal headquarters to commence these discussions. We look forward to having an actual real discussion with the board of commissioners about this matter in the immediate future.

Tamra Borhardt-Slayton, Council member of the Paiute Indian Tribe of Utah, noted the she represented the Indian Peaks Indian Band. The reservation property was in Iron County, and our ancestral homeland was in Beaver County. Tamra read from a letter she had written listing her concerns regarding the proposed special data or special development zone overlay and the continued advancements of the data center development in Iron County without meaningful government to government consultation with the Paiute Indian Tribe of Utah. She noted that collaboration was not government to government consultation. While collaboration and public engagement were important components in responsible economic development, they do not replace the formal consultation process owed to the sovereign tribal government where applicable laws require it. The Paiute Indian Tribe of Utah and the Indian Peaks Band, a constituent band of the PITU, are not merely another stakeholder or interested community organization. It was a federally recognized sovereign government whose people have maintained historical, cultural, spiritual, and ancestral connections to these lands since time immemorial. Government-to-government consultation must occur early enough in the decision-making process to allow tribal concerns, traditional knowledge, and recommendations to be genuinely considered before decisions become final. Furthermore, the development of large scale data centers raised legitimate concerns regarding water availability, environmental impacts, cultural resources, infrastructure, and long term consequences for surrounding communities. These considerations are especially significant to Southern Paiute people whose culturally identified identity and traditional responsibilities are deeply connected to the land and natural resources. Responsible development must also consider the protections of cultural resources, the sustainability of water supplies, and the rights and interests of sovereign tribal governments. Tamra stated that she recognized that Iron County has interest in encouraging economic opportunities. However, those interests should not precedence over meaningful consultation or

the protection of resources that hold cultural and historical significance to the Southern Paiute people. I support the Paiute Indian Tribe of Utah's formal request to the board to postpone action on the proposed SDS overlay until meaningful government to government consultation has occurred. I further encourage the board to restore clear and enforceable tribal consultation procedures within the proposed overlay, establish an appropriate process for addressing tribal concerns, and ensure that future development proposals receive meaningful review before final government decisions are made.

Brian Petty, a resident of Iron County, noted that he wanted to talk about the tech behind these data centers. Iron County was not going to need as much data center space in five to seven years as anticipated. He was concerned that Iron County would be stuck building based off of technology that was not needed because there was going to be plenty of inference chips that were more powerful. One of these chips was going to be able to power the equivalent of 100 GPUs. Another concern was regarding being able to pull gas turbines in quickly, possibly by 2028, but gas turbines were not readily available right now. Everybody's building gas systems and the lead were up to five years for a turbine. He was concerned that there was not reasonable salvage credits allowed in the SDZ. He appreciated that there was a lot of work that has gone into this, and that citizens were being allowed to speak, and being listened to.

Melissa Pack, a resident of Enoch City, noted that she was not actually categorically opposed to data centers. AI was here to stay and it was a useful tool. She also understood that all of that required physical infrastructure to exist somewhere. Her concern was whether that infrastructure needed to exist here in Iron County, and how they were going to affect the county. Melissa expressed her appreciation that Iron County has been willing to take their time and willing to ask questions and try and make sure that we do this ethically and in a sustainable way. When the Iron County put the moratorium in place, it identified a whole list of things that needed to be considered like water, electrical transmissions, utilities, transportation, emergency services, air quality, noise, environmental impacts, rural character, and long term planning. She stated that she appreciated that the county has spent the last several months working on those regulations to address some of those concerns. Has it been studied what these projects will do to our electrical infrastructure, the effects would be on existing rate payers, how much water the county can reasonably afford to dedicate to data centers, what additional infrastructure and emergency services will be needed and how we are going to pay for them, and most importantly have you looked into the cumulative effect? She noted that this was proposing a zoning ordinance which would allow multiple, several data centers. There was no reason to rush this decision, and the moratorium was put in place for a good reason and that there was no reason to end it early.

Mary Stults, a resident of Iron County, reported that at the commission meeting, she asked if any of the commissioners had actually been to a very large data center like what was being proposed here, that was already in operation and fully operational, and Commissioner Robinson commented that he had been to Eagle Mountain. At the time that you saw it, it was not fully operational, and using the local power grid, and not using all of its generators. Commissioner Bleak noted that there was another data center that was fully operational that the commissioners visited that was a very large building. Mary noted that she wished the commissioners would go experience that on behalf of the county so that they really have a visceral feel for what was coming here.

Laura Cotts, a resident of Iron County, reported that she had been living in Iron County for the last 56 years. She had tried to follow this process, expressed her I appreciation for all the work that has gone into this, putting in the moratorium, and taking time to look at this more carefully, but it seemed like slightly more consideration was given to the developer than for Iron County. Mary listed her concerns from the SDZ which included: that existing agricultural operations and surrounding agricultural uses shall be considered in evaluating the proposed SDZ, but it had been taken out and needed to be put back in; the pre meeting asks for at least seven days prior and if it was seven days and in a week, then two of the days were weekends, so perhaps change it to seven working days or 15 days so that you have a little bit more time to look at things; industrial campuses was removed and she would encourage some kind of consideration for industrial campuses; considering change in ownership or control of an approved SDZ project

shall not include a transfer between entities that are under common ownership or control, a corporate reorganization, was deleted; and eliminated financial assurances and mitigation obligations shall account for the full appeal scope of each phase, including the portion of shared infrastructure or mitigation improvements. Required infrastructure and mitigation shall be constructed concurrently with or prior to the development.

Ingrid Akerblom, a resident of Iron County, was concerned with the proposed noise standards in the SDZ, and that the specific decibel limits were deeply flawed, mathematically contradictory, and fail to protect local homeowners. The limit of 65 decibel at the project boundary was an industrial level allowance. Permitting 65 DBA gives developers a pass to construct a fundamentally loud facility with minimal acoustic engineering. Ingrid reported that the math in this proposal contradicted itself. Sound naturally dissipates over distance. By setting the half mile noise limit to a massive 55 DBA, the county was implicitly allowing the data center to be exponentially louder at its source than the boundary cap even permits. This level protects the developer's future expansion, it does not protect residents. She noted that a nighttime limit of 50 DBA was entirely unacceptable. The World Health Organization explicitly states that continuous nighttime noise above 45 DBA causes severe sleep disturbance. She asked to lower the 0.5 mile residential limit to a maximum of 45 DBA and 55DBA during the day to control low frequency hums, and lower the nighttime residential limit to a maximum of 40 DBA and 50 DBA to protect human sleep cycles.

Marian Munn, a resident of Iron County, expressed her appreciation to the Iron County Planning Commission for all the hard work they had been putting in on the SDZ ordinance. She appreciated the times that they have listened and adopted some of the suggestions that have been given to them. The commissioners have already made their views pretty clear that Iron County must accept million dollar or multi-million dollar heavy industries such as hyper scale data centers with huge pollution producing power stations. Marian reported that many people would prefer to struggle to pay higher taxes than lose clean air and their health. Giving the community a somewhat false choice was misleading to either take the data centers and heavy industry or watch your taxes skyrocket was a bogus choice that favors developers. She noted that welcoming massive resource-draining industry was the only way to balance the county budget ignores the economic benefits of more compatible non-polluting alternatives that fit within a desert water budget. The commissioners do have the power to block more data centers, recognizing the simple truth that one was enough, the air pollution, the water diversion needed for future population growth, and the dangerous heat island effect in our already soaring temperatures in Utah were already too much. Community members were grateful for being able to give some input. Insufficient noise regulation narrow buffer zones, lack of automated monitoring or meaningful penalties was a concern. True leadership was changing course when a community says no and the majority of people do not want what was offed. A recent Utah State University survey shows that 75% of Utah residents oppose building new data centers. Ignoring the will of the people on a community-altering issue was not representation, but a failure of a functioning republic.

Natalia Garrido, a resident of Salt Lake City, stated that she was here with the Campaign for Utah for the People not for the tech billionaires, and drove four hours to stand and defend the people of this land who do not want data centers and if they do, they must have control and final say of what the decision actually was. They stand with the Paiute tribe and demand a pause in the tabling of this vote for them to be taken seriously in this decision and through the whole process and also the rest of the community members here to have an input. The change in the ordinance and the lift of the moratorium ban was a trend throughout Utah. She noted that Commission Councils were willing to get data centers developed and protect private property than to hear the respects of the people that they represent. Natalia said that in regards to a comment earlier about the rain having a good effect on the county, that data centers were going to destroy the rain and the ability for the earth to have that kind of nature. A data center would not bring prosperity to our communities.

Adrian Lambrinos, a resident of Salt Lake City, was here representing the Utah for the People versus the billionaires, as a military veteran, and as a father and someone who was

invested in future generations. Adrian expressed his and fellow Organizers' full support of the Paiute Tribe's 100% involvement, final say on this matter, and any further developments on or near or adjacent to their ancestral lands. The charge of this commission was to acknowledge the stewardship of the people of Iron County. As already stated, more than 70% of Utahans oppose more data centers. However, there was have sovereign nation who had full rights to self-determination and the freedom to actively participate in determining their own future. The Paiute tribe's ancestral charge is stewardship of this land. This is an important factor because if it was important to regard self-determination and how we dictate our futures, particularly the futures of the people that will come after us, it is important to understand that self-determination cannot come at the expense of another nation. This cooperation has to exist between the people that will be the most affected. Consider their demands to continue the moratorium until such time you have ample time to meet with them and have consultation with the Paiute tribe.

Samia Quainin, Next Era Energy Resources representative, reported that Next Era Energy Resources were the developers of the permitted Zion Solar Project, a 300 megawatt. Energy center consisting of solar generation and battery energy storage. Samia noted that in January 2025, the project received its conditional use permit from Iron County under the previous version of the solar ordinance. She expressed her appreciation to the county commissioners and staff for their continued efforts in supporting responsible development in Iron County. In particular, she would like to recognize Brent Hamilton, Iron County Planner, for his time and willingness to work collaboratively through this process. We also recognize the significant work that goes into protecting the county's interests while creating opportunities for economic development and growth. They were excited to continue advancing Zion Solar, which represented a substantial investment in Iron County with opportunities for local construction jobs, increased tax revenues, and long term economic benefits for the community. She reported that they support the adoption of the proposed ordinance and look forward to continuing our collaboration with the county to see the project through successful development.

Craig Gubler, a developer, reported that he had listened to everyone that opposed growth and development. As a developer, he had developed many Subdivisions and had a lot of protests and that he would imagine everybody in the room lived in a subdivision or a piece of property that has been divided. He noted that he understand the concerns about data centers. He had a company that built product that gets a decibel down and know it works. And we have technology in our group that works on stuff for the future that brings water out of the atmosphere. He wanted to do something for Iron County, to develop this area so taxes do not have to be raised. Craig reported that he understood the opposition of all this, but we need data centers for the future, for AI. Everybody in this room uses AI every day, every time you turn your phone on, your car, everything. He wished everybody would educate themselves more on what we do and the technology we have.

Benji Park, a resident of Salt Lake City, reported that he was also with the coalition Utah for the People. They left early in the morning to get down here to voice support for the Paiute Indian Tribe of Utah and other community members here who were asking for no data center development in Iron County. There had been many community members, including the sovereign nation of the Paiute tribe, come up and express that this vote should be tabled and community input should be allowed to ensure that development in Iron County best protects the land and the residents.

Chanel Borchardt-Slayton, representing the Paiute Indian Tribe of Utah youth, reported that as a 17 year old girl, she hoped to see our community grow. When she looked at our beautiful landscapes, our beautiful red Rocky Mountains, or our green luscious mountains, she could not help but wonder how that would happen. When it becomes all cloudy, too hot, or too noisy, how would her people think when they could not continue their traditions? Chanel noted that if this decision were to turn wrong in a few years, say 10-15 years who would be there to stop or to handle that situation with the data centers? Who will be there to advocate for our community? Will it be you guys? Will it be any of the adults standing here, sitting here behind me? Will it be my generation that has to deal with the fallout? Because simply put I do not think that the teenagers and young adults want that. I don't think we want to deal with an outcome that

can last up to 50 years or so with environmental damage. So I ask the county and commissioners to please take into account the future and what it could do to our community and how it can divide us, but also gather us all.

Keith Wanser, a resident of Chekshani Cliffs, reported that he was a PhD Physicist, and Professor of physics for 34 years at California State University. He was somewhat of an expert in acoustics. He did his PhD on acoustics, and understood acoustic attenuation, noise, and generation. He stated that the noise ordinance was fundamentally flawed because you can not measure the output of a big power plant. He worked in 1,000 megawatt power plants inside the boilers, so he know a little bit about those. Keith explained measuring with DBZ, frequency, infrasound, water vapor put into the air by power plants that H2O is much lighter than CO2, so it raised up in the atmosphere, and it would create huge local heat trapping zones. He encouraged the commissioners to pause and do a little more due diligence on the regulations, sound, and also a little bit more about this local heat islands.

Ashton Jessup, a resident of Iron County, noted that he used AI very regularly, and had been building an app that he hoped to bless the world with. He hoped that there was a way to check the water and power in the actual application and then to be able to charge, check, shut down, whatever, to have some authority in that way. Ashton asked how funds were going to be allocated, if this economic plan would make it feasible for people to live and thrive in Iron County, were there any alternative plans. Aston reported that some AI trends could make some jobs or things a little more difficult in our community and cause some financial struggles if there were not ways to learn to utilize and to benefit from some of these technologies.

Brett Hamilton, Iron County Planner, addressed some of the concerns expressed by in the public comments. Brett explained that water consumption was monitored by the Cedar Valley Water Conservancy; the difference between this ordinance and development agreements in the future. Development agreements are an optional category within the code that was allowed when someone was typically proposing something that was outside of what was typically allowed within the code. Under a Conditional Use Permit (CUP), there was a checklist that needed to be met before it was issued. He explained the difference between a CUP and a Development Agreement. Sam Woodall, Iron County Deputy Attorney, explained that a Development Agreement was essentially a contract, the CUP had a set rubric that hat to be followed and they have rights attached to that. Brett explained that the moratorium was implemented and adopted on May 26th of this year, and was allowed to run a maximum of 180 days. The moratorium would have automatically ended on November 22nd. There continued to be a discussion on comments made by the public and the ordinance.

Kenneth Robinson, Iron County Commission Chair, declared the Public Hearing closed.

Michael Bleak made a motion to approve Ordinance 2026-23. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED PARTIAL ROAD VACATION OF THE WEST PORTION OF KAWIYU TRAIL AND A PARTIAL VACATION OF 2175 S LOCATED IN THE CHEKSHANI CLIFFS SUBDIVISION

Richard Wilson, Iron County Engineer, explained a month ago this was introduced as a possibility, and it still remained a possibility. As long as Kawiyu Trail remains a public road, then the County would be required to bring it to county standard should anyone decide to develop it. Richard reported that the original development application proposed development of the end of Kawiyu Trail and Chuwi Path in conjunction with subdivision amenities intended for the Homeowners Association (HOA). The developer subsequently sold the affected parcels without completing the development as originally proposed. Had these roads been presented for approvals as simple dead-end roads serving no additional development or subdivision amenities, the county would not have approved them for dedication under the circumstances now existing. The roads were established in connection with a subdivision plan that was never completed, and their current configuration primarily provided private access to the adjoining property owner rather than serving the public purpose originally approved. Maintaining these roads a county

rights-of-way creates a substantial long-term financial and liability concern. The county should not be obligated to invest public funds in upgrading roadways to accommodate private development when the original development proposal was not completed as approved. Vacation of the unnecessary rights-of-ways would help clarify responsibility for access maintenance, and future improvements. The Fire Marshal advised that vacation of the road rights-of-way would not hinder fire response, provided that the necessary public utility easement was retained. Richard noted that the proposed vacation was not intended to diminish public safety of disregard residents; concerns. Rather, it was intended to resolve a legacy development issue, avoid unnecessary future public expenditures and liability, and align the legal status of these rights-of-ways with the development that actually occurred.

Bruce Anderson, Iron County Public Works Director, noted that he approved the vacation of the roads. This was a private drive and the county was not responsible for the maintenance of the roads.

There was a discussion regarding the current owner of the property, Jared Holt. Mr. Holt read a letter saying, "Iron County is proposing to vacate Kawiyu Trail in Check Shawnee Cliff's Subdivision. New Harmony Ridge LC purchased this lot from the prior developer. As the owner of the lot served by this road, New Harmony Ridge objects to having this road vacated after the county has already accepted it. New Harmony Ridge is concerned that when the 12 acres are developed in the future, the county may then require it it to do significant work to bring it to county standards. New Harmony Ridge is concerned that the county would consider the road unacceptable for development after vacating it. New Harmony Ridge would be fine if the county blocked the road with an agreement that the county not maintain the road until the lot or lots, if further subdivided, is or are developed. Or New Harmony Ridge would also be fine with a development agreement including provisions that the road is accepted as is. The agreement, for example, would accept the width and setbacks as is. If a development agreement can be reached with the county, then New Harmony Ridge would have no objection to the proposed vacation of this road. Thanks, Jared Holt, manager of New Harmony Ridge LC."

There was continued discussion regarding maintenance of the roads and liability to the county.

Kenneth Robinson, Iron County Commission Chair, declared a public hearing open regarding the proposed Partial Road Vacation.

Keith Wanser, a resident of Chekshani Cliff's presented a power-point to the commissioners of the 40 acre property and roads on the agenda. He noted that the Holt property was classified as two different areas. One was classified as residential unimproved, but also as FAA3 Grazing. There was no grazing and Mr. Holt was paying less on his property taxes because of the grazing listing. The road in question was 0.82 acres and it had not been mowed for years because of the lack of county maintenance. There were two times it was supposed to have been chip sealed, and the county chip sealed the rest of the development, but not the road. This segment was the only road segment in the subdivision, no nearby houses, it was not merely a driveway for us it was the only amenity. He would like to keep the unobstructed view. His point being, was that the commissioners were getting wrong information from the county engineer. We need this segment and we want this segment. We simply want to be able to have it mowed twice a year and that's it.

CJ Wanser, a resident of Chekshani Cliff's, agreed with what her husband reported on. Have the road chip sealed was not extremely expensive, and mowing would only be five more minutes of your mowers time twice a year. It just should have been done and was not. CJ suggested that when you chip seal the community road in the next two to four years, that this road be included. In the meantime, mow it twice a year like it was normally done, maybe lower the blade on the mower a little bit because it's all nice and flat. She noted that this area was used a lot by the community. CJ suggested that if Mr. Holt wanted to do something great for the community, especially since he would benefit, he could donate half that property to the county and have a park there.

Karsten Reed, Iron County Assessor, clarified that the mentioned 12.5-acre parcel had not been in greenbelt for at least 10 years, and the 40-acre parcel was fallowed in 2025. The

owners have an agreement to graze approximately 500 sheep this year, which placed the 40-acre parcel in greenbelt and was in compliance.

Bradden Beaumont, Iron County Deputy Assessor/FFA Specialist, explained that the codes were being pulled in individually. The land model was out-of-date and not included in the greenbelt. The greenbelt use value for Graze 3 was $14 per acre. $14 per acre for 12 acres was $1.41 in taxes per year.

Ken Robinson explained that the greenbelt was filed last year, but because of drought conditions then, it was going to be grazed this year. There was more discussion regarding grazing.

A resident of Chekshani Cliffs Subdivision, reported that she was protesting against the county proposal to remove any road streets easement and right away associated with the property address near parcel 129 and 73 and the partial vacation of the west portions of Kawiyu Trail and 2175 South. Chekshani Cliff's subdivision was in a rural area of Iron County where there was no fire department, the closest ones were in Kanarraville and New Harmony, which were both voluntarily staffed. Chekshani Cliff's was in an extreme fire hazard area, and Iron County maintains the roads and mows along the sides of the roads twice a year. But there was a problem with the county neglecting the above roads and not wanting to mow the sides of the road on Kawiyu Trail. Many property owners requested additional to be mowed, and then the property was posted to be vacation and a public hearing to be held. I've lived there seven years. There had been no animals and no grazing on it, and it's never been maintained or developed. The roads are being vacated and were used by residents to walk and ride their bikes. The roads are critically needed to remain open for fire safety, emergency vehicle staging, or wildfires. The Government was required to protect public welfare, public interest, and to make sure no person will be materially injured by their actions. It is also the responsibility of each property owner to maintain their own property without causing a fire hazard to other property owners.

Spencer Rollo, Iron County Fire Warden, reported that he had been asked to assess the road in its current state. There were some fire concerns with wildfire and even structure fire with the hydrant being at the end of the road and maybe using that road as a fire break. After looking at it, because that road does not connect to anything, and was out in the middle of a flat, it could not be actively used as a fire break. The fire hydrant probably had purpose when the development was started to service homes in that area, but as of right now, it was not servicing anything. There is another hydrant right there on the corner as you turn into the trail that would actually be more accessible.

Elaine Bennett, a resident of Chekshani Cliffs, wondered if there was any potential liability for the county given all of this brouhaha over the situation, the neglect for so many years, and where we are now. Was there potential liability for the county should there be a fire and it damaged any of the homes in the vicinity and the county does not require any high weed mowing. There had to be some liability with all this with the neglect for all these years. The sign that was posted does not say keep out, it says high fire danger, no motorized vehicles beyond this point. I also know that Mr. Wilson met with our board and HOA committee members last weekend last week last Monday a week ago today and I would like that meeting memorialized, we have no minutes or anything from it.

Bruce Anderson, Iron County Public Works, noted that he was not aware of the road until a couple months ago, and thought it was a private trail, and did not know it had been closed by the Sheriff. Where the road was blocked, the county could not have mowed through there. Bruce reported that when he found out about this road just this year, it was blocked off. Somebody in the HOA had called the sheriff and said four wheelers were going down there and they were worried about the fire danger. The sheriff block that road off and they would not have mowed it

Elaine noted she was the one who contacted Bruce and the road was not blocked, only the sign was up.

Richard Wilson explained that when he began his job with Iron County 5 years ago, there was no sign on the road, but there were cones blocking the access. He pulled the cones because it was a public road, and you cannot tell the public they could not use a public road, and then someone put them back up.

Bruce explained that it was not easy to come up with a cost to maintain the road. Too many weeds have grown as a result of blocking the road, or lack of use. He explained that when the weed root goes into the soil it expanded and becomes collapsible soil. For this reason, the road would have to be dug up, compacted, and new material placed on it. The issue ultimately sits with the person who sold the property and said it was going to be a public area, which changed from an amenity area to one single owner. The road should be vacated, to ensure that if Mr. Holt decided to turn the area into a subdivision, it was built correctly and up to standard. If Iron County did not vacate the road they would then be responsible to bringing it to county standards, otherwise Mr. Holt would be responsible for upgrading the road.

Paul Cozzens made a motion to table the partial Road Vacation of the west portion of Kawiyu Trail and a partial Vacation of 2175 South, located in the Chekshani Cliffs Subdivision, until further documentation was presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

CONSIDERATION AND POSSIBLE ADOPTION OF ORDINANCE 2026-24 REPEALING ORDINANCE 2026-13 (TEMPORARY MORATORIUM ON DATA CENTERS, AND SOLAR POWER PLANTS)

Brett Hamilton, Iron County Planner, explained that this ordinance would end the Temporary Land Use Moratorium on the data centers and solar power plants, with the recent adoption of the updated ordinance. This would allow the applications to be submitted.

Michael Bleak made a motion to approve Ordinance 2026-24, repealing Ordinance 2026-13, the Temporary Moratorium on Data Centers, and Solar Power Plants. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye

ANNUAL REPORTING FROM THE ENTERPRISE AND IRON CONSERVATION DISTRICT

This agenda item was stricken.

DISCUSSION AND POSSIBLE APPROVAL TO IMPLEMENT TRAFFIC CONTROL DEVICES IN THE SCHOOL ZONE NEAR THE THREE PEAKS ELEMENTARY SCHOOL

Kenny Resin, a resident of Iron County, noted that he had 2 children who attended Three Peaks Elementary. Kenny reported that the current posted speed limit was 35/40 MPH, and he would like that lowered to 20 mph during school hours. There were flashing lights present to have people slow down, but it was rarely followed. There was not a crossing guard or crosswalk because there was an alfalfa field to the north. He noted that pulling in and out of the parking lot and making a left-hand turn there could be harrowing sometimes.

No action was taken.

DISCUSSION AND POSSIBLE APPROVAL AND PRESENTATION OF THE 2027 TENTATIVE BUDGET

Lucas Little, Iron County Auditor, presented the Iron County 2027 Tentative Budget for approval. He had received all the budget requests back from each department and have been reviewing them and propose the tentative budget. Luke noted that there would be no public hearing today, but it would be on the November 23 Iron County Commission Agenda. After the public hearing, the budget would be on the December 14th Iron County Commission meeting to approve the budget and make it final.

Paul Cozzens made a motion to approve the Iron County 2027 Tentative Budget as presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN IRON COUNTY AND THE UTAH INLAND PORT AUTHORITY (UIPA) FOR IRON COUNTY INPUT ON FUTURE PROJECTS

Sam Woodall, Iron County Deputy Attorney, explained that is was separate and distinct from any ongoing projects that were already present. Any existing project areas would not going to have feedback on, but this MOU was intended to cover future additions to project areas. If the Utah Inland Port Authority (UIPA) decide to change something, adding more area on an existing project, they would look to Iron County for written feedback, which was the purpose of this MOU. There would be ongoing discussions about what to do with funding and how that changes hands. If the MOU was approved, it would be voted in the UIPA November board meeting to memorialize it on their end that they agree that they want to have good feedback from Iron County. Danny Stewart, UIPA Associate Vice-President, expressed his appreciation for the commissioner and the effort to memorialize this. It was important to follow the community's lead in anything that the UIPA did, make sure that the property tax differential, which is generated in the Inland Port project area, was used in the way that the county sees fit.

Michael Bleak made a motion for approval of the MOU between Iron County and the Utah Inland Port Authority as presented by Sam Woodall. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

CONVENE AS THE BOARD OF EQUALIZATION

Kenneth Robinson, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization (BOE).

REVIEW AND POSSIBLE APPROVAL OF VETERAN, CIRCUIT BREAKER, LOW INCOME, AND BLIND TAX ABATEMENTS FOR THE 2026 TAX YEAR

McKayla Meinhardt, Iron County Deputy Auditor/Abatements, reported on Veteran (100 new), Circuit Breaker, Low Income, and Blind Tax Abatements and Religious & Charitable Tax Exemptions submitted. McKayla noted that all circuit breakers had been applied and accounted for. There were 350 Circuit Breaker Low Income applicants and of the 350, 7 were Mobile Circuit Breaker. There were 915 Veterans. McKayla reported that the total taxable value abated was $200,807,747.00, and total relief was $1,543,018.94. McKayla Meinhardt, Iron County Deputy County Auditor, reported on Veteran (100 new), Circuit Breaker, Low Income, and Blind Tax Abatements and Religious & Charitable Tax Exemptions submitted. The State of Utah would reimburse Iron County $262,874.47 for the Circuit Breaker relief. The total taxable value was $270,869,048.00, and total relief was $2,082,178.15.

Paul Cozzens made a motion to approve the Veteran, Circuit Breaker, Low Income, and Blind Tax Abatements and Religious & Charitable Tax Exemptions submitted for the 2026 tax year. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Kenneth Robinson, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Camila Peterson as a Part-Time Victim Advocate in the Attorney's Office, effective October 26th. This was a backfill of a vacant position.

Michael Bleak made a motion to approve the Personnel change as presented by Jennifer Bradbury. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

NON-DELEGATED ITEMS

County Boards:

Paul Cozzens made a motion to appoint Travis Laub to the Iron County Planning Commission Board.

Mark Halterman has been serving on the Iron County Planning Commission (ICPC) for the last nine years. The ordinance notes that the maximum time served was three consecutive three-year terms, which Mark has done. This leaves a vacancy on the ICPC board. It has been requested that Travis Laub be appointed to the ICPC board representing the agricultural realm for Iron County.

Paul Cozzens made a motion to appoint Travis Laub to be a member of the ICPC Board, Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

ADJOURNMENT

Kenneth Robinson, Iron County Commission Chair, declared adjournment.

Signed: Kenneth Robinson, Chair

Attest: Jonathan T. Whittaker, County Clerk